

Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Drinking Water Program

BRP WS 37 Approval of Transient Non-Community Source Less than 7 Gallons per Minute

Instructions and Supporting Materials

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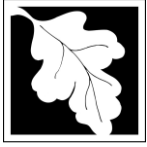
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Introduction

MassDEP *Instructions & Support Materials* are available for download from the MassDEP Web site at www.mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials provide guidance on how to prepare a permit application.

The supporting documents for these permit applications, and the fee payment (if applicable) must now be submitted through the [ePLACE Portal](#). See ePLACE step-by-step instructions on the mass.gov page for this application.



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Permit Fact Sheet

1. What is the purpose of this approval?

This is an approval for the development of a transient non-community public water supply source for which an approved withdrawal rate of less than 7 gallons per minute (10,000 gallons per day) is being sought. The necessary components for a transient non-community source with an approved rate of less than 7 gallons per minute are described in the Drinking Water Program's *Guidelines and Policies for Public Water Systems* (available at the State House Bookstore). The Drinking Water Regulations, in particular 310 CMR 22.21, govern all aspects of the source development process.

This permit streamlines the source development process by reducing the required permits from two to one. It also reduces the required information for approval of the source and allows, in addition to Registered Professional Engineers and geologists skilled in water supply development, Massachusetts Registered Well Drillers to submit permit applications.

2. Who must apply?

Any individual or company that intends to develop a source of public water with a yield of less than 7 gallons per minute and meets the definition of a transient non-community water system.

3. What other requirements should be considered when applying for this approval?

- A Request for Determination of Applicability (Form No. 1-310 CMR 10.99) as required under the Wetlands Protection Act MGL c. 131 s. 40 and the regulations at 310 CMR 10.00 must be filed with the local conservation commission if work is proposed within 100 feet of a wetland.
- Before applying for this approval, consideration should be given to the ability to own the Zone I; and
- How surrounding development and history may influence water quality and how the site lends itself to development.

4. What is the application fee?

The application fee is \$810.

5. Where should the application be sent?

The application must be submitted through ePLACE, located here: <https://eplace.eea.mass.gov/citizenaccess>

Additional visual ePLACE step-by-step instructions to assist in submitting your application are available at: <https://www.mass.gov/how-to/ws-37-approval-of-transient-non-community-source-less-than-7-gallons-per-minute>

- Log into the ePLACE Portal at: <https://eplace.eea.mass.gov/citizenaccess> and create an account.
- Once logged in, click on the large blue button on the right, "File an Online Application".
- Read and agree to the disclaimer. Click "Continue".
- To find this application, click on "Apply for DEP Authorization – Drinking Water (DW)", and check on WS 37, and click "Continue Application".
- Follow instructions on each screen and click "Continue Application" to move to the next step. The WS 37 supporting forms are to be attached in the Documents section. **Any documents being submitted that do not fit in with one of the dropdown categories, should be submitted under "other"**.
- Note that you can return to an application provided you select "Save and Return Later". Once you submit an application you can no longer upload documents without approval from MassDEP personnel.
- At the end of the application steps, the ePLACE system will take you directly to a screen where you can pay the fee, if applicable. Complete payment information in ePLACE.



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- Once an application has been submitted, you will receive an email that will provide you the record number.
- From the “My Records” button, you will be able to view the status of your application through the review and approval processes.

Important Contacts

- For technical assistance regarding online filing, contact the ePLACE Help Desk Team at 844-733-7522 or ePLACE_helpdesk@mass.gov.
- To see a copy of your application after submittal, also see: <https://eeaonline.eea.state.ma.us/EEA/PublicApp>.

6. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website: <https://www.mass.gov/lists/massdep-fees-timelines>

7. What is the annual compliance fee?

There is no annual compliance assurance fee for this approval.

8. How long is this approval valid?

The approval is valid for five years.

9. How can I avoid the most common mistakes made in applying for this approval?

- a. Communicate with MassDEP concerning the materials necessary for an approval submission. A pre-submittal meeting is required.
- b. Be sure all items on the Application Completeness Checklist are completed and included in submitted application in ePLACE.
- c. Review the Drinking Water Program’s Drinking Water Regulations 310 CMR 22.21 and the Drinking Water Program’s *Guidelines and Policies for Public Water Systems* regarding what is evaluated when obtaining approval for a transient non-community water system with an approved rate under 7 gallons per minute.
- d. Submit the documents required for this application and pay fee (if applicable) through ePLACE, <https://eplace.eea.mass.gov/citizenaccess>.

10. What are the regulations that apply to this approval and where can I get copies?

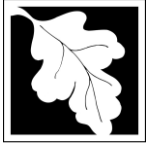
These regulations include, but are not limited to:

- a. Drinking Water Regulations, 310 CMR 22.00.
- b. The Timely Action and Fee Provisions, 310 CMR 4.00.
- c. The Administrative Penalty Regulations, 310 CMR 5.00.

They may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State House West Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

The following is required as part of the **pre-submittal**:

- A pre-submittal meeting with the appropriate MassDEP regional office has occurred prior to submitting this application. Information required at the time of the pre-submittal meeting includes an appropriately scaled map of the proposed site that includes:
 - a. the approximate new source location;
 - b. the Zone I boundary, the size of which is determined by the requested approval rate;
 - c. the identity of the Zone I landowners;
 - d. characterization of land uses within the Interim Wellhead Protection Area (IWPA);
 - e. approved water withdrawals, registered or permitted by MassDEP and any other private, commercial, or industrial wells within the IWPA;
 - f. existing and potential sources of contamination within the IWPA; and,
 - g. water quality results if the well currently exists.

The following documents should be submitted through ePLACE:

- WS Certification Form (A Massachusetts Registered Professional Engineer, geologist skilled in water supply development, or a Massachusetts Registered Well Driller has prepared, signed, and stamped the form.)
- Constructions Plans and Specifications/Cut Sheets
- Pumping Test Report, including:
 - a. map with pre-submittal meeting map information as well as surveyed site plan including the Zone I boundary and well location and elevation;
 - b. copies of field and laboratory water quality analyses for all samples collected before and during the test;
 - c. precipitation and/or recharge events;
 - d. selection of the pumping rate;
 - e. approvable yield requested;
 - f. stabilization criteria and pumping test data;
 - g. well recovery data;
 - h. copies of, or reference to, all relevant correspondence, if any;
 - i. copies of lithologic log (s) for the well(s);
 - j. graphs showing time-drawdown and time-recovery for the well(s); and,
 - k. well and treatment plans and specifications;
 - l. evidence of Zone I ownership or control of the Zone I per a MassDEP approved method.
- Surveyed Site Plans

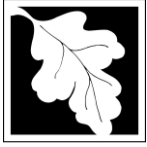
The following documents may need (if applicable) to be submitted through ePLACE:

- Letter of Authorization: A letter of authorization has been completed if signature of the design engineer or other agent is being used on the application.

Note: Any documents being submitted that do not fit in with one of the dropdown categories in the ePLACE system, should be submitted under “other”. If you have concerns about any specific documents displaying on the ePLACE Public Access Portal, please contact regional staff for alternative delivery.

To submit the application package:

- Submit the application and documents listed above through ePLACE,



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- Pay fee: \$810 (if applicable)

You can pay online in ePLACE or pay by mail in the form of a check or money order made payable to *Commonwealth of Massachusetts* (please follow email instructions provided to you once your application is submitted).