

ARCHIVE: Archived due to the 2009 rule revision. Refer to VA30010.09.005 for the updated document.

TITLE: Determination of Wells Used for Potable Purposes

DATE EFFECTIVE: August 2003

HISTORY: Update of VA30010.98.015 (FAQ #14) - Revision was necessary to conform to rule revisions that became effective on October 21, 2002. However, the archived TDC document remains accurate under the 1996 VAP rules.

KEYWORDS: Potable wells, water well logs

RULE/ AUTHORITY: OAC 3745-300-10(C)(2)(a), (D)(1)(f), and (D)(3)(b)(i); and 3745-300-07(D)(8)

QUESTION: How should the Certified Professional determine whether wells used for potable purposes exist within ½ mile of a property boundary or USD boundary?

BACKGROUND: There are several instances where a CP/Volunteer would need to determine whether wells are present within a specified area.

For the purpose of classifying the ground water, OAC 3745-300-07(D)(8)(a) states that the volunteer must determine if ground water on, underlying or emanating from the property is being used. OAC 3745-300-10(C)(2)(a) states that if ground water is in a saturated zone currently utilized as a source of water for potable purposes within ½ mile of the property boundary, then the ground water is Class A.

To obtain USD, the Certified Professional (CP) must demonstrate that no wells used for a potable water supply exist within ½ mile of the USD boundary (OAC 3745-300-10(D)(1)(f)). However, an USD can still be designated if the CP can demonstrate that the capture zone of an existing potable water supply well does not extend under the property or properties, or the well is part of a community water system (CWS) with a drinking water source protection plan and the owner of the CWS consents in writing to the designation. OAC 3745-300-10(D)(1) (f)(i) and (ii). The potable use standard is defined in OAC 3745-300-01(A)(34).

When relying on a USD, OAC 3745-300-10(D)(3)(b)(i) requires the CP

to verify whether additional well(s) have been installed within ½ mile of the USD or geographical area that are or will be impacted by chemicals of concern emanating from the property.

ANSWER:

The Ohio EPA considers ground water to be currently utilized if an active well exists within ½ mile of the property or USD boundary. At a minimum, the evaluation should include the following:

1. Check Publicly Available Records

- a. An evaluation of well logs on file at ODNR is required.¹ The evaluation needs to include not only those well logs for which the well locations have been mapped by ODNR on a U.S.G.S Quadrangle, but also those well logs that are on file but have not been mapped by ODNR (herein referred to as unlocated well logs). The physical location of the wells should be determined for the unlocated well logs. The city and street address and/or driller's location description can be used to help eliminate from consideration those unlocated wells that are obviously not within ½ mile. Ohio EPA recognizes that despite reasonable efforts made by the CP, it may not be possible to assign a potential location to all wells. If all wells cannot be located, other efforts (or lines of evidence) may be needed, such as a more extensive visual survey.
- b. A review of county or other local Health Department records to determine whether well permits have been issued for potable use. [NOTE: Records may only go back 10 years.]
- c. An inquiry of other local authorities with jurisdiction over installation of wells used for potable purposes. (Note: The Department of Agriculture regulates bottled water.)

¹ The Phase II rule OAC 3745-300-07(D)(8)(b) requires that for the purposes of classifying the ground water, the volunteer, at a minimum, must review the ODNR well logs for properties on which ground water has or is reasonably anticipated to have chemicals of concern in excess of generic or risk-derived unrestricted potable use standards.

2. Conduct a visual survey of the area within ½ mile of the property or USD boundary for evidence of ground water use²

The visual survey may be as simple as a drive-by observation or as extensive as conducting a door-to-door survey, or mail survey. The “level of effort” needed for the visual survey is property-specific and dependent on the other documentation supporting the well location evaluation. Other documentation could include:

- a. An ordinance requiring residents/businesses to connect to the public drinking water system.
- b. A ban on drilling water wells in the area.
- c. A local requirement or ordinance requiring a permit for the installation of a water supply well.

The weight of the above evidence is dependent on whether these can be, and have been effectively monitored and enforced by the local authority having the jurisdiction.

Other possible lines of evidence that wells used for potable purposes do not exist within ½ mile include:

- Interviews with or surveys of local drillers to determine whether they have installed wells for potable purposes in the area.
- Interviews with or surveys of local water suppliers to determine whether water service is provided to the area within ½ mile.

² Phase II rule OAC 3745-300-07(D)(8)(a) requires that for the purpose of classifying ground water underneath the property, the volunteer must identify any visual evidence of ground water use in the areas where ground water has or is anticipated to have chemicals of concern in excess of generic or risk-derived unrestricted potable use standards.

3. Evaluation of Potentially Located Wells

One must assume that the potentially identified wells are used for potable purposes unless evidence is provided that: 1) the well(s) no longer exists, 2) the well is used for purposes other than potable use, or 3) the well's intake is not within the ground water zone being classified.

- a. Sufficient evidence that a well identified from public records no longer exists could include one or more of the following:
 - i. An abandonment report filed with ODNR or the local or county health department;
 - ii. Confirmation by the local or county health department that the well no longer exists; or
 - iii. Documentation provided by the well owner that the well no longer exists (either through multiple attempts to contact well owner by mail and/or verbal contact).
- b. Sufficient evidence that an identified well is not currently utilized for potable water supply could include documentation that:
 - i. The well is for non-potable purposes. A statement from the well owner should be provided.
 - ii. The well is only used to monitor ground water quality or quantity.
 - iii. There is no possibility that a well could be use for potable purposes (e.g., absence of pumps or connecting plumbing; including a statement that the owner does not plan to refit the well).
 - iv. The owner of the well has an active PWS account, and the usage is of sufficient quantities to account for potable purposes. (NOTE: This should not be used as supporting evidence without first attempting to contact the well owner.)
 - v. The property is not occupied and that potable water is not needed for the property. This is particularly important for properties that do not have water accounts with the city.
- c. Evaluate whether the wells identified for potable purposes are in the same ground water zone being classified. (Note: not applicable for obtaining a USD designation.)

OHIO EPA
CONTACT:

For any questions concerning this issue, please contact the VAP Central Office at (614) 644-2942 or DDAGW-VAP support staff at (614) 644-2752.