

## **SYNOPSIS**

### **Proposed Amendments to the Rules for Safe Drinking Water, Chapter 391-3-5**

The proposed amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, would amend Rule 391-3-5-.07 to provide a procedure for a drinking water well to be located less than 100 feet from a surface water.

**Purpose:** EPD proposes to amend Rule 391-3-5-.07 to provide a procedure for a drinking water well to be located within 100 feet of a surface water. In certain areas of the state, the requirement to locate a well 100 or more feet from a surface water has limited the options for drinking water systems.

**Main Features:** The proposed amendments would provide a procedure for drinking water wells to be constructed without a minimum distance requirement of a surface water. The public system must follow the procedure, including monitoring requirements, to ensure that the well is not under the direct influence of surface water, which would implicate different treatment and reporting requirements for the public water system.

## **RULES FOR WATER QUALITY CONTROL, CHAPTER 391-3-5**

**391-3-5-.07, “Well Construction Standards”** is being amended to provide a procedure in paragraph (3) for a drinking water well to be located within 100 feet of surface water.

## **STATEMENT OF RATIONALE**

### **Proposed Amendments to the Rules for Safe Drinking Water, Chapter 391-3-5**

The proposed amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, Rule 391-3-5-.07, would provide a procedure for drinking water wells to be constructed within 100 feet of a surface water. The proposed amendments address comments the Division received to modify or provide a variance to the requirement for wells to be located 100 feet or more from a surface water. The amendments provide a procedure to reduce the minimum distance requirement, including bacteria and other sampling requirements to ensure that the well(s) are not under the direct influence of a surface water. Under the procedure, public water systems must submit a hydrologic assessment report that includes initial pump test results, and they may also conduct additional Microscopic Particle Analysis (MPA) testing. If the test results meet specific thresholds, the well will be approved as a groundwater source and one or more annual MPA analyses will be required to confirm that the well is not under the direct influence of surface water. If test results do not meet the thresholds, then the well will be treated as a groundwater

source under the direct influence of surface water and will be subject to the treatment and reporting requirements for surface water sources.