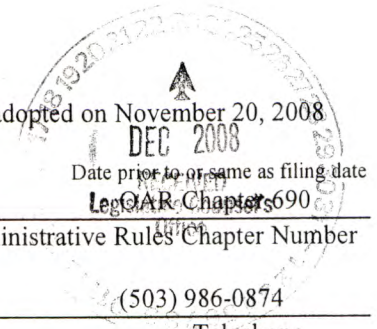


Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on November 20, 2008 by the Water Resources Commission.



Oregon Water Resources Department, Technical Services Division
Agency and Division

Administrative Rules Chapter Number

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Rules Coordinator

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to become effective January 2, 2008^a
Date upon filing or later

Rulemaking Notice was published in the September 1, 2008 Oregon Bulletin.**
Month and Year

RULE CAPTION

Well constructor and landowner responsibility regarding water well construction, maintenance, alteration, conversion and abandonment activities.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: 690-205-0205; 690-215-0006; 690-215-0025; 690-215-0035; 690-220-0115; 690-240-0385

AMEND: 690-200-0050; 690-205-0200; 690-215-0005; 690-215-0030; 690-215-0040; 690-220-0030; 690-220-0040;
690-220-0050; 690-220-0070; 690-220-0080;
690-240-0010; 690-240-0035; 690-240-0375;

REPEAL: 690-220-0060

RENUMBER: n/a

AMEND & RENUMBER: n/a

Stat. Auth.:

Other Auth.:

Stats. Implemented: ORS

RULE SUMMARY

The Water Resources Commission (Commission) adopted rules that establish and clarify the initial notice of water supply well construction (Start Card) for water supply and monitoring wells, clarify the responsibility for work performed and standards for materials used in water supply well alterations, and allow the use of unhydrated bentonite for well abandonment. In addition, the rules establish standards for the type and placement of unhydrated bentonite used for well abandonment.

Ruben F. Ochoa
Authorized Signer

Ruben F. Ochoa
Printed name

12/18/08
Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

WATER RESOURCES DEPARTMENT

DIVISION 215

Alteration, Deepening, Maintenance and Repair [and Deepening] of Water Supply Wells

690-215-0005

Prevention of Groundwater Contamination, Health Hazard, and Waste

(1)The landowner of the property on which the water supply well is constructed is ultimately responsible for the maintenance and use of the water supply well. All water supply wells should be disinfected following the installation of pumping equipment. Refer to OAR 690-210-0380, Appendix 2 for recommendations on well disinfection.

(2)The landowner shall maintain all water supply wells in a condition where they are not a health threat, a health hazard, a source of contamination or a source of waste of the ground water resource by allowing loss of artesian pressure or commingling of aquifers.

A pitless adapter may be attached to the casing to transmit water from the well into the delivery pipeline. The pitless adapter shall be installed in such a manner as to prevent the contamination of the ground water resource. The landowner is responsible to assure that the space between the side of the well borehole and the well casing is sealed as required by OAR 690-215-0025.

(3)If, in the opinion of the Director, a water supply well is a health threat, a health hazard, a source of contamination, or a source of waste of the ground water resource, the Director may order discontinuance of, or impose conditions upon, the use of the water supply well. In addition, the Director may order that the well be repaired or permanently abandoned in accordance with OAR chapter 690, divisions 215 and 220 of the Standards for Construction and Maintenance of Water Supply Wells in the State of Oregon.

[ED. NOTE: The Appendix referenced in this rule is available from the agency.]

Stat. Auth.: ORS 536.090 & ORS 537.505 - ORS 537.795

Stats. Implemented:

Hist.: WRD 3, f. & ef. 2-18-77; WRD 9-1978, f. 12-12-78, ef. 1-1-79; WRD 3-1983, f. & ef. 4-28-83; WRD 13-1986, f. 10-7-86, ef. 11-1-86, Renumbered from 690-062-0005; WRD 7-1988, f. & cert. ef. 6-29-88; WRD 21-1990, f. & cert. ef. 12-14-90; WRD 8-1993, f. 12-14-93, cert. ef. 1-1-94; WRD 7-2001, f. & cert. ef. 11-15-01; WRD 11-2008, f. & cert. ef. 1-2-09

690-215-0006

Well Alterations

(1) Well alterations as defined in OAR 690-200-0050(7) shall be performed by a licensed Water Supply Well Constructor, or a landowner with a Landowner's Well Construction Permit and bond.

(2) Water Supply Well Constructors or a permitted and bonded landowner shall record the following data, if available, on the Water Supply Well Report as required under OAR 690-205-0210 before completing alteration work on a well:

allowed if a commercial water treatment system is used. Delivery pipes or tubes designed for use with the treatment chemicals shall be used to place the chemicals into the water in the well. This rule does not apply when disinfecting the well and the pumping equipment.

(2) In no event shall agricultural pesticides and fertilizers be allowed to enter a well.

(3) Back-siphon prevention equipment shall be installed on any irrigation system connected to a ground water source when fertilizers or any other chemicals are applied through the system. The landowner or other responsible parties shall be responsible for assuring that the back-siphon prevention equipment is installed and functions properly. (See Figure 215-1.) The landowner or other responsible parties shall inspect the device at least once per year, prior to the first use of the year, to ensure that the device is installed and functions properly.

(a) The irrigation system shall contain:

(A) An automatic low-pressure drain which shall:

(i) Be installed between the irrigation pump and the irrigation line check valve at the lowest point of the horizontal water supply pipeline;

(ii) Be designed to drain all incidental leakage from the check valve out of the irrigation pipeline before that leakage enters the water supply;

(iii) Be at least 3/4 inch in diameter with a closing pressure of not less than 5 psi;

(iv) Use a corrosion-resistant tube, pipe, or similar conduit to discharge the solution at least 20 feet away and down-slope from the irrigation water source and any other water sources. At the discharge point there shall be an air gap between the discharge pipe and the discharged solution;

(v) Not have any valves located on the outlet side of the drain tube; and

(vi) Have a dam or collection reservoir to prevent the discharged solution from pooling and draining back toward the water source.

(B) An inspection port which shall:

(i) Be located on top of the pipeline between the irrigation pump and the irrigation pipeline check valve, directly overhead of the low-pressure drain;

(ii) Have a minimum diameter opening of four inches from which the check valves and low-pressure drain shall be visible.

(C) An irrigation line check valve which shall:

(i) Consist of at least a single check valve;

(ii) Be located in the pipeline between the irrigation pump and the point of chemical injection into the irrigation pipeline, and downstream from a vacuum relief valve and automatic low-pressure drain;

(iii) Be of heavy-duty construction with all materials resistant to corrosion or protected to resist corrosion;

(iv) Be spring-loaded and provide a watertight seal against reverse flow;

(v) Be labeled with the following information: manufacturer's name and model, working pressure in pounds per square inch (psi), maximum flow rate, and direction of flow;

(vi) Not consist of metal-to-metal seal surfaces; and

(vii) Be designed and rated for pressures expected to be encountered, including those caused by pumping, water hammers, back-pressure, or other sources. Installation shall be according to design and manufacturer's specifications and recommendations.

(D) An air/vacuum relief valve which shall:

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 3, f. & ef. 2-18-77; WRD 9-1978, f. 12-12-78, ef. 1-1-79; WRD 13-1986, f. 10-7-86, ef. 11-1-86, Renumbered from 690-062-0010 by WRD

690-215-0025

Sealing Pitless Adapter and Pitless Units

The sealing area around pitless adapter or pitless unit installations shall be replaced with unhydrated bentonite as required by OAR 690-210-0330 and shall be at least one and one-half inches thick around the casing and pitless device.

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 11-2008, f. & cert. ef. 1-2-09

690-215-0030

Casing and [Liner Pipe] Casing Extensions

(1) All well casing [and/or liner pipe] used to extend a well head above land surface or used in the alteration, repair or deepening of water supply wells shall meet the minimum standards in OAR 690-210. [-0190 through 690-210-290.]

(2) The annular space surrounding the well casing used to extend the well head shall be sealed as required by OAR 690-210 and shall be at least four inches greater than the nominal inside diameter of the permanent well casing.

NOTE: Prior to extending the casing on public, community, municipal, or public utility water supply wells, contact the Department of Human Services. Additional requirements may apply.

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 9-1978, f. 12-12-78, ef. 1-1-79; WRD 13-1986, f. 10-7-86, ef. 11-1-86, Renumbered from 690-061-0221; WRD 7-2001, f. & cert. ef. 11-15-01; WRD 11-2008; f. & cert. ef. 1-2-09

690-215-0035

Liner Pipe

All liner pipe used in the alteration, repair or deepening of water supply wells shall meet the minimum standards in OAR 690-210-0290.

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 11-2008; f. & cert. ef. 1-2-09

690-215-0040

Casing and Sealing Wells [of Casing] after Disturbance

(1) If during the installation of casing, liner pipe, seals, packers, or during repair or deepening of a water supply well, the pre-existing casing is withdrawn, or [advanced,] moved as to compromise the annular seal, the well shall be cased and sealed in accordance with the rules set forth in OAR 690-210.

screen or the lower 20 feet of the dedicated measuring tube shall be extensively perforated with 1/8 inch holes. The dedicated measuring tube shall be plugged or capped at the bottom (Figure 200-5). The dedicated measuring tube shall not be reduced in size over the length of the pipe and shall remain free from wire or other obstruction. An airline is not a substitute for a required dedicated measuring tube and, if installed, must enter the well in a location other than the access port. Access ports, dedicated measuring tubes or airlines shall be capped and a minimum of twelve inches above finished ground surface or pumphouse floor. If the well has a pitless adaptor then the dedicated measuring tube shall terminate within six inches of the top of the well casing. The access port, airline and dedicated measuring tube on all water supply wells required by OAR 690-210-0280 shall be maintained in a condition that will prevent contamination of the ground water, and shall remain unobstructed and be maintained by the landowner so that the water level can be determined at any time.

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 3, f. & ef. 2-18-77; WRD 9-1978, f. 12-12-78, ef. 1-1-79; WRD 13-1986, f. 10-7-86, ef. 11-1-86, Renumbered from 690-062-0015; WRD 7-2001, f. & cert. ef. 11-15-01; WRD May-2008, f & cert. ef. 7-1-08

690-215-0070

Pressure Gauge

The pressure gauge and petcock valve required by OAR 690-210-0155 shall be maintained so that the artesian pressure can be accurately determined at any time (See Figure 210-7).

[ED. NOTE: Figures referenced in this rule are available from the agency.]

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 3, f. & ef. 2-18-77; WRD 9-1978, f. 12-12-78, ef. 1-1-79; WRD 13-1986, f. 10-7-86, ef. 11-1-86, Renumbered from 690-062-0020; WRD 7-2001, f. & cert. ef. 11-15-01

690-215-0080

Flowmeters and Dedicated Measuring Tubes

The Director may require the landowner to install totalizing flowmeters or dedicated measuring tubes on any water supply well, either as a condition of a water right permit or at a later date as circumstances may warrant. The landowner may be required to install totalizing flowmeters or dedicated measuring tubes on existing permitted wells and on wells which are exempted by ORS 537.545.

Stat. Auth.: ORS 183, ORS 536, ORS 537 & ORS 540

Stats. Implemented:

Hist.: WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 7-2001, f. & cert. ef. 11-15-01; WRD May -2008 f & cert. ef. 7-1-08