Environmental Protection Agency

149.101 Definitions.

As used in this subpart and except as otherwise specifically provided, the term(s):

(a) **Aquifer** means a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

(b) **Recharge** means a process, natural or artificial, by which water is added to the saturated zone of an aquifer.

(c) **Recharge Area** means an area in which water reaches the zone of saturation (ground water) by surface infiltration; in addition, a major recharge area is an area where a major part of the recharge to an aquifer occurs.

(d) **Sole or Principal Source Aquifer (SSA)** means an aquifer which is designated as an SSA under section 1424(e) of the SDWA.

[54 FR 6843, Feb. 14, 1989]

§ 149.103 Project review authority.

§ 149.104 Submission of petitions.

§ 149.105 Decision to review.

§ 149.106 Notice of review.

§ 149.107 Request for information.

§ 149.108 Public hearing.

§ 149.109 Decision under section 1424(e).

§ 149.110 Resubmittal of redesigned projects.

ORDER: Sec. 1424(e), Safe Drinking Water Act (42 U.S.C. 300h–3(e); sec. 1427 of the Safe Drinking Water Act, (42 U.S.C. 300h–6).

Subpart A—Criteria for Identifying Critical Aquifer Protection Areas

Source: 52 FR 23986, June 26, 1987, unless otherwise noted.

§ 149.1 Purpose.

The purpose of this subpart is to provide criteria for identifying critical aquifer protection areas, pursuant to section 1427 of the Safe Drinking Water Act (SDWA).

§ 149.2 Definitions.

(a) **Aquifer** means a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

(b) **Recharge** means a process, natural or artificial, by which water is added to the saturated zone of an aquifer.

(c) **Recharge Area** means an area in which water reaches the zone of saturation (ground water) by surface infiltration; in addition, a major recharge area is an area where a major part of the recharge to an aquifer occurs.

(d) **Sole or Principal Source Aquifer (SSA)** means an aquifer which is designated as an SSA under section 1424(e) of the SDWA.

[54 FR 6843, Feb. 14, 1989]

§ 149.3 Critical Aquifer Protection Areas.

A Critical Aquifer Protection Area is either:

(a) All or part of an area which was designated as a sole or principal source aquifer prior to June 19, 1986, and for which an areawide ground-water quality protection plan was approved, under section 208 of the Clean Water Act, prior to that date; or

(b) All or part of a major recharge area of a sole or principal source aquifer, designated before June 19, 1988, for which:

(1) The sole or principal source aquifer is particularly vulnerable to contamination due to the hydrogeologic characteristics of the unsaturated or saturated zone within the suggested critical aquifer protection area; and

(2) Contamination of the sole or principal source aquifer is reasonably likely to occur, unless a program to reduce or prevent such contamination is implemented; and

(3) In the absence of any program to reduce or prevent contamination, reasonably foreseeable contamination would result in significant cost, taking into account:

(i) The cost of replacing the drinking water supply from the sole or principal source aquifer, and

(ii) Other economic costs and environmental and social costs resulting from such contamination.

[54 FR 6843, Feb. 14, 1989]

Subpart B—Review of Projects Affecting the Edwards Underground Reservoir, A Designated Sole Source Aquifer in the San Antonio, Texas Area


§ 149.100 Applicability.

This subpart sets forth, pursuant to sections 1424(e) and 1450 of the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93–523, regulations relating the Edwards Underground Reservoir which is the sole or principal drinking water source for the San Antonio area and which, if contaminated, would create a significant hazard to public health.


§ 149.101 Definitions.

As used in this subpart and except as otherwise specifically provided, the term(s):