

**SENATE BILL REPORT**

**SB 5400**

**AS OF FEBRUARY 21, 1991**

**Brief Description:** Prescribing fine for improper notice for water well construction.

**SPONSORS:** Senators Hansen, Barr and Bailey.

**SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES**

**Staff:** Bob Lee (786-7404)

**Hearing Dates:** February 22, 1991

**BACKGROUND:**

The Water Well Construction Act was enacted in 1971. It provided the Department of Ecology with various authorities over the construction of wells to utilize the groundwater resource including: (1) licensing persons who drill wells; (2) establishing well construction and maintenance standards; (3) requiring well drillers to provide notice to the department 72 hours in advance of beginning well construction; and (4) requiring submission of well logs at the completion of drilling.

The department may enforce the requirements of the chapter and related administrative rules through civil fines up to \$100 per day; suspension or revocation of drillers' licenses; issuance of cease and desist orders; and filing of criminal charges having penalties that range up to \$250 and/or 30 days in jail.

**SUMMARY:**

The maximum civil fine is increased from \$100 per day to \$250 for failure to submit notification to the Department of Ecology 72 hours prior to commencing the construction of a well. The \$250 penalty is to be applied to the second and each subsequent violation of the requirement to submit prior notice to the department.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested