
By: **Senator Brochin**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 9, 2005

CHAPTER_____

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.

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

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

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

8 (3) CONTAINS NO MECHANICAL PUMPING EQUIPMENT BELOW THE
9 SURFACE; AND

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

11 (C) A PERSON INSTALLING A TEMPORARY DEWATERING DEVICE UNDER
12 SUBSECTION (B) OF THIS SECTION SHALL RESTORE THE SUBSURFACE CONDITIONS
13 OF THE INSTALLATION AREA AS NEARLY AS POSSIBLE TO THE CONDITIONS THAT
14 EXISTED BEFORE THE INSTALLATION.

15 13-301.

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

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

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

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

25 (3) CONTAINS NO MECHANICAL PUMPING EQUIPMENT BELOW THE
26 SURFACE; AND

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

28 (C) A PERSON INSTALLING A TEMPORARY DEWATERING DEVICE UNDER
29 SUBSECTION (B) OF THIS SUBSECTION SHALL RESTORE THE SUBSURFACE
30 CONDITIONS OF THE INSTALLATION AREA AS NEARLY AS POSSIBLE TO THE
31 CONDITIONS THAT EXISTED BEFORE THE INSTALLATION.

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

