COMMISSION ON WATER RESOURCE MANAGEMENT
ROUTE SLIP FOR PERMIT ISSUANCE

FROM: RYAN
DATE: ____________
SUSPENSE DATE: ____________

TO: ANAKALEA, P.---------------------TO: LAU, E.---------------------TO: MATHIAS, T.---------------------TO: NAKAMOTO, L.---------------------TO: NAKANO, D.---------------------TO: OYAMA, M.
INIT: ____________________________INIT: ____________________________INIT: ____________________________INIT: ____________________________INIT: ____________________________INIT: ____________________________

FROM: ANAKALEA, P.---------------------TO: BAUER, G.---------------------TO: CHING, P.---------------------TO: DANBARA, S.---------------------TO: FUJII, N.---------------------TO: GOODING, K.---------------------TO: HARDY, R.---------------------TO: HICHI, G.---------------------TO: ICE, C.---------------------TO: IMATA, R.---------------------TO: KUNIMURA, I.

WELL NUMBER 3500-02
WELL NAME Nichols Well

ATTACHMENTS FOR WELL CONSTRUCTION PERMIT:
1 COVER LETTER
2 PERMIT (2x)
COMMENTS:
3 SDWB
4 WWB
5 CBW
6 HEER
7 LD
8 HP
9 PUMP TEST
10 WCR I FORM

ATTACHMENTS FOR PUMP INSTALLATION PERMIT:
1 COVER LETTER
2 PERMIT (2x)
COMMENTS:
3 SDWB
4 WWB
5 CBW
6 HEER
7 LD
8 HP
9 WCR II FORM
10 WUR FORM

PLEASE: See Me
Review & Comment
Take Action
Type Draft
Type Final
File
Xerox copies

WELL CHECK PRINTOUT

FOR OFFICE USE ONLY

Comments due 1/1/04

FOR OFFICE USE ONLY
WELL CONSTRUCTION PERM #
Nichols Well, Well No. 3500-02

Note: This permit shall be prominently displayed at the site until the work is completed.

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Nichols Well (Well No. 3500-02) at Keaau, Hawaii, TMK 1-5-036: 019, subject to the Hawaii Well Construction & Pump Installation Standards (February 2004) which include but are not limited to the following conditions:

1. The Chairperson of the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work authorized by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-169-15, Hawaii Administrative Rules.

2. The well construction permit shall be for construction and testing of the well only. A minimum 1/4-inch diameter monitor tube shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels. The permittee, well operator, and/or well owner shall coordinate with the Chairperson and conduct a pumping test in accordance with the Standards (a pump testing worksheet is attached). The permittee, well operator, and/or well owner shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump and withdraw water for use. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson.

3. In basal ground water, the depth of the well may not exceed one-fourth (1/4) of the theoretical thickness (41 times initial head) of the basal ground water unless otherwise authorized by the Chairperson.

4. The permittee, well operator, and/or well owner shall incorporate mitigation measures to prevent construction debris from entering the aquatic environment, to schedule work to avoid periods of high rainfall, and to revegetate any cleared areas as soon as possible.

5. In the event that subsurface cultural remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee, well operator, and/or well owner shall stop work and contact the Department's Historic Preservation immediately.

6. The proposed well construction shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards. This permit or the authorization to construct the well shall not constitute a determination of correlative water rights.

7. The following shall be submitted to the Chairperson within sixty (60) days after completion of work:
   b. Elevation (referenced to mean sea level, msl) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the well.
   d. Plot plan and map showing the exact location of the well.
   e. Complete pumping test records, including time, pumping rate, drawdown, chloride content, and other data.

8. The permittee, well operator, and/or well owner shall comply with all applicable laws, rules, and ordinances; non-compliance may be grounds for revocation of this permit.

9. The well construction permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (February 2004; HWCPIS). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

10. The permit may be revoked by the Commission if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee, well operator, and/or well owner notice of the proposed action and an opportunity to be heard.

11. If the well is not to be used it must be properly capped. If the well is to be abandoned then the permittee, well operator, and/or well owner must apply for a well abandonment permit in accordance with §13-169-12(f) prior to any well sealing or plugging work.

12. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assignees, contractors, and agents under this permit or relating to or connected with the granting of this permit.

13. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: April 12, 2004
Expiration Date: April 12, 2006

PETER T. YOUNG, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the driller have signed, dated, and returned the permit to the Chairperson. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee's Signature:  
Date: 7-13-04

Printed Name: Grady Nichols  Firm or Title:  
Driller's Signature: Rodney K. Diamond  C-57 License #: 8C 23379  Date: 7-13-04
Printed Name: Rodney K. Diamond  Firm or Title:  

Please sign both copies of this permit, return one to the Chairperson, and retain the other for your records.

Attachment
C-USGS
Department of Health, Safe Drinking Water, Wastewater, and Clean Water Branches
Hawaii Department of Water Supply
This is to inform you that we would like to start well construction on Nichols well No. 3500-02. And would like to use the test pump as the permanent pump prior to final pump installation permit issuance. Fill free to call me at 808 987 8100 or at home 808 966 6398. Rod Diamond 7/13/2004
April 19, 2004

Ref: 3500-02.wcp

Mr. Greg Nichols
Box 4724
Hilo, HI 96720

Dear Mr. Nichols:

Well Construction Permit
Nichols Well (Well No. 3500-02)

Enclosed are two (2) copies of your approved Well Construction Permit for the captioned well(s) that authorize well construction activities but excludes installation work for your permanent pump. As part of the Chairperson’s approval, the following special conditions were added and are part of your permit under Permit Condition 13:

Special Conditions

1. Attached for your information is a copy of the Department of Health’s (DOH) review comments. Please note DOH’s requirements related to discharge of effluent from well drilling and testing activities.

This permit does not authorize work for your permanent pump installation. Approval and issuance of your pump installation permit is contingent upon completed application and information provided to and accepted by Commission staff as required in the Well Construction & Pump Installation Standards (February 2004) and any special conditions performed under this permit. However, a permanent pump may be installed prior to the permanent pump installation permit issuance in accordance with the Commission’s April 15, 1998 Declaratory Ruling No. DEC-ADM98-G5, which states that:

"Permanent pump installation for capacities between 0-70 gpm and where the proposed use is for private individual needs in non-ground-water management areas may be allowed prior to the final pump installation permit issuance. When required as a condition of the well construction permit, subsequent pumping tests shall validate the acceptability of the permanent pump. The permanent pump installed prior to final pump installation permit issuance is subject to removal if the testing shows that a smaller pump is required to reduce the potential of affecting neighboring wells and localized upconing at the applicant’s well."

If you qualify and wish to take advantage of this ruling, please include a written request to install the permanent pump prior to final pump installation permit issuance when you return to us your signed well construction permit.
Please sign and have the contractor sign both permit originals and return one for our files. Also, copies of the aquifer pump test worksheet and the well completion report form are enclosed for your use.

**IMPORTANT** - Drilling work shall not commence until a fully signed permit is returned to the Commission. Please provide all the information in this packet to your well drilling contractor. The permittee, well operator, and/or well owner are responsible for all conditions of the permit. This includes ensuring that the well construction contractor, or other party who constructs the well(s), submits a completed Part I of the Well Completion Report form (enclosed) within sixty (60) days after the well construction work is completed. Be advised that you may be subject to fines of up to $1000 per day for any violations of your permit conditions starting from the permit approval date.

If you have any questions, please call Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), 274-3141 (Kauai), 984-2400 (Maui), or 1-800-468-4644 (Lanai & Molokai), extension 70255.

Sincerely,

W. Roy Young

Peter T. Young
Chairperson

Enclosures
WELL CONSTRUCTION PERMIT
Nichols Well, Well No. 3500-02

Note: This permit shall be prominently displayed at the site until the work is completed

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Nichols Well (Well No. 3500-02) at Keaau, Hawaii, TMK 1-5-035: 019, subject to the Hawaii Well Construction & Pump Installation Standards (February 2004) which include but are limited to the following conditions:

1. The Chairperson of the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work authorized by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules.

2. The well construction permit shall be for construction and testing of the well only. A minimum 1-in.-diameter monitor tube shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels. The permittee, well operator, and/or well owner shall coordinate with the Chairperson and conduct a pumping test in accordance with the Standards (a pump testing worksheet is attached). The permittee, well operator, and/or well owner shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump and withdraw water for use. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson.

3. In basal ground water, the depth of the well may not exceed one-fourth (1/4) of the theoretical thickness (41 times initial head) of the basal ground water unless otherwise authorized by the Chairperson.

4. The permittee, well operator, and/or well owner shall incorporate mitigation measures to prevent construction debris from entering the aquatic environment, to schedule work to avoid periods of high rainfall, and to revegetate any cleared areas as soon as possible.

5. In the event that subsurface cultural remains such as artifacts, burials, or concentrations of shells or charcoal are encountered during construction, the permittee, well operator, and/or well owner shall stop work and contact the Department's Historic Preservation immediately.

6. The proposed well construction shall not adversely affect existing or future legal uses of water in the area, including any surface water or established stream flow standards. This permit or the authorization to construct the well shall not constitute a determination of correlative water rights.

7. The following shall be submitted to the Chairperson within sixty (60) days after completion of work:
   b. Elevation (referenced to mean sea level, msl) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the well.
   d. Plot plan and map showing the exact location of the well.
   e. Complete pumping test records, including time, pumping rate, drawdown, chloride content, and other data.

8. The permittee, well operator, and/or well owner shall comply with all applicable laws, rules, and ordinances; non-compliance may be grounds for revocation of this permit.

9. The well construction permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (February 2004; HWCPIS). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

10. The permit may be revoked by the Commission if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee, well operator, and/or well owner notice of the proposed action and an opportunity to be heard.

11. If the well is not to be used it must be properly capped. If the well is to be abandoned then the permittee, well operator, and/or well owner must apply for a well abandonment permit in accordance with §13-168-12(f) prior to any well sealing or plugging work.

12. The permittee, its successors, and assigns are indemnified, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating or connected with the granting of this permit.

13. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: April 12, 2004
Expiration Date: April 12, 2006

PETER T. YOUNG, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the driller have signed, dated, and returned the permit to the Commission. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee's Signature: ____________________ Date: ____________________

Printed Name: ____________________ Firm or Title: ____________________

Driller's Signature: ____________________ C-57 License #: ____________________ Date: ____________________

Printed Name: ____________________ Firm or Title: ____________________

Please sign both copies of this permit, return one to the Chairperson, and retain the other for your records.

Attachment
C: USGS
Department of Health's Safe Drinking Water, Wastewater, and Clean Water Branches
Hawaii Department of Water Supply
HAWAII HISTORIC PRESERVATION DIVISION REVIEW

LOG NO: 2004.0933
DOC NO: 0404JK17

Applicant/Agency: Greg Nichols
Address: P.O. Box 4724
Hilo, HI 96720


Location: Keaau, Puna, Hawaii Island
Tax Map Key: (3) 1-5-035: 019

1. We believe there are no historic properties present because:
   ___ a. intensive cultivation has altered the land
   ___ b. residential development/urbanization has altered the land
   ___ c. previous grubbing/grading has altered land
   ___ d. an acceptable archaeological assessment or inventory survey found no historic properties
   X e. other: No known historic sites; please contact SHPD should lava tubes or cultural remains be encountered during drilling of the well.

2. This project has already gone through the historic preservation review process.
   ___ a. mitigation has been completed
   ___ b. other:
   X Thus, we believe that “no historic properties will be affected by this undertaking.

Signed Jeanne M. Knapp
Date 4-7-04
Historic Preservation Division- Kohala
Jeanne M. Knapp
March 8, 2004

TO: Honorable Chiyome L. Fukino, M.D., Director
   Department of Health
   Attention: Harold Yee, Wastewater Branch
   William Wong, Safe Drinking Water Branch
   Dr. Keith Kawaoke, Hazardous Evaluation and Emergency Response
   Alec Wong, Clean Water Branch

FROM: Peter T. Young, Chairperson
   Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
   Nichols Well (Well No. 3500-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

Riss: Attachment(s)

RESPONSE:

1. This well qualifies as a source which will serve as a source of portable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Regarding to Potable Water Systems, §11-20-29.

2. This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 19 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.

3. If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labelling all non-potable piping with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

4. It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

5. For the applicant's information, a source of possible wastewater contamination is not located near the proposed well site (information attached).

6. An NPDES permit is required.

7. Other relevant DOH rules/regulations, information, or recommendations are attached.

8. No comments/objections

Contact Person: William Wong

Signed: William Wong

Phone: 586-4258

Date: MAR 31 2004
The Department of Health, Safe Drinking Water Branch has the following additional comments for the Well Construction / Pump Installation Permit Application for the Nichols Well (Well No. 8-3500-02 Hawaii):

Please be advised that the Department of Health has experienced drinking water and groundwater contamination by submersible pumps containing mercury. Specifically, the failure of the seals of the pumps allowed mercury to leak out into the well shaft resulting in contamination of the well and the water served by the well. If you intend to install a submersible pump, please review your pump specifications to be sure that the submersible pump(s) you propose to use does not contain materials which could result in either groundwater contamination or drinking water contamination.
March 8, 2004

TO: Honorable Chiyome L. Fukino, M.D., Director
Department of Health
Attention: Harold Yee, Wastewater Branch
William Wong, Safe Drinking Water Branch
Dr. Keith Kawaoka, Hazardous Evaluation and Emergency Response
Alec Wong, Clean Water Branch

FROM: Peter T. Young, Chairperson
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
Nicholls Well (Well No. 3500-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for an additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RI:ss
Attachment(s)

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Public Water Systems, §11-20-23.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned uses from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.

[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow prevention devices by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant's information, a source of possible wastewater contamination [ ] is located near the proposed well site (information attached).

[ ] An NPDES permit is required.

[ ] No comments/objections

Contact Person: Alec Wong
Phone: 586-6309

Signed: Alec Wong
Date: 3/16/04
The Department of Health, Clean Water Branch has the following comments:

1. **For Well-Drilling Activities**

Any discharge to State waters of treated process wastewater effluent associated with well drilling activities is regulated by Hawaii Administrative Rules, Title 11, Chapter 55, Appendix I, effective September 22, 1997. Treated process wastewater effluent covered by this general permit includes well drilling slurries, lubricating fluids wastewaters, and well purge wastewaters. This general permit does not cover well pump testing. The applicable Notice of Intent Forms and filing fee shall be submitted at least thirty (30) days before the start of discharge to the Department of Health, Clean Water Branch at 919 Ala Moana Boulevard, Room 301, Honolulu, Hawaii 96814–4920 or P.O. Box 3378, Honolulu, Hawaii 96801–3378. Inquiries may be directed to the Clean Water Branch at (808) 586-4309 or by fax at (808) 586-4352.

2. **For Well Pump Testing**

The discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of the initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of that storm drain prior to discharge. Furthermore, best management practices shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.

JS/er
STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

Wastewater Branch
919 Ala Moana Blvd. Room 309
Honolulu, Hawaii 96814-4920
Phone (808) 586-4294 Fax (808) 586-4300

STATE MESSENGER DELIVERY

Date: 3-16-2004

To: Commission on Water Resource Management
Department of Land & Natural Resources
State of Hawaii

Attn: Lenae Nakama/Pyyan Imata/Charley Iice

From: Lori Kajiwara
Planning & Design Section
Email: Lkajiwara@eha.health.state.hi.us

Subject: Well Construction/Pump Installation Permit/Water Use Permit for

Well No. 1824-04 Webb 3688-07 5417-04 & 5416-01

5547-01

Please find enclosed the application of the above subject project.

STATE MESSENGER DELIVERY
March 8, 2004

TO: Honorable Chiyome L. Fukino, M.D., Director
   Department of Health
   Attention: Harold Yee, Wastewater Branch
   William Wong, Safe Drinking Water Branch
   Dr. Keith Kawaoka, Hazardous Evaluation and Emergency Response
   Alec Wong, Clean Water Branch

FROM: Peter T. Young, Chairperson
      Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
         Nichols Well (Well No. 3500-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.

This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.

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It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

For the applicant's information, a source of possible wastewater contamination is not located near the proposed well site (information attached).

Contact Person: Lon N. Kajiwara
Phone: 586-4294
Date: 3-15-2004
A cesspool survey card has been found in our files and the following information is provided. The Department of Health (DOH) cannot guarantee the accuracy of the information nor the accuracy of dimensions (if given) on the survey card. In general, the DOH has accepted the information on the survey card as verification that a cesspool was constructed and authorized to be used for wastewater disposal from a building.

### Cesspool Profile

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<td>Jenny Nungawa (Hilo) 9330401</td>
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TO: Dede Mamiya, Administrator  
Land Division

FROM: Ernest Y.W. Lau, Deputy Director  
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application  
Nichols Well (Well No. 3500-02)

March 8, 2004

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

[ ] A water lease/permit is required of this applicant and an application for such will be requested by our division.

[ ] A water lease/permit is not required of this applicant.

[ ] A water lease/permit has been obtained by the applicant through lease no. ______________________

[ ] This well project [ ] requires [ ] does not require a CDUP. If a CDUP is required it [ ] has [ ] has not been approved and [ ] is [ ] is not currently active.

[ ] Other relevant Land Division rules/regulations, information, or recommendations are attached.

[ ] No objections

[ ] Other comments: Original source of private title is Land Commission Award No. 11216:40 issued between 1845 and 1855.

Contact Person: Gary Martin  
Phone: 587-0421

Signed: Gary Martin  
Date: MAR 15 2004
COMMISSION ON WATER RESOURCE MANAGEMENT
ROUTE SLIP FOR NEW APPLICATIONS

FROM: RYAN  
DATE: 18-Feb-04  
SUSPENSE DATE: 25-Feb-04

PLEASING:
1. Review & Comment
2. Take Action
3. Type Draft acknow letter
4. Type Final, label new file folder
5. File
6. Xerox copies

TO:  
INIT:  
TO:  
INIT:  FOR:  

1. PAUER, G.  
2. CHING, F.  
3. FUJII, N.  
4. HARDY, R.  
5. HIGA, D.  
6. HIRANO, E.  
7. HIGA, C.  
8. IMATA, R.  
9. JINNAI, R.  
10. KUNIMURA, I.

LUM, A.  
NAKAMA, L.  
NAKANO, D.  
NISHIOKA, L.  
OHYE, M.  
SAKODA, E.  
SUBIA, S.  
SWANSON, S.  
UYENO, D.  
YODA, K.

3. Approval  
4. Signature  
5. Information

WELL NUMBER: H-68  
WELL NAME: Nichols  

☐ WELL CONSTRUCTION  
☐ PUMP INSTALLATION  
☒ BOTH

ATTACHMENTS FOR APPLICATION PROCESSING - Both applicant & staff generated
1. TRANS. LETTER 
2. CWRM MAP  
3. APPL. FORM (5COPIES)  
4. USGS MAPS (5 COPIES) 
5. TAX MAPS (5 COPIES)  
6. PARCEL OWNER VERIF. 
7. CONTRACTOR VERIF. 
8. ALL INFO FILLED IN 
9. BACKGROUND CHECK  
10. $25 FEE DEPOSIT SLIP  
11. DHP, SMA, EA check

FOLDER:
☒ MADE NEW FILE FOLDER, ATTACHED  
☐ FILE FOLDER ALREADY MADE, IN FILE CABINET

INCOMPLETE ACTION DATES:

DATE  ACTION

☐ DHP, SMA, EA check  

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☐ FILE FOLDER ALREADY MADE, IN FILE CABINET

INCOMPLETE ACTION DATES:
March 8, 2004

Mr. Greg Nichols
P.O. Box 4724
Hilo, HI 96720

Dear Mr. Nichols:

Well Construction/Pump Installation Permit Application for Well No. 3500-02

We acknowledge receipt, on February 13, 2004, of your completed Well Construction/Pump Installation permit application and filing fee for the Nichols Well (Well No. 3500-02). You can expect your application to be processed within ninety (90) days from this date.

For your information, the process of constructing a well is normally regulated and permitted in two (2) steps. First, a well construction permit is issued for drilling and testing purposes only. Based upon information provided by you through a Well Completion Report Part 1 (Well Construction), a pump installation permit (upon completed application) may then be issued to authorize pump work. If a pump is installed then a Well Completion Report Part 2 (Pump Installation) is required.

If you have any questions about your permit application, please contact Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), 274-3141 (Kauai), 984-2400 (Maui), or 1-800-468-4644 (Lanai & Molokai), extension 70255.

Sincerely,

[Signature]

ERNEST Y.W. LAU
Deputy Director
March 8, 2004

TO: Honorable Chiyome L. Fukino, M.D., Director
   Department of Health
   Attention: Harold Yee, Wastewater Branch
   William Wong, Safe Drinking Water Branch
   Dr. Keith Kawaoka, Hazardous Evaluation and Emergency Response
   Alec Wong, Clean Water Branch

FROM: Peter T. Young, Chairperson
   Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
   Nichols Well (Well No. 3500-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-2-29.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.

[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant's information, a source of possible wastewater contamination [ ] is [ ] not located near the proposed well site (information attached).

[ ] An NPDES permit is required.

[ ] Other relevant DOH rules/regulations, information, or recommendations are attached.

[ ] No comments/objections

Contact Person: ___________________________ Phone: ___________

Signed: ___________________________ Date: ______________
March 8, 2004

TO: Dede Mamiya, Administrator
    Land Division
FROM: Ernest Y.W. Lau, Deputy Director
    Commission on Water Resource Management
SUBJECT: Well Construction/Pump Installation Permit Application
          Nichols Well (Well No. 3500-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

[ ] A water lease/permit is required of this applicant and an application for such will be requested by our division.

[ ] A water lease/permit is not required of this applicant.

[ ] A water lease/permit has been obtained by the applicant through lease no. ________________________.

[ ] This well project [ ] requires [ ] does not require a CDUP. If a CDUP is required it [ ] has [ ] has not been approved and [ ] is [ ] is not currently active.

[ ] Other relevant Land Division rules/regulations, information, or recommendations are attached.

[ ] No objections

[ ] Other comments:

Contact Person: __________________________ Phone: ____________

Signed: __________________________ Date: ____________
March 8, 2004

TO: Holly McEldowney, Acting Administrator
   Historic Preservation

FROM: Ernest Y.W. Lau, Deputy Director
       Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
         Nichols Well (Well No. 3500-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by April 1, 2004. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:
[ ] There may be areas in the vicinity of the well site that contain subsurface cultural remains such as artifacts, burials or concentrations of shells or charcoal.

[ ] Other relevant Historic Preservation rules/regulations, information, or recommendations are attached.

[ ] No objections

[ ] Other comments:

Contact Person: _____________________________ Phone: ______________

Signed: _____________________________ Date: ______________
## PUBLIC RECORD DATA

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<th>Subdiv/Condo</th>
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This information has been supplied by third parties and has not been independently verified by Hawaii Information Service and is, therefore, not guaranteed.
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REMARKS:  
LINE (1) Nichols Well, tmk: 1-5-035-019  
LINE (2) Webb Well, tmk: 1-5-52-193  
LINE (3)  
LINE (4)  
LINE (5)  
LINE (6)  
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LINE (10)  

State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
APPLICATION FOR PERMIT

Well Construction and/or Pump Installation

Instructions: Please print in ink, or type and send completed application with attachments to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96806. Application must be accompanied by 5 copies and a non-refundable filing fee of $25.00 payable to the Dept. of Land and Natural Resources. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0226. For further information and updates to this application form, visit http://www.state.hi.us/dlnr/wrm.

APPLICANT INFORMATION: (Fill out all three, if applicable, and place a check next to the primary contact)

1. (a) ☐ WELL OWNER:
   Mailing Address: ____________________________
   Contact Person: ____________________________
   Phone: ____________________________
   Fax: ____________________________
   E-mail: ____________________________

(b) ☐ LAND OWNER:  Greg Nichols
   Contact Person: Greg Nichols
   Mailing Address: Box 42724
   Phone: 967-1481
   Fax: ____________________________
   E-mail: ____________________________

(c) ☐ CONTRACTOR:  Pending
   Contact Person: ____________________________
   Phone: ____________________________
   Fax: ____________________________
   E-mail: ____________________________
   Lic #: ____________________________

WELL & PUMP INFORMATION: (Please fill in the diagram on the back of this form.)

2. WELL NAME: Nichols
   Island: Big Island
   Address: ____________________________
   Tax Map Key: ____________________________
   Zone: __________ Sec: __________ Plat: __________ Parcel: __________
   Attach: (a) portion of a 7.5-Minute Series USGS topographic map (scale 1:24,000) with well location labeled and include the name of the quad map
   (b) a property tax map, showing well location referenced to established property boundaries

3. PROPOSED WORK: ☑ Construct New Well ☑ Install New Pump*
   (check all that apply)
   ☑ Modify Existing Well* ☑ Modify Pump*
   ☑ Abandon/Seal*
   *State Well No.: ____________________________
   (If unknown, please call Commission at 587-0225)

4. CONSTRUCTION:
   ☑ Drilled  ☑ Dug  ☑ Shaft  ☑ Tunnel

5. PROPOSED PUMPING RATE: 20 gallons per minute

6. PROPOSED USE: ☑ Domestic (individual, noncommercial water system)
   ☑ Industrial  ☑ Municipal (including hotels, stores, etc.)
   ☑ Other (explain): ____________________________
   ☑ Irrigation (crop)  ☑ No
   ☑ No. of Acres: ____________________________
   ☑ Other (explain): ____________________________

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 250 gallons per day
   (b) METHOD OF FLOW MEASUREMENT: ☑ Flowmeter  ☑ Open-pipe  ☑ Weir  ☑ Office  ☑ Other (explain): ____________________________

OTHER IMPORTANT INFORMATION:

8. LEGAL REQUIREMENTS: ☑ If required, these permits must be obtained before the Commission can legally issue a permit
   Conservation District Use Permit (CDUP) To find out if a CDUP is necessary, call DLNR Land Division at 587-0414
   ☑ Not Required  ☑ If required, date approved ____________________________
   Environmental Impact Statement (EIS) or Environmental Assessment (EA) To determine if an EIS or EA is necessary, call OEQG at 586-4195
   ☑ Not Required  ☑ If required, date published in OEQG bulletin ____________________________
   Special Management Area Permit (SMAP) To determine if a SMAP is necessary: on Oahu, call 527-5374; on Hawaii, call 961-8288; for Maui
   county, call 270-7235; on Kauai, call 241-6877.
   ☑ Not Required  ☑ If required, date approved ____________________________

9. ARCHEOLOGICAL REQUIREMENTS:
   To find out if an archeological work is required: on Oahu, call Elaine Jourdiane at 692-8027; on Hawaii, call MaryAnne Maigret at 327-3690, for
   Maui county, call Cathy Dagher at 692-8023, on Kauai, call Nancy McMahon at 742-7033.
   ☑ Not Required  ☑ If required, please attach letter from DLNR Historic Preservation ____________________________

10. REMARKS, EXPLANATIONS:

   (If more space is needed, please attach additional sheet)

   Note: Signing below indicates the signatories understand and agree that the information provided on this application is accurate and true to the best
   of their knowledge. Further, the signatories understand that approval of this application attaches the following standard conditions: 1) the proposed
   work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment
   report within 60 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval
   shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity or future use up to the permitted pump
   capacity; 5) in the event that the application is not completed correctly, any permit may be suspended until the item is brought in to compliance, and
   any work done while the permit is in suspension may result in fines of up to $100 per day.

   Well Owner
   (print legibly) ____________________________
   Signature ____________________________
   Date ____________________________

   Landowner
   (print legibly) ____________________________
   Signature ____________________________
   Date ____________________________

   Contractor
   (print legibly) ____________________________
   Signature ____________________________
   Date ____________________________

   For official use only
   Latitude ____________________________
   Aquifer System No. ____________________________
   Longitude ____________________________
   State Well No. ____________________________

WCPRA Form 7/17/03
10. PROPOSED WELL SECTION

(Please attach schematic if different from diagram provided below)

For non-salt water Basalt Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or, 

Bottom Elevation of Well Limit = \( \frac{4}{9} \times \text{Water Level Elev.} \) 

Example: Estimated + 2 ft. Water Level Elev. \( \rightarrow \) Bottom Elevation of Well Limit \( \frac{4}{9} \times \left( \frac{2 - 4}{2} \right) = -18.5 \) ft.

**Solid Casing Material:**
- Compliant with (check one or more):
  - ANSI/AWWA C200
  - API Spec. 5L
  - ASTM A53
  - ASTM A139

And compliant with (check one or more):
- ASTM A242
- Type E
- Type S
- Grade B
- Other

**Stainless Steel:** (check one):
- ASTM A409 (production wells)
- ASTM A312 (monitor wells)

**ABS Plastic:**
- Comforming to ASTM F490 and ASTM D1527: (check one)
  - Schedule 40
  - Schedule 80

**PVC Plastic:**
- Comforming to ASTM F490 and (ASTM D1785 or ASTM D2241): (check one)
  - Schedule 40
  - Schedule 80
  - Schedule 120

**Thermoset Plastic:** (check one)
- Flame Wound Resin Pipe conforming to ASTM D2966
- Centrifugally Cast Resin Pipe conforming to ASTM D2967
- Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
- Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C950
- PTFE Fluorocarbon Tubing conforming to ASTM D3296
- FEP Fluorocarbon Tubing conforming to ASTM D3296

**Open Casing Material:**
- Compliant with (check one or more):
  - ANSI/AWWA C200
  - API Spec. 5L
  - ASTM A53
  - ASTM A139

And compliant with (check one or more):
- ASTM A242
- Type E
- Type S
- Grade B
- Other

**Stainless Steel:** (check one):
- ASTM A409 (production wells)
- ASTM A312 (monitor wells)

**ABS Plastic:**
- Comforming to ASTM F490 and ASTM D1527: (check one)
  - Schedule 40
  - Schedule 80

**PVC Plastic:**
- Comforming to ASTM F490 and (ASTM D1785 or ASTM D2241): (check one)
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