

City of Muskegon

Petition To Designate Affected Premises Under Water Supplies Ordinance

The City of Muskegon passed a groundwater protection ordinance (Ordinance No. 1133) on August 26, 1997. This groundwater protection ordinance has been amended since that time as *affected premises* have been added, and is part of the City of Muskegon’s City Code of Ordinances, Chapter 34, Section 34-61 *et. seq.* The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. No groundwater wells may be installed or used on *affected premises* unless the use of such well is solely for commercial or industrial non-contact cooling or processing purposes (with mandatory Department of Natural Resources & Environment or DNRE (formerly DEQ) and local approvals), construction de-watering, DNRE or EPA-approved groundwater monitoring or remediation systems, or a public emergency.

If the Petitioner is requesting that the City amend the ordinance to add one or more *affected premises* to the City’s list, the following information must be provided in full, along with a nonrefundable \$500 processing fee. Please note that no action will be taken on your Petition until all requested materials have been submitted to the City Planning Department, in duplicate (provide two (2) complete copies). Please note that the Petitioner must obtain written concurrence from the DNRE that use of the groundwater protection ordinance is appropriate before the petition will be submitted to the City Commission.

1. Name and address of Petitioner:	Name/telephone of contact person:
_____	_____
_____	_____
_____	_____

Status relative to source of contamination:

- Owner
- Operator
- Other: _____

2. Common Name and Address of Source of Contamination:	Parcel Identification Number:
_____	_____

3. The following documents must be attached. Place a check in the space provided to indicate that the requested materials have been included in this Petition packet (use NA to designate items that are not applicable).

- _____ Legal description of source or site of contamination.
- _____ Name, address, and telephone number of each person having an interest as owner or occupant of the property which is the source or site of contamination.

- _____ A clear statement of the nature and extent of contamination, identifying the types and concentrations of contaminants, the likely or anticipated path of migration of the contaminants if not remediated (as well as a detailed statement of any plan to remediate, correct, and/or contain the contamination).
- _____ Completed Summary table (see below).
- _____ List of street addresses, legal descriptions, and parcel I.D. numbers for all *affected premises* (other than source of contamination).
- _____ List of names, addresses (mailing and street), and telephone numbers of all persons with an interest as owner or occupant of all *affected premises* (other than source of contamination).
- _____ A scaled map showing the boundary lines of all *affected premises* covered by this Petition. The map must also show building/structure outlines, groundwater well locations, parking lots, roads, estimated direction of groundwater flow, and estimated location and extent of the contaminant plume(s). See Summary Table below for description of additional contaminant information required.
- _____ A description of the current status, and usage characteristics of all existing groundwater wells known to the Petitioner within all proposed *affected premises*.
- _____ A description and time schedule for any actions the Petitioner will take to properly close and abandon any existing wells subject to the use prohibition within the restricted zone.
- _____ Written documentation from the DNRE indicating approval of the usage of the groundwater protection ordinance as an institutional control.

Summary Table

A Hazardous Substance	B CAS No.	C Sample Loc.	D Max. Conc.	E Migration Direction

Note: Attach additional sheets, as necessary.

- Column A: Name of the hazardous substance
- Column B: Chemical Abstract Service (CAS) Number for the hazardous substance
- Column C: Sample location for Column D (show on site map)
- Column D: Maximum hazardous substance concentration measured on the property, including units of measurement
- Column E: Direction of contaminant migration, if known