

HB 2828

Approved Carl Dean Holmes 4-4-88
Date

MINUTES OF THE House Sub COMMITTEE ON ENERGY

The meeting was called to order by Chairman Carl Holmes at
Chairperson

3:30 a.m./p.m. on February 29, 1988 in room 527-S of the Capitol.

All members were present except:

Representative Keith Roe

Committee staff present:

- Arden Ensley, Revisor's Office
- Laura Howard, Research Dept.
- Raney Gilliland, Research Dept.
- Belva Sandmeyer, Sub-committee Secretary

Conferees appearing before the committee:

- Doug Henkle, KWWA-Henkle Drilling Supply, Garden City
- Robert Vincent, Ks. Water Well Assoc., Wichita
- David Pope, Dept. Water Resources, Topeka
- James Power, Ks Dept. Health & Environment, Topeka
- Wilbur Leonard, Kansas Farm Organizations, Topeka
- Howard O'Connor, Kansas Geological Survey, Lawrence
- Joseph Zinn, Ks. Water Well Assn., Lost Springs
- Ezra Miller, Ks. Water Well Assn., Hutchinson
- Herb Whitlow, KSPHCC, Topeka
- Francis Cox, Ks. Water Well Assn., Clifton

Representative Holmes called the meeting to order.

Doug Henkle, Ks. Water Well Association supported HB 2828 and stressed the need to provide and approve educational courses to keep licenses current with statutes, regulations, policies and accepted industrial standards. He stated that when licensees are well informed, compliance with the Groundwater & Exploration Protection Act can be attained. (Attachment 1)

Robert Vincent Ground Water Geologist, testified the 1975 Groundwater & Exploration Act aided in protection of groundwater by licensing water well drillers and mandated better constructed wells. However, there have been contamination problems and HB 2828 addresses those issues by requiring licensing of pump installers and requiring mandatory continuing education and authorization of fines for non-compliance. HB 2828 could go a long way in correcting the deficiencies in the existing legislation. (Attachment 2)

David Pope, Chief Engineer, Division of Water Resources, mentioned HB 2659 which was rejected by the Senate last year; gave them and the Department of Health & Environment an opportunity to study the bill. A number of alternatives, both legislative and procedural, were recommended. Two are in HB 2828 for mandatory continuing education for water well contractors and the administrative capability for the Kansas Department of Health & Environment. Although neither of these provisions are in laws administered by the Division of water Resources, we support their enactment. (Attachment 3)

James Power, Director, Division of Environment Ks. Dept. of Health & Environment, touched on conditions found when they have examined wells. Fifteen to 25% of all violations are traced to incorrect pump installation. Current options in the Act are limited to revocation or suspension of a water well contractor's license and filing Class B misdemeanor charges and injunctions. HB 2828 would provide the Secretary of the department authority to assess civil penalties, not to exceed \$5,000 per day. Although we support the concept in HB 2828, there is a significant fiscal note. We are very reluctant to take on additional duties without the resources, therefore we cannot support the proposed legislation without the resources with which to carry it out. (Attachment 4)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House Sub COMMITTEE ON ENERGY (HB 2828)

room 527-S, Statehouse, at 3:30 XX a.m./p.m. on February 29, 1988

Bob Vincent spoke for Mike Dealy, Halstead, Kansas who was unable to be here. Mr. Dealy's remarks supported the inclusion of pump installers, the informational and educational program. One suggestion made was mandatory plugging of abandoned water wells. (Attachment 5)

Wilbur Leonard, appearing for the Committee of Farm Organizations said they support HB 2828, however it was our understanding that the licensing feature of this bill was self-sustaining. That is not correct. It did appear that these license fees were reasonable. Undoubtedly, the impact will fall on the person who employs the service. Also, no mention has been made on record-keeping. (Attachment 6)

Howard O'Connor, Senior Geologist, Geohydrology Section of the Kansas Geological Survey, said they support HB 2828 for a number of reasons. 1) the need to license and regulate pump installers, 2) mandatory continuing education for drillers and pump installers. This is the only group that does not require some mandatory form of education and training. He said Nebraska's law is similar to what we have. Several other states have taken steps to license drillers and pump installers and provide continuing education. (Attachment 7)

Joe Zinn, Independent Well Driller, Lost Springs, said he was in favor of pump installer licensing and for regulations. (Attachment 8)

Ezra Miller, Licensed water well driller and pump installer, told members that he was on the task force that drew up the sanitation code for Reno County and sees the need to license pump installers. Plumbers do not object and the Reno County Health Department also supports the bill. (Attachment 9)

Herb Whitlow, Ks. Plumbing, Heating, Cooling Contractors Association, Inc., Topeka, said the bill requires licensure of water well contractors, pump installers and servicing. This requires an examination and annual fees. We feel the wording excludes us from work that we have been performing and which as licensed plumbing or plumbing contractors, we are qualified to do so. We do not object to the general intent of the bill, only the excluding of licensed plumbing contractors and plumbers. (Attachment 10)

Francis Cox, Executive Director of the Kansas Water Well Association, Clifton, said their main interest is in the educational value. We want contractors to attend seminars and this bill would require their attendance. The number of pump installers is not known and by licensing, a complete list can be obtained. (Attachment 11)

Committee discussion was held on lines 110-112 regarding license fees. and it was asked if that was enough to take care of the fiscal note. Mr. Power responded by saying the current program costs between \$90,000 - \$100,000 and we get about \$50,000. We would probably have to underwrite through the general fund.

Representate Webb said he supports the bill and perhaps the Chairman and Staff could work on funding.

Discussion was held on Section 3F, Line 134, page 4. Section 6, pages 6 & 7 were discussed. Line 231, A & B which totally negates Section 3F. Suggestions were made to change the wording on line 115 and clarify other sections.

Meeting adjourned.

(1)

Testimony Before the Honorable Chairman and Members
of the House Energy and Natural Resources Committee
House Bill 2828

Mr. Chairman, Ladies and Gentlemen of the House Energy and Natural Resources Committee, my name is Doug Henkle. I am a water well contractor and pump installer from Garden City and am also President-elect of the Kansas Water Well Association. I appreciate the opportunity to testify before you this afternoon as a proponent of House Bill 2828.

Section 6, 82a-1209, subsection (a) proposes that the secretary provide or approve educational courses at least once a year to help keep licensees current with statutes, regulations, policies, and accepted industrial standards pertaining to water well construction, reconstruction, treating, servicing, and plugging. Licensees must attend at least one such course every two years in order to maintain his or her water well contractors or pump installers license. This practice is common among professionals. Physicians, educators, and others providing such essential services to the public are required to attend continuing education classes or seminars for the purpose of retaining the license or certificate required by law in order to practice their chosen profession. I am sure no one would want to be under the care of a physician who had not been informed of and trained in the most current medical techniques.

Safe groundwater is no less critical to the welfare of every citizen of our state than is modern medical care or quality education. As aquifer pollution and contamination becomes less rare, the quality and professionalism of those locating and removing

our precious groundwater from the aquifers must increase. The era of the dowser must be replaced with a new generation of well-informed, responsible water well contractors and pump installers. Unfortunately, not all contractors and pump installers make the effort to educate themselves and keep abreast of new methods and standards within the industry. Many are well-meaning, but do not see immediate returns from time invested in continuing education. However, the benefits to future generations of Kansans will be great.

If the objective of the Kansas Groundwater and Exploration and Protection Act is to provide groundwater quality through adequate water well construction, then all those who commercially do work on the well or its immediate accessories should be examined and licensed. There are a large number of persons and companies in Kansas who install pumps, not including those who install pumps and are already licensed as water well contractors under the programs. Due to the constantly changing environment in which we work, it is critical that everyone involved with the location and removal of groundwater in Kansas keep abreast of changes in our industry and the regulatory requirements of state and federal agencies. Therefore, the licensing of pump installers should be coupled with a continuing education program, requiring periodic training in order to maintain a water well contractors/pump installers license. By assuring that the licensees are well-informed, compliance with the objectives of the Groundwater Exploration and Protection Act can be more effectively attained.

I thank you for your time and consideration.

A STATEMENT CONCERNING
HOUSE BILL 2828

Statement presented to: House Committee on Energy & Natural Resources
Topeka, Kansas
February 29, 1988

Statement presented by: Robert L. Vincent, Ground Water Geologist
Ground Water Associates, Inc.
Wichita, Kansas

Chairman Spaniol and Members of the Committee, I thank you for this opportunity to testify on House Bill No. 2828. I am presently serving as the president of the Kansas Water Well Association (KWWA), and the views I will present have the unanimous support of the Board of Directors of that organization.

In 1975, the Kansas Legislature enacted the Kansas Groundwater Exploration and Protection Act, and in our view this legislation has greatly aided in the protection of our ground water by licensing water well drillers and mandating better constructed wells. The members of the KWWA, individually and as a group, have worked hard to educate themselves concerning aquifers and better well construction. We have been encouraged and assisted in this endeavor by personnel from the Kansas Geological Survey (KGS), the Kansas Department of Health and Environment (KDHE), the Division of Water Resources (DWR) and others.

But we find that there are cracks in that original legislation that allow for continuing well and aquifer contamination problems. House Bill no. 2828 has been written to address those issues. Basically, this bill would do three things:

- 1. Require the licensing of pump installers as well drillers are now licensed;

2. Require mandatory continuing education for both well drillers and pump installers; and,

3. Authorize administrative fines for noncompliance of the Groundwater Exploration and Protection Act.

These changes have been recommended by the Water Well Advisory Committee and they will help reduce the pollution entering our ground water.

Let me give you three examples of problems I have found.

Within the last few years, I have seen numerous wells with pumps installed in them with absolutely no type of well cap. And, some of these have been in low areas (such as alleys) that allow for drainage directly into the open wells. When I have inquired about it, the answer is usually to the effect that the pump installer said that no seal was necessary since they weren't going to drink the water. This shows a complete lack of understanding concerning water pollution and certainly no concern for the neighbor that is drinking the water. Others will testify in more detail about this type of well problem which they have encountered.

I have observed many test holes which have been improperly sealed and thus allow for drainage directly into the aquifer. This is usually the result of the work of a driller that is not convinced that there is a necessity for the proper plugging of all holes that penetrate to the water table.

Many of my consulting firm's present clients are well owners that have wells contaminated with bacteria. These are not usually the

type of bugs that kill anybody, they just make the water smelly, foul tasting and very staining. These problems are the result of improper well design and/or lack of proper well disinfection.

All of these problems could be alleviated to a large extent by mandatory continuing education of well drillers and pump installers.

The KWWA with the aid of the KDHE and the DWR is sponsoring day long educational seminars during March which will cover many aspects of correct well construction and proper pump installation. We have invited many and expect good attendance. But the well drillers and pump installers that need this education the most, will not be in attendance. Some just will not put forth the time and effort unless it is required to retain a license.

A well driller or a pump installer is normally the first person contacted by a well owner that has a water problem - either quality or quantity. They are the front line troops for the protection of ground water. We need the continuing education for all those that work on wells and pumps.

In summary, House Bill No. 2828 could go a long way in correcting the deficiencies in the existing legislation, and thus add to the protection of Kansas ground water. And, I can state positively that it is a lot cheaper to prevent ground water contamination than it is to clean it up.

I will be happy to answer any question.

STATEMENT OF DAVID L. POPE
CHIEF ENGINEER-DIRECTOR
DIVISION OF WATER RESOURCES
KANSAS STATE BOARD OF AGRICULTURE
BEFORE THE
HOUSE SUBCOMMITTEE ON ENERGY AND NATURAL RESOURCES
ON
HOUSE BILL NO. 2828

FEBRUARY 29, 1988

Thank you Chairman Holmes and members of the subcommittee for this opportunity to appear and testify regarding House Bill No. 2828. As you may recall, House Bill No. 2569 was introduced late in session last year at the request of the House Governmental Organization Committee. The general purpose of that bill was to encourage proper construction of domestic wells by drillers and landowners to protect fresh groundwater supplies from pollution. Because of some problems with the bill, we recommended that passage be delayed and the Kansas Department of Health and Environment and the Division of Water Resources be allowed to study the matter and come back to the legislature this session with a recommendation for a more effective alternative to protecting groundwater supplies as related to water well construction. House Bill No. 2569 was subsequently rejected by the Senate this session.

As a result of meetings between the Kansas Department of Health and Environment and the Division of Water Resources this summer, a number of alternatives, both legislative and procedural, were recommended. Two of the recommendations are embodied within House Bill No. 2828, these are mandatory continuing education for water well contractors and the second, was administrative fine capability for Kansas Department of Health and Environment.

Although neither of these provisions are in laws administered by the Division of Water Resources, we support their enactment because we feel that they would be of overall benefit to the State of Kansas in helping prevent contamination of groundwater, which is one of our state's most valuable resource.

Thank you very much for this opportunity to appear, I would be happy to answer any questions you might have.



DEPARTMENT OF HEALTH AND ENVIRONMENT

Forbes Field

Topeka, Kansas 66620-0001

Phone (913) 296-1500

Mike Hayden, *Governor*

Stanley C. Grant, Ph.D., *Secretary*

Gary K. Hulett, Ph.D., *Under Secretary*

Testimony Presented to

House Energy & Natural Resources Committee

by

The Kansas Department of Health and Environment

House Bill 2828

Mr. Chairman and Members of the Committee:

House Bill 2828 proposes to add three amendments to the Kansas Groundwater Exploration and Protection Act, K.S.A. 82a-1201, et seq. (Act). These amendments would 1) require testing and licensure of individuals installing pumps on water wells, 2) require continuing education to renew licenses for both pump installers and water well contractors, and 3) provide the Secretary more efficient enforcement tools for gaining compliance with requirements of the act.

The act was adopted in 1973 and provides for protection of groundwater resources through licensing and regulation of water well contractors. All persons, other than land owners working on their own property, must obtain a license from the Department prior to constructing, reconstructing, treating or plugging water wells.

During the time this program has existed, inspection of inadequately constructed water wells has revealed many of the inadequacies are caused by alteration of the well by the person or company installing the pump after the well was drilled and completed by a licensed water well contractor. Since the objective of the Kansas Groundwater Exploration and Protection Act is to protect groundwater quality through adequate water well construction, any individual who performs commercial work on the well or appurtenances should be examined and licensed. Many individuals and companies in Kansas install pumps on water wells or in water wells, beyond those licensed as water well contractors. Our inspections reveal approximately 15 to 25 percent of all water well violations are traced to incorrect pump installation. Passage of House Bill 2828 would provide an opportunity to license pump installers to reduce the number of violations.

House Bill 2828 also requires continuing education of all water well contractors and pump installers as a condition of license renewal. Attendance at courses either offered or approved by the Secretary of Health and Environment would be required every two years. These training sessions would assure license holders were kept better informed of changes in the industry and regulatory requirements of state and federal agencies.

The Department's current options for violations of the act are limited to revocation or suspension of a water well contractor's licenses and filing of Class B misdemeanor charges and injunctions against violators. Most enforcement and compliance problems with water wells do not justify the time and expense of initiating a hearing process for the purpose of revoking or suspending a license or filing of criminal charges in District Court. Even if a license is revoked or charges are filed, the violation, often times in an illegally constructed, reconstructed or plugged well, still remains. House Bill 2828 would provide the Secretary of the Department of Health and Environment authority to assess civil penalties, administratively, not to exceed \$5,000 per day. This authority would make enforcement of the act more efficient by providing the Department quick, effective tools with which to take enforcement action.

While House Bill 2828 would make welcome improvements to the Kansas Groundwater Protection and Exploration Act, we must emphasize the necessity of providing the Department adequate personnel and financial resources to implement those changes. Passage of House Bill 2828 without providing necessary resources would do little to increase the degree of protection provided to the State's groundwater resources by the Kansas Groundwater Protection and Exploration Act.

Mr. Chairman and members of the committee, we support passage of House Bill 2828, but only if corresponding resources are also made available to the Department.

Submitted by:

James A. Power, Jr., P.E.
Director, Division of Environment
February 29, 1988

Equus Beds Groundwater Management District No.2
313 Spruce
Halstead, Kansas 67056-1925
(316) 835-2224

MEMORANDUM

DATE: February 16, 1988
TO: Bob Vincent, Groundwater Associates, Inc.
FROM: Mike Dealy, GMD #2 *MD*
SUBJECT: Proposed Modifications to Kansas Groundwater and Exploration and Protection Act.

Thank you for the opportunity to comment on the proposed bill which would modify the above referenced Act. After reviewing the information, I have just a few supportive comments.

The inclusion of pump installers in the act is a move in the right direction. Improperly installed pumps and sanitary equipment pose as much of a threat to the groundwater quality as an improperly drill and constructed water well.

An informational and educational program for water well contractors and pump installers is needed. Especially, with the current situation of the unregulated and unlicensed pump installers.

One issue not considered in your proposed bill which your committee may consider is mandatory plugging of abandoned water wells by well contractors and pump installers.

In conversations with an area driller, I was advised that normally water wells which have to be replaced or abandoned are normally not plugged or sealed. These improperly abandoned wells are a threat to groundwater quality and are a public hazard. The well contractors realize this, but are concerned that a drilling contract maybe lost to another well contractor, if the well owner is approached to properly plug or seal the well. It was the feeling of the driller; that if the well driller was included as a responsible party then all well contractors would be on the same footing to approach the well owner to plug or seal the well.

RECEIVED

FEB 17 1988

**Ground Water
Associates, Inc.**

Attachment 5

Com. ttee of . . .

Kansas Farm Organizations

Wilbur G. Leonard
Legislative Agent
109 West 9th Street
Suite 304
Topeka, Kansas 66612
(913) 234-9016

TESTIMONY IN SUPPORT OF HOUSE BILL NO. 2828

BEFORE THE HOUSE COMMITTEE ON ENERGY

AND NATURAL RESOURCES (ENERGY SUBCOMMITTEE)

February 29, 1988

Mr. Chairman and Members of the Committee:

I am Wilbur Leonard, appearing for the Committee of Kansas Farm Organizations. The roster of our membership, which numbers 21 statewide agricultural organizations, is attached to this brief statement. I appreciate the opportunity to appear before this Committee to express the views of our members in support of House Bill No. 2828. We have a firm policy of taking a position on only those legislative issues where we have no dissenting members.

In 1973 the legislature passed the Groundwater Protection Act, the purposes of which are set forth in Section 1 of the bill we are discussing today. Included therein was the need to protect groundwater resources from waste and potential pollution. From that time water well contractors have been subject to state licensing. Under consideration now is the licensing of water well pump installers, who, if operating independently of water well contractors, would be required to keep the same records with respect to the work done in installing a pump or treating or servicing a water well. Pump installers would also be required to participate in periodic educational courses with respect to the industrial standards of their profession.

We're not only concerned that the installation of pumps and the servicing or treating of a water well used for farming, ranching or agricultural purposes be accomplished in an acceptable professional manner, but that proper steps be taken to avoid contamination of the water supply.

It appears to us that the license fee is reasonable; the requirements are not unduly burdensome; that the program is self-sustaining; and that it should be a contribution toward the maintenance of adequate supplies of clean water throughout the state.

We thank you for your consideration.

MEMBERS OF THE COMMITTEE OF KANSAS FARM ORGANIZATIONS

ASSOCIATED MILK PRODUCERS

KANSAS AGRI-WOMEN

KANSAS ASSOCIATION OF SOIL CONSERVATION DISTRICTS

KANSAS ASSOCIATION OF WHEAT GROWERS

KANSAS COOPERATIVE COUNCIL

KANSAS CORN GROWERS ASSOCIATION

KANSAS ELECTRIC COOPERATIVES

KANSAS ETHANOL ASSOCIATION

KANSAS FARM BUREAU

KANSAS FERTILIZER & CHEMICAL INSTITUTE, INC.

KANSAS GRAIN & FEED DEALERS ASSOCIATION

KANSAS LIVESTOCK ASSOCIATION

KANSAS MEAT PROCESSORS ASSOCIATION

KANSAS PORK PRODUCERS COUNCIL

KANSAS RURAL WATER DISTRICT ASSOCIATION

KANSAS SEED DEALERS ASSOCIATION

KANSAS SOYBEAN ASSOCIATION

KANSAS STATE GRANGE

MID-AMERICA DAIRYMEN

KANSAS VETERINARY MEDICAL ASSOCIATION

KANSAS WATER WELL ASSOCIATION

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Feb 29, 1988

STATEMENT IN SUPPORT OF HB 2828

My name is Howard O'Connor, Senior Geologist with the Geohydrology Section of the Kansas Geological Survey. I have been involved with ground-water investigations and ground-water research for the past 40 years.

I strongly support HB 2828 which would improve the protection of Kansas Groundwater quality by 1) regulating pump installers as well as water well drillers, 2) providing mandatory continuing education and 3) allowing KDHE the additional leeway to assess administrative fines for non-compliance rather than revoking their licensure. Make the penalty fit the violation.

Why do we need to license and regulate pump installers? Some of my recent research has involved Time-Series water quality studies of private or domestic water-supply wells. One of the things I observed was recently drilled wells completed by licensed water well drillers that met all the KDHE construction and sanitary requirements that have had the sanitary aspects of the well destroyed by the unlicensed and unregulated pump installer. The pump installer may cut off the casing below ground level and complete the well in a pit (illegal for the licensed water well driller) or he may cap the well in a below the ground-surface completion with the hole for the discharge pipe stuffed with rags and making an unsanitary completion. Generally the public or individual who needs a new well, repairs on a well, or needs servicing of a pump or pump installation calls first on the driller or pump installer and expects them to be knowledgeable in the laws and regulations and in the best and

proper techniques of construction and installation. The reputable drillers do know the regulations but many of the unlicensed pump installers neither know the law nor do they always provide a sanitary and legal installation.

Why do we need mandatory continuing education for drillers and pump installers? This is essentially the only group involved with drinking water supplies and protection of public health that does not require some mandatory form of education and training. All public water supply (and sewage) operators are required to attend mandatory education and training programs and receive certification. Rural Water District plant operators are required to attend continuing education programs. Although voluntary education programs may be available, experience has shown that the individuals who could profit the most do not attend. I would draw your attention to statistics (attached) from the water well drillers licensing program that at the end of the 1986-87 licensure year there were 170 licensed water well contractors operating 250 registered drilling rigs. Seventy of the contractors did not construct, reconstruct or plug any wells during the year and 38 licensed contractors completed 1 to 5 wells each. I know some of those drillers who drill 1 to 5 wells per year. They are week end or part time drillers who work full time at another job. Some do an excellent job, but they could greatly benefit from a mandatory education program. It is very difficult to get them to voluntarily take time off to attend a technical or education program put on by KWWA, one of the water agencies, extension, or the Universities. The 70 licensed

contractors who pay their licensure fee, rig fee, insurance, taxes and depreciation on equipment and drill no wells year after year are either very rich and don't worry about money, or are very poor businessmen, or are actually drilling wells but are not turning in records and complying with the law. It has been estimated there are about twice the number of pump installers as there are drillers. Many of them are doing a good job but there are some who are not. The only way this will improve so that the farmers, suburban well owners and small town well owners will get consistently good well construction and pump installation, sanitary water and protection of the states ground-water supplies is to provide for mandatory licensing and education.

Nebraska (1986) and some other midwestern states license well drillers and pump installers and require continuing education (sec. 26, Legislative Bill 310, Nebraska) and I have provided 3 copies of this bill to your chairman and vice chairmen. Several other midwestern states have also taken steps to license drillers and pump installers and provide for continuing education. I know the legislature is concerned about protecting Kansas ground-water and I believe this bill, if implemented, will greatly improve ground-water protection and the quality of water for the small town, rural and suburban consumer who use private wells as their source of drinking water.



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November 25, 1987

The following is a listing of the number of water wells constructed, reconstructed or plugged for the licensure year July 1, 1986 through June 30, 1987:

Type of Well	Total Number	% of Total	% Change Over Last Year
Domestic	1335	50	-10
Oil Field Water Supply	455	17	-50
Lawn & Garden (only)	195	7.3	-40
Irrigation	110	4.1	-45
Observation/Monitoring	354	13	-16
Dewatering	26	1	-76
Air Conditioning/Heat Pump	9	.3	-65
Public Water Supply	65	2.4	+48
Feedlot	29	1.1	+7.4
Injection (fresh water)	4	.2	-64
Industrial	15	.6	-63
Other (no classification)	82	3.1	+291
Total	2679	100%	-26%

At the end of the 1986-87 licensure year there were 170 licensed water well contractors operating 250 registered drilling rigs. After license renewals, as of November 25, 1987, there are 169 licensed water well contractors operating 247 registered drilling rigs.

The average number of water wells constructed, reconstructed or plugged in Kansas is 4386 which is 214 less than last year's average of 4600. This represents a decline in the yearly average of 4.7%.

The 1986-87 total of 2679 wells is 1707 wells less than the yearly average which translates to 39% below the yearly average of 4386.

Excerpt from Kansas Water Well Assoc. Newsletter, Vol. 20, No. 1, JAN 1988



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Of the 170 licensed water well contractors 70 did not construct, reconstruct or plug any wells during the 1986-87 licensure year and 38 contractors only completed 1-5 wells each.

There were 64 wells constructed, reconstructed or plugged by governmental agencies and 114 were done by water well owners/landowners.

The 241 wells plugged during 1986-87 represents a decrease of 47 or 16.3%. In 1986-87 9% of the total wells constructed, reconstructed or plugged were plugged wells which represents an increase of 1% over last year.

On behalf of the department, I wish to thank the Kansas water well contractors and all the members of the Kansas Water Well Association for their help and cooperation in preserving the quality of ground water for future generations. May the 1988 Kansas Water Well Association convention be a tremendous success and may that success continue throughout 1988 for the entire industry.

(8)

ZINN WATER WELL DRILLING
RTE. 1 BOX 56C
LOST SPRINGS, KAN. 66859

Testimony from Joseph A Zinn
Independent well driller (water and gas)
Oil well servicing contractor
Pump installer

Subject: Pump installer licensing for the protection of water, the most important resource next to air.

All persons that have anything to do with water well pump installations or service need to be licensed and regulated in order to get them and the general public educated to the importance of taking care of our water pollution problems. This could also help in locating abandoned well's.

If the need to license and regulate is to protect our ground water, then anyone working in the well water profession should be regulated, not just the well driller.

There are many more people working in and modifying water wells through pump installations than there are licensed drillers.

The licensed regulated driller can follow the regulations perfectly but if he doesn't install the pump and perform all future services, some un-licensed un-regulated jack leg can destroy the integrity of a well through ignorance or just lack of concern.

I have seen wells with holes drilled through the side of the casing, wells put in pits with a hole drilled through the casing at floor level in order to drain the seepage water from the pit into the well, well's without well seals, well's without proper venting, wells with frost proof hydrants installed in the top of the casing so they can siphon back into the well, well's with lateral lines from septic tanks installed to close to the bore hole after the well had been drilled.

In many installations the septic tank installer, also is the same person that installs the pump, because he has a trencher or back hoe. If he is licensed and regulated for pump installations, he would give the septic and lateral field more thought as to the potential pollution problem that he may create.

Joseph A. Zinn

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Mr. Chairman and members of Energy and Natural Resource Committee,

I am a licensed water well driller and pump installer. I was on the task force that drew up the sanitation code for Reno County. After serving on that board I realize the need to license pump installers due to so many unsanitary and improper installations.

I would like to give you just one example of what can happen if the pump installer does not fully understand pump systems. The check valve in the pump failed, rather than replacing the check valve in the pump he installed one in the basement. There was a hydrant on the line between the well and the house, in order to get any water from the hydrant you had to run water in the house, so the pump switch would come on. The owner wanted to fill her fish pond so she put a hose in the water, started the pump and went to town. It pumped up pressure and shut off. Due to the fact there was no check valve in the pump, it siphoned all the water out of her fish pond and into the well. Luckily it was only fish water and not some chemical from a tank.

I also talked to a couple of plumbers and they were both in favor of this law, but due to work schedules could not attend today. Judy Seltzer from Reno County Health Department was also in favor.

Sincerely Yours,

Ezra Miller

Ezra Miller

KANSAS



NATIONAL ASSOCIATION OF
PLUMBING · HEATING · COOLING CONTRACTORS

PLUMBING, HEATING, COOLING CONTRACTORS ASSOCIATION, INC.

320 LAURA, WICHITA, KANSAS 67211

PHONE 316 / 262-8860

February 29, 1988

TO: The Honorable Committee on Energy and Natural Resources

RE: House Bill No. 2828, concerning licensure of water well contractors and pump installers.

Chairman Spaniol, Members of the Committee:

I am Herbert Whitlow, representing the Kansas Plumbing, Heating, Cooling Contractors Association. Thank you for allowing me to appear today regarding House Bill 2828.

House Bill 2828 deals with the licensure of water well contractors, pump installers and servicing. It specifies that before an individual can install or service a pump he must first be licensed. This requires an examination and an annual fee.

As representatives of plumbing contractors and journeyman plumbers we feel that the wording of this bill excludes us from work that we have been performing for many years and which as licensed plumbers or plumbing contractors we are qualified to do. We do not object to the general intent of the bill only the excluding of licensed plumbing contractors and plumbers.

Our state convention will be March 3rd, 4th and 5th in Wichita at which time we will have an opportunity to discuss the House Bill with the general membership and the Kansas Water Well Association who will also be in attendance.

Thank you for your time and kind attention. If I may provide further information or clarification I will be happy to do so.

Sincerely,

Herbert G. Whitlow
PHCC Representative

HGW/cew

(11)

Mr. Chairman, Members of the Energy and Natural Resource Committee:

I'm Francis Cox from Clifton. I'm the executive director of the Kansas Water Well Association. I would like to make a few comments why our Association supports HB2828.

Our main interests in this bill is the educational value. We have been working closely with the state agencies involved with groundwater. We have made great progress in improving and developing better water well construction and pump installation standards. A problem we have always had is to get this improved technology to the contractors. We have educational seminars but it is usually the same ones that attend. With groundwater protection so important we want all the contractors to attend. This bill would require their attendance. We have two seminars scheduled for March, but the ones that need it most probably will not be there because it is not required.

There are many improper pump installations in the state. I'm sure a lot of this would be corrected if the pump installer was properly informed. Many pump installers have not received a copy of the "Rules and Regulations". The main reason is no one has a list of all the pump installers in Kansas. This is the main reason for licensing the pump installers, to get a complete list of them and for the continued educational requirement.

With proper education on groundwater protection, Water well construction and pump installation, these people can also give proper advice to their customers and the general public.

We feel the passing of HB2828 will be a giant step toward better groundwater protection. We are doing all we can but we need your help by passing HB 2828.

Thank you for the opportunity to speak out for groundwater protection.

