

Virginia Department of Health

Agency's Response to the Department of Planning and Budget's Economic Impact

Analysis on 12VAC5-630:

The agency concurs with the economic impact analysis submitted by the Department of Planning and Budget. The Virginia Department of Health would like to provide the following point of clarification with regards to dewatering wells.

The economic impact analysis (Page 5, paragraph 4) states “(t)he current regulation exempts dewatering wells from construction permits and construction requirements. Pursuant to advice from the Office of the Attorney General, the Board proposes to eliminate these exemptions.”

The economic impact analysis (Page 7, paragraph 2) states “(t)he proposal to no longer exempt dewatering wells from construction permits and construction requirements would very likely increase real estate development costs on property where such wells are necessary”

To clarify, the proposed revision to “12VAC5-630-30. Purpose and applicability of regulations” excludes dewatering wells abandoned within 60 days of construction from the requirements of the chapter (12VAC5-630-30.B.10 as proposed). Based on this proposed revision, the discontinuation of the exemption of dewatering wells from construction permits and requirements will apply only to dewatering wells intended for usage exceeding 60 days.

Dated 2/11/2021