
By: **Delegate Malone**

Introduced and read first time: February 10, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Well Drillers - Permit and License Requirements - Exceptions**

3 FOR the purpose of authorizing a person who has not been issued a certain
4 well-drilling permit by the Department of the Environment or a person who has
5 not been licensed by the State Board of Well Drillers to install a certain
6 dewatering device under certain conditions; requiring a person installing a
7 dewatering device under this Act to restore certain subsurface conditions to a
8 certain level; and generally relating to exceptions to permit and license
9 requirements for well drillers.

10 BY repealing and reenacting, with amendments,
11 Article - Environment
12 Section 9-1306 and 13-301
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2004 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Environment**

18 9-1306.

19 (A) [A] EXCEPT AS INDICATED IN SUBSECTION (B) OF THIS SECTION, A person
20 may not drill a well in this State unless the Department issues a permit to drill the
21 well.

22 (B) A PERSON WHO HAS NOT BEEN ISSUED A PERMIT BY THE DEPARTMENT
23 MAY, AFTER HAVING NOTIFIED THE COUNTY BOARD OF HEALTH, INSTALL A
24 TEMPORARY DEWATERING DEVICE TO FACILITATE THE INSTALLATION OF
25 UNDERGROUND UTILITIES IF THE DEVICE:

26 (1) IS INSTALLED 30 FEET OR LESS BELOW THE GROUND SURFACE;

27 (2) IS NOT LOCATED IN ANY TRENCH USED FOR THE INSTALLATION OF
28 UNDERGROUND UTILITIES;

1 (3) CONTAINS NO MECHANICAL PUMPING EQUIPMENT BELOW THE
2 SURFACE; AND

3 (4) IS REMOVED NO MORE THAN 30 DAYS AFTER INSTALLATION.

4 (C) A PERSON INSTALLING A TEMPORARY DEWATERING DEVICE UNDER
5 SUBSECTION (B) OF THIS SECTION SHALL RESTORE THE SUBSURFACE CONDITIONS
6 OF THE INSTALLATION AREA AS NEARLY AS POSSIBLE TO THE CONDITIONS THAT
7 EXISTED BEFORE THE INSTALLATION.

8 13-301.

9 (A) Except as otherwise provided in this title, a person shall be licensed by the
10 Board before the person may practice well drilling in this State.

11 (B) A PERSON WHO HAS NOT BEEN LICENSED BY THE BOARD MAY, AFTER
12 HAVING NOTIFIED THE COUNTY BOARD OF HEALTH, INSTALL A TEMPORARY
13 DEWATERING DEVICE TO FACILITATE THE INSTALLATION OF UNDERGROUND
14 UTILITIES IF THE DEVICE:

15 (1) IS INSTALLED 30 FEET OR LESS BELOW THE GROUND SURFACE;

16 (2) IS NOT LOCATED IN ANY TRENCH USED FOR THE INSTALLATION OF
17 UNDERGROUND UTILITIES;

18 (3) CONTAINS NO MECHANICAL PUMPING EQUIPMENT BELOW THE
19 SURFACE; AND

20 (4) IS REMOVED NO MORE THAN 30 DAYS AFTER INSTALLATION.

21 (C) A PERSON INSTALLING A TEMPORARY DEWATERING DEVICE UNDER
22 SUBSECTION (B) OF THIS SUBSECTION SHALL RESTORE THE SUBSURFACE
23 CONDITIONS OF THE INSTALLATION AREA AS NEARLY AS POSSIBLE TO THE
24 CONDITIONS THAT EXISTED BEFORE THE INSTALLATION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2005.