**Section 245.400 Setback Requirements**

a) *Except as otherwise provided in this Section, no well site may be located as follows* (Section 1-25(a) of the Act):

1) *within 500 feet measured horizontally from any residence or place of worship unless the* landowner *of the residence or the governing body of the place of worship otherwise expressly agrees in writing to a closer well* site *location* (Section 1-25(a)(1) of the Act). This agreement shall be signed and dated by the landowner of the residence or an authorized representative of the governing body of the place of worship. A copy of the agreement shall be submitted to the Department as part of the permit application;

2) *within 500 feet measured horizontally from the edge of the property line from any school, hospital, or licensed nursing home facility* (Section 1-25(a)(2) of the Act);

3) *within 500 feet measured horizontally from the surface location of any existing water well or developed spring used for human or domestic animal consumption, unless the* landowner or landowners *of the well or developed spring otherwise expressly agrees or agree in writing to a closer well* site *location* (Section 1-25(a)(3) of the Act). This agreement shall be signed and dated by the landowner. A copy of the agreement shall be submitted to the Department as part of the permit application;

4) *within 300 feet measured horizontally from the center of a perennial stream or from the ordinary high water mark of any river, natural or artificial lake, pond, or reservoir* (Section 1-25(a)(4) of the Act), *unless the* landowner *of a water source that is wholly contained within the* landowner's *property expressly*, in writing, waives the setback requirements and agrees *to a closer well* site *location* (Section 1-25(b) of the Act). This agreement shall be signed and dated by the landowner. A copy of the agreement shall be submitted to the Department as part of the permit application.

5) *within 750 feet of a nature preserve or a site on the Register of Land and Water Reserves* (Section 1-25(a)(5) of the Act); or

6) *within 1,500 feet of a surface water or groundwater intake of a public water supply; the distance from the public water supply as identified by the Department shall be measured as follows* (Section 1-25(a)(6) of the Act):

A) *For a surface water intake on a lake or reservoir, the distance shall be measured from the intake point on the lake or reservoir* (Section 1-25(a)(6)(A) of the Act).

B) *For a surface water intake on a flowing stream, the distance shall be measured from a semicircular radius extending upstream of the surface water intake* (Section 1-25(a)(6)(B) of the Act).

C) *For a groundwater source, the distance shall be measured from the surface location of the* groundwater *wellhead or the ordinary high water mark of the spring. The distance restrictions under this subsection (a)* *shall be determined as conditions exist at the time of the submission of the permit application* pursuant to Section 245.210 (Section 1-25(a)(6)(C) of the Act).

b) *Unless specified otherwise, all distances shall be measured* to *the closest edge of the well site*. (Section 1-25(a) of the Act)