A Department of Environmental Quality (DEQ) Policy and Procedure cannot establish regulatory requirements for parties outside of the DEQ. This document provides direction to DEQ staff regarding the implementation of rules and laws administered by the DEQ. It is merely explanatory; does not affect the rights of, or procedures and practices available to, the public; and does not have the force and effect of law.

INTRODUCTION, PURPOSE, OR ISSUE:

There is a discrepancy in the separation distance specified in Part 127, 1978 PA 368, as amended (State Well Construction Code), between a water well and an area where biosolids are land applied.

Rule 122(1)(b)(I) of the administrative rules promulgated pursuant to the State Well Construction Code (Groundwater Quality Control Rules) requires a separation distance of 300 feet, which is more restrictive than the more contemporary biosolids land application requirements contained in the Michigan Biosolids Act, 1997 PA 29 (Act 29). Act 29 specifies 100 feet of separation from a private residential well if the biosolids are incorporated into the soil and 150 feet if they are land applied without incorporation.

AUTHORITY:

Michigan Biosolids Act, 1997 PA 29

DEFINITIONS:

Biosolids: Solid, semisolid, or liquid residues generated during primary, secondary, or advanced treatment of domestic sanitary sewage through one or more controlled processes that reduce pathogens and attractiveness to vectors.

POLICY:

The DEQ recommends using the less restrictive separation distances contained in Act 29, in conjunction with a deviation issued pursuant to Rule 113 of the Groundwater Quality Control Rules, unless site specific information justifies the greater separation distance. It is intended that the 300 foot separation distance in Rule 122 be amended to conform with Act 29 upon the next revision of the Groundwater Quality Control Rules.
Subject: Separation of Private Water Wells from Biosolids Land Application

PROCEDURES:

<table>
<thead>
<tr>
<th>Who</th>
<th>Does What</th>
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<tbody>
<tr>
<td>Local Health Department</td>
<td>Able to issue deviation during well permitting process and allow for reduced isolation distance to biosolids land application.</td>
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OFFICE CHIEF APPROVAL:

Liane J. Shekter Smith, P.E., Chief
Office of Drinking Water and Municipal Assistance
Date: 12-28-2012

DEPUTY DIRECTOR APPROVAL:

Jim Sygo, Deputy Director
Date: 1/3/2012