

GUIDELINES
FOR
CHARACTERIZING
UNDERGROUND INJECTION CONTROL
VIOLATIONS

January 2008

INDEX

	Page
Rule Citations.....	ii
Definitions.....	iv
General Guidelines.....	v
Penalty Assessment Matrix.....	vii
Specific Guidelines	
I. Failure to Provide Timely Or Accurate Reports/Records/Results.....	1
II. Failure to Notify of Abnormal Event or Noncompliance.....	2
III. Construction of Well Without a Permit.....	4
IV. Test Injection Without Prior Authorization.....	5
V. Unauthorized Injection.....	7
VI. Mechanical Integrity Test Violation.....	8
VII. Failure to Maintain or Operate Equipment.....	9
VIII. Failure to Maintain Financial Responsibility.....	11
IX. Lack of Confinement.....	12
X. Operation of Well Without a Valid Permit.....	13
XI. Unauthorized Plugging and Abandonment.....	14
XII. Failure to Meet Permit Limitations or Water Quality Standards.....	15
XIII. Failure to Conduct Water Quality Monitoring.....	16
XIV. Improper Well Construction or Failure to Construct An Underground Injection Control Well Substantially In Accordance With Approved Plans.....	18

TERMS	FLORIDA ADMINISTRATIVE CODE (F.A.C.) RULE CITATION
aquifer exemption	62-528.300(3)
abnormal event	62-528.415(4)
confinement	62-528.100(1), 62-528.405(2)(a), and 62-528.425(1)(g)
confining zone	62-528.200(14), 62-528.405(2), and 62-528.440(2)(c)
emergency disposal	62-528.200(21), 62-528.415(4)(c), 62-528.450(2)(k), and 62-528.455(1)(d)
exempted aquifer	62-528.200(22) and 62-528.300(3)
financial responsibility	62-528.435(9)
hazardous waste well	62-528.300(1), 62-528.400(1), and 403.7222(1), F.S.
industrial well	62-528.410(1)(e)
injection well	62-528.120, 62-528.200(37), 62-528.300(1), and 62-528.600(2)
injection well system	62-528.200(38)
injection zone	62-528.200(39)
maximum injection pressure	62-528.410(7)(c) and 62.528.415(1)(a) through (c)
maximum injection velocity	62-528.415(1)(f)
mechanical integrity	62-528.300(6), demonstration w/tests & monitor well(s)
MIT	62-528.300(6) mechanical integrity tests; 62-528.425(1)(d)
monitor well	62-528.420
multihorizon monitor well	62-528.200(42)
municipal well	62-528.200(43) and 62-528.410(1)(e)
O&M manual	62-528.415(3)

CONTINUED NEXT PAGE

TERMS	FLORIDA ADMINISTRATIVE CODE (F.A.C.) RULE CITATION
plugging and abandonment	62-528.435(Class I), 62-528.645(Class V)
public notice	403.815
temporary operation	403.088, 40 CFR 144.34, Sec. Browner 7/1/91 Enforcement memo
tubing and packer	62-528.200(48) & (59) and 62-528.410(1)(e)
well construction standards	Class I, 62-528.410; Class V, 62-528.605
well monitoring	62-528.200(65)
well casing	62-528.200(62)
well injection	62.528.120 and 62-528.200(63)
USDW	underground sources of drinking water, 62-528.200(60)

DEFINITIONS

- Alternate disposal - all other means of disposal except well injection.
- Confinement - a rock unit that is above/below the injection zone that is capable of containing the injection fluids within the injection zone.
- Public comment - any timely written comments submitted to the Department by the public.
- Public notice - means publication of notice of proposed agency action stating the purpose of proposed action, published no less than 30 days prior to agency action.
- Mechanical Integrity - successful completion of the internal and the external test.

GENERAL GUIDELINES

This document is to be used to determine appropriate penalty amounts for the Underground Injection Control (UIC) program violations once an enforcement action is initiated. The following section identifies specific guidelines to assist in determining the appropriate penalty matrix cell range. This section addresses other UIC penalty assessment issues and guidelines to a limited extent, and will be more fully developed as experience in applying the program specific guidelines dictates.

Certain (UIC) program violations may result in the generation of wastewater that can cause surface water quality violations. Surface water quality violations resulting from UIC related activities should be referred for IW enforcement and addressed by using the IW/DW penalty guidelines.

Multi-day Assessments

Assessment of multi-day penalties is appropriate when:

1. A MIT is completed past the specified due date;
2. A violation results in potential for harm to the aquifer(s.);
3. If no reasonable action is taken to correct the violation after DEP notice is issued; or
4. Economic benefit is derived by the violator each day the violation continues.
5. A well is constructed without a permit.
6. The well(s) are placed into service without Authorization from the Department

If the violation has not been designated in these program specific guidelines as significantly detrimental to the environment or program, the multi-day penalty section of DEP Directive 923 should be consulted for the different options available for calculating a multi-day penalty.

If a violation has been designated in these program specific guidelines as significantly detrimental to the environment or program, then the multi-day penalties should be calculated consistent with the following guidance. These program specific guidelines identify which violations are considered to be significantly detrimental to the environment or the UIC program. These are the worst of the worst violations. Multi-day violations that are significantly detrimental should be assessed at the full matrix amount for the first 30 days. Then, assess the remainder of the noncompliance period as per the options for multi-day calculations described in DEP Directive 923. Assessing the statutory maximum for the first 30 days implements the Department's general settlement guidelines found in DEP Directive 923. Note That the statutory maximum penalty is still \$10,000 per day per violation for the entire period of noncompliance. In an appropriate case, you could pursue the statutory maximum in court or while pursuing settlement.

Five percent (5%) to one hundred percent (100%) of the penalty matrix amount may be assessed as a multi-day penalty per day per well (adjustments determined by extent of potential for harm).

Adjustment Factors

Penalties should be sufficiently large to discourage future UIC violations. In considering the amount of the penalty, history of noncompliance and the economic benefit of noncompliance should be routinely considered.

Stipulated Penalties

A stipulated penalty provision in a consent order of \$500 per day should be considered for major and moderate potential for harm.

1. New owners of an injection well system that have acquired a facility with pre-existing violations should not be pursued for penalties unless the pre-existing violations continue after notice by the Department.
2. Permitted facilities that only have violations characterized by minor/minor violations should not be pursued for penalties until the third time the violation has occurred.
3. If a series of violations at a facility directly follow from a facility's failure to comply with a rule or statutory requirement, a penalty should only be pursued for the primary violation. For example, if a facility failed to perform a MIT, penalties should be assessed for that violation and not also for failure to submit the MIT report. If there are economic benefits associated with violations following from a primary violation, those economic benefits should be factored into the calculation for the primary violation.

PENALTY ASSESSMENT MATRIX

EXTENT OF DEVIATION FROM REQUIREMENT

P O T E N T I A L F O R H A R M		MAJOR	MODERATE	MINOR
	MAJOR	\$10,000	\$7,999	\$5,999
		TO	TO	TO
		\$ 8,000	\$6,000	\$4,600
	MODERATE	\$ 4,599	\$3,199	\$1,999
		TO	TO	TO
		\$ 3,200	\$2,000	\$1,200
	MINOR	\$ 1,199	\$ 599	\$ 199
		TO	TO	TO
	\$ 600	\$ 200	\$ 100	

GUIDELINES FOR CHARACTERIZING UIC VIOLATIONS

I. Failure to Provide Timely, Complete, and Accurate Reports/Records/Results

Potential for Harm:

- Major: 1. Failure to submit timely, complete, and accurate reports/records/results in cases where violations of Department requirements occurred.
- Moderate: 1. Failure to submit timely, complete, and accurate Department required reports/records/results containing water quality data.
- Minor: 1. Failure to submit timely, complete, and accurate Department required reports/records/results not containing water quality data.

Extent of Deviation:

- Major: 1. Fraudulent data or information provided.
2. Three consecutive submittals were not provided.
3. 50 percent of required submittals not provided within a twelve-month period, regardless of whether written notifications are issued by the Department.
4. Submittal not provided after two written notifications are issued by the Department.
5. Representative samples are not being collected or submitted.
- Moderate: 1. Two consecutive submittals not provided.
2. 25 percent of required submittals not provided within a twelve-month period, regardless of whether written notifications are issued by the Department.
3. Submittal not provided after one written notification is issued by the Department.
4. Timely submittal is incomplete or inaccurate but not fraudulent.
- Minor: 1. Submittal is provided within four weeks of its due date.
2. Reports/Records/Results not provided are maintained and available at the treatment facility.

II. Failure to Notify of Abnormal Event or Noncompliance

Potential for Harm:

- Major:
1. Event results in injection of unauthorized fluid into a USDW, or not into a USDW but reasonable potential exists for compromising the integrity of injection well system, confining unit, or USDW.
 2. Event results in the degradation of a USDW.
 3. Event results in, or provides reasonable potential for, a violation of water quality criteria or water quality standards for Class G-I, F-1, or G-II ground water.
 4. Event results in, or provides reasonable potential for, damage to public health, safety or welfare.
 5. Emergency disposal system (E.D.S.) placed into use without an alternative disposal system fully operational, which may result in a surface discharge if E.D.S. failed.
 6. Event results in a discharge or application to an unapproved or unauthorized disposal site.
 7. Exceeded Primary drinking water standards in Class F-I, G-I, or G-II ground water.
 8. Event results in, or provides the reasonable potential for, a violation of a minimum criteria parameter in Class F-I, G-I, G-II or G-III ground water.
- Moderate:
1. Event results in injection of unauthorized fluids to a non-USDW.
 2. Failure to notify the FDEP of use of the authorized Emergency Disposal System in accordance with Chapter 62-528, F.A.C., or Permit Specific Conditions which may result in an unauthorized surface discharge if E.D.S. failed.
 3. Exceeded Secondary drinking water standards in Class F-I, G-I, or G-II ground water.
- Minor:
1. Event results in no compromise to the integrity of the injection well system, confining unit, or USDW.
 2. Event occurred into a non-USDW, and does not result in, or provide reasonable potential for, a violation of water quality criteria or water quality standards.

Extent of Deviation:

- Major:
1. Abnormal event or noncompliance is discovered by the Department (or local program) without timely notice provided by the permittee or authorized representative.
 2. Permittee or authorized representative has been previously notified on the proper reporting of abnormal events or noncompliance.
 3. Permittee or authorized representative fails to follow a contingency plan that has been accepted by the Department.
- Moderate:
1. Permittee notifies the Department (and local program) beyond 24 hours of abnormal event or noncompliance.
 2. Permittee or authorized representative fails to submit a written report.
- Minor:
1. Permittee notifies the Department (and local program) within 24 hours but not in accordance with Rule 62-528.415(4), F.A.C.
 2. Permittee or authorized representative submit a written report >5 days after the abnormal event or noncompliance.
 3. Failure to notify the Department of use of the authorized emergency disposal system.

III. Construction of Well Without a Permit

Potential for Harm:

- Major:
1. Well placed into service and does not meet Chapter 62-528 requirements.
 2. Well placed into service based on authorization received from Department, when authorization was based on untrue, inaccurate, or incomplete information submitted by the permittee or the agent of the permittee.
 3. Well placed in service without Department approval and the operation results in or provides the reasonable potential of violations of applicable water quality criteria or water quality standards.

- Moderate:
1. Well placed into service and meets Chapter 62-528 requirements.

- Minor:
1. Well constructed or Well under construction, but not placed in service.

Extent of Deviation:

- Major:
1. Construction without a valid construction permit.
Construction without a Florida water well contractor's license.

3. Submittal of an application after expiration date of construction permit.

- Moderate:
1. Submittal of an incomplete application less than sixty days of the construction permit expiration date.

- Minor:
1. NA

Economic Benefit:

This violation should be reviewed for economic benefit.

IV. Test Injection Without Prior Authorization

Potential for Harm:

- Major:
1. Injection test using water that does not meet the drinking water standards or minimum criteria.
 2. Injection test using water that meets the drinking water standards and minimum criteria, but no associated permitted monitor wells constructed.
 3. Past injection provides the reasonable potential for violations of applicable water quality criteria or water quality standards.
- Moderate:
1. Injection test using water that meets the drinking water standards and minimum criteria, but no previous permitted injection wells on site.
 2. Test injection, while not in compliance with permit conditions or Department rules, does not result in, or provide the reasonable potential for, violations of applicable water quality criteria or water quality standards.
- Minor:
1. Injection test using water that meets the drinking water standards and minimum criteria with other permitted injection wells on site.
 2. System operation is in compliance with permit conditions or Department rules or system would have been eligible for Department approval.

Extent of Deviation:

- Major:
1. Test injection without prior written authorization.
 2. Test injection written authorization obtained from Department that was based on false, inaccurate, or incomplete data or information submitted by the permittee or the agent of the permittee.
 3. Commenced test injection without monitoring effluent or monitor wells.
 4. Commenced test injection without obtaining background water quality sampling and appropriate analyses.
 5. Commenced test injection not in accordance with permit conditions.
- Moderate:
1. NA
- Minor:
1. NA

Significantly Detrimental Violation:

Injection test conducted on an injection well using water that does not meet the primary drinking water standards or minimum criteria that may potentially affect underground sources of drinking water.

V. Unauthorized Injection

Potential for Harm:

- Major:
1. Injection of water that does not meet the drinking water standards or minimum criteria into a USDW.
 2. Injection of hazardous waste.
 3. Exceeds effluent limits.
 4. Injection of water that results in a violation of a water quality standard or water quality criteria.
 5. Results in, or provides the reasonable potential for, damage or danger to the environment or public health, safety, or welfare, including but not limited to a USDW.
- Moderate:
1. Injection of water that does not meet the drinking water standards or minimum criteria into a G-III or G-IV.
- Minor:
1. Injection of water that meets the drinking water standards and minimum criteria.

Extent of Deviation:

- Major:
1. Did not perform required testing.
 2. Release or disposal is deliberate or results from improper operation or maintenance.
 3. Facility fails to immediately implement adequate corrective measures.
- Moderate:
1. Did not submit required testing results.
 2. Facility immediately implements adequate corrective measures.
- Minor:
1. Submitted complete test results.
 2. Release or disposal was a result of failed equipment that had received proper maintenance or due to conditions beyond the control of the permittee.

Significantly Detrimental Violation:

Injection into an injection well using water that does not meet the primary drinking water standards or minimum criteria that may potentially affect underground sources of drinking water.

VI. Mechanical Integrity Test Violation

Potential for Harm:

- Major:
1. Did not perform the MIT.
 2. Did not perform MIT within the permitted deadline (5-year performance).
 3. Did not provide monitor data or interpretation of the data.
 4. Failed MIT with potential affect on the USDW.
 5. Failed MIT where location of leak or extent of vertical fluid movement has not been determined.
 6. Failed MIT, 5 year well performance.
 7. Monitor zone in a USDW indicates vertical migration of injected fluid or saline formation fluid out of the permitted injection zone.
 8. Monitor zone in a non-USDW indicates vertical migration of injected fluid out of the permitted injection zone.

Moderate: 1. Failed MIT with no potential affect on the USDW.

Minor: 1. NA

Extent of Deviation:

- Major:
1. Failure of MIT allowing fluid movement into a USDW.
 2. Failed MIT where location of leak or extent of vertical fluid movement has not been determined.
 3. No MIT performed.
 4. MIT completed over 3 months after due date.
 5. MIT conducted using unauthorized or inappropriate equipment or tracer material.

Moderate: 1. MIT completed within 1 months to 3 months after due date.

Minor: 1. MIT completed less than 1 month after due date.

Significantly Detrimental Violations:

MIT not conducted with a potential to affect a USDW or failure of MIT allowing fluid movement into a USDW.

Economic Benefit:

This violation should be reviewed for economic benefit.

VII. Failure to Maintain or Operate Equipment

Potential for Harm:

- Major:
1. Compromises integrity of the injection or monitor well.
 2. Results in an unauthorized discharge of injected fluid or formation fluid to Class F-I, G-I, G-II, or G-III ground water or to surface water.
 2. Results in a hazard to plant personnel or the general public.
 4. Results in, or provides the reasonable potential for, the improper release or disposal of an inadequately treated wastestream.
 5. Results in, or provides the potential for, a failure to meet permit or rule imposed wastestream limitations or applicable water quality standards.
 6. Failure to maintain fully operational Emergency Disposal System, in accordance with Chapter 62-528, F.A.C., or Permit Specific Conditions, which causes discharge to Class F-I, G-I, G-II, or G-III waters.
- Moderate:
1. Results in discharge of injected fluid in violation of permit specific conditions or Department rules but does not adversely impact a USDW Class F-I, G-I, G-II, or G-III ground water or to surface water.
 2. Results in, or provides the reasonable potential for, failure to comply with any permit conditions other than any applicable water quality standards or wastestream limitations.
- Minor:
1. Does not compromise integrity of the well.
 2. Does not result in the release of injected fluid into a USDW or surface waters.

Extent of Deviation:

- Major:
1. Primary equipment essential to the operation of the well is totally inoperative.
 2. Corrective measures not implemented after one written DEP notification is issued.
 3. Failure to maintain fully operational Emergency Disposal System in accordance with Chapter 62-528, F.A.C., or permit's specific conditions.
 4. Facility failed to perform routine maintenance.
 5. More than one substantial deviation exists from the standard practices/procedures or from the operation and maintenance manual.

6. Results in the failure to obtain a UIC permit renewal.

Moderate: 1. Support equipment, non-essential to the operation of the well, is inoperative.

2. Corrective measures not implemented after one written DEP notification is issued.

3. Equipment is operating at reduced treatment or operating efficiency.

4. Substantial deviation exists from standard practices/procedures or from the operation and maintenance manual.

5. Facility failed to document routine maintenance.

Minor: 1. Equipment is operating at reduced mechanical/structural efficiency.

2. Deviations exist from standard practices/procedures or from the operation and maintenance manual.

Economic Benefit:

This violation should be reviewed for economic benefit.

VIII. Failure to Maintain Financial Responsibility

Potential for Harm:

Major: 1. Well(s) pose or potentially pose a threat to public health or a USDW and need to be plugged and abandoned.

Moderate: 1. NA

Minor: 1. Well(s) do not pose a threat to public health or a USDW but need to be plugged and abandoned.

Extent of Deviation:

Major: 1. No plugging and abandonment plan submitted.
2. Expiration of financial mechanism.
3. Department draws on Letter of Credit.
4. Insufficient funding to plug and abandon injection well system when abandonment becomes necessary.

Moderate: 1. No current audited financial report.
2. No current plugging and abandonment cost estimates.
3. The permittee failed to get a Certificate of Financial Responsibility Demonstration for each well.

Economic Benefit:

This violation should be reviewed for economic benefit.

IX. Lack of Confinement

*Potential for Harm:

- Major:
1. Fluid moved into the USDW.
 2. Water quality or pressure data indicates lack of confinement or deficient mechanical integrity.
 3. Mechanical integrity testing indicates lack of confinement or deficient mechanical integrity.
- Moderate:
1. Fluid moved into an unpermitted zone that is a non-USDW.
- Minor:
1. Pressure data, water quality data, and mechanical integrity testing provides reasonable assurance that mechanical integrity has been demonstrated and that waters of the State have been afforded protection against contamination.
 2. Pressure data, water quality data, and mechanical integrity testing provides reasonable assurance that confinement has been demonstrated and that waters of the State have been afforded protection against contamination.

Extent of Deviation:

Major only.

* Based on pressure/water quality data/geophysical data indicates lack of confinement

X. Operation of Well Without a Valid Permit or Department Authorization

Potential for Harm:

- Major: 1. Operation of the well provides the reasonable potential for a violation of a water quality criteria or water quality standard.
2. Operation of the well provides a reasonable potential for a danger to public safety, health or welfare.
- Moderate: 1. Operation of well, while not in compliance with expired permit conditions or Department Rules, does not result in or provide the reasonable potential for violations of applicable water quality criteria or water quality standards.
2. Operational testing continued after the expiration date of the construction permit.
3. Operational testing exceeded the maximum two-year period for Class I injection wells, as per Chapter 62-528.
4. For a Class V injection well, operational testing exceeded the expiration date as per a permit specific condition or as per Chapter 62-528.
- Minor: 1. Operation continued after the expiration date of the operation permit and they were operating within the conditions of the permit.

Extent of Deviation:

- Major: 1. Non-submittal of an application.
2. Submittal of an application after expiration date of operation or construction permit.
3. Injection well system operating without ever possessing an appropriate valid permit or other valid authorization (??for modification) from the Department.
- Moderate: 1. Submittal of an incomplete application less than 60 days before expiration of the operation or construction permit.
- Minor: 1. None

Significantly Detrimental Violation:

Operation of the well without a valid permit provides a reasonable potential for a danger to public safety, health or welfare.

XI. Unauthorized Plugging and Abandonment

Potential for Harm:

- Major:
1. Compromises integrity of the well.
 2. Confinement not restored.
 3. Conduit between aquifers or USDW present.
 4. No MIT performed prior to abandonment of injection well or monitoring well.
 5. Failure to plug and abandon a well by time specified by the Department.
 6. Plugging and abandonment of a well without Department authorization.

Moderate: 1. NA

Minor: 1. NA

Extent of Deviation:

Major only.

Economic Benefit:

This violation should be reviewed for economic benefit.

XIII. Failure to Meet Permit Limitations or Water Quality Standards

Potential for Harm:

- Major: 1. Results in, or provides the reasonable potential for, a violation of water quality criteria or water quality standards for Class F-I, Class G-I, or Class G-II Class G-III (only when there is a direct hydraulic connection to a Class G-II) ground waters.
2. Results in, or provides the reasonable potential for, a danger to public health, safety, or welfare, including but not limited to a USDW.
- Moderate: 1. Results in, or provides the reasonable potential for, a violation of water quality criteria or water quality standards for Class G-III or Class G-IV ground waters
- Minor: 1. Does not result in, nor provides the reasonable potential for, a violation of water quality criteria or water quality standards.

Extent of Deviation:

- Major: 1. Violation of a federal primary drinking water standard.
2. Violation of a flow or pressure limit.
3. Failure to comply with Department authorized operational testing conditions.
- Moderate: 1. Violation of a water quality criteria exemption limit, a state secondary drinking water standard or the sodium standard.
2. Failure to comply with Department authorized cycle testing schedule.
- Minor: 1. None

Significantly Detrimental Violation:

Any violation of this section involving a Major Potential for harm or Major Extent of Deviation.

XIII. Failure to Conduct Water Quality Monitoring

Potential for Harm:

- Major:
1. Failure to conduct monitoring that results in, or provides the reasonable potential for, serious damage/danger to the environment or public health, safety, or welfare to go undetected.
 2. Failure to conduct monitoring that results in, or provides the reasonable potential for, moderate damage/danger to the environment or public health, safety, or welfare to go undetected.
 3. Failure to obtain background water quality data prior to injection.
- Moderate:
1. None
- Minor:
1. Failure to conduct monitoring that results in, or provides the reasonable potential for, no damage/danger to the environment or public health, safety, or welfare to go undetected.

Extent of Deviation:

- Major:
1. Required daily monitoring of a parameter is not conducted for 30 or more monitoring days.
 2. Required bi-weekly monitoring of a parameter is not conducted for 12 or more weeks, or required weekly monitoring of a parameter is not conducted for 6 or more weeks.
 3. Required quarterly monitoring of a parameter is not conducted for 6 or more months, or required monthly monitoring of a parameter is not conducted for 3 or more months.
 4. Required annual monitoring of a parameter is not conducted for 3 consecutive years, or semi-annual monitoring of a parameter is not conducted for 18 or more months.
 5. Failure to obtain background water quality data prior to injection.
- Moderate:
1. Required daily monitoring of a parameter is not conducted for 11 to 30 monitoring days.
 2. Required bi-weekly monitoring of a parameter is not conducted for 5 to 12 weeks, or weekly monitoring of parameter is not conducted for 3 to 6 weeks.
 3. Required quarterly monitoring of a parameter is not conducted for 4 to 6 months, or monthly monitoring of a parameter is not conducted for up to 2 months.
 4. Required annual monitoring of a parameter is not conducted for 2 consecutive years, or semi-annual monitoring of a parameter is not conducted for 12 consecutive months.

- Minor:
1. Required daily monitoring of a parameter is not conducted for 10 or less monitoring days.
 2. Required bi-weekly monitoring of a parameter is not conducted for 4 or less weeks, or weekly monitoring of a parameter is not conducted for 2 or less weeks.
 3. Required quarterly monitoring of a parameter is not conducted for 3 or less months, or required monthly monitoring of a parameter is not conducted for a month.
 4. Required annual monitoring of a parameter is not conducted, or semi-annual monitoring of a parameter is conducted only once in a twelve-month period.

Economic Benefit:

This violation should be reviewed for economic benefit.

XIV. Improper Well Construction or Failure to Construct an Underground Injection Control Well In Accordance With Approved Plans

Potential for Harm:

- Major: 1. Injection well system is placed in service without Department approval and injectate is discharged to an unpermitted well.
2. Failure to provide a Florida licensed water well contractor (Class I, Class V)
- Moderate: 1. Injection well system is placed in service without Department approval and injectate is discharged to a permitted well.
- Minor: 1. Injection well system is constructed or under construction, but not placed into service.

Extent of Deviation:

- Major: 1. Substantial construction deviations are discovered after completion of construction without notice provided.
2. Substantial construction deviations such as location change, casing landing, cementing, or actual drilling occurred during construction.
- Moderate: 1. Substantial construction deviations are discovered during construction with no notice provided and does not involve activities such as casing landing, cementing or actual drilling.
- Minor: 1. None