

1501:14-6-02

Distance limitations on the placement of LMW.

- (A) LMW may not be applied as a soil additive within one hundred feet of an intermittent or perennial stream or wetland. This distance may be increased ~~in cases involving~~for an exceptionally high value stream or wetland ~~areas~~.
- (B) LMW may not be placed within five hundred feet upstream of an existing legitimately used surface source intake or within three hundred feet of an existing legitimately used water well supply or within three hundred ~~feefet~~ feet of an existing developed groundwater spring. ~~Pre-existing~~For a pre-existing LMW site ~~site~~ which ~~are~~is closer than these distances on October 8, 2001, the permittee shall provide a demonstration that the lesser ~~distances~~distance will not have an adverse impact upon human health or the environment.
- (C) LMW may not be placed within three hundred feet of an occupied dwelling unless the owner provides a written waiver. Pre-existing LMW sites which are closer to dwellings than three hundred feet on October 8, 2001, ~~are~~ exempt from this requirement ~~for those dwellings closer than three hundred feet~~.

Effective: 05/15/2015
Five Year Review (FYR) Dates: 02/26/2015 and 05/15/2020

CERTIFIED ELECTRONICALLY

Certification

05/04/2015

Date

Promulgated Under: 119.03
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