MEMORANDUM

TO: State and Local Government Stormwater Regulatory Agencies
    Owners and Operators of Stormwater Infiltration Systems
    Other Interested or Affected Parties

FROM: Thomas Slusser, L.G.
      Underground Injection Control (UIC) Program Manager

SUBJECT: Impact of Injection Well Rule Revisions on Certain Stormwater Infiltration Systems
         Criteria and Standards Applicable to Injection Wells (15A NCAC 02C .0200)

On April 19, 2012, the North Carolina Rules Review Commission approved revisions of the criteria and
standards applicable to injection wells, which will become effective on May 1, 2012. Rule 15A NCAC 02C
.0227 was adopted to address a regulatory conflict between State stormwater BMPs that encourage
onsite stormwater infiltration and the injection well rules adopted in 1997, which prohibit stormwater
injection. As established in the federal injection well regulations, stormwater infiltration systems that
use infiltration galleries, perforated piping, or other subsurface distribution systems are considered to
be a Class 5 injection well. These systems are regulated as an injection well due to the potential to
adversely affect groundwater quality, especially from industrial and commercial facilities.

A separate permit from the NC UIC Program is not required. However, in order for the NC UIC Program
to comply with federal requirements, owners or operators of stormwater infiltration systems with
subsurface distribution systems are to submit basic information needed to fulfill reporting obligations
with the EPA. Attached for your reference and use are the stormwater injection rule and the
notification form to be submitted within 30 days of construction, abandonment, or any other change of
status. Additional guidance and information is available online at:

Please contact me at thomas.slusser@ncdenr.gov or 919-807-6412 if you have any questions about the
new rules, injection wells, or the UIC Program.

Attachments: Rule 15A NCAC 02C .0227 – Stormwater Drainage Wells
             Notification form for reporting stormwater infiltration systems to the NC UIC Program
15A NCAC 02C .0227  STORMWATER DRAINAGE WELLS

(a) Stormwater Drainage Wells receive the flow of water that results from precipitation occurring immediately following rainfall or a snowmelt event.

(b) The following Stormwater Drainage Wells are permitted by rule pursuant to Rule .0217 of this Section:

(1) systems designed in accordance with stormwater controls required by federal laws and regulations, state statutes and rules, or local controls adopted consistent with these federal or state requirements; and

(2) roof-top runoff infiltration systems.

(c) Nothing in this Rule shall be construed as to allow untreated stormwater to be emplaced directly into any aquifer or to otherwise result in the violation of any groundwater quality standard as specified in Subchapter 02L.

(d) Reporting. Within 30 days of a change of status of the well, the owner/operator shall provide the following information:

(1) facility name, address, and location indicated by either:
   (A) latitude and longitude with reference datum, position accuracy, and method of collection; or
   (B) a facility site map with property boundaries;

(2) name, telephone number, and mailing address of legal contact;

(3) ownership of facility as a private individual or organization, or a federal, state, county, or other public entity;

(4) number of injection wells; and

(5) well status as proposed, active, inactive, temporarily abandoned, or permanently abandoned.

History Note:  Authority G.S. 87-87; 87-88; 87-90; 87-94; 87-95; 89E-13; 89E-18; 143-211; 143-214.2(b); 143-215.1A; 143-215.3(a)(1); 143-215.3(c); 150B-19(4); 40 CFR Part 144.52(a)(7); 40 CFR Part 145.11(a)(20);

NOTIFICATION FOR STORMWATER DRAINAGE WELLS

Stormwater drainage wells are Class 5 injection wells "permitted by rule" and do not require an individual injection well permit when constructed in accordance with the rules of 15A NCAC 02C.0200.

As described in 15A NCAC 02C.0227 this applies to rooftop runoff infiltration systems and certain other stormwater infiltration systems implemented as Best Management Practices designed in accordance with State stormwater regulations or an approved local government stormwater program. Additional guidance is available online at http://portal.ncdenr.org/web/wq/aps/gwpro/injection_stormwater

This notification form shall be submitted within 30 days of a change of status as described in Part D below.

Print Clearly or Type Information. Illegible Submittals Will Be Returned As Incomplete.

DATE: ____________________ 20__ PERMIT NO. ________________________ (to be completed by DWQ)

A. STATUS OF WELL OWNER (choose one)

   (1) Single Family Residence ___
   (2) Business/Organization _____
   (3) Government: State ____ Municipal ____ County ____ Federal ___

B. WELL OWNER – For single family residences list the property owner(s). For all others, list name of the business, organization, or government agency and person delegated signature authority:

________________________________________________________

Mailing Address: _______________________________________

City: ____________________________ State: ___ Zip Code:____________

Ph#: __________________________ EMAIL: ________________

C. WELL FACILITY

(1) Name of Facility:_____________________________________

(2) Physical Address:_____________________________________

City: ____________________________ State: NC Zip Code: ___________

(3) Facility Location Identified By (check one):

   [ ] Attached facility site map with property boundaries, or

   [ ] Geographic Coordinates: Latitude: ____________________ Longitude: ____________________

      Reference Datum: ____________________ Position Accuracy: ____________________

      Method of Data Collection: ____________________

D. WELL STATUS – Indicate the status of the well or well system (choose one):

   _____Proposed _____Active _____Inactive _____Temporarily Abandoned _____Permanently Abandoned
E. **SIGNATURES** – The following section is to be completed as required below or by that person’s authorized agent. 15A NCAC 02C .0211(d) requires signatures as follows:

(a) for a corporation: by a responsible corporate officer;
(b) for a partnership or sole proprietorship: by a general partner or the proprietor, respectively;
(c) for a municipality or a state, federal, or other public agency: by either a principal executive officer or ranking publicly elected official;
(d) for all others: by the well owner;
(e) for any other person authorized to act on behalf of the applicant: documentation shall be submitted with the notification that clearly identifies the person, grants them signature authority, and is signed and dated by the applicant.

“I hereby certify, under penalty of law, that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining said information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, including the possibility of fines and imprisonment, for submitting false information. I agree to construct, operate, maintain, repair, and if applicable, abandon the injection well and all related appurtenances in accordance with the 15A NCAC 02C 0200 Rules.”

__________________________
Signature of Property Owner/Applicant

__________________________
Print or Type Full Name

__________________________
Signature of Authorized Agent, if any

__________________________
Print or Type Full Name

Submit one copy of the completed notification package to:

**DWQ – Aquifer Protection Section**
1636 Mail Service Center
Raleigh, NC 27699-1636
Telephone: 919-807-6464 | Fax: 919-807-6496