

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Environmental Management

Rule No. & Title: 335-6-8-.10 Class V Well Permit Application Requirements
(Amend)

Intended Action: The Alabama Department of Environmental Management proposes to amend rule 335-6-8-.10.

Substance of Proposed Action:

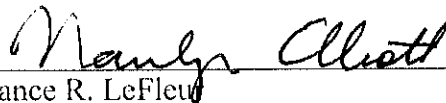
The Department proposes to amend rule 335-6-8-.10 "Class V Well Permit Application Requirements" to revise the permit application requirements for general Class V permits, to establish permit application requirements for Aquifer Storage and Recovery (ASR) wells, and to re-number or re-letter parts of rule 335-6-8-.10 due to these changes and additions.

Time, Place, Manner of Presenting Views:

Comments may be submitted in writing or orally at a public hearing to be held at 10:00 A.M., June 11, 2015, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

Final Date for Comment and Completion of Notice: June 11, 2015

Contact Person at Agency: Christy Monk, (334) 394-4364



Lance R. LeFleur
Director

335-6-8-10 Class V Well Permit Application Requirements.

(1) To apply for a Class V ~~or general Class V~~ individual permit, an owner or operator of a new or existing well field(s) shall submit a permit application to the Department which shall include the following information:

(a) Name, address and phone number of the owner and, if different, the name, address and phone number of the property owner and operator.

(b) Facility name, address, phone number (if applicable) and physical location (if different from the address).

(c) A map(s) which shows the location of proposed injection well(s), public and private water supply wells, source water assessment areas meeting the requirements of rule 335-7-5, well head protection areas meeting the requirements of rule 335-7-12, surface waters and other pertinent surface features such as roads, natural or manmade drainage courses, residences, and other structures within the area of review.

(d) A description of the fluids and/or pollutants to be injected and proposed operational procedures which include estimated average and maximum daily injection rates and volume of fluids and/or pollutants to be injected.

(e) . The design, plans, construction specifications and other pertinent information of the treatment system, injection well(s), sampling system, and ground water monitoring well(s) required by the Department. Monitoring wells shall be located and constructed in accordance with approved plans and shall conform to the following requirements:

1. The monitoring well configuration shall be designed to detect pollutant movement away from the well or well field;

2. The monitoring well plan shall be designed to detect pollution in the USDW into which injection is permitted and any other USDW which the Department determines may or has the potential to be impacted by the permitted injection and any associated facility or activity in the area of review;

3. An adequate number of monitoring wells shall extend into all USDW's, likely to be affected, to detect any movement of fluids and/or pollutants injected, process by-products or formation fluids into the USDW;

4. For the purposes of determining the bottom elevation of a subsurface fluid distribution system, the seasonal high ground water elevation or soil restrictive layer shall be determined either by measurement of ground water levels or natural soil features indicative of soil saturation. A minimum separation distance between the bottom elevation of a subsurface fluid distribution system and the seasonal high ground water elevation or soil restrictive feature shall be established by the Department based upon the

proposed disposal technology to allow for the protection of groundwater quality and for the proper functioning of the subsurface distribution system.

5. A plugging and abandonment plan may be required for a monitoring well when the Director deems it is necessary in order to prevent pollution of a USDW.

(f) Hydrogeological data determined to be necessary by the Department such as depth to ground water, direction of ground water flow, topographic description, physiographic province, etc.

(g) When required, the financial responsibility requirements in subparagraph (1)(h) of rule 335-6-8-.09 shall be demonstrated.

(h) A certification described in subparagraph (1)(o) of rule 335-6-8-.09 signed by the responsible official described by subparagraph (1)(n) of rule 335-6-8-.09.

(2) To apply for coverage under a Class V general permit, an owner or operator of a new or existing well field(s) shall submit a permit application to the Department which shall include the requirements of (a), (b), (d), and (h) of rule 335-6-8-.10(1) and the type of general permit under which coverage is requested.

~~(23)~~ The Department may require submittal of additional information concerning any permit application when that information is required to evaluate the potential for pollution of a USDW or surface water or to determine permit conditions necessary to protect a USDW or surface water.

~~(34)~~ A permit application will not be processed until a completed application is received by the Department with the appropriate permit fee in accordance with rule 335-1-6.

~~(45)~~ A permit application for discharge of treated sanitary waste must include a demonstration of compliance with any applicable requirement for financial viability certification. Any permit application for which permit issuance has not occurred prior to July 28, 2009, must comply with this requirement prior to permit issuance.

~~(56)~~ The Department may require a Class V experimental well for research or pilot projects relating to carbon sequestration to comply with all permitting and operational requirements of 335-6-8-.13 through 335-6-8-.27.

(7) A permit application for an ASR well(s) must include all applicable requirements of rule 335-6-8-.10 and include but not be limited to those items identified below. A separate permit application may be required for the construction and cycle testing phase of operation as well as for the full operational phase of the proposed ASR well.

(a) Identification and characterization of the aquifer into which injection is to occur to include hydrogeological and geochemical properties.

(b) Proposed method, rates and schedule of recovery from the aquifer for cycle testing and for full operation.

(c) Proposed use of the recovered water. The designated reuse facility must be permitted under chapter 335-6-20 or other applicable chapter of the ADEM Administrative Code.

(d) Proposed lateral and vertical extent of injected water within the aquifer.

(e) The proposed treatment to be provided to a water source proposed for injection.

(f) Complete water quality characterization for the water source proposed for injection. This must include but may not be limited to all substances and microorganisms for which primary and secondary maximum contaminant levels and monitoring requirements have been established for public water systems as required by Division 335-7 of the ADEM Administrative Code. Analyses shall also include Total Organic Carbon, Dissolved Organic Carbon, Total Suspended Solids, Total Kjeldahl Nitrogen, Ammonia Nitrogen, Carbonaceous Biochemical Oxygen Demand and Specific Conductance.

(g) Proposed monitoring plan to:

(i) Verify the lateral and vertical extent of injected water.

(ii) Verify quality of water to be injected, quality of injected water within the aquifer, and water quality of the surrounding aquifer(s).

(iii) Verify containment of injected water within the aquifer(s) designated for injection.

(iv) Monitor water level fluctuations within the aquifer(s) designated for injection and other aquifers as may be required.

(h) Implemented or proposed institutional controls to prevent the use of the injected water(s) as a drinking water source by the public.

(i) The financial responsibility requirements in subparagraph (1)(h) of rule 335-6-8-.09 shall be demonstrated.

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Statutory Authority: Code of Alabama 1975, §§ 22-22-9, 22-22A-5, 22-22A-6, 22-22A-8.

History: June 19, 1982; **Repealed:** April 11, 2002. **Readopted:** May 16, 2002.

Amended: July 28, 2009; September 26, 2011; XXXX XX, 2015.