**Section 106.310 Burden of Proof**

The burden of proof is on the petitioner. The petitioner must demonstrate that:

a) Compliance with the setback requirements of Section 14.2 or 14.3(e) of the Act would pose an arbitrary and unreasonable hardship;

b) The petitioner will utilize the best available control technology economically achievable to minimize the likelihood of contamination of the potable water supply well;

c) The maximum feasible alternative setback will be utilized; and

d) The location of the potential route will not constitute a significant hazard to the potable water supply well.