

SHB 1467 - S COMM AMD

By Committee on Environment, Water & Energy

ADOPTED 03/30/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 18.104.020 and 2005 c 84 s 1 are each amended to read
4 as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "Abandoned well" means a well that is unmaintained or is in
8 such disrepair that it is unusable or is a risk to public health and
9 welfare.

10 (2) "Constructing a well" or "construct a well" means:

11 (a) Boring, digging, drilling, or excavating a well;

12 (b) Installing casing, sheeting, lining, or well screens, in a
13 well;

14 (c) Drilling a geotechnical soil boring; or

15 (d) Installing an environmental investigation well.

16 "Constructing a well" or "construct a well" includes the alteration
17 of an existing well.

18 (3) "Decommission" means to fill or plug a well so that it will not
19 produce water, serve as a channel for movement of water or pollution,
20 or allow the entry of pollutants into the well or aquifers.

21 (4) "Department" means the department of ecology.

22 (5) "Dewatering well" means a cased or lined excavation or boring
23 that is intended to withdraw or divert groundwater for the purpose of
24 facilitating construction, stabilizing a landslide, or protecting an
25 aquifer.

26 (6) "Director" means the director of the department of ecology.

27 (7) "Environmental investigation well" means a cased hole intended
28 or used to extract a sample or samples of groundwater, vapor, or soil
29 from an underground formation and which is decommissioned immediately
30 after the sample or samples are obtained. An environmental

1 investigation well is typically installed using direct push technology
2 or auger boring and uses the probe, stem, auger, or rod as casing. An
3 environmental investigation well is not a geotechnical soil boring.

4 (8) "Geotechnical soil boring" or "boring" means a well drilled for
5 the purpose of obtaining soil samples or information to ascertain
6 structural properties of the subsurface.

7 (9) "Ground source heat pump boring" means a vertical boring
8 constructed for the purpose of installing a closed loop heat exchange
9 system for a ground source heat pump.

10 (10) "Groundwater" means and includes groundwaters as defined in
11 RCW 90.44.035.

12 (11) "Grounding well" means a grounding electrode installed in the
13 earth by the use of drilling equipment to prevent buildup of voltages
14 that may result in undue hazards to persons or equipment. Examples are
15 anode and cathode protection wells.

16 (12) "Instrumentation well" means a well in which pneumatic or
17 electric geotechnical or hydrological instrumentation is permanently or
18 periodically installed to measure or monitor subsurface strength and
19 movement. Instrumentation well includes borehole extensometers, slope
20 indicators, pneumatic or electric pore pressure transducers, and load
21 cells.

22 (13) "Monitoring well" means a well designed to obtain a
23 representative groundwater sample or designed to measure the water
24 level elevation in either clean or contaminated water or soil.

25 (14) "Observation well" means a well designed to measure the depth
26 to the water level elevation in either clean or contaminated water or
27 soil.

28 (15) "Operator" means a person who (a) is employed by a well
29 contractor; (b) is licensed under this chapter; or (c) who controls,
30 supervises, or oversees the construction of a well or who operates well
31 construction equipment.

32 (16) "Owner" or "well owner" means the person, firm, partnership,
33 copartnership, corporation, association, other entity, or any
34 combination of these, who owns the property on which the well is or
35 will be constructed or has the right to the well by means of an
36 easement, covenant, or other enforceable legal instrument for the
37 purpose of benefiting from the well.

1 (17) "Pollution" and "contamination" have the meanings provided in
2 RCW 90.48.020.

3 (18) "Remediation well" means a well intended or used to withdraw
4 groundwater or inject water, air (for air sparging), or other solutions
5 into the subsurface for the purpose of remediating, cleaning up, or
6 controlling potential or actual groundwater contamination.

7 (19) "Resource protection well" means a cased boring intended or
8 used to collect subsurface information or to determine the existence or
9 migration of pollutants within an underground formation. Resource
10 protection wells include monitoring wells, observation wells,
11 piezometers, spill response wells, remediation wells, environmental
12 investigation wells, vapor extraction wells, ground source heat pump
13 boring, grounding wells, and instrumentation wells.

14 (20) "Resource protection well contractor" means any person, firm,
15 partnership, copartnership, corporation, association, or other entity,
16 licensed and bonded under chapter 18.27 RCW, engaged in the business of
17 constructing resource protection wells or geotechnical soil borings.

18 (21) "Water well" means any excavation that is constructed when the
19 intended use of the well is for the location, diversion, artificial
20 recharge, observation, monitoring, dewatering, or withdrawal of
21 groundwater. "Water wells" include ground source heat pump borings and
22 grounding wells.

23 (22) "Water well contractor" means any person, firm, partnership,
24 copartnership, corporation, association, or other entity, licensed and
25 bonded under chapter 18.27 RCW, engaged in the business of constructing
26 water wells.

27 (23)(a) "Well" means water wells, resource protection wells,
28 dewatering wells, and geotechnical soil borings.

29 (b) Well does not mean an excavation made for the purpose of:

30 (i) Obtaining or prospecting for oil, natural gas, geothermal
31 resources, minerals, or products of mining, or quarrying, or for
32 inserting media to repressure oil or natural gas bearing formations, or
33 for storing petroleum, natural gas, or other products;

34 (ii) Siting and constructing an on-site sewage disposal system as
35 defined in RCW 70.118.020 or a large on-site sewage system as defined
36 in RCW 70.118B.010; or

37 (iii) Inserting any device or instrument less than ten feet in
38 depth into the soil for the sole purpose of performing soil or water

1 testing or analysis or establishing soil moisture content as long as
2 there is no withdrawal of water in any quantity other than as necessary
3 to perform the intended testing or analysis.

4 (24) "Well contractor" means a resource protection well contractor
5 and a water well contractor licensed and bonded under chapter 18.27
6 RCW."

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7 On page 1, line 1 of the title, after "well;" strike the remainder
8 of the title and insert "and amending RCW 18.104.020."

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