

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 704
SENATE BILL 229

AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-22(b) is amended by deleting the phrase "five thousand dollars (\$5,000)" and substituting the phrase "twenty-five thousand dollars (\$25,000)".

Sec. 2. G.S. 130A-313(10) is amended by adding a sentence after the end of the first sentence in the subsection to read:

"Two or more water systems that are adjacent and are owned or operated by the same supplier of water and that together serve 15 or more service connections or 25 or more persons is a public water system."

Sec. 3. G.S. 130A-321(a)(1)a. is amended by deleting the phrase "despite application of the best technology, treatment techniques or other means which the Secretary finds are generally" and substituting the phrase "after application of the best technology, treatment techniques, or other means which the Secretary finds are".

Sec. 4. G.S. 130A-321(a) is amended by adding a new subdivision to read:

"(5) In order to implement sub-subdivision a. of subdivision (1) of this subsection, the Commission shall adopt by rule a list of the best available technologies, treatment techniques, or other means available, to deal with each contaminant for which a maximum contaminant level is established."

Sec. 5. G.S. 130A-321(c) is rewritten to read:

"(c) As a condition of issuance of either a variance or an exemption, the Secretary shall issue a schedule of compliance for the public water system, including increments of progress for each drinking water rule for which the variance or exemption was issued. As a further condition of a variance or exemption, the Secretary shall require the public water system to implement any necessary control measures prescribed by the Secretary during the period of the variance or exemption. The compliance schedule for an exemption shall require compliance as expeditiously as practical but no later than June 19, 1987, for existing maximum contaminant levels and treatment techniques, or no later than one year from the issuance of the exemption for any newly adopted maximum contaminant level or treatment technique. The final date for compliance provided in any exemption schedule may be extended up to three years after the date of the issuance of the exemption if the water system establishes:

- (1) The water system cannot meet the standard without capital improvements which cannot be completed within the period of exemption, or

- (2) The system needs financial assistance for necessary improvements and has entered into an agreement to obtain such assistance, or
- (3) The system has entered into an enforceable agreement to become part of a regional public water system and the system is taking all practical steps to meet the standard.

If a public water system serves 500 or fewer service connections and needs financial assistance for necessary improvements, an exemption may be renewed for one or more additional two-year periods if the system establishes it meets the requirements set forth in subdivisions (1) and (2) of this section."

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 31st day of July, 1987.