



Water Well Standards Advisory Council

**Georgia Environmental Protection Division
(Agent for Council)**

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SYNOPSIS

Proposed Amendments to the Rules for the Water Well Standards Advisory Council, Department 770

The proposed amendments to the Rules for the Water Wells Standards Advisory Council, Department 770, provide updates, reformatting and clarifications that refresh the rules and align them more closely with the Water Well Standards Act, O.C.G.A. §§ 12-5-120 et seq.

Purpose: The Water Well Standards Advisory Council proposes to amend various rules within the Chapters under Department 770 of Georgia’s Rules and Regulations to provide updates, reformatting and clarifications that refresh the rules and align them more closely with the Water Well Standards Act.

Main Features: The proposed amendments include revisions to various rules within all but one Chapter of the Rules for the Water Wells Standards Advisory Council, Department 770. The main features of the proposed amendments for each rule are identified in more detail below.

RULES FOR WATER WELL STANDARDS ADVISORY COUNCIL, DEPARTMENT 770

770-1-.03, “Meetings” is being amended to add subparagraph numbering, and to add subparagraph (4) language addressing the manner of public notice for Council meetings.

770-1-.04, “Order of Business” is being amended to update the order of business for Water Well Standards Advisory Council meetings.

770-2-.01, “Definitions” is being amended to clarify the definition of “construction”, and to add three other definitions.

770-3-.01, “Applications” is being amended: to remove subparagraph (2), which is being moved to Rule 770-5-.08 (3); to remove subparagraph (3), which is being moved to Rule 770-5-.09 (5); to add new subparagraph (3) language to address examination requirements; to reorder the remaining subparagraphs; and to provide clarification of the application requirements and the Council’s reconsideration of application denials throughout the other subparagraphs of the rule.

770-3-.02, “Examinations” is being amended to update the examinations requirements and to include certificates for pump contractors.

770-5-.01, “Qualification” is being amended to update the title of the rule to “Issuance” and to provide clarifying updates to subparagraph (1).

770-5-.04, “Penalty” is being amended to update the title of the rule to “Restoration” and to remove subparagraph (2) as being redundant of language in Rule 770-7-.01.

770-5-.05, “Rig and Commercial Vehicle Identification” is being amended to remove an unnecessary phrase.

770-5-.08, “Water Well Construction Activities” is being amended to renumber subparagraphs, to add subparagraph (3) that was previously under Rule 770-3-.01(2), and to add additional requirements under subparagraph (4) that are consistent with O.C.G.A. § 12-5-134 provisions on protecting wells from contamination.

770-5-.09, “Pump Installation Activities” is being amended to add clarifying language to subparagraph (2) and to add subparagraph (5) that was previously under Rule 770-3-.01(3).

770-6-.01, “License and Certificate by Reciprocity” is being amended to include provisions for examination requirements under subparagraph (1) and to provide clarifying updates to subparagraphs (2) and (3).

770-7-.01, “Suspension and Revocation” is being amended for consistency with O.C.G.A. § 12-5-129(a) and to provide clarifying language.

770-7-.02, “Written Complaints, Hearings” is being amended: to update the title of the rule to “Written Complaints, Enforcement, Hearings”; to make the Council’s consideration of suspension or revocation discretionary, and to include an inspection by EPD as grounds for such process under subparagraph (1); to specify the steps the Council will take following an EPD inspection in subparagraph (1)(b); and to update and clarify the procedures listed throughout the other subparagraphs of the rule, including corresponding renumbering of various subparagraphs.

770-8-.01, “Continuing Education” is being amended to include certificates for pump contractors, to remove an obsolete sentence in subparagraph (1)(b), and to add an additional type of continuing education program in subparagraph (2)(e).

STATEMENT OF RATIONALE

Proposed Amendments to the Rules for Water Well Standards Advisory Council, Department 770

The majority of the Rules for the Water Well Standards Advisory Council, under Department 770 of Georgia’s rule and regulations, have not been updated since 2006. The Water Well Standards Advisory Council proposes amendments to the rules to refresh them and align them more closely with the Water Well Standards Act, O.C.G.A. §§ 12-5-120 et seq. The proposed amendments include acknowledgement of the Council’s activities regarding certificates for pump contractors, the type of testing that is accepted for licensing and certifications, the Council’s consideration of EPD inspections of licensed well drillers and certified pump contractors, and new definitions for “bona fide business partner,” “full-time employee” and “Notice to Correct.” The proposed amendments incorporate updates, reformatting and clarifications to various rules in Department 770.