

Sole Source Aquifers

HUD Region X

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Protect drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349)	40 CFR 149.2

- 1. Is the project located on a sole source aquifer (SSA) review area which includes the aquifer and streamflow source areas? (Note: There are currently no sole source aquifers in Alaska.)**

Maintain, in your ERR, a copy of the latest SSA review area map, marked with your project location.

<https://www.epa.gov/dwssa>

Click "Interactive map of SSAs"

Make sure you consider streamflow source areas.

- No: STOP here. The Sole Source Aquifer authority does not apply. Record your determination.
 Yes: PROCEED to #2

- 2. Is there anything connected to your project that could have an adverse impact on the aquifer and streamflow source area such as injection of storm into the aquifer or deep digging on sites with toxins in the soil or onsite monitoring wells? Examples include dry wells, injection wells, digging in contaminated soils to or close to aquifer depth (note depth to aquifer may vary depending on where your project is located since aquifer depths vary over the landscape), installing a fuel storage tank underground without safeguards or placing a fuel storage tank aboveground without secondary containment.**

Describe:

- Yes: Please proceed directly to consultation with EPA, described in Step 10 or if the project is located in Idaho, proceed to Step 9.
 No: Document your ERR and PROCEED to #3

- 3. Does the project consist of an individual action (including acquisition, disposition, new construction and rehabilitation) on a one-to-four unit residential building that meets all applicable local and state groundwater regulations?**

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
 No: PROCEED to #4

- 4. Does the project consist of acquisition, disposition or rehabilitation of a multifamily (5 or more dwelling units) residential building, commercial building, or public facility that does not increase size or capacity and meets all applicable local and state groundwater regulations?**

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
 No: PROCEED to #5

- 5. Does the project consist of new construction or rehabilitation that increases size or capacity of a multifamily building, commercial building or public facility that meets all applicable local/state ground-water regulations AND**
a. Project is connected to public water OR

- b. Project is connected to private well water and the appropriate state and local health department or district is notified; water is tested for contaminants such as bacteria and nitrate; all applicable pollution prevention techniques are used to protect the private well from contamination.
- c. Project is connected to the sanitary sewer OR
- d. Project uses an onsite sewage disposal system that treats 2000 gallons per day or less.
- e. Project is connected to public storm drainage system OR
- f. Project infiltrates some or all of its storm water onsite through rain gardens, bioswales or other low impact development methods EXCEPT shallow injection wells such as dry wells, or french drains.

Describe:

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet and document how your project will handle water, storm water and sewage.
- No: PROCEED to #6

6. Does the project consist of repairing or expanding streets, or installing sidewalks, curb cuts, biking trails, hiking trails, parks or playgrounds and meets all applicable local and state groundwater regulations?

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- No: PROCEED to #7

7. Does the project consist of drinking water activities such as drinking water lines, drinking water storage reservoirs, drinking water treatment systems, drilling of a new well, or a pump system and does not involve digging through a hazardous waste site or a site that is tracking contamination through monitoring wells?

Describe:

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- No: PROCEED to #8

8. Does the project consist of wastewater activities such as (but not limited to) replacement and/or rehab of collection lines, new transmission lines, lift stations, new wastewater lagoons or repairing an existing septic system and does not involve digging through a hazardous waste site or a site that is tracking contamination through monitoring wells and does not add a new source of contamination to the groundwater (examples that may add a new source of contamination would include a new reuse/land application system or expansion of existing reuse/land application system, or a new large capacity septic system/soil absorption system)?

Describe:

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- No: PROCEED to #9

9. Is the project located in Idaho and does it fit within the Memorandum of Understanding between HUD/Idaho Division of Community Development/Idaho Housing and Finance Association and EPA?

- Yes: Follow the process laid out in the 2000 MOU, including contacting appropriate regulators, obtaining required permits and maintaining documentation as prescribed in the MOU:
Record your determination on the Statutory Worksheet.

- No: PROCEED to #10

10. Submit your project to EPA for review.

Include the following information:

1. Location of Project and name of Sole Source Aquifer.
2. Project description and federal funding source.
3. Is there any increase of impervious surface? If so, what is the area?
4. Describe how storm water is currently treated on the site.
5. How will storm water be treated on this site during construction and after the project is complete?
6. Are there any underground storage tanks present or to be installed? Include details of such tanks.
7. Will there be any liquid or solid waste generated? If so how will it be disposed of?
8. What is the depth of excavation?
9. Are there any wells in the area that may provide direct routes for contaminants to access the aquifer and how close are they to the project?
10. Are there any hazardous waste sites in the project area, especially if the waste site has an underground plume with monitoring wells that may be disturbed? Include details.
11. Are there any deep pilings that may provide access to the aquifer?
12. Are Best Management Practices planned to address any possible risks or concerns?
13. Is there any other information that could be helpful in determining if this project may have an affect on the aquifer?
14. Does this Project include any improvements that may be beneficial to the aquifer, such as improvements to the wastewater treatment plan?

Submit the information to James Robinson at Robinson.James@epa.gov, phone number (907) 271-6627, for EPA approval of the project. Please note that EPA may request additional information if impacts to the aquifer are questionable after the information is submitted for review.

- EPA approves project: Stop here. The project is not likely to affect Sole Source Aquifer quality. Maintain copies of all of the documents you have used to make your determination and your correspondence with EPA.

- EPA objects to project: Continue working with EPA to mitigate issues. You may need to hire a technical consultant or request EPA to conduct an independent review of the proposed project for impacts to ground water quality. If EPA determines that the project continues to pose a significant contaminant hazard to public health, federal financial assistance must be denied.

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement, and the Sole Source Aquifer Legislation and Regulations take precedence over any information found in this document.