

State of North Carolina  
Department of Environment  
and Natural Resources  
Division of Environmental Health

James B. Hunt, Jr., Governor  
Wayne McDevitt, Secretary  
Linda C. Sewall, Director



March 12, 1998

**MEMORANDUM**

**TO:** Environmental Health Supervisors, Directors, and Coordinators

**FROM:** Charles L. McKenzie, Regional Environmental Health Specialist *clm*  
Children's Environmental Health Branch

**THROUGH:** *Ed Norman*  
Ed Norman, Program Supervisor  
Children's Environmental Health Branch

**SUBJECT:** Water Sampling and On-site Waste Disposal Inspection for Child Care Homes

A number of questions have been raised regarding the collection of water samples from unapproved supplies and the inspection of on-site waste disposal systems for "family child care homes" (what used to be called registered child day care homes). Some counties have collected water samples and visually inspected on-site sewage disposal systems as a courtesy to the child care operators and child care consultants with the Division of Child Development. However, it is the policy of the Child Care Sanitation Program to discourage this practice (see attachments) unless there is a specific local ordinance granting authority to do so. While these homes are licensed by the Division of Child Development, the Division of Environmental Health does not have, and has never had, statutory authority to regulate family child care homes. In particular, compliance with rules governing the protection of water supplies, 15A NCAC 18A .1700, at family foster homes and residential care facilities are not applicable to family child care homes.

Local health departments that continue to offer these services without a local ordinance do so at their own risk and may incur liability as a result of their actions. Please call me at (704) 251-6784 or Ed Norman at (919) 715-3293 if you have any further questions.

CLM/ilh

Enclosures

cc: EHSS Standard Distribution List  
Talitha Wright, Division of Child Development