



## **St. Joseph County Health Department**

*"Promoting physical and mental health and facilitating the prevention of disease, injury, and disability for all St. Joseph County residents"*

### **WELLHEAD PROTECTION PROGRAM**

**WHO MUST OBTAIN A**

**WELLHEAD PROTECTION PERMIT**

The following questions may be answered **in the order in which they are presented** to determine if a Wellhead Protection Ordinance (Ordinance) Permit application must be submitted to the St. Joseph County Health Department (Health Department). **Please be careful** as you work your way through the questions. Due to the complexity of the Ordinance there are a number of exclusions and exceptions to the exclusions that make it necessary to carefully read each question. If you are uncertain about answering any questions or need assistance please contact the Health Department for assistance.

If your answers to these questions indicate that **you need to obtain a permit** please contact the Health Department at 574-235-9721 for a permit application or request a permit application on line at [pthompso@co.st-joseph.in.us](mailto:pthompso@co.st-joseph.in.us).

**If you do not need a permit** please submit a copy of the certification at the end of this brochure for our records.

**Answer these questions in order.**

1. Is the property within a Wellhead Protection Area?
  - a. If no, no Permit is required and no further action is necessary.
  - b. If yes, proceed to question number 2.
  
2. Are there **no activities** at the property or are the **only activities** conducted on the property included in one or more of the following exemptions?
  - 53 General Merchandise Stores
  - 54 Food stores
  - 56 Apparel and Accessory Stores
  - 57 Home furniture, Furnishing, and Equipment Stores
  - 58 Eating and Drinking Places
  - 59 Miscellaneous Retail
  - 60 Depository Institutions
  - 61 Nondepository Credit Institutions
  - 62 Security and Commodity Brokers, Dealers, Exchanges and Services
  - 63 Insurance Carriers
  - 64 Insurance Agents, Brokers, and Services
  - 65 Real Estate
  - 67 Holding and Other Investment Offices
  - 70 Hotels, Rooming Houses, Camps and Other Lodging Places
  - 72 Personal Services
  - 73 Business Services
  - 78 Motion Picture
  - 82 Educational Services

- 83 Social Services
  - 86 Membership Organizations
  - 87 Engineering, Accounting, Research, Management, and Related Services
  - 88 Private Households
  - 89 Miscellaneous Services
  - 91 Executive, Legislative, and General government, Except Finance
  - 92 Justice, Public Order, and Safety
  - 93 Public Finance, Taxation, and Monetary Policy
  - 94 Administration of Human Resources Programs
  - 95 Administration of Environmental Quality and Housing Programs
  - 96 Administration of Economic Programs
- a. If no, proceed to question number 3.
  - b. If yes, does the property contain a dry well or underground storage tank or has the Health Department determined that a threat to the groundwater exists at the property?
    - i. If no, no Permit is required and no further action necessary.
    - ii. If yes, submit a Permit Application.
3. Does the property contain one of the following threats to the groundwater?
- a. Underground storage tank containing hazardous or regulated substances.
  - b. Above ground storage tank containing hazardous or regulated substances in volumes above the reportable quantity. (Reportable quantity is defined at the end of this brochure).
  - c. Drum storage area containing hazardous or regulated substances in volumes above the reportable quantity.
  - d. Waste pile containing hazardous or regulated substances in volumes above the reportable quantities.
  - e. Surface impoundment containing hazardous or regulated substances.
  - f. Rail or truck loading facility involving hazardous or regulated substances in volumes greater than the reportable quantities.
  - g. Outdoor storage of hazardous or regulated substances in volumes greater than the reportable quantities.
  - h. Dry well used for any purpose other than for a residential septic system.
  - i. Well not in use for over one year that has not been properly abandoned and registered with the Health Department.
  - j. Construction of a new high capacity well.
  - k. Motor vehicle storage or salvage yard with more than ten vehicles not stored on a low permeability material.
  - m. Motor vehicle waste recovery well.
  - n. High capacity cesspool.

- o. Major construction site for which the owner has not adopted and implemented the St. Joseph County Health Department's Recommendations for Pollution Prevention at Major construction Projects.
  - p. Other threats to the groundwater as determined by the Health Department.
- a. If no, no Permit is required and no further action is necessary.
  - b. If yes, is the only item listed above on the property an aboveground storage tank or drum storage area that is completely enclosed within a building in an area with no floor drain and an impermeable floor with secondary containment sufficient to contain 100% of the stored material?
    - i. If no, submit a Permit Application.
    - ii. If yes, no Permit is required and no further action is necessary.
4. Regardless of whether a property owner is or is not required to obtain a Permit, the following restrictions apply:
- a. Within the sanitary setback (200 feet from the wellhead) only those activities necessary for the operation and maintenance of the community water system shall be allowed for a new, non-replacement water well or well field.
  - b. Within any portion of the wellhead protection area, use or installation of a new, non-replacement residential on-site wastewater disposal system is prohibited unless suitable land area is available for two systems that meet 410 IAC 6-8.1.
5. Even though a Permit is not required under certain circumstances, the property owner may still be subject to the other requirements of the Ordinance including, but not limited to, inspections of the property by the Health Department, notifying the Health Department of spills, cleaning up spills, and notifying the Health Department when the activities performed on the property change.

Note: **The Reportable Quantity** is the maximum amount of hazardous or regulated substances that may be stored onsite without requiring a permit. **The maximum amount is always 100 pounds** but may be less depending on the specific material stored. **Any amount** of hazardous or regulated substance contained in a surface impoundment or drywell requires a permit.

The reportable quantity is also defined as the amount of hazardous substance or extremely hazardous substance that is required to be reported under 42 U.S.C. 9602(a) and (b) and 42 U.S.C. 9603(a) as contained in 40 CFR 302.4 or 40 CFR 355 Appendix A; as defined in 327 IAC 2-6.1 or 100 pounds, whichever is less.

I certify that I have compared the conditions and activities on my property at \_\_\_\_\_ to the requirements described above and have, to the best of my ability, determined that a Wellhead Protection Permit is **not** required for the conditions present and the activities conducted. If these conditions or activities change, I agree to contact the Health Department to determine if a Wellhead Protection Permit is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name