

WAC 173-162-060 How do you qualify for each license? (1) Training licenses.

(a) You are qualified to receive either a water or a resource protection training license if you:

(i) Submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(ii) Have completed at least six hundred hours of drilling experience working under the direct supervision of a licensed operator who has held a Washington state water and/or resource protection well drilling license for at least three years; and

(iii) Have obtained six continuing education units as approved by the department; and

(iv) Pass a written examination as provided for in RCW 18.104.080; and

(v) Pass an on-site examination by the department; and

(vi) Present a statement by a person or persons licensed under this chapter, other than a trainee, signed under penalty of perjury as provided in RCW 9A.72.085, verifying that:

(A) The applicant has acquired a minimum of six hundred hours of field experience required under this chapter; and

(B) The operator has assumed liability for any and all well construction activities of the applicant while the applicant was gaining his/her six hundred hours of field experience. The operator shall not be subject to any penalties or orders that may be issued for wells constructed by the applicant that were not the responsibility of the operator to have direct supervision and control over; and

(C) A licensed operator, except a trainee, who will sponsor the trainee, has been identified on the signed statement. The licensed operator who will be sponsoring the trainee, shall assume liability for any and all well construction activities of the trainee accomplished under the operator's control during the period of the trainee's license; and

(vii) In obtaining a statement from a well operator(s) under (a)(vi) of this subsection, an applicant who has gained drilling experience under more than one operator shall submit a statement from each operator. It is not necessary to accumulate all qualifying experience under one operator. Field experience for which a statement of verification and liability cannot be obtained, shall not be used as qualifying experience under this section.

All statements shall be entered on forms provided by the department.

(b) Terms and conditions of a training license.

(i) A person with either a resource protection or a water well training license may construct only those types of wells for which they are licensed without being under the direct supervision of a licensed operator provided:

(A) A licensed operator is available by radio, telephone, or other means of communication; and

(B) The licensed operator can reach the drill site within one hour.

(ii) A trainee shall maintain a daily drilling log identifying all work accomplished that day. The log shall remain in the possession of the trainee at all times and shall be reviewed and initialed daily by the responsible licensed operator. The drilling log shall be available for review by department and county officials whose county has received delegated authority as provided in RCW 18.104.043.

(iii) The work documented and initialed in the drilling log shall be used in your application for a license under the training program completed, licensing category of this chapter.

(iv) All verifiable work performed by a trainee under the control of a licensed operator may be carried over to subsequent operator(s) who assume liability for the trainee.

(v) A trainee may apply and qualify for both a resource protection and a water well drilling training license, provided they meet the provisions of WAC 173-162-060 (1)(a) for each license they apply for.

(2) Water well or resource protection well operator licenses.

A person shall be qualified to receive either a water or resource protection well operator license if you meet the requirements of one of the following categories:

(a) New applicant category.

Applicants who have never held a well operator license qualify if they:

(i) Submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(ii) Submit proof that they have acquired five thousand four hundred hours of drilling experience under the direct supervision of a licensed well operator. Experience gained as a licensed trainee may be applied towards the experience requirements of this subsection; and

(iii) Submit proof that they have obtained thirty-two continuing education units; and

(iv) Pass a written examination as provided for in RCW 18.104.080.

(v) The department shall evaluate and approve all qualifying experience and educational training. If your qualifying drilling experience under (a)(ii) of this subsection is from another state, the department may require an on-site examination.

(b) Training program completed category.

Applicants who have held a valid training license will be qualified to receive an operator license if they:

(i) Submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(ii) Submit proof that they have worked as a licensed trainee under the provisions of this chapter for at least three thousand six hundred hours; and

(iii) Have obtained fourteen continuing education units while working under the training program.

(c) Licensed experience category.

(i) Applicants who have never held an operator license in Washington state qualify if they:

(A) Submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(B) Hold a valid well operator license, or equivalent, in another state and can show proof that the license has been held for a period of at least three years. The department shall evaluate and approve all experience acquired by out-of-state licensed operators; and

(C) Have obtained thirty-two continuing education units as approved by the department; and

(D) Pass a written examination as provided for in RCW 18.104.080; and

(E) Passed an on-site examination by the department. The on-site examination may be waived by the department.

(F) Proof of licensing under (c)(i)(B) of this subsection shall be submitted with the application for license. Proof of drilling experience may include drilling logs, federal or state tax records; employment records; or other records acceptable to the department.

(ii) Individuals, other than trainees, whose Washington operator license has been suspended, revoked, expired or whose license status has changed to retired or inactive may apply for a new license. These individuals qualify to receive a license if:

(A) The terms of the order of suspension or revocation have been met; and

(B) They submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(C) They have obtained seven continuing education units for each year or portion of a year the license has been revoked, suspended, inactive, retired, or expired; and

(D) They pass a written examination as provided for in RCW 18.104.080; and

(E) They pass an on-site examination by the department.

(F) The written and/or on-site examination(s) under (c)(ii)(D) and (E) of this subsection may be waived by the department.

(3) Individuals who received an operator license for either water well or resource protection well drilling are qualified to receive the other license if they:

(a) Currently hold a valid well operator license under one of the categories in subsection (2) of this section; and

(b) Submit a completed application to the department on forms provided by the department and pay a seventy-five dollar application fee; and

(c) Pass a written examination; and

(d) Pass an on-site examination if their field experience was gained in another state. The department may waive the on-site examination.

(e) Submit proof of at least six hundred hours of additional well drilling experience for the other type of license you wish to obtain.

EXAMPLE - You currently hold a water well operator license that was issued by the department after the effective date of these regulations. You also wish to be licensed to construct resource protection wells. You will qualify to receive the resource protection operator license by making an application, paying the fee, and showing proof of six hundred hours of resource protection well drilling experience, passing a written exam, and passing an on-site exam if your drilling experience was gained in another state. Proof of experience will consist of drilling reports showing you were the operator of record on at least fifteen resource protection wells, or other documentation showing experience approved by the department.

(4) Conditional license.

(a) A conditional license may be issued to a former licensed operator for the sole purpose of authorizing the well operator to comply with an order to correct a problem with a well. The terms of the license shall detail the extent and limitations placed on the well operator. This may include limitations of work to be completed on a specific well, license expiration, and any other limitation set by the department.

(b) A conditional license cannot be issued to a person who has never held an operator license issued under the provisions of this chapter.

(5) **Retirement license.**

(a) A person shall be qualified to receive a retirement license if you meet the following requirements:

(i) Submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(ii) Hold a current active license for a minimum of ten years; and

(iii) Have no outstanding enforcement actions.

(b) The holder of a retirement license may not engage in any licensed activities. The holder of a retirement license may apply for a new license under WAC 173-162-060(2).

(6) **Inactive license.**

(a) A person shall be qualified to receive an inactive license if you meet the following requirements:

(i) Submit a completed application to the department on forms provided by the department and pay the department a seventy-five dollar application fee; and

(ii) Show proof of inactive status based on military documents, hospitalization records, out of country drilling or other extraordinary circumstances as determined by the department; and

(iii) Hold a current active license; and

(iv) Have no outstanding enforcement actions.

(b) Extraordinary circumstances do not include failure to notify the department of a change of address; postal service error and domestic disputes (divorce or separation).

(c) The holder of an inactive license must resubmit an application to extend inactive license status at the end of each two-year period. The holder of an inactive license may not engage in any licensed activities. The holder of an inactive license may apply for a new license under WAC 173-162-060(2).

[Statutory Authority: Chapter 18.104 RCW. WSR 06-23-121 (Order 06-08), § 173-162-060, filed 11/21/06, effective 12/22/06. Statutory Authority: Chapter 18.104 RCW and RCW 43.21A.080. WSR 98-08-031 (Order 97-08), § 173-162-060, filed 3/23/98, effective 4/23/98. Statutory Authority: Chapter 18.104 RCW. WSR 88-08-070 (Order 88-58), § 173-162-060, filed 4/6/88; Order DE 73-10, § 173-162-060, filed 6/29/73.]