



DIVISION OF WATER

Statutory Authority: 7 Delaware Code, Sections 6003 and 6010

7 DE Admin Code §7301

REGISTER NOTICE #2009-30

7301 Regulations Governing the Construction and Use of Wells

1. TITLE OF THE REGULATION:

7301 Regulations Governing the Construction and Use of Wells

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUE:

The purpose of this action is to modernize the well construction regulations not modified since 1997 and streamline the process for addressing well construction and siting problems.

The Department held four (4) public workshops to obtain public input and discussion of the proposed changes to the well construction regulations. In addition, the Department participated in several committees both internal and external that reviewed and provided suggestions to changes to the regulations.

The major changes contained in this proposed regulation were the addition of new water well types, technology changes, incorporation of on-line permit application and related electronic options, aligning with related regulations (see item 5), clarification of special permit requirements such as for emergencies, updating regulatory language to meet several legislative bills regarding advertising and issuance of well permits within water service areas (Certificates of Public Convenience and Necessity), and incorporation of guidelines and policies to account for industry modernization and practices.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

None.

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 Delaware Code, Sections 6003 and 6010

5. LIST OF OTHER REGULATIONS THAT MAY BE IMPACTED OR AFFECTED BY THE PROPOSAL:

These proposed amendments will align better with other state regulations including the Regulations Governing Public Drinking Water Systems; Regulations Governing the Allocation of Water; Regulations for Licensing Water Well Contractors, Pump Installer Contractors, Well Drillers, Well Drivers, and Pump Installers; Regulations Governing Underground Injection Control; and the Regulations Governing the Design, Installation and Operation of On-site Wastewater Treatment and Disposal Systems.

6. NOTICE OF PUBLIC COMMENT:

The hearing record on the proposed changes to the Regulations Governing the Construction and Use of Wells will be open **January 1, 2016**. Individuals may submit written comments regarding the proposed changes via e-mail to Lisa.Vest@state.de.us or via the USPS to Lisa Vest, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901 (302) 739-9042. A public hearing on the proposed amendment will be held on **February 1, 2016** beginning at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.

7. PREPARED BY:

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