



CHAPTER 130A
ARTICLE 10 - NORTH CAROLINA DRINKING WATER ACT

N.C.G.S. § 130A-328.

Public water system operating permit and permit fee.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2024-49, s. 4.50(a) — sixth act in the lineage	21 September 2026, 04:21 UTC	1f9b91dfba20356cf54074b1 - 4af6ca25e82d4e32e53ef93c - 71063161015dbe5a

§ 130A-328(a) No person shall operate a community or non transient non-community water system who has not been issued an operating permit by the Department. A community or non transient non-community water system operating permit shall be valid from January 1 through December 31 of each year unless suspended or revoked by the Department for cause. The Commission shall adopt rules concerning permit issuance and renewal and permit suspension and revocation. The annual fees in subsection (b) shall be prorated on a monthly basis for permits obtained after January 1 of each year.

§ 130A-328(b) The following fees are imposed for the issuance or renewal of a permit to operate a community or non transient non-community water system; the fees are based on the number of persons served by the system:

- Fee
- Non Community Water Systems:
- Base fee:
- Non transient non-community\$201
- Community Water Systems:
- Number of Persons Served
- 50 or fewer\$338
- More than 50 but no more\$359

than 100

More than 100 but no more\$433

than 200

More than 200 but no more\$454

than 300

More than 300 but no more\$507

than 400

More than 400 but no more\$549

than 500

More than 500 but no more\$1,024

than 750

More than 750 but no more\$1,067

than 1000

More than 1000 but no more\$1,109

than 2000

More than 2000 but no more\$1,151

than 3000

More than 3000 but no more\$1,785

than 4000

More than 4000 but no more\$1,932

than 5000

More than 5000 but no more\$2,545

than 7500

More than 7500 but no more\$2,724

than 10,000

More than 10,000 but no more\$3,432

than 25,000	
More than 25,000 but no more	\$3,865
than 50,000	
More than 50,000 but no more	\$3,865
than 75,000	
More than 75,000 but no more	\$6,167
than 100,000	
More than 100,000 but no more	\$6,737
than 250,000	
More than 250,000 but no more	\$6,737
than 500,000	
More than 500,000	\$7,857

§ 130A-328(c)

The following fees are imposed for the review of plans, specifications, and other information submitted to the Department for approval of construction or alteration of a public water system. The fees are based on the type of constructions or alteration proposed:

Distribution system:Fee

Construction of water lines, less than 5000 linear feet\$317

Construction of water lines, 5000 linear feet or more\$422

Other construction or alteration to a distribution system\$158

Ground water system:

Construction of a new ground water system or adding a new well\$422

Alteration to an existing ground water system\$211

Surface Water system:

Construction of a new surface water treatment facility\$528

Alteration to an existing surface water treatment facility\$317

Water System Management Plan review\$158

Miscellaneous changes or maintenance not covered above\$106

§ 130A-328(c1)

The Department shall perform a review of an application for a water distribution system authorization subject to the following requirements:

- (1) The Department shall review the application within 45 days of receipt of a complete application when a professional engineer provides certification that the design meets or exceeds the Minimum Design Criteria developed by the Department applicable to the project. For purposes of this section, a complete application is defined as an application that includes all of the required components described in the application form.
- (2) The Department shall perform an administrative review of a new application within 10 days of receipt to determine if all required information is included in the application. If the application is complete, the Department shall issue a receipt letter or electronic response stating that the application is complete and that a 45-calendar day technical review period has started as of the date on which the Department received the complete application. If required items or information are not included in the application, the application is incomplete, and the Department shall issue an application receipt letter or electronic response identifying the information required to complete the application before the technical review begins. When the Department receives the required information, the Department shall issue a receipt letter or electronic response specifying that the application is complete and that the 45-calendar day review period has started as of the date on which the Department received the remaining required information.
- (3) If additional information is required to complete the technical review, the Department shall issue a request for additional information required to complete the review, and the 45-calendar day technical review period shall pause until the additional information is received. If the Department does not receive the requested additional information from the applicant within 30 calendar days, the Department shall return the application to the applicant.
- (4) If the Department receives the additional information from the applicant within 30 days, the technical review period review time shall restart, and the Department shall complete its review within the number of days that remained in the technical review period on the date the technical review period was paused by the request for additional information.

(5) Should the Department not complete its review of the application within the 45-day technical review period, the application shall be considered deemed approved.

§ 130A-328(d) The Department may charge an administrative fee of up to one hundred seventy-eight dollars (\$178.00) for failure to pay the permit fee by January 31 of each year.

§ 130A-328(e) All fees collected under this section shall be applied to the costs of administering and enforcing this Article.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1991		2008			2024
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT					
Nº	YEAR	ACT	CHARACTER			
01	1991	c. 576, s. 1	ENACTED			
02	1991	1991 (Reg. Sess., 1992), c. 811, s. 6	AMENDED			
03	1991	c. 1039, s. 11	AMENDED			
04	2006	S.L. 2006-66, s. 11.7(a)	AMENDED			
05	2023	S.L. 2023-134, s. 12.14(f)	AMENDED			
06	2024	S.L. 2024-49, s. 4.50(a)	AMENDED			

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 130A-328 (2024).

PINPOINT

N.C. Gen. Stat. § 130A-328(a) (2024).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1991, c. 576, s. 1; 1991 (Reg. Sess., 1992), c. 811, s. 6; c. 1039, s. 11; 2006-66, s. 11.7(a); 2023-134, s. 12.14(f); 2024-49, s. 4.50(a).)

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