

State of Vermont
Agency of Natural Resources
Department of Environmental Conservation

Water Supply Division

Environmental Protection Rules

Chapter 22

Groundwater Withdrawal Reporting and Permitting Rules

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Subchapter 1 – Purpose and authority

§ 22-101. Authority

These rules are adopted under the authority of the Secretary pursuant to 3 V.S.A. § 808, 10 V.S.A. § 1392(d), 10 V.S.A. § 1417(c) and 10 V.S.A. Chapter 48, Subchapter 6.

§ 22-102. Purpose

Reserved.

Subchapter 2 – Definitions

§ 22-201. Definitions.

As used in these rules, the following terms shall have the specified meaning or the meaning given to them in 10 V.S.A. § 1416 . If a term is not defined it shall have its common meaning:

- (1) *Reserved.*

Subchapter 3 – Groundwater Withdrawal Reporting

§ 22-301. Groundwater reporting requirements.

- (a) Any person withdrawing more than 20,000 gallons per day, averaged over a calendar month at a single tract of land or place of business shall file a groundwater report with the Secretary on or before September 1 for the preceding calendar year. The following are exempt from the reporting requirement:
- (1) a groundwater withdrawal for fire suppression or other public emergency purposes;
 - (2) a withdrawal reported to the agency of natural resources under any program that requires the reporting of substantially similar data;
 - (3) domestic, residential use;
 - (4) groundwater withdrawal for farming;
 - (5) dairy processors and milk handlers licensed in accordance with 6 V.S.A. § 2721;
 - (6) public water systems, as that term is defined in section 1671 of this title; and
 - (7) closed loop, standing column, or similar non-extractive geothermal heat pumps.
- (b) The groundwater report shall be made on a form prescribed by the Secretary which shall include:
- (1) The withdrawal location or locations if the report covers more than one withdrawal point. Location shall be provided by reporting the latitude and longitude of the well.
 - (2) The metered or estimated frequency, in number of days and amount, that a withdrawal exceeded 20,000 gallons per day from each withdrawal point.
 - (3) The yield, or capacity, of each withdrawal point.
 - (4) The use or uses of the water withdrawn from each withdrawal point.
 - (5) The metered or estimated total of withdrawal per month at a single tract of land or place of business. If available, a person shall provide metered data from the production well or wells. If an estimate is used it shall use the methods established in section 22-302.

- (6) In the case of a person who bulks or bottles water, that person shall provide metered data from a meter, separate from the master withdrawal meter, to measure the amount of water delivered to the bulk water hauling connection or to the bottling line. If metered data is not available and an estimate is used it shall use the methods established in section 22-302.
- (7) Where feasible, the distance of each withdrawal from the nearest surface water or wetland.
- (8) Whether the water source is a spring, artesian well, or mechanically pumped groundwater well.
- (9) Any other additional information the Secretary deems appropriate as a part of this reporting requirement.

§ 22-302. Methods of estimating water withdrawals

- (a) Any of the following methods may be used to estimate the total of withdrawal per month at a single tract of land or place of business:
 - (1) permitted wastewater discharge plus consumptive use;

Note: an example of this approach could include the persons wastewater discharge permit amount plus a metered or calculated process amount that is not discharged (for example the water used in brewing beer);
 - (2) well pump rating in gallons per minute multiplied by the number of minutes the pump runs per cycle times the number of cycles per day; or

Note: For example, a well pump that is rated at 75 gallons per minute X 30 minutes/cycle X 10 cycles/day = 22,500 gallons per day),
 - (3) other methods as approved by the Secretary in writing.
- (b) Any of the following methods may be used to estimate the amount of water delivered to the bulk water hauling connection or to the bottling line:
 - (1) the calculation for bulk water hauling uses the volume of the bulk hauling container multiplied by the number of containers filled per year;
 - (2) the calculation for bottling lines uses the volume of the bottles filled multiplied by the number of bottles filled per year; or

(3) other methods as approved by the Secretary in writing.