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NEW SOUTHWEST REGION WELL INSPECTOR

Please welcome Travis Kelly to the Southwest (SW) Region office in Grants Pass. He has a Bachelor's Degree in Geology and Environmental Studies. Travis comes to the Department from Jackson County where he worked as a sanitarian. Travis replaces David Cowgill who recently retired. Travis hit the ground running finding some construction issues which he is working with the responsible part to correct. If you have any questions about well construction in the SW Region please give Travis a call at (541) 471-2886 Ext 226.

NEW NORTHWEST REGION WELL INSPECTOR

Please welcome Lorraine Ramsey to the Northwest Region office in Salem. Lorraine brings a lot of field experience to the Department. Prior to coming to Water Resources, Lorraine worked for Oregon Department of Fish and Wildlife in the fish screening program and has also worked as a field inspector for the Department of Agriculture in the Smoke Management Program. Lorraine can be reached at (503) 986-0802.

2009 Proposed Legislative Concepts as of June 2008

The Water Resources Department (WRD) has prepared legislative concepts (LCs) that are few in number and technical in nature, as it has in the past. These concepts are meant to streamline Departmental operations, ensure the fees and resources necessary to maintain services, and provide greater consistency in statutory language.

In addition, the Governor's office has added two concepts related to the Headwaters to Ocean (H₂O) Initiative to WRD's legislative portfolio. These are interagency concepts, introduced as placeholders for now.

As with its proposed 2009 budget, the Water Resources Department has incorporated ideas that originated with the Water Resources Commission, stakeholder groups, the regulated community, and the Governor's office. There are seven legislative concepts in all. They are:

LC #325: Allow the Instream Lease of Claim of a Water Right that Has Been Included in the Final Order of Determination: Modifies (ORS 537.348) to make a claim of a water right included in the Order of Determination eligible for in-stream lease prior to the court's issuance of a final decree in adjudication cases.

LC #659: Establish a Water Development Grant and Loan Fund: This legislative concept establishes a fund allowing the Department to provide loans and/or grants for the implementation and construction stages of water supply development projects (e.g., conservation, re-use, and storage), as well as water resource management projects (e.g., fish passage and improved stream flow).

LC #660: Exempt Certain Wave Energy Projects from Hydroelectric Licensing Statutes: WRD proposes revisions to ORS 543.014 hydropower licensing requirements, to accommodate small, pilot wave energy projects. Because these statutes were originally written for river-based hydroelectric projects, they do not work particularly well in an ocean setting and, in practice, present insurmountable barriers to the construction of pilot wave energy projects.

LC #327: Increase Start Card Fees: Modify 537.762 (5) to increase start card fees from \$125 to \$225 for paper filing. A reduced fee of \$200 for electronic filing is proposed to be implemented through rule-making.

LC #661: Establishing Fees for Data Entry Related to Geotechnical Holes: Add ORS 537.767 to assess a new fee of \$25 on the administrative processing of geotechnical holes (test holes for mining and other industries). A reduced fee of \$10 for electronic filing is proposed to be implemented through rule-making.

LC #662: Climate Change—Statewide Water (H₂O) Initiative: This is a comprehensive, multi-year initiative that addresses unmet needs related to improving water quality, ensuring adequate supplies of water in the face of climate change impacts on precipitation patterns, and addressing the need for water to serve ecosystem functions. The Initiative proposes the dedication of a small percentage of lottery dollars for a ten-year period to address these needs.

LC #663: Climate Change—Statewide Water (H₂O) Initiative: This bill would establish necessary program authorities for several state agencies to carry out a comprehensive program of addressing unmet needs for improving water quality, increasing water supply for human use and health, as well as assuring the ecosystem benefits that clean and abundant water provides.

Questions should be directed to Brenda Bateman at (503) 986-0879.

INTERIM GUIDANCE ADDRESSING CASING EXTENSIONS

The 26th issue of Well Said contained an article regarding well alterations. The article was intended to state the Department's practice relating to well alterations. We apologize for any confusion or misunderstanding which may have resulted.

The Department's legislative mandate relating to well construction, which

includes well alterations, is to preserve the public welfare, safety, and health. To this end, the Commission has adopted well construction standards and other rules which the Department interprets and administers consistent with the Legislature's direction. In addition, the business of constructing new wells or altering, abandoning or converting wells is an activity affecting the public welfare, health and safety. Therefore, the protection of the ground water resource from contamination, waste and loss of artesian pressure is a joint effort between well constructors, landowners and the Department.

OAR 690-200-0005 and 690-215-0005 both state that the landowner is ultimately responsible for the condition of their well(s). A property owner may be required to discontinue use, repair, or abandon wells that are a health threat, source of contamination, or a source of waste of the ground water resource.

When altering an existing well, well constructors are subject to the well construction standards for only the work they perform on the existing well. Some of the existing rules that may come into play when an existing well is altered, relate to well casing, sealing, openings in the casing, and casing disturbance. For example, OAR 690-215-0040 requires that if pre-existing casing is withdrawn or advanced, the well shall be cased and sealed to meet new construction standards. OAR 690-215-0045 requires that on well deepening, water levels must be recorded before and after the deepening on the well log. In addition, the deepening of a water supply well shall not result in

the commingling of aquifers.

Representatives of the drilling industry and the Department recently met to clarify the "Casing Extension" subset of the well alteration issue. The following is intended to provide interim guidance to Department staff and well constructors when well casing is proposed to be added to the top of existing casing (casing extension). This guidance may change upon conclusion of the current rulemaking activity.

Only licensed Water Supply Well Constructors or permitted landowners may extend well casing from below land surface. A start card is required to be submitted before extending the well casing. As with any well alteration, no start card fee is required. The well casing used to extend a well head above land surface and the annular seal for the casing extension must meet the minimum standards in OAR 690-210-0190 through 690-210-0340. Upon completion, a well id tag is to be attached, and a water well report submitted within 30 days of completion of the work.

For enforcement purposes, and subject to the facts of each particular situation, the water well constructor will only be responsible for the casing extension work they complete in accordance with the guidance outlined in the preceding paragraph.

A Rules Advisory Committee (RAC) has been appointed by the Department to assist with the development of rules that will include the casing extension issue, well alterations, use of bentonite in well abandonments, and other

Well Said Newsletter

Available on the web at www.wrd.state.or.us/OWRD/GW/forms.shtml.

Please share with others at your organization.

Well Said is a production of the Oregon Water Resources Department's Well Construction and Compliance Section and is designed to inform the drilling industry and the public about program activities and other items of interest. Questions or suggestions about this newsletter can be directed to Kristopher Byrd at (503) 986-0851 or kristopher.r.byrd@wrds.state.or.us.

*“Serving the public by
practicing and promoting
responsible water
management.”*

housekeeping issues related to well construction, alteration and maintenance. When adopting, amending or repealing a rule, an agency must follow the rulemaking procedures of ORS 183.325 to 183.355, and the Attorney General’s Model Rules.

There will be an opportunity for comment on the proposed rules during the open comment period and before they are placed before the Water Resources Commission. Please refer to the Department’s website if you are interested in being notified of the upcoming rulemaking activity. Our goal is to present a set of proposed rule changes to the Water Resources Commission for adoption at their November 2008 meeting. Questions about this guidance and rulemaking should be directed to Juno Pandian, (503) 986-0852

WELL CONSTRUCTOR RESOURCES

A new resource specifically for well constructors can be found on the Department’s webpage. The site provides links to E-file start cards and well logs. Drillers also have the ability to renew licenses on-line using a credit card. The new website may be used to order supplies such as well identification tags, well log forms or start card forms and also has links to other databases, and continuing education information. The site can be accessed directly from our home page or by visiting <http://www.wrd.state.or.us/QWRD/GW/resources-well-constructors.shtml>.

To obtain a password to E-file well reports and start cards contact either Tracy Fox at (503) 986-0856 or Ken Smith at (503) 986-0867.

UNDER GROUND INJECTION CONTROL (UIC) PROGRAM (provided by DEQ)

The Underground Injection Control (UIC) Program focuses on protecting domestic and municipal sources of drinking water from UIC activities and potential contamination from underground injection systems. The rules require all UIC systems be registered and be either: 1) rule authorized, 2) under a state permit, or 3) closed. All new and existing underground injection systems are affected by these requirements. Types of underground injection systems that are affected by these rules include stormwater drywell/drill holes, sewage drill holes, large cesspools, large onsite wastewater treatment systems, geothermal heat pumps, aquifer storage and recovery (ASR), industrial waste disposal and process water discharge, and aquifer remediation systems.

Closure of UIC systems requires submission of a pre-closure form with information on the proposed sampling and method of closure (e.g. excavate out or seal in place) for DEQ approval. EPA has placed a national priority on the closure of “motor vehicle” floor drains and other UIC’s that

receive discharges from motor vehicles (e.g. gas stations, detail shops and repair shops). Installation of new sewage drill holes is prohibited under Oregon Administrative Rule Chapter 340 Division 044. Existing sewage drill holes, when found, should be closed and replaced with another wastewater treatment system which provides adequate treatment (e.g. nitrogen and solids removal) to protect drinking water sources.

If a prospective client or customer has not received an authorization letter for installation or closure, remember this is a federal and state requirement. Failure to register new and existing UIC systems with DEQ may result in enforcement actions including potential civil penalties. Prohibited closures with no sampling data submitted can place a site on the state cleanup list for further action and potential enforcement actions. Owners who have existing UIC systems and voluntarily register, sample (depending upon the type/use) and retrofit to meet requirements are not subject to enforcement actions.

For DEQ registration or closure forms, information about the program, or access to the statewide UIC data base please see the UIC Web page at: <http://www.deq.state.or.us/wq/uic/uic.htm> or you may contact Ms. Barbara Priest at (503) 229-5945.

DRILL CUTTINGS & WATERS OF THE STATE (Provided by DEQ)

The Oregon Department of Environmental Quality (DEQ) is responsible for regulating driller's who discharge drill cuttings into the waters of the state.

According to Bill Meyers at DEQ, by allowing drill cuttings to enter the waters of the State of Oregon a drilling company is potentially in violation of the following Oregon Revised Statutes (ORS) and/or Oregon Administrative Rules (OAR):

Violation one is ORS 468B.025(1)(a): "Except as provided in ORS 468B.050, no person shall cause pollution of any waters of the state or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means".

Violation two is ORS 468B.025(1)(b): Without first obtaining a permit from the director, no person shall discharge any wastes into the waters of the state if the discharge reduces the quality of such waters below the water quality standards established by rule for such waters by the Environmental Quality Commission. OAR 340-041-0365(2)(c) establishes the following water quality standard: "Turbidity (Nephelometric Turbidity Units, NTU):

No more than a ten percent cumulative increase in natural stream turbidities shall be allowed, as measured relative to a control point immediately upstream of the turbidity causing activity. However, limited duration activities necessary to address an emergency or to accommodate essential dredging, construction or other legitimate activities and which cause the standard to be exceeded may be authorized provided all practicable turbidity control techniques have been applied and one of the following has been granted: (A) Emergency activities: Approval coordinated by DEQ with the Department of Fish and Wildlife under conditions they may prescribe to accommodate response to emergencies or to protect emergencies or to protect public health and welfare;

(B) Dredging, Construction or other Legitimate Activities: Permit or certification authorized under terms of Section 401 or 404 (Permits and Licenses, Federal Water Pollution Control Act) or OAR 141-085-0100 et seq. (Removal and Fill Permits, Division of State Lands), with limitations and conditions governing the activity set forth in the permit or certificate."

Drill cuttings are considered a pollutant when placed in waters of the state. Cuttings can increase water turbidity and negatively affect fish and wildlife. No cuttings are allowed to enter waters of the state or to be placed in such a way as they are likely to enter waters of the state. To do so is a violation of Oregon Law subject to enforcement action. Drilling companies are encouraged to evaluate the operation of their companies to ensure that they are operating in compliance with water pollution regulations.

WELL REPORT COMPLETION

When well logs are filed electronically, please be sure to complete section **(10) STATIC WATER LEVEL** in its entirety. This includes indicating depth water was first found and the static water level of the completed well, if appropriate. This information is in addition to reporting **WATER BEARING ZONES** on the log. This ensures that first water and static water level information will be displayed on the data line when well reports are retrieved. You may contact Laurie Norton at (503) 986-0850, if you have any questions.

(10) STATIC WATER LEVEL

Existing Well - Predevelopment	Date	SWL (psi)	+	SWL (ft)
Completed Well				
Flowing Artesian? <input type="checkbox"/>		Dry Hole? <input type="checkbox"/>		

WATER BEARING ZONES

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)



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Region Office Directory

Western

Phone: (503) 986-0900
Fax: (503) 986-0903

Southwest

Phone: (541) 471-2886
Fax: (541) 471-2876

South Central

Phone: (541) 388-6669
Fax: (541) 388-5101

North Central

Phone: (541) 278-5456
Fax: (541) 278-0287

Eastern

Phone: (541) 523-8224
Fax: (866) 214-3493



Old water well in a vault being converted into a piezometer.

Well Construction and Compliance Section Staff Directory

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Old well installed by a landowner. This well has been abandoned.



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