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HOUSE BILL 1467

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State of Washington

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By Representatives Buys, Blake, Chandler, Pearson, Fagan, Overstreet, Harris, Wilcox, Johnson, Haler, Warnick, McCune, and Kelley

Read first time 01/21/11. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the definition of a well; and amending RCW  
2 18.104.020.

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

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

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

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

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

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

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

15 (c) Drilling a geotechnical soil boring; or

16 (d) Installing an environmental investigation well.

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

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

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

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

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

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

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

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

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

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

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

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

1 (14) "Observation well" means a well designed to measure the depth  
2 to the water level elevation in either clean or contaminated water or  
3 soil.

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

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

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

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

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

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

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

36 (22) "Water well contractor" means any person, firm, partnership,  
37 copartnership, corporation, association, or other entity, licensed and

1 bonded under chapter 18.27 RCW, engaged in the business of constructing  
2 water wells.

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

5 (b) Well does not mean an excavation made for the purpose of  
6 obtaining or prospecting for oil, natural gas, geothermal resources,  
7 minerals, or products of mining, or quarrying, or for inserting media  
8 to repressure oil or natural gas bearing formations, or for storing  
9 petroleum, natural gas, or other products. Well does not mean any  
10 boring, cased or uncased hole, excavation, trench, sensor installation,  
11 soil or sediment sampling, or groundwater sampling.

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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