



# PROPOSED RULE MAKING

**CR-102 (June 2004)**  
(Implements RCW 34.05.320)  
Do NOT use for expedited rule making

Agency: Department of Ecology AO # 06-08

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 06-11-065 ; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____ ; or          | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).                                  | <input type="checkbox"/> Continuance of WSR _____         |

Title of rule and other identifying information: (Describe Subject)

Amendments to Chapter 173-160 WAC, Minimum Standards for Construction and Maintenance of Water Wells and Chapter 173-162, Rules and Regulations Governing the Regulations and Licensing of Well Contractors and Operators.

*ajr*

Hearing location(s):

See attached.

Date: See attached. Time: See attached

Submit written comments to:

Name: Richard Szymarek  
Address: Department of Ecology,  
P.O. Box 47600  
Olympia, WA 98504-47600  
e-mail: rszy460@ecy.wa.gov  
fax: (360) 407-7162 by 5:00 PM on October 6, 2006

Assistance for persons with disabilities: Contact

Judy Beitel by September 18, 2006

TTY (877) 833-6341 or (360) 407-6878

Date of intended adoption: November 21, 2006

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Ecology has been directed by the 2005 legislature to revise the existing well construction and licensing rules. Additionally, Ecology has been meeting with the Technical Advisory Committee since October 2002 to make other revisions that will make the rule easier to understand, improve organization and readability, address technical issues and other driller concerns, and enhance public health and welfare.

Reasons supporting proposal: The reasons for the rulemakings are: to respond to legislative requirements; to maintain consistency with the drilling statute; to remain current with changes in drilling technology; to respond to driller requests; and to clarify existing rules.

Statutory authority for adoption: Chapter 18.104 RCW, Water Well Construction Act (1971).

Statute being implemented: Chapter 18.104 RCW, Water Well Construction Act (1971).

Is rule necessary because of a:

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

CODE REVISER USE ONLY

AUG 21 2006  
4:11  
CL 17-109

DATE

*8/21/06*

NAME (type or print)

Polly Zehm

SIGNATURE

TITLE

Deputy Director, Department of Ecology

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

Name of proponent: (person or organization) Department of Ecology

- Private  
 Public  
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Richard Szymarek	Olympia, WA	(360) 407-6648
Implementation....	Ken Slattery	Olympia, WA	(360) 407-6602
Enforcement.....	Ken Slattery	Olympia, WA	(360) 407-6602

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement

A copy of the statement may be obtained by contacting:

Name: Richard Szymarek

Address: Department of Ecology

PO Box 47600

Olympia, WA 98504-7600

Phone: (360) 407-6648

Fax: (360) 407-7162

e-mail: rszy461@ecy.wa.gov

No. Explain why no statement was prepared

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Richard Szymarek

Address: Department of Ecology

PO Box 47600

Olympia, WA 98504-7600

Phone: (360) 407-6648

Fax: (360) 407-7162

e-mail: rszy461@ecy.wa.gov

No: Please explain:

**Attachment – Public Hearings**

**September 26th, 2006**

Big Bend Community College  
7662 Chanute Street NE  
Moses Lake, WA 98837  
Room: 1870 A and B  
Time: 7 pm

**September 27th, 2006**

Department of Ecology Headquarters  
300 Desmond Drive  
Lacey, WA 98503  
Room: Auditorium  
Time: 7pm

**September 28th, 2006**

University Center in Everett Station  
3201 Smith Ave.  
Suite 200  
Everett, WA 98201  
Room: Room 315 (Student Lounge)  
Time: 7pm