Title 118 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 7 - GROUND WATER CLASSIFICATION

001 All ground waters of the State shall be classified based on existing and potential drinking water use.

002 Class assignment, where possible, shall be based on the background condition or beneficial use of the ground water prior to a pollution event.

003 All ground waters of the State shall be classified by the Department into one of the following classes:

003.01 Class GA. Ground water assigned to this class is currently being used as a public drinking water supply or is proposed to be used as a public drinking water supply. This includes:

003.01A Ground water withdrawn by a public water supply system that is used or is intended to be used as drinking water. This includes wells used incidentally or intermittently for drinking water and wells that are temporarily not being used (but have been used in the past) for drinking water. Class GA will be determined by delineating a boundary around:

003.01A1. An area, based on local hydrogeologic conditions around a well or wellfield, defined by the Nebraska Department of Health and Human Services Regulation and Licensure, the Department, or the local water system involved (as approved by the Nebraska Department of Health and Human Services Regulation and Licensure), including wellhead protection areas, as defined by the Department through the Nebraska Wellhead Protection Program.

003.01A2. An area at least as large as and encompassing the entirety of that described by 003.01A3. below designated through local ordinances, if 003.01A1. above has not been determined; or

003.01A3. The area within a 1,000-foot radius of a single well or the area within a 1,000-foot distance of the perimeter of a wellfield, if neither 003.01A1. nor 003.01A2. above has been determined.

003.01B Ground water represented by an area of overlying land which has been zoned or purchased by a local government for the purpose of developing a public drinking water supply well or wellfield, including ground water in provisional wellhead protection areas as defined by the Department through the Nebraska Wellhead Protection Program.

003.02 Class GB. Ground water assigned to this class is currently being used as a private drinking water supply or has the potential for being used as a public or private drinking water supply but currently cannot be classified as GA. Class GB shall be assigned to all ground waters in the State except those assigned to Classes GA and GC.

003.03 Class GC. Ground water assigned to this class is not being used, and has little or no potential for being used, as a public or private drinking water supply. Class GC shall be assigned on a case-by-case basis as the necessary information becomes available and shall include, but not be limited to:

003.03A  Ground water with poor natural or background quality compared to the numerical standards of Chapter 4.  Class GC(R), a subset of Class GC, shall be assigned to certain portions of this ground water if the Department determines that restoration or cleanup may be appropriate, pursuant to the provisions of Chapter 10, to allow for attainment of future beneficial uses.

003.03B  Ground water in which hydrogeologic conditions make development of a public or private drinking water supply unlikely.  Such information as depth to ground water and the transmissivity and areal extent of the aquifer may be considered.

004  All public drinking water supply wells as identified by the Nebraska Department of Health and Human Services Regulation and Licensure shall be used in Class GA determination. As of the effective date of these regulations, Class GC has not been assigned to any ground waters in the State.

005  Ground water may be reclassified according to the procedures set forth in Chapter 8.

Enabling Legislation:  Neb. Rev. Stat. § 81-1505(1)(2)

Legal Citation:  Title 118, Ch. 7, Nebraska Department of Environmental Quality