

TITLE 4 CHAPTER 6

WELLHEAD REGULATIONS

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4-6-1: DEFINITIONS: When used in this chapter the following words and phrases shall have the meaning given in this section:

(A)COMMUNITY WATER SYSTEM:

The Albion City water system that serves the residents of the City and some surrounding areas.

(B) FACILITIES:

Any person or business or corporation dealing with toxic or hazardous wastes or handling toxic and hazardous wastes within the Wellhead Protection Overlay District.

(C) HAZARDOUS WASTE OR MATERIAL:

Any waste or material which because of its quantity, concentration or physical, chemical or infectious characteristics may:

- 1.Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
- 2.Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed; or
- 3.Any material or substance designated as a hazardous or toxic substance by the United States of America acting through the Environmental Protection Agency or any successor agency, in Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, or any material or substance designated as a hazardous or toxic division of Environmental Quality or any successor agency, or by Cassia County, Idaho.

(D)NONCOMMUNITY WATER SYSTEM:

A public water system that is not a community water system.

(E)PUBLIC WATER SYSTEM:

A system for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly services an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system, and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. A public water system is either a “community water system” or a “noncommunity water system”.

(F)SANITARY LANDFILL:

A disposal site where solid wastes, including putrescible wastes, or hazardous wastes, are disposed of on land by placing earthen cover thereon.

(G)TIME OF TRAVEL DISTRICTS (TOT):

Is the time required for a contaminate to reasonably move in the ground from a specific contaminate point to a well. The area over which contaminants will typically travel during a specified period in a specified type of aquifer, as defined by Table #1.

(H) WELLHEAD PROTECTION OVERLAY DISTRICT:

The wellhead Protection Overlay District will appear in the Hazardous Component of the Comprehensive Plan. A map will define specific area districts centering around wells supplying drinking water to a public water system.

(I) WELLHEAD:

The upper terminal of a well, including adapters, ports, seals, valves and other attachments.

(J) OVERLAY WELLHEAD PROTECTION DISTRICT:

Overlay wellhead protection districts are delineated using a calculated fixed radius based upon pertinent hydrogeologic data, described in Table #1.

(K)WELLHEAD PROTECTION OVERLAY DISTRICT ZONE I:

A minimum fixed radius extending no less than fifty feet (50') radially from a wellhead supplying potable water to Albion City public supplies.

(L)WELLHEAD PROTECTION OVERLAY DISTRICT ZONE II:

A three year time of travel district as determined from Table #1.

(M)WELLHEAD PROTECTION OVERLAY DISTRICT ZONE III:

A six year time of travel district (TOT) as determined from Table #1.

4-6-2: ESTABLISHMENT OF THE WELLHEAD PROTECTION OVERLAY

DISTRICT: There is hereby established a wellhead protection overlay district identified and described as all the area within the six year TOT district around public water supplies for wells in Albion city, Idaho. It is further established that these areas be composed of three zones (3 zones), Wellhead Protection Overlay District Zone I, Wellhead Protection Overlay District Zone II and Wellhead Protection Overlay District Zone III as they are defined in this chapter.

4-6-3: RESTRICTIONS WITHIN ZONE I OF THE WELLHEAD PROTECTION

AREA The following uses or conditions, shall be and are hereby prohibited within Zone I of the wellhead protection overlay district:

(A) Surface use or storage of hazardous material, expressly including herbicide and pesticide applications to the soils, ground water or surface water.

(B) Sanitary landfills.

(C) Hazardous waste disposal sites.

(D) Underground storage tanks.

(E) Sanitary sewer lines.

(F) Underground injection wells.

(G) All other facilities involving the collection, handling, manufacture, use, storage, transfer or disposal of any solid or liquid material or waste having a potentially hazardous impact on ground water quality.

(H) Disposal of waste oil, oil filters, tires and all other petroleum products.

(I) Septic tanks and drain fields.

(J) Animal feedlots.

4-6-4: PERMITTED USES: Permitted uses within Zone I shall be limited to necessary wellhead equipment, wellhead facility buildings, water storage tanks and approved landscaping.

4-6-5: PERMITTED USES WITHIN ZONE II AND ZONE III: Most uses will not be restricted in the City as long as these uses comply with the existing ordinances, County, State and Federal Regulations pertaining to the discharge of contaminants.

4-6-6: REQUIREMENTS FOR FACILITIES EXISTING WITHIN THE WELLHEAD PROTECTION AREA:

(A) Upon request of the Planning and Zoning Commission, Facilities shall provide copies of all federal, state and local facility operation approvals and certificates for on-going environmental

and safety technologies already in existence.

(B) Facilities shall have the responsibility of devising and filing with the City a contingency plan satisfactory to the City for the immediate notification to the City officials in the event of an emergency.

4-6-7: **RESTRICTIONS WITHIN ZONE II OF THE WELLHEAD PROTECTION AREA:** The following uses or conditions, shall be and are hereby prohibited within Zone II of the wellhead protection areas whether or not such use or condition may otherwise be ordinarily included as part of a use permitted under Section 6 of this chapter:

(A)Sanitary landfills.

(B)Animal feedlots.

(C)Hazardous waste disposal sites.

(D)Underground injection wells.

(E)All manufacturing or industrial businesses involving the collection, handling, manufacture, use, storage, transfer of disposal or any solid or liquid material or waste having potentially hazardous impact on ground water.

(F)Sanitary sewer lines within one hundred fifty feet (150 feet) of a wellhead.

(G)Septic tanks or drain fields within two hundred feet (200 feet) of a wellhead.

(H)Auto, repair or auto painting facilities and or junk or salvage yard.

(I)Disposal of waste oil, oil filters, tires and all other petroleum products.

4-6-8:**RESTRICTIONS WITHIN ZONE III OF THE WELLHEAD PROTECTION AREA:** The following uses or conditions, shall be and are prohibited within Zone III of the wellhead protection area, whether or not such use or condition may otherwise be ordinarily included as part of a use permitted under Section 6 of this chapter.

(A)Sanitary landfills.

(B)Hazardous waste disposal sites.

(C)Land use activities posing inordinate hazard or potential threat to existing ground water quality as deemed by the Planning and Zoning Commission and the Mayor or City Council during the review process of applications.

4-6-9: **REQUIREMENTS FOR NEW WELLS:** Prior to the development of new wells for the purpose of supplying potable water to the community water system, the proposed well

site will be delineated in accordance with Section 3 of this Chapter using anticipated yields to determine time of travel zones. The delineated areas will then be inventoried for potential contaminant sources and the proposed site evaluated as to potential adverse impact to the well site.

4-6-10: ADMINISTRATION: The policies and procedures for administration of any wellhead protection zone established under this Chapter, including without limitation those applicable to non-conforming uses, exceptions, enforcement and penalties, shall be the same as provided in the Zoning Ordinance of Cassia County, as the same is presently enacted or may from time to time be amended, or at such time as the City shall exact a Zoning Ordinance its provisions shall govern such administrations.

4-6-11: ENFORCEMENT: It shall be unlawful for any person, corporation or business to occupy or use the land within the area designated in the Wellhead Protection Overlay District Zones I, II, or III contrary to, or in violation of, any of the provisions of this chapter.

A violation of this chapter by any person, corporation or business shall be a misdemeanor for each day of such violations, and shall be punishable by general misdemeanor fines and imprisonment.