

Florida Regulations 62-610.471: Setback Distances

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(1) There shall be a setback distance of 75 feet from the edge of the wetted area of the public access land application area to potable water supply wells that are existing or have been approved by the Department or by the Department of Health (but not yet constructed). To comply with this requirement a utility providing reclaimed water for residential irrigation may adopt and enforce an ordinance prohibiting private drinking water supply wells in residential areas. This setback distance requirement does not apply to closed loop heating or air conditioning return wells.

Terms Used In Florida Regulations 62-610.471

- Department: means the Department of Environmental Protection. See [Florida Regulations 62-610.200](#)
- Developed areas: means areas in or adjacent to residential, commercial, or residentially or commercially-zoned areas. See [Florida Regulations 62-610.200](#)
- Ground water: means the same as defined in [Fl. See Florida Regulations 62-610.200](#)
- Land application: means the same as defined in [Fl. See Florida Regulations 62-610.200](#)
- Nonpotable water supply well: means a well used as a source of water for irrigation, cooling, or other uses. See [Florida Regulations 62-610.200](#)
- Potable water supply well: means a well used as a source of water for drinking, culinary, or domestic purposes. See [Florida Regulations 62-610.200](#)
- Public water supply well: means a well constructed for the purpose of supplying water to a public water system, as defined in [Fl. See Florida Regulations 62-610.200](#)
- Reclaimed water: means the same as defined in [Fl. See Florida Regulations 62-610.200](#)
- Reuse: means the deliberate application of reclaimed water, in compliance with Department and District rules, for a beneficial purpose. See [Florida Regulations 62-610.200](#)
- Waters: means the same as defined in [Florida Statutes § 403. See Florida Regulations 62-610.200](#)

(2) No setback distance is required to any nonpotable water supply well.

(3) A 75-foot setback distance shall be provided from a reclaimed water transmission facility to a public water supply well. No setback distance is required to other potable water supply wells or to nonpotable water supply wells.

(4) Setback distances for potable water supply wells shall be applied only for new or expanded reuse facilities. Setback distances shall not be applied when considering renewal of a permit.

(5) Setback distances are not required for surface waters or developed areas.

(6) Setback distances are not required to outdoor public eating, drinking, and bathing

facilities. However, within 100 feet from outdoor public eating, drinking and bathing facilities, low trajectory nozzles, or other means to minimize aerosol formation shall be used.

(7) No setback distances are required for private swimming pools, hot tubs, spas, saunas, picnic tables, or barbecue pits or grills.

(8) A setback distance of 100 feet shall be maintained from indoor aesthetic features (such as decorative pools or fountains) using reclaimed water to adjacent indoor public eating and drinking facilities where the aesthetic features and eating and drinking facilities are within the same room or building space.

(9) A setback distance of 200 feet shall be provided from unlined storage ponds to potable water supply wells. This setback distance shall be reduced, but in no case to less than 75 feet, if the applicant provides an affirmative demonstration in the engineering report that reclaimed water will not migrate to the potable water supply well as a result of conditions such as the following:

(a) Confining units exist which preclude migration of the reclaimed water to the potable water supply well, or

(b) Ground water flow will be away from the potable water supply well, or

(c) Other hydrogeologic conditions preclude migration of the reclaimed water to the potable water supply well.

(10) Unless specifically stated otherwise, all setback distances shall be measured horizontally.

(11) For ASR projects regulated under Fl. Admin. Code R. 62-610.466, setback distance requirements for injection and recovery wells and for extended zones of discharge are contained in subsections 62-610.466(13) and (14), F.A.C.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History— New 4-4-89, Amended 4-2-90, Formerly 17-610.471, Amended 1-9-96, 8-8-99, 11-19-07, 4-1-21.

[Previous](#)