

ENVIRONMENTAL APPEALS BOARD

APPEAL 2020-05

CHRONOLOGY

Environmental Appeals Board

APPEAL 2020-05

INDEX

<u>DATE</u>	<u>EVENT</u>	<u>EXHIBIT</u>
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EXHIBIT 1

MAIL TO:

WATER SUPPLY SECTION
DIVISION OF WATER
RESOURCES
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE: 302-739-9944
FAX: 302-739-7764

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL

http://www.dnrec.state.de.us/

APPLICATION MUST BE SUBMITTED
AND PERMIT RECEIVED BEFORE
DRILLING IS STARTED.

APPLICATION FOR A PERMIT
TO CONSTRUCT A WELL

- OFFICIAL USE ONLY -

PAGE # ____ OF ____ PAGES
PERMIT #: **267708**

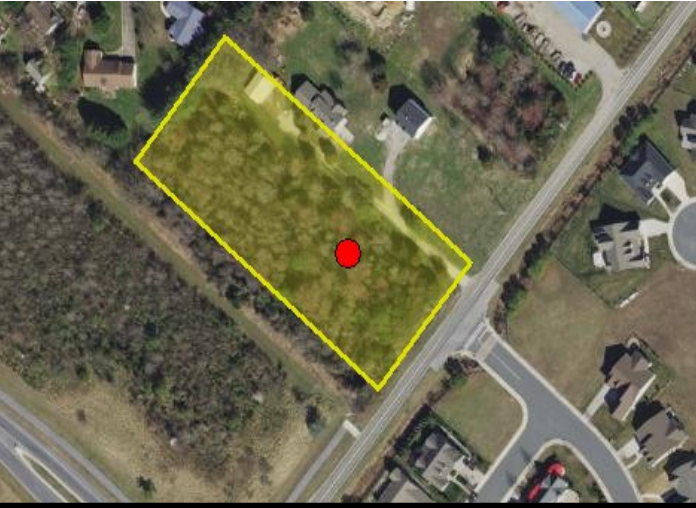
Owner: Peter, Jerry	LOCATION MAP - ROAD MAP			
Address: 116 Front Street Unit 16 Lewes DE US 19958	County: Sussex	Tax Parcel: 3-35-08.00-0009.00		
Telephone:	Lot #: Parcel A	Subdivision:		
Email:	ADC Map Grid: 36 E7	Name of Nearest Town: Lewes		
Licensed Preparer / WC: Atlantic Well Drilling Inc	Distance to Nearest Town: 0.00	X: 222485.27		
License #: 789	Y: 86103.07			
Estimated Construction Date: 10/18/2019				
Purpose: Permanent				
Use: Geothermal Supply				
Use Other:				
Is an Emergency well? No				
Is a Replacement well? No				
Reason:				
Is public water available? No				
Utility:				
On public sewage? Yes		Parcel Size: Greater than 0.5 Acre		
Septic Permit #:	Proposed Well will be:			
PROPOSED WELL CONSTRUCTION:				
Approximate Total Depth: 110.00 feet				
Maximum capacity: 20.00 (GPM)				
Max. Daily Withdrawal: 1,500.00 (GPD)				
Casing	Top	Bottom	Diameter	Material
Inner Casing	0.00	100.00	4.00	PVC
Screen Material: PVC				
Top:	100.00	Bottom:	110.00	
Type of Grout: Bentonite				
Top:	0.00	Bottom:	90.00	
Gravel Pack Interval:				
Top:	90.00	Bottom:	110.00	
Type of Non-Grout Backfill of Well Annulus: None				
Top:	0.00	Bottom:	0.00	
Will the operation of this well by itself or in combination with any other well(s), owned or operated by the permittee, withdraw greater than 1,000,000 gallons in any 24hr. period? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	150.00 Feet from the CENTRAL SEWER LINE			
I HEREBY AFFIRM THE INFORMATION I HAVE SUBMITTED IS ACCURATE AND CORRECT.	Distance between SUPPLY and RECHARGE wells: 20.00			
Signature - Licensed Preparer/Well Contractor	Date			
Signature - Property Owner	Date			

EXHIBIT 2

MAIL TO:

WATER SUPPLY SECTION
 DIVISION OF WATER
 RESOURCES
 89 KINGS HIGHWAY
 DOVER, DELAWARE 19901

PHONE: 302-739-9944
 FAX: 302-739-7764

**STATE OF DELAWARE
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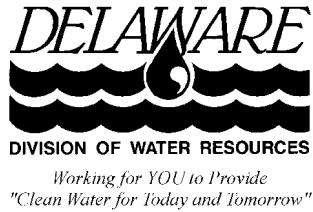
**APPLICATION FOR A PERMIT
 TO CONSTRUCT A WELL**

- OFFICIAL USE ONLY -

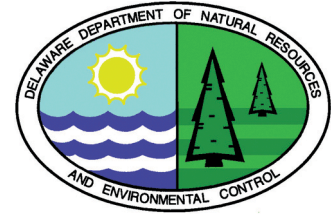
PAGE #	OF	PAGES
PERMIT #: 267709		

Owner: Peter, Jerry	LOCATION MAP - ROAD MAP			
Address: 116 Front Street Unit 16 Lewes DE US 19958	County: Sussex	Tax Parcel: 3-35-08.00-0009.00		
Telephone:	Lot #: Parcel A	Subdivision:		
Email:	ADC Map Grid: 36 E7	Name of Nearest Town: Lewes		
Licensed Preparer / WC: Atlantic Well Drilling Inc	Distance to Nearest Town: 0.00	X: 222485.27		
License #: 789	Y: 86106.25			
Estimated Construction Date: 10/18/2019				
Purpose: Permanent				
Use: Geothermal Recharge				
Use Other:				
Is an Emergency well? No				
Is a Replacement well? No				
Reason:				
Is public water available? No				
Utility:				
On public sewage? Yes		Parcel Size: Greater than 0.5 Acre		
Septic Permit #:		Proposed Well will be:		
PROPOSED WELL CONSTRUCTION:				
Approximate Total Depth: 110.00 feet				
Maximum capacity: 20.00 (GPM)				
Max. Daily Withdrawal: 1,500.00 (GPD)				
Casing	Top	Bottom	Diameter	Material
Inner Casing	0.00	100.00	4.00	PVC
Screen Material: PVC				
Top:	100.00	Bottom:	110.00	
Type of Grout: Bentonite				
Top:	0.00	Bottom:	90.00	
Gravel Pack Interval:				
Top:	90.00	Bottom:	110.00	
Type of Non-Grout Backfill of Well Annulus: None				
Top:	0.00	Bottom:	0.00	
Will the operation of this well by itself or in combination with any other well(s), owned or operated by the permittee, withdraw greater than 1,000,000 gallons in any 24hr. period? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
I HEREBY AFFIRM THE INFORMATION I HAVE SUBMITTED IS ACCURATE AND CORRECT.				
Signature - Licensed Preparer/Well Contractor		Date		
Signature - Property Owner		Date		
		Distance between SUPPLY and RECHARGE wells: 20.00		

EXHIBIT 3



**PERMIT
267708**



Tax Map Number: 3-35-08.00-0009.00

DRILLER COPY

Pursuant to provisions of Title 7, Delaware Code, Chapter 60, permission is hereby granted to:

**Peter, Jerry
116 Front Street Unit 16, Lewes, DE 19958 US**

to construct, operate and maintain 1 Geothermal Supply Well in a total of 1 boring

This permit is only valid for construction upon obtaining an Authorization Number from Delaware DNREC.

Construction must be completed on or before 4/7/2021, one year from permit issuance date.

A permit extension can be obtained on or before the date above by contacting Delaware DNREC.

Construction must be done by a person duly licensed by the Delaware DNREC for such activity.

All current regulations governing well construction shall be followed.

All attached permit conditions shall be complied with.

The applicant is responsible for obtaining all additionally required permits and approvals.

Should the well identification tag become detached and irrecoverable from the well(s), the property owner is responsible to contact the Water Supply section of DNREC at 302-739-9944 for a replacement.

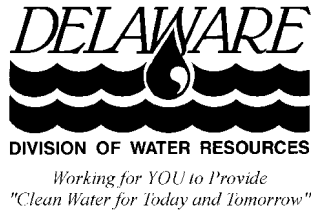
4/7/2020

AUTHORIZED SIGNATURE

DATE

Authorization Number:

To obtain authorization please call toll free: 1-866-276-2353



PERMIT 267708

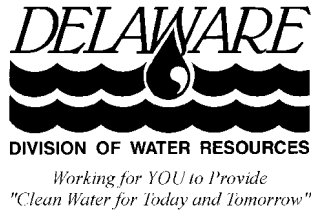


Well Driller Responsible Conditions

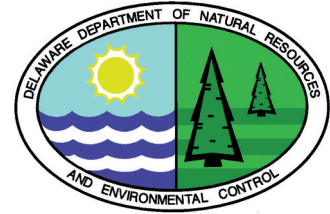
- §16 The well(s) shall be adequately developed.
- §24 The identification tag, supplied by the Department, shall be properly attached to the upper terminus.
- §45 No heat pump recharge well or closed loop heat pump loop shall be constructed within 50 feet of any identifiable potential or existing source of contamination.
- §50 At such time when this well must be abandoned, an abandonment report, signed by the well driller in responsible charge of the work, must be submitted to the Water Supply Section within 30 days of abandonment of the well(s).
- §62 The Water Supply Section shall be notified at least 24 hours prior to the construction of this well at (302) 739-9944.
- §63 A well completion report shall be submitted to the Water Supply Section within 30 days of completion of well construction.
- §87 The well driller or well driver is required to have at the drilling site an approved authorization number that must accompany the approved well permit.
- §104 The well driller or well driver is required to have at the drilling site a copy of the signed well permit or, in the case of verbal permits, the permit number.

Owner/Well Driller Combined Responsibility Conditions

- §1 The approval of this permit does not relieve the responsible party from the requirement for obtaining all permits that are required by federal, state, county, and local governments. The responsible party shall comply with any and all federal, state, county, and local statutes, ordinances, zoning procedures, orders, regulations, rules, as a condition of the issuance of this permit.
- §2 The issuance of this permit does not guarantee the performance of the permitted well to the standards required by the project. The Department has no knowledge of subsurface conditions or of the constructability of the proposed well.
- §3 This permit is valid only for the specific operations and processes applied for and indicated on the application form and attached drawings. Any unauthorized deviations from the approved project or violations of permit conditions may constitute grounds for revocation. Upon revocation, the well will be ordered abandoned.
- §12 The well casing shall be finished and maintained at least 12 inches above grade.

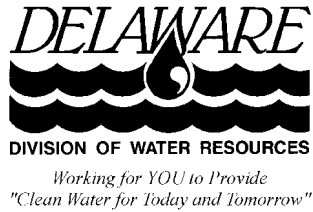


PERMIT 267708

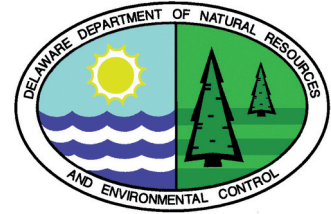


Owner/Well Driller Combined Responsibility Conditions

- §14 Upon completion, the well and appurtenances shall be disinfected in conformance with the Regulations Governing the Construction and Use of Wells.
- §15 The annular space of this well shall be pressure grouted from the top of the gravel pack to ground surface with a slurry of neat cement, bentonite cement or bentonite and water, in accordance with the Regulations Governing the Construction and Use of Wells.
- §44 All water obtained from well(s) for the operation of a heat pump system shall be injected into the aquifer from which it came.
- §46 No corrosion inhibitors, water softening, or other additives shall be added to the water that will eventually be returned into the ground.
- §52 If identifiable contamination is detected during construction, and the contamination was not anticipated or evaluated during the permit application and approval process, the well driller shall cease work and notify the Emergency Response Hotline immediately by calling 1-800-662-8802, followed by the Water Supply Section 302-739-9944.
- §54 Representatives of DNREC, the Delaware Geological Survey or the U.S. Geological Survey may inspect the well and/or conduct tests such as but not limited to geophysical logging and sampling, at any reasonable time after serving advance notice.
- §99 Public wells shall be located at least seventy-five (75') feet from a gravity sewer and a sewer force main. Domestic wells shall be located at least fifty (50') feet from a gravity sewer and a sewer force main. Non-potable wells shall be located at least ten (10') feet from a gravity sewer line, and shall be at least fifty (50') feet from a sewer force main.



**PERMIT
267708**



Tax Map Number: 3-35-08.00-0009.00

OWNER COPY

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**Peter, Jerry
116 Front Street Unit 16, Lewes, DE 19958 US**

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Construction must be completed on or before 4/7/2021, one year from permit issuance date.

A permit extension can be obtained on or before the date above by contacting Delaware DNREC.

Construction must be done by a person duly licensed by the Delaware DNREC for such activity.

All current regulations governing well construction shall be followed.

All attached permit conditions shall be complied with.

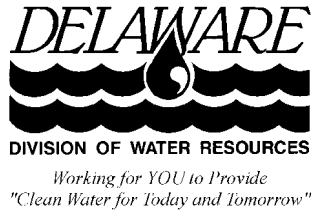
The applicant is responsible for obtaining all additionally required permits and approvals.

Should the well identification tag become detached and irrecoverable from the well(s), the property owner is responsible to contact the Water Supply section of DNREC at 302-739-9944 for a replacement.

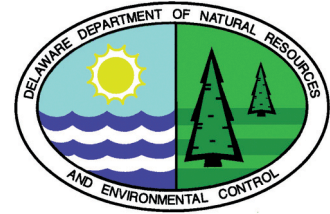
4/7/2020

AUTHORIZED SIGNATURE

DATE



PERMIT 267708

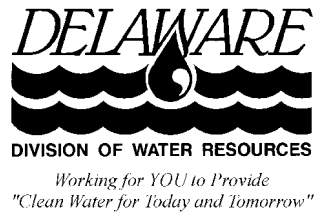


Owner/Well Driller Combined Responsibility Conditions

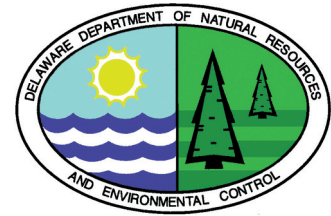
- §1 The approval of this permit does not relieve the responsible party from the requirement for obtaining all permits that are required by federal, state, county, and local governments. The responsible party shall comply with any and all federal, state, county, and local statutes, ordinances, zoning procedures, orders, regulations, rules, as a condition of the issuance of this permit.
- §2 The issuance of this permit does not guarantee the performance of the permitted well to the standards required by the project. The Department has no knowledge of subsurface conditions or of the constructability of the proposed well.
- §3 This permit is valid only for the specific operations and processes applied for and indicated on the application form and attached drawings. Any unauthorized deviations from the approved project or violations of permit conditions may constitute grounds for revocation. Upon revocation, the well will be ordered abandoned.
- §12 The well casing shall be finished and maintained at least 12 inches above grade.
- §14 Upon completion, the well and appurtenances shall be disinfected in conformance with the Regulations Governing the Construction and Use of Wells.
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Owner Responsible Conditions

- §25 The well(s) shall be capped securely at all times.
- §64 This permit and all conditions shall transfer to future owners of this property, identified by Tax ID# 3-35-08.00-0009.00.



**PERMIT
267708**



§110 The Department recommends having water from this well sampled. Sample kits are available from the Division of Public Health, Office of Drinking Water at the following locations:

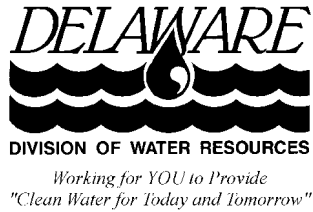
New Castle County:
University Office Plaza - Chopin Building
258 Chapman Road, Suite 105
Newark, DE 19702
(302) 283-7110

Kent County:
Thomas Collins Building, Ste.5
540 S. DuPont Hwy.
Dover, DE 19901
(302) 744-1220

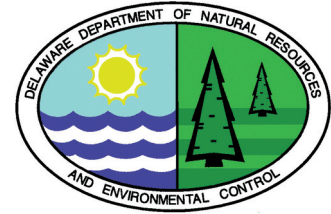
Division of Public Health Laboratory
30 Sunnyside Road
Smyrna, DE 19977
(302) 223-1520

Sussex County:
Georgetown State Service Center
546 S. Bedford Street
Georgetown, DE 19947
(302) 856-5496

EXHIBIT 4



**PERMIT
267709**



Tax Map Number: 3-35-08.00-0009.00

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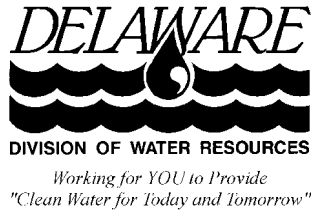
4/7/2020

AUTHORIZED SIGNATURE

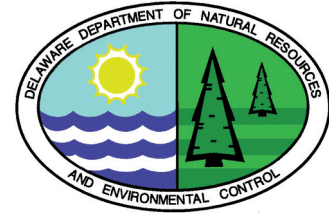
DATE

Authorization Number:

To obtain authorization please call toll free: 1-866-276-2353



PERMIT 267709

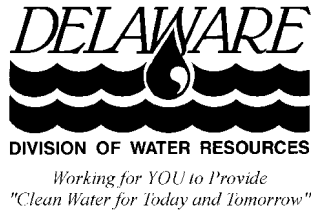


Well Driller Responsible Conditions

- §16 The well(s) shall be adequately developed.
- §24 The identification tag, supplied by the Department, shall be properly attached to the upper terminus.
- §45 No heat pump recharge well or closed loop heat pump loop shall be constructed within 50 feet of any identifiable potential or existing source of contamination.
- §50 At such time when this well must be abandoned, an abandonment report, signed by the well driller in responsible charge of the work, must be submitted to the Water Supply Section within 30 days of abandonment of the well(s).
- §62 The Water Supply Section shall be notified at least 24 hours prior to the construction of this well at (302) 739-9944.
- §63 A well completion report shall be submitted to the Water Supply Section within 30 days of completion of well construction.
- §87 The well driller or well driver is required to have at the drilling site an approved authorization number that must accompany the approved well permit.
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Owner/Well Driller Combined Responsibility Conditions

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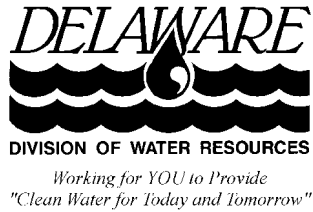


PERMIT 267709

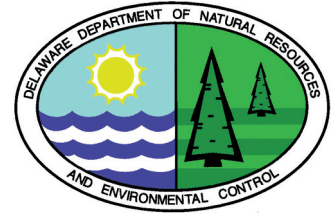


Owner/Well Driller Combined Responsibility Conditions

- §15 The annular space of this well shall be pressure grouted from the top of the gravel pack to ground surface with a slurry of neat cement, bentonite cement or bentonite and water, in accordance with the Regulations Governing the Construction and Use of Wells.
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- §47 The diameter and screen length of the recharge well shall be equal to or greater than the diameter and screen length of the supply well.
- §52 If identifiable contamination is detected during construction, and the contamination was not anticipated or evaluated during the permit application and approval process, the well driller shall cease work and notify the Emergency Response Hotline immediately by calling 1-800-662-8802, followed by the Water Supply Section 302-739-9944.
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- §99 Public wells shall be located at least seventy-five (75') feet from a gravity sewer and a sewer force main. Domestic wells shall be located at least fifty (50') feet from a gravity sewer and a sewer force main. Non-potable wells shall be located at least ten (10') feet from a gravity sewer line, and shall be at least fifty (50') feet from a sewer force main.



**PERMIT
267709**



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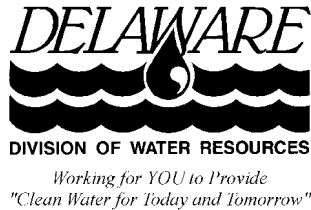
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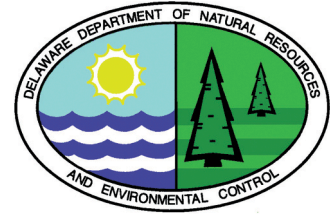
4/7/2020

AUTHORIZED SIGNATURE

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PERMIT 267709

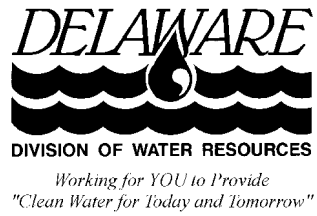


Owner/Well Driller Combined Responsibility Conditions

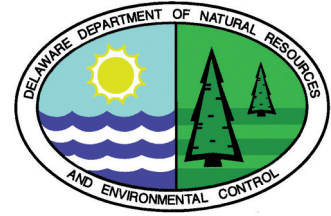
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Owner Responsible Conditions

- §25 The well(s) shall be capped securely at all times.
- §56 An Underground Injection Control permit may be required. Please contact the Underground Discharges Section at 302-739-9948 for information.
- §57 Water taken from this well is not to be used for human consumption.
- §58 The well shall not be used for the processing or preparation of food for sale.



**PERMIT
267709**



§64 This permit and all conditions shall transfer to future owners of this property, identified by Tax ID# 3-35-08.00-0009.00.