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**SUBSTITUTE SENATE BILL 5684**

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**State of Washington**

**62nd Legislature**

**2012 Regular Session**

**By** Senate Environment (originally sponsored by Senators Rockefeller, Fain, Fraser, Shin, and Chase)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to water well construction requirements; amending  
2 RCW 18.104.030; and adding a new section to chapter 70.119A RCW.

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

4 **Sec. 1.** RCW 18.104.030 and 1993 c 387 s 3 are each amended to read  
5 as follows:

6 It is unlawful:

7 (1) For any person to supervise, construct, alter, or decommission  
8 a well without complying with the provisions of this chapter and the  
9 rules for well construction adopted pursuant to this chapter;

10 (2) For any person to cause a well to be constructed in violation  
11 of the standards for well construction established by this chapter and  
12 rules adopted by the department pursuant to this chapter;

13 (3) For a prospective water well owner to have a water well  
14 constructed without first obtaining a water right permit, if a permit  
15 is required;

16 (4) For any person to construct, alter, or decommission a well  
17 unless the fees required by RCW 18.104.055 have been paid;

18 (5) For a person to tamper with or remove a well identification tag  
19 except during well alteration; (~~and~~)

1           (6) Except as provided in RCW 18.104.180, for any person to  
2 contract to engage in the construction of a well or to act as a well  
3 operator without first obtaining a license pursuant to this chapter;  
4 and

5           (7) For any person to commence construction of a water well without  
6 complying with well construction notification requirements adopted by  
7 a municipal water supplier under section 2 of this act.

8           NEW SECTION. Sec. 2. A new section is added to chapter 70.119A  
9 RCW to read as follows:

10           A municipal water supplier, as defined in RCW 90.03.015 and with no  
11 fewer than one thousand customers, may adopt requirements regarding  
12 notification of proposed water well construction within the retail  
13 service area of the municipal water supplier, specifically requiring  
14 that a well driller provide the municipal water supplier with a copy of  
15 the notice of intent at least seventy-two hours in advance of  
16 commencing work as required under RCW 18.104.048. A municipal water  
17 supplier adopting such requirements shall make the requirements known  
18 by publication on the supplier's web site or by other means readily  
19 available to a property owner or owner's agent.

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