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OFFICE OF THE COMMISSIONER

May 6, 2008

The Honorable Jerry Farrell, Jr.  
Commissioner  
Department of Consumer Protection  
165 Capitol Avenue  
Hartford, CT 06106

**Re: Comments – Proposed Amendment to Section 25-128-34 of the Regulations of State Agencies – Geothermal Wells**

Dear Commissioner Farrell:

Thank you for the opportunity to comment on the state Department of Consumer Protection's proposed amendments to Section 25-128-34, the Connecticut Well Drilling Code.

The Connecticut Water Works Association, Inc. (CWVA) is an association of private, municipal and regional public water supply utilities serving more than 500,000 customers, or a population of about 2 1/2 million people, located throughout Connecticut. As purveyors of public water supplies, our members have an obligation to provide sufficient quantities of high-quality water at a reasonable cost to consumers of the communities served.

As such, our primary concerns relative to the proposed regulations are the protection of groundwater resources and public water supplies. We therefore submit the following comments relative to the proposed regulations on geothermal wells for your consideration:

**Location of Closed Loop Geexchange Bore Holes - Separation Criteria**

The minimum separation distances set forth for geexchange bore holes in Section 11 of the proposed regulations (Section 25-128-41a) should be revised to be consistent with the Public Health Code in order to protect against contamination of public water supplies. The separation distances were developed to protect public water supplies from contaminants which can migrate from the source of the pollution to the well.

Under current law, open loop geexchange systems must comply with the minimum separation distances set forth in the Public Health Code. CWVA recommends that the draft regulations be revised so that the separation criteria for closed loop geexchange wells is consistent with RCSA 19-13-B51d, as follows:

- 75 feet from a public water system well with a withdrawal rate less than 10 gal/min;
- 150 feet from a public water system well with a withdrawal rate greater than 10 but less than 50 gal/min;
- 200 feet from a public water system well with a withdrawal rate greater than 50 gal/min.

### **Cross Connections**

Section 9 (g) provides that “Any connection between a geoexchange system and a domestic water supply shall include a reduced pressure backflow preventer.”

A geothermal well should not have any connection to a public water supply system. Allowing a connection between a domestic water supply and a geoexchange system creates cross connection issues which have the potential for contaminating public water supplies. This provision also appears to be in conflict with the separation requirements set forth in the proposed regulations.

If the residence is supplied by a public water supplier, there must be a reduced pressure backflow preventer on the geothermal system even if there is no physical connection between the two because the potential exists for cross contamination. Moreover, if an RPD is required, it should be subject to the annual testing/reporting requirements set forth in the Public Health Code.

CWWA recommends that the proposed regulations be revised to require notification to the public water supplier prior to any installation of a geothermal well which may pose cross connection issues.

### **Conclusion**

Although we support efforts to nurture the growth of geothermal energy systems as a means of improving energy efficiency, protecting Connecticut’s groundwater sources and public water supplies must be at the forefront of any changes to the Well Drilling Code or the Public Health Code. Given some of the confusion that stems from inserting provisions regarding geothermal bore holes into the Well Drilling Code, it may make more sense to address water wells and geothermal bore holes in separate regulations rather than create unintended consequences that may undermine Connecticut’s water quality.

CWWA would be pleased to work with the state Department of Consumer Protection and relevant state agencies relative to the issues raised in these comments. Again, thank you for the opportunity to comment.

Very truly yours,



Mark Decker  
President