



New or Increased Large Quantity Withdrawals Well Construction Process

In July 2008, the Michigan Legislature passed amendments to Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 327). The amendments established new requirements for the registration and evaluation prior to the installation of capacity to make a new or increased large quantity withdrawal (NILQW) from either groundwater or surface water. A NILQW includes the installation of a well with a new pump that is rated at 70 gallons per minute (gpm) or greater, the installation of a pump in an existing well that results in an increase in pump capacity of 70 gpm or greater, or any addition of capacity to a property that results in a total capacity of 70 gpm or greater.

The following process should be used by a property owner who wants to drill a well in Michigan that will result in the installation of capacity or an increase in capacity of 70 gpm or greater:

1. Use the Water Withdrawal Assessment Tool (WWAT)

The WWAT is an Internet based program designed to estimate the likely impact of a proposed water withdrawal on nearby streams and rivers. Every NILQW is required to be evaluated relative to the likelihood of causing an Adverse Resource Impact (ARI) using the WWAT.

The WWAT can be accessed at <http://www.miwwat.org>.

Once a proposed well drilling site is located and a NILQW is proposed, information such as pumping capacity and approximate well depth are entered into the WWAT. The WWAT will determine if the proposed NILQW is acceptable. If deemed acceptable the NILQW may be registered and the water well may be drilled. If it is determined that the NILQW is likely to cause an ARI, a site specific review (SSR) request must be submitted to the Michigan Department of Environmental Quality (MDEQ).

2. Register the Withdrawal with the MDEQ

A NILQW must be registered before commencing with the withdrawal. Registration can only be obtained through use of the WWAT or through the SSR process. Approval of a NILQW through either process results in the creation of a NILQW registration receipt. A registration authorizing a NILQW is valid for 18 months. The well must be installed and ready for operation within 18 months, or the registration is no longer valid and the NILQW is no longer authorized under the law.

3. Apply for a Water Well Construction Permit from the Local Health Department (LHD)

When applying for the LHD well construction permit, the WWAT or site specific review registration receipt should be taken to the LHD. The registration receipt provides proof that the NILQW is authorized under Part 327 and not likely to cause an ARI. Failure to provide proof of the NILQW registration may result in the LHD's refusal to issue the well construction permit, or the permit applicant may be asked to sign an agreement form documenting they have been informed of the requirements for registering a NILQW.

Property owners seeking an LHD permit to construct a well are advised that failure to properly register the NILQW may result in an inability to legally use the well and/or significant monetary penalties.

For questions regarding the WWAT, the SSR process, or the registration of NILQWs, please contact Mr. Dave DeYoung, at 517-241-1409 or by e-mail at deyoungd@michigan.gov.

<http://www.michigan.gov/deqwateruse>