

62-555.312 Location of Public Water System Wells.

For the purpose of this section, the phrase “new wells” shall mean wells being newly connected, or reconnected, to a public water system (PWS).

(1) All wells that were connected to a PWS on or after November 9, 1977, but before December 13, 1983, and wells that are, or will be, supplying a PWS serving premises with an estimated collective sewage flow of 2,000 gallons or less per day and that were, or will be, connected to the PWS on or after December 13, 1983, shall be no closer than 100 feet from any “on-site sewage treatment and disposal system” (OSTDS) as defined in Section 381.0065(2), F.S., and Rule 64E-6.002, F.A.C., regardless of the location of the OSTDS. Wells that are, or will be, supplying a PWS serving premises with an estimated collective sewage flow greater than 2,000 gallons per day and that were, or will be, connected to the PWS on or after December 13, 1983, shall be no closer than 200 feet from any OSTDS, regardless of the location of the OSTDS.

(2) New wells shall not be placed within the setback distances discussed in subsection 62-532.400(7), F.A.C., and listed in Part A of Table I in Chapter 62-532, F.A.C.

(3) New wells shall be located no closer than 100 feet from other sanitary hazards that pose a potentially high risk to ground water quality and public health and shall be located no closer than 50 feet from other sanitary hazards that pose a moderate risk to ground water quality and public health. The following are examples of other sanitary hazards that pose a potentially high risk: active or abandoned mines; airplane or train fueling or maintenance areas at airports and railroad yards; animal feeding operations other than those regulated under Rule 62-670.500, F.A.C.; concentrated aquatic animal production facilities; domestic wastewater collection/transmission systems; drainage or injection wells, oil or gas production wells, and improperly constructed or abandoned wells (i.e., wells not constructed or abandoned in accordance with Chapter 62-532, F.A.C.); fertilizer, herbicide, or pesticide storage areas at agricultural sites, golf courses, nurseries, and parks; graveyards; impoundments and tanks that process, store, or treat domestic wastewater, domestic wastewater residuals, or industrial fluids or waste and that are not regulated under Rule 62-670.500, F.A.C.; industrial waste land application areas other than those regulated under Rule 62-670.500, F.A.C.; junkyards and salvage or scrap yards; pastures with more than five grazing animals per acre; pipelines conveying petroleum products, chemicals, or industrial fluids or wastes; and underground storage tanks that are not regulated under Chapter 62-761, F.A.C., but are used for bulk storage of a liquid pollutant or hazardous substance (as defined in Chapter 62-761, F.A.C.) other than sodium hypochlorite solution. The following are examples of other sanitary hazards that pose a moderate risk: aboveground storage tanks that are not regulated under Chapter 62-761, F.A.C., but are used for bulk storage of a liquid pollutant or hazardous substance (as defined in Chapter 62-761, F.A.C.) other than sodium hypochlorite solution; fertilizer, herbicide, or pesticide application areas that are not under the ownership or control of the supplier of water at agricultural sites, golf courses, nurseries, and parks; railroad tracks; stormwater detention or retention basins; and surface water.

(4) For wells connected to a community water system on or after August 28, 2003, except those connected under a construction permit for which the Department received a complete application before August 28, 2003, continuing protection of the well from the sanitary hazards described in subsection (3) above shall be provided during the entire useful life of the well through one of the following means:

- (a) Ownership by the water supplier of all land within 100 feet of the well;
 - (b) Control by the water supplier of all land within 100 feet of the well via easements, lease agreements, or deed restrictions that appropriately limit use of the land;
 - (c) Wellhead protection, zoning, or other land use regulations that appropriately limit use of all land within 100 feet of the well;
- or
- (d) Other appropriate means.

(5) New wells shall be located on their sites in such a manner that the wells are in an area free from, or least subject to, inundation with surface drainage and flood water; and to the extent practicable, new wells shall be located on their sites in such a manner that the wells are “upstream” from on-site or off-site sanitary hazards when considering the direction of ground water movement.

(6) The Department or the appropriate water management district or delegated permitting authority shall approve a decrease in the standard well setback distances described in subsections (1) through (4) above if justified by any of the following: the presence, thickness, and extent of natural barriers such as impermeable geological strata; the design and construction of the well, including the depth of the well; the drinking water treatment provided; or the use of alternative means to reduce public health risks, such as the use of encasement or restrained joints to eliminate or minimize leakage from a pipeline that is a sanitary hazard or the use of additional

drinking water monitoring. However, water management districts and delegated permitting authorities shall obtain the Department's concurrence before decreasing well setback distances because of either the type of drinking water treatment provided or the use of alternative means to reduce public health risks.

Specific Authority 373.309(1), 373.337, 403.861(9) FS. Law Implemented 373.309(1), 403.852(12) FS. History—Formerly 17-22.615(2), Amended 1-18-89, 5-7-90, Formerly 17-555.312, Amended 8-28-03.