
SENATE BILL 5643

State of Washington

62nd Legislature

2011 Regular Session

By Senators Stevens, Hatfield, Morton, Haugen, Hobbs, Ericksen, Becker, Schoesler, and Honeyford

Read first time 02/03/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to wells; and amending RCW 18.104.020.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

1 produce water, serve as a channel for movement of water or pollution,
2 or allow the entry of pollutants into the well or aquifers.

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

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

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

9 (7) "Environmental investigation well" means a cased hole intended
10 or used to extract a sample or samples of groundwater, vapor, or soil
11 from an underground formation and which is decommissioned immediately
12 after the sample or samples are obtained. An environmental
13 investigation well is typically installed using direct push technology
14 or auger boring and uses the probe, stem, auger, or rod as casing. An
15 environmental investigation well is not a geotechnical soil boring.

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

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

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

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

28 (12) "Instrumentation well" means a well in which pneumatic or
29 electric geotechnical or hydrological instrumentation is permanently or
30 periodically installed to measure or monitor subsurface strength and
31 movement. Instrumentation well includes borehole extensometers, slope
32 indicators, pneumatic or electric pore pressure transducers, and load
33 cells.

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

37 (14) "Observation well" means a well designed to measure the depth

1 to the water level elevation in either clean or contaminated water or
2 soil.

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

7 (16) "Owner" or "well owner" means the person, firm, partnership,
8 copartnership, corporation, association, other entity, or any
9 combination of these, who owns the property on which the well is or
10 will be constructed or has the right to the well by means of an
11 easement, covenant, or other enforceable legal instrument for the
12 purpose of benefiting from the well.

13 (17) "Pollution" and "contamination" have the meanings provided in
14 RCW 90.48.020.

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

19 (19) "Resource protection well" means a cased boring intended or
20 used to collect subsurface information or to determine the existence or
21 migration of pollutants within an underground formation. Resource
22 protection wells include monitoring wells, observation wells,
23 piezometers, spill response wells, remediation wells, environmental
24 investigation wells, vapor extraction wells, ground source heat pump
25 boring, grounding wells, and instrumentation wells.

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

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

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

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

3 (b)(i) "Well" does not mean an excavation made for the purpose of
4 obtaining or prospecting for oil, natural gas, geothermal resources,
5 minerals, or products of mining, or quarrying, or for inserting media
6 to repressure oil or natural gas bearing formations, or for storing
7 petroleum, natural gas, or other products.

8 (ii) "Well" does not mean an excavation of less than six feet in
9 depth, regardless of purpose or method of construction, as long as the
10 excavation is not conducted on a site regulated under chapter 70.105D
11 RCW.

12 (24) "Well contractor" means a resource protection well contractor
13 and a water well contractor licensed and bonded under chapter 18.27
14 RCW.

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