

Bill No. CS for SB 2140

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Latvala moved the following amendment:		
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13	Senate Amendment		
14	On page 6, line 18, through page 9, line 9, delete		
15	those lines		
16			
17	and insert:		
18	<u>(a) The native groundwater within the proposed zone of</u>		
19	<u>discharge contains no less than 1,500 milligrams per liter</u>		
20	<u>total dissolved solids;</u>		
21	<u>(b) The native groundwater within the proposed zone of</u>		
22	<u>discharge is not currently being used as a public or private</u>		
23	<u>drinking water supply, nor can any other person other than the</u>		
24	<u>permit applicant be reasonably expected to withdraw water from</u>		
25	<u>the zone of discharge in the future for such use;</u>		
26	<u>(c) The presence of the stored water will not cause</u>		
27	<u>any person other than the permit applicant to treat its source</u>		
28	<u>water in any way that would not have been required in the</u>		
29	<u>absence of the aquifer storage and recovery well;</u>		
30	<u>(d) The department has approved a monitoring plan that</u>		
31	<u>specifies the number and location of monitor wells, monitoring</u>		

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- 1 parameters, and frequency of monitoring;
2 (e) Total coliform bacteria is the only primary
3 drinking water standard other than sodium that will not be met
4 prior to injection;
5 (f) The permit applicant demonstrates that biological
6 contaminants will experience die-off such that primary
7 drinking water standards will be met at the edge of the zone
8 of discharge and that those contaminants will not pose an
9 adverse risk to human health;
10 (g) The permit applicant documents the environmental
11 benefits to be derived from the storage, recovery, and future
12 use of the injected water;
13 (h) The use of the recovered water is consistent with
14 its intended primary purpose; and
15 (i) The storage of water will not endanger drinking
16 water sources, as defined in the federal Safe Drinking Water
17 Act, 42 U.S.C. s. 300h.
18 (5) The department may allow a zone of discharge for
19 sodium, total coliform bacteria, and secondary drinking water
20 standards if the total dissolved solids concentration of the
21 native groundwater within the proposed zone of discharge is
22 less than 1,500 milligrams per liter and if the requirements
23 of paragraphs (4)(b)-(i) are satisfied and:
24 (a) The applicant for the aquifer storage and recovery
25 well permit demonstrates that no person, other than the permit
26 applicant, may in the future withdraw water from the zone of
27 discharge for use as a public or private drinking water supply
28 because of legal restrictions imposed by a water management
29 district, state agency, local government, or other
30 governmental entity having jurisdiction over water supply or
31 well construction;

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1 (b) The permit applicant provides written notice,
2 including specific information about the proposed aquifer
3 storage and recovery project, to each land owner whose
4 property overlies the zone of discharge.

5 (6) A zone of discharge for aquifer storage and
6 recovery wells shall not intersect or include any part of a
7 500-foot radius surrounding any well that uses the injection
8 zone to supply drinking water.

9 (7) The department shall specify in the permit for the
10 aquifer storage and recovery well the vertical and lateral
11 limits of the approved zone of discharge. The zone of
12 discharge limits shall be based on hydrogeological conditions,
13 for which the permit applicant shall provide calculations or
14 the results of modeling that include, but are not limited to,
15 reasonable assumptions about the expected volume of water to
16 be stored and recovered and reasonable assumptions regarding
17 aquifer thickness and porosity. Compliance with the primary
18 drinking water standard for total coliform bacteria, sodium,
19 and the secondary drinking water standards shall be required
20 at the edge of the zone of discharge.

21 (8) After the aquifer storage and recovery well is in
22 operation, groundwater monitoring must demonstrate that
23 biological die-off is occurring, no exceedances of the primary
24 drinking water standards have occurred outside of the zone of
25 discharge, and there is no adverse risk to human health from
26 the injection activity. Failure of the applicant to make this
27 demonstration shall result in revocation of the zone of
28 discharge.

29 (9) If drinking water supply wells are present in the
30 injection zone within 2.5 miles of the edge of the zone of
31 discharge, additional monitor wells may be required to detect

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1 the possible movement of injected fluids in the direction of
2 the drinking water wells.

3 (10) Monitor wells shall be sampled at least monthly
4 for the parameters specified in the permit for the aquifer
5 storage and recovery well. The department may modify the
6 monitoring requirements if necessary to provide reasonable
7 assurance that underground sources of drinking water are
8 adequately protected.

9 (11) An aquifer exemption shall be obtained prior to
10 injection if the injection fluid exceeds any primary drinking
11 water standard maximum contaminant level other than total
12 coliform bacteria or sodium, or if the presence of any
13 contaminant in the injection fluid may adversely affect the
14 health of persons and the applicant cannot demonstrate with
15 reasonable certainty that such contaminant will experience
16 die-off within the proposed zone of discharge.

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