

# HOUSE BILL REPORT

## HB 2668

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**As Reported by House Committee On:**  
Agriculture & Ecology

**Title:** An act relating to well construction.

**Brief Description:** Modifying well construction provisions.

**Sponsors:** Representatives Linville, Schoesler, Dunshee, Delvin and Chase; by request of Department of Ecology.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 1/29/02, 2/1/02 [DP].

**Brief Summary of Bill**

- Defines "environmental investigation well" and "remediation well".
- Establishes a fee structure for environmental investigation wells.
- Requires fee refund requests to be received within 180 days.

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass. Signed by 13 members: Representatives Linville, Chair; Hunt, Vice Chair; Schoesler, Ranking Minority Member; Chandler, Cooper, Delvin, Dunshee, Grant, Holmquist, Kirby, Quall, Roach and Sump.

**Staff:** Jason Callahan (786-7117).

**Background:**

The Department of Ecology (department) estimates that there are approximately 10,000 water wells and 6,000 resource protection wells constructed in Washington every year. A water well is defined as any excavation that is constructed with the intention of accessing groundwater. A resource protection well is a boring used to determine the existence or migration of pollutants within an underground formation.

Any well that is constructed, altered, or decommissioned must be done so in accordance

with RCW chapter 18.104 and the associated rules promulgated by the department. The department has the authority to issue licenses and collect fees for well-related activities. Prior to beginning a well construction, reconstruction, or decommissioning procedure, the property owner must pay the set fee and give the department 72-hours notice. The fees for well-related construction activities are set by statute. Water well construction fees are either \$100 or \$200 depending on the diameter of the top casing, and the fee for a resource protection well is \$40. The department is instructed to return any fees paid for a well on which construction has not started.

Individuals violating the laws and rules relating to well construction are subject to a cease and desist order issued by the department. In some cases, corrective action may also be ordered.

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**Summary of Bill:**

An "environmental investigation well" is defined to mean a cased hole intended or used to extract samples from an underground formation that is decommissioned immediately. A "remediation well" is defined as a well intended or used to withdraw groundwater or make injections into the subsurface in order to address actual groundwater contamination.

Fees for environmental investigation wells are set at \$40 for construction of up to four wells per project, and \$10 for each additional well. Wells constructed to sample soil or vapor have no fee.

Fee refunds are allowed if construction has not begun and the Department of Ecology has received the refund request within 180 days from the time the department received the fees. Refund request must be made on forms provided by the department.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The current fee structure for investigation wells is inequitable and the structure outlined in this bill was developed with stakeholder involvement. The new fee structure will still support the Department of Ecology's well program because the more equitable formula will encourage more compliance with the state's well licensing laws. The increase in compliance that will result from lower fees will benefit the state's groundwater resource.

**Testimony Against:** None.

**Testified:** -(In support) Richard Szymarek, Department of Ecology; and Mike Matson, Washington State Ground Water Association.