

# APPLICATION INSTRUCTIONS

## *For Completing a Ground Water Withdrawal Permit Application*

### WHO MUST APPLY FOR A GROUND WATER WITHDRAWAL PERMIT?

9 VAC 25-610-40 of the Ground Water Withdrawal Regulations prohibits the withdrawal of ground water in a ground water management area without a ground water withdrawal permit, except as excluded in 9 VAC 25-610-50.

### WHAT WITHDRAWALS ARE EXCLUDED?

(1) Withdrawals of less than 300,000 gallons per month. (2) Temporary construction dewatering withdrawals that do not exceed twenty four months in duration. (3) Withdrawals associated with a state-approved ground water remediation that do not exceed sixty months in duration. (4) Withdrawals for a ground water source heat pump where the discharge is reinjected into the aquifer from which it was withdrawn. (5) Withdrawals from ponds recharged by ground water without mechanical assistance. (6) Withdrawals for the purpose of conducting geophysical investigations, including pump tests. (7) Withdrawals coincident with exploration for and extraction of coal or activities associated with coal mining regulated by the Department of Mines, Minerals, and Energy. (8) Withdrawals coincident with the exploration for or production of oil, gas or other minerals other than coal, unless such withdrawal adversely impacts aquifer quantity or quality or other ground water users within a ground water management area. (9) Withdrawals in any area not declared to be a ground water management area. (10) Withdrawal of ground water authorized pursuant to a special exception issued by the board. (11) Withdrawal of ground water discharged from free flowing springs where the natural flow of the spring has not been increased by any method.

### PREAPPLICATION CONFERENCE

A preapplication conference is **required** to discuss application completion, processing and evaluation procedures. A Ground Water Withdrawal Permit Application **WILL NOT** be accepted without a preapplication conference. Additional application information may be required, such as mitigation plans, monitoring well installation, hydrogeologic data collection and report, and pump/aquifer tests. Information required for DEQ staff to evaluate the area of impact will be discussed. Contact the appropriate Department of Environmental Quality (DEQ) Regional office to schedule a meeting. Information requested by DEQ staff will be documented on the Preapplication Conference Meeting Form and a copy will be provided to the applicant.

### APPLICATION FORMAT

Application for a Ground Water Withdrawal Permit requires completion of all sections of the attached application. Omission of required information in any section will result in return of the application as incomplete.

An application is to be submitted on the forms provided with additional sheets attached, as stated in the application. Do not attach additional sheets in lieu of completing the blanks on the application. If the space provided on the application is insufficient, attach additional sheets as needed. Attachments should clearly identify the part/question of the application form to which they pertain and should be numbered to facilitate review. Attachments should be submitted on 8 1/2" X 11" paper when possible.

### APPLICATION INSTRUCTIONS

- 1. APPLICANT INFORMATION:** The applicant's official or legal name, Federal Identification Number, phone number and mailing address where correspondence should be sent. Applicants without FINs should enter their individual Social Security Number.
- 2. FACILITY/SYSTEM INFORMATION:** Name of the commercial, industrial or agricultural facility or the public water supply system from which the withdrawal will occur. Enter the street address of the facility if different from the address above. If the address is the same, enter "same". If the application is for a withdrawal for a public water supply, with multiple well lots, leave the facility address blank. Give the name, title, and work number of a person who is thoroughly familiar with the operation of the withdrawal facility and with the facts reported in this application and who can be contacted by DEQ staff if necessary.

- 3. TYPE OF APPLICATION:** Check the appropriate action and give the most recent permit number, permit amount, and expiration date, if applicable. Enter the amount of water needed to support the proposed beneficial use.
- 4. TYPE OF USE:** Check the appropriate use types to which the requested withdrawal will be applied. If the withdrawal is to be applied to more than one beneficial use, provide an estimate of the percent of use. If the type of use is a public water supply, estimate the percent of the withdrawal for human consumptive use and attach a complete copy of the Virginia Department of Health Water Works Operation permit, including Engineering Description Sheets, or equivalent.
- 5. JUSTIFICATION FOR THE AMOUNT OF WITHDRAWAL REQUESTED:** Briefly describe the nature of your activity (e.g., products produced or services provided) and the proposed beneficial use of ground water. Document and calculate the amount of water needed to produce a product or provide a service. For example: ACME Widget Co. makes widgets. ACME makes 100 widgets per day. 100 gallons of water is needed to make one widget. Therefore, the daily water demand for ACME is 100 widgets per day x 100 gallons of water per widget or 10,000 gallons per day. Provide a schematic showing water flow through the facility/system. Applications for new public water supplies should document need based on low flow plumbing requirements in the Uniform Statewide Building Code. Justification of need based on Health Department wastewater estimates of 400 gallons per day per ERC will **NOT** be accepted.
- 6. WASTEWATER TREATMENT AND DISPOSAL:** Check the appropriate method of wastewater disposal if applicable.
- 7. WELL LOCATION(S):** Locate all wells (existing, proposed, abandoned, out of service), facility property boundaries and/or water supply service area associated with the application on a (1) United States Geological Survey 7 1/2 minute topographic map, or copies of such maps, and (2) detailed location map of each existing and proposed well. The USGS map should contain the quadrangle name, the scale of the map, and a north arrow. The detailed location map must be of sufficient detail such that all wells may be easily located during site inspections.
- 8. EXISTING WELL INFORMATION:** Complete the table for all existing wells associated with the application and attach water well completion reports if available. Note that all wells, including observation and abandoned or out of service wells, should be listed. Every effort should be made to obtain completion reports. This can be accomplished by contacting the well driller, previous employees, Virginia Department of Health or DEQ. Do NOT enter "see attached" on this table. Enter "NA" if well construction information is not available. Enter "none" on the first line if there are no existing wells associated with the application. DEQ well identification plates must be attached to each existing well. Well identification plates can be obtained at the appropriate DEQ Regional office.
- 9. PROPOSED WELL INFORMATION:** Complete the proposed well information worksheet for all proposed wells associated with this application. Do NOT enter "see attached" on this table. Contact the appropriate DEQ Regional office to obtain DEQ well identification numbers prior to the start of drilling operations. Refer to the DEQ well identification number on all drilling documentation. A DEQ well identification plate must be attached to each completed well. Identification plates may be obtained from the DEQ Regional offices listed on the front of the application package. Contact the DEQ Regional office at least two weeks prior to the start of drilling operations for each proposed well.
- 10. LOCAL AND AREAWIDE PLANNING REQUIREMENTS:** Attach the original notification from the local governing body of the county, city or town in which the withdrawal is to occur that the location and operation of the withdrawing facility is in compliance with all land use, planning and zoning ordinances adopted pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the code of Virginia. If the Local Government Ordinance Form (LGOF) is not enclosed, enclose documentation demonstrating that the

county, city or town failed to respond within 45 days to such a request made by the applicant by certified mail, return receipt requested (9 VAC 25-610-90 C.2.b).

11. **LOWEST QUALITY OF GROUND WATER NEEDED:** Attach an evaluation of the lowest quality water needed for the intended beneficial use. The evaluation must include a list of critical water quality parameters with minimal limits which are associated with the type of use. Demonstrate that the ground water withdrawal will originate from the aquifer that contains the lowest quality water that will support the proposed beneficial use.
12. **SOURCES OF WATER OTHER THAN GROUND WATER:** Attach an evaluation of sources of water supply, other than ground water, including sources of reclaimed water. Include information as to the proximity to public water supplies, surface water sources and sources of reclaimed water.
13. **WATER CONSERVATION AND MANAGEMENT PLAN:** Attach a water conservation and management plan to include, at a minimum, the following: (1) Requirements for the use of water saving plumbing and processes including, where appropriate, the use of water saving fixtures in new and renovated plumbing as provided in the Uniform Statewide Building Code; (2) A water loss reduction program; (3) A water use education program; (4) An evaluation of potential water reuse options; (5) Requirements for mandatory water use reductions during water shortage emergencies declared by the local governing body or the Director of DEQ, including, where appropriate, ordinances prohibiting the waste of water generally and requirements for mandatory water use restrictions, with penalties during water shortage emergencies.
14. **AREA OF IMPACT OF THE PROPOSED WITHDRAWAL:** Pursuant to 9 VAC 25-610-110 D.2. of the Ground Water Withdrawal Regulations, DEQ staff will perform a technical evaluation to determine the areas of any aquifers that will experience at least one foot of water level decline due to the proposed withdrawal. Hydrogeologic information such as, but not limited to, aquifer properties (transmissivity and storage coefficient) obtained from aquifer testing may be required at or following the preapplication conference.
15. **GROUND WATER PERMITTEES IMPACTED BY THE PROPOSED WITHDRAWAL - MITIGATION PLAN:** Pursuant to 9 VAC 25-610-110 D.3.g. of the Ground Water Withdrawal Regulations, DEQ staff will determine if the predicted area of impact extends beyond the property owned by the applicant and/or other ground water users exist within the area of impact. Since the area of impact most often extends beyond the applicant's property, it is recommended that a mitigation plan be submitted at the time of application to reduce application processing time. In the event that the results of the technical evaluation shows that the area of impact remains on the applicants property or there are no ground water users within the area of impact, DEQ staff will inform the applicant that a mitigation plan is not required. A model mitigation plan is included in the ground water permit application package. Mitigation plans must, at a minimum, contain the following features: (1) The rebuttable presumption that water level declines that cause adverse impacts to existing wells within the area of impact are due to the proposed withdrawal; (2) A commitment by the applicant to mitigate undisputed adverse impacts due to the proposed withdrawal in a timely fashion; (3) A speedy, non-exclusive, low-cost process to fairly resolve disputed claims for mitigation between the applicant and any claimant; (4) The requirement that the claimant provide the following documentation when available; (a) That the claimant is the owner of the well and that the well was constructed and operated prior to the initiation of the applicant's withdrawal; (b) Well construction, water levels, historic yield and location of the claimant's well(s); (c) The reasons the claimant believes that the applicants withdrawals have caused an adverse impact on the claimant's well(s).
16. **80 % DRAWDOWN CRITERION:** Pursuant to 9 VAC 25-610-110 D.3.h. of the Ground Water Withdrawal Regulations, DEQ staff will conduct an evaluation to demonstrate that the proposed withdrawal in combination with all existing lawful withdrawals will not lower water levels, in any confined aquifer that the withdrawal impacts, below a point that represents 80% of the distance between the historical prepumping water levels in the aquifer and the top of the aquifer at the points that are halfway between the proposed withdrawal site and the predicted one foot drawdown contour based on the predicted stabilized effects of the proposed withdrawal.

**17. ADDITIONAL INFORMATION REQUESTED BY THE BOARD:**

In addition to information requested at the preapplication conference, DEQ staff may require hydrogeologic and geophysical information necessary to characterize the aquifer system during application processing and review to obtain a complete application.

The application must be signed in accordance with the Ground Water Withdrawal Regulation 9 VAC 25-610-150 as follows:

**FOR A CORPORATION:** by a responsible corporate official. For purposes of this section, a responsible corporate official means (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (2) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

**FOR A MUNICIPALITY, STATE, FEDERAL OR OTHER PUBLIC AGENCY,** by either a principal executive officer or ranking elected official. (A Principal executive officer of a Federal, Municipal, or State agency includes the chief executive officer of the agency or head executive officer having responsibility for the overall operation of a principal geographic unit of the agency).

**FOR A PARTNERSHIP OR SOLE PROPRIETORSHIP,** by a general partner or the proprietor, respectively.

**APPLICATION SUBMITTAL**

The original signed application and one (1) copy shall be submitted to the appropriate Department of Environmental Quality Regional office. Refer to the front page of the application package for Regional Office addresses and a list of cities and counties covered by the Regional Offices.

**PERMIT APPLICATION FEES**

The Permit Fee Regulation 9 VAC 25-20-10 et seq. requires that an application fee be paid at the time an application is submitted for a new or expanded ground water withdrawal permit. Permit fees for agricultural withdrawal permits are not required. The fee for issuance/reissuance is \$6,000. The fee for a permit modification is \$3,000. The check or money order should be payable to the Commonwealth of Virginia - DEQ. A permit application fee form will be included in the application package. Please submit the appropriate permit fee and the fee form to the DEQ accounting office in Richmond, Virginia. A copy and a copy of the check or money order will need to be sent with the completed permit application to the appropriate Regional Office of the DEQ. Permit processing cannot be initiated until the fee is submitted.

**APPLICATION PROCESSING**

DEQ staff will review the application for completeness. Applicants who have failed to submit a complete application and attachments will be requested by DEQ staff, in writing, to furnish such information as is necessary to allow processing of the application. The application will be considered incomplete, and processing will be suspended until such information is provided. When an application does not accurately describe an existing or proposed ground water withdrawal system, the Board may require the applicant to amend the existing application or submit a new application before the application will be processed.

In accordance with DEQ's ground water withdrawal permit regulation, the application shall be public noticed at the applicant's expense. Details and guidelines for the public notice publication will be sent to the applicant after the

application has been deemed complete by the staff.

The DEQ Regional Office will recommend approval of the application provided:

- (1) Inquiries resulting from Public Notice can be satisfactorily answered by the staff, and
- (2) The ground water withdrawal activities proposed comply with Chapter 25 of the code of Virginia and the Ground Water Withdrawal Regulations.

If the inquiries resulting from Public Notice can not be satisfactorily answered by the staff, a public hearing may be necessary, and the issuance of the permit will be decided by the Regional Office Director or the seven citizen members of the State Water Control Board.