



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

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March 13, 2025

MEMORANDUM

TO: Registered Environmental Health Specialists, Program Supervisors, and Managers

FROM: Chad Gambill, REHS, Field Supervisor
Pools, Tattoos, and State Institutions Program

SUBJECT: Clarification regarding bacteriological water samples for public swimming pools and tattoo establishments served by a water supply subject to 15A NCAC 18A .1700

ISSUE/QUESTION: **When and why do water samples need to be taken?**

DISCUSSION AND RATIONALE:

Many rules in Subchapter 18A of Title 15 of the North Carolina Administrative Code ("NCAC") require annual bacteriological samples from different water supplies; however, there is no such requirement in the Rules Governing Public Swimming Pools (.2500, et seq.) or the Rules Governing Tattooing (.3200, et seq.). Nevertheless, there are occasions when bacteriological samples will be needed for both pools and tattoo establishments.

Rule 15A NCAC 18A .1720 from the Rules Governing the Protection of Water Supplies (".1700 rules") establishes that non-community water and non-public (i.e., private) water supplies serving establishments regulated by Environmental Health ("EH") are subject to the requirements of the .1700 rules. This includes public swimming pools and tattoo establishments. Rule .1725(a) requires two bacteriological samples taken from the water supply by the LHD at least 48 hours apart: (1) prior to the water supplies initial use; or, (2) after the water supplies construction, maintenance, repairs, pump installation or a report of a positive coliform sample. Importantly, the .1700 Rules do not require annual bacteriological water samples for establishments regulated by EH.

Additionally, it is likely that a well serving a public pool or a tattoo establishment meets the definition of a non-community public water supply. If it does meet that definition, the Public Water Supply

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Section (“PWS”) of the North Carolina Department of Environmental Quality may require the well-owner to submit quarterly bacteriological sample results to PWS. EH is not tasked with any of the sampling required by PWS.

CONCLUSION:

Annual bacteriological water samples from wells serving public swimming pools or from wells serving tattoo establishments are **not** required by EH rules. Annual samples should **not** be taken by EH for these wells. Pool permits and tattoo renewal permits cannot be denied based on results from annual water samples which are not required by law or rules.

If EH is notified of a PWS confirmed total coliform sample, EH may sample the well in accordance with .1725(a) by taking two consecutive bacteriological water samples at least 48 hrs. apart. If EH is notified of a PWS confirmed positive fecal coliform sample, this qualifies as an “imminent hazard” and EH shall take immediate permit action based on .1725(b) and 130A-23(d) and begin sampling protocol per .1725(a).

Definitions:

- *Community water system means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.*
- *Non-community water system means a public water system that is not a community water system.*

This guidance replaces any guidance given in previous written or verbal communications. The information in this guidance document is not enforceable on its own but is intended to promote uniform interpretation and enforcement of the underlying rules.

References:

- 15A NCAC 18A .2500
- 15A NCAC 18A .3200
- 15A NCAC 18A .1700
- 15A NCAC 18C .0100 – Public Water Supply Definitions