

## Site Evaluation Requirement for Sites with Approved Field Data

### DEM Suggested Alternative

**NOTE:** The following is applicable to single lots only. Subdivisions with valid field data collected prior to January 31, 2001 do not have to conduct a site evaluation.

#### One-Year Window (1 year from date of promulgation of amendment)

- \* Anyone with old field data (provided it was compiled after July 21, 1987) may use or revalidate such data without having to conduct a site evaluation. Revalidation done as part of the application submittal by a Class II or III designer.
- \* Once the design is approved by DEM the permit would be valid for 5 years. After the 5 years (permit has expired) a site evaluation is required, unless other wise provided below.

#### After One-Year Window:

- \* Field data less than 5 years old, site evaluation not required.
- \* Field data more than 5 years old:
  - Critical sites (see proposed definition below): site evaluation required.
  - Non-critical sites: site evaluation not required provided the data is currently valid and was compiled after January 1, 1993; no limits on future use of this data. Revalidation by Class II or III.

*Note: 1993 wet season was the first that DEM used a large number of wells to determine factors and was able to correlate information with historical USGS data.*

#### Critical site is one that meets any of the following criteria:

- The site has an approved water table less than 4 feet; or
- Any part of the system falls within any of the following areas:
  - Within 100 feet of any watercourse,
  - Within 150 feet of a critical resource area coastal pond or Narrow River shoreline feature, or
  - Within 200 feet of a surface water drinking water supply or its tributaries.

#### **Key Points:**

- One-year window provides adequate notice for those who thought that data could be renewed.
- Allows DEM to notify applicants when and where site evaluations would be required on lots previously tested
- Approach is consistent in principle with state statute, which stipulates that data is valid for 5 years.
- Considers risk to public health and the environment by addressing critical sites.

January 23, 2001