

Zone II Status Policy
(YEAR 2000 PRINTING)

Effective Date: 12-29-97

Policy, SOP or Guidelines: DWSP 97-01

Program Applicability: This policy primarily applies to the Drinking Water and GIS programs. However, it has applicability for any DEP or other program which utilizes Zone II delineations (public water supply well recharge areas for program implementation purposes).

Approved by: Arleen O'Donnell

Supersedes Policy/SOP/Guidelines

Purpose: While the Drinking Water Program (DWP) may evaluate the status of Zone IIs at any time, the purpose of this policy is to define circumstances under which the DWP will respond to requests from other DEP programs and the public to evaluate the status of approved Zone IIs and remove no longer viable Zone IIs from the GIS Zone II data layer. Zone IIs on state GIS maps are typically accorded extra protection by a number of state and local programs.

Applicability: This policy applies to all programs utilizing Zone IIs for program implementation. It covers the status of DEP approved Zone IIs (wellhead protection areas) for public supply wells.

Text Zone IIs for public supply wells in the source approval process are typically entered into MassGIS after the Department's approval of the hydrogeologic delineation. Construction and placement on-line occurs subsequent to approval. If the well goes on-line within five years of Zone II approval, GIS will maintain the Zone II in its datalayer. If the well does not go on-line within five years of Zone II approval and DEO receives a written request for a determination of the well site and/or Zone II validity, DWP will reevaluate the Zone II and the proposed well site using the criteria outlined below.

1. Inspect the well site itself and consider any site alteration or any relevant changes in land use within Zone I and II;
2. Determine current water quality at the proposed well, and at associated monitoring wells, if relevant;
3. Determine whether the site will be able to meet any new requirements that have been incorporated into the Source Approval process over the past five years since the Zone II approval **AND** meets one of the following:
 - a. The subject Zone II is protected through the adoption of local regulator controls meeting 310 CMR 22.21(2); **OR**
 - b. The public water supplier has been making progress toward the adoption of the control measures in 310 CMR 22.21(2), has acquired Zone I, and has provided written documentation to the Department's satisfaction that extenuating circumstances have prevented completion of the process within the five year time period and necessitate an extension of time; **OR**
 - c. For non-municipal water systems and those with part or all of the Zone II located in another community: the public water supplier has acquired ownership or control of the Zone I and has demonstrated to the Department's satisfaction that the supplier has met the "best effort" requirement in seeking the adoption of control measures that meet 310 CMR 22.21(2).

To avoid removal of the Zone II from GIS, the well must meet one of the conditions in item 3a, b, or c, above DWP will review all relevant documentation and evaluate whether approval of the proposed well and the Zone II should be revoked and so inform GIS staff. Removal of a Zone II from GIS does not necessarily mean the area will not be protected as a potential drinking water source area under the Massachusetts Contingency Plan 310 CMR 40.0006.

In cases where a public water supplier has elected to delineate the Zone III instead of the Zone II for a proposed well, in accordance with 310 CMR 22.21(1)(f), the Zone III shall be considered as a Zone II for the purpose of this policy.

Upon the effective date of this policy, DWP will begin notifying public water suppliers of this policy when it approves Zone IIs. Staff will add the following to Pumping Test Report Approval letters: "If this source does not go on-line within five years of this date, and DEP receives a written request in accordance with Policy 96-01 "Zone II Status", to evaluate the status of the Zone II, DEP may decide to rescind the Zone II approval."

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