

Sole Source Aquifers

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) including streamflow source areas? (Note: There are currently no sole source aquifers in Alaska.)

Maintain, in your ERR, a copy of the latest SSA printout from the internet site <http://yosemite.epa.gov/r10/water.nsf/Sole+Source+Aquifers/ssamaps>
 Make sure you consider streamflow source areas. If your project is close to the boundary and you are not certain if it is on the SSA, contact Susan Ennes at (206) 553-6249 or email ennes.susan@epa.gov to make a final determination. You will need to provide the project street address and detailed maps, if available.

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

2. Is the project located in Idaho?

- Yes: Follow the 2000 Sole Source Aquifer Memorandum of Understanding between HUD/Idaho Division of Community Development/Idaho Housing and Finance Association and EPA. Record your determination on the Statutory Worksheet.
 No: PROCEED to #3

3. Does the project consist of an individual action on a one-to-four unit residential building (including acquisition, disposition, new construction and rehabilitation) 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 is served by public water, sewer and storm drainage systems. (If the project uses well water or a septic system or infiltrates storm-water on site, you must proceed to Step #5.)

- Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
 No: PROCEED to #6

6. Is the project likely to affect Sole Source Aquifer Quality?

Please submit the following information to EPA:

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 Susan Ennes at ennes.susan@epa.gov , phone number (206) 553-6249, for an informal consultation on the project. Please note that EPA may request additional information if impacts to the aquifer are questionable after the information is submitted for review. If EPA does not respond to the informal consultation request within 30 days, you can consider the project to be not likely to affect Sole Source Aquifer quality and proceed.

- No: 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.
- Yes: Conduct a formal consultation, and if necessary, mitigate issues.

To begin formal consultation, please provide EPA with maps, plans and specifications, a narrative statement detailing the nature, scope and degree of ground-water protection measures incorporated into the design, and mitigating measures incorporated into the design to enhance ground-water protection. 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.

Once it receives the necessary information, EPA has 30 days to respond to a formal consultation request, unless the agency requests additional review time in writing, or HUD, a HUD Responsible Entity or EPA receives comments suggesting that the project will have adverse impacts to a sole source aquifer.

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.