

Arkansas Water Well Construction Commission Rules and Regulations Summary

The General Assembly created the Arkansas Water Well Construction Commission (AWWCC) in order to protect the general health, safety and welfare of the public by encouraging the proper development of water wells across the state. The current rule changes submitted are a representation of the AWWCC's desire to update its rules and regulations in accordance with the changes in the water well industry as well as to have the rules better reflect the statutory authority given to them. The updates also reflect changes required by new laws passed during the 2015 Legislative Session.

The AWWCC has the authority to implement an apprenticeship program for persons wishing to become registered water well drillers. The proposed changes require an apprentice supervisor to be a full time employee of the company hiring the apprentice as well as be within a two hour drive (previously one hour) of the job site where the apprentice is working, and to be available to the apprentice via cell phone at any time (pgs. 1, 6, 7 and 8). Additionally, the changes require that a person complete a full two years of apprenticeship (previously could apprentice for one year in some instances) prior to becoming eligible for registration (pgs. 1, 6, 7 and 8). Additionally, the AWWCC will no longer charge a fee for an apprentice to take the water well examination at the completion of the apprenticeship program (page 2).

In accordance with Act 1066 passed in 2015, the AWWCC rules were updated to reflect the changes made for reinstating a lapsed license. Previously AWWCC required persons who had a license that had lapsed for ten years or more to go through its apprenticeship program again. However, Act 1066 does not allow for this, and the rules have been updated to reflect this change (pg. 9).

Due to the increase of construction costs, the AWWCC has amended its rules to state that a contractor must now provide a \$20,000 bond rather than a \$10,000 bond (pgs. 4-5). This will provide additional protection to Arkansas citizens. Additionally, the AWWCC removed the requirement that a pump installer file a report for installation of pumps on domestic wells because there is no practical use for those reports (pg. 9). The AWWCC also updated its well sealing requirements to reflect accepted construction trends (pg. 20).

Two new sections were added into the rules to reflect current statutory authority. The AWWCC has the authority to confiscate a water well drilling rig in certain situations (pgs. 26-27). Until amended, AWWCC's rules did not reflect this authority. The second new section addresses excessive sediment and updates the protocol the AWWCC uses in determining whether a well produces excessive sediment (pgs. 27-29).

Lastly, minor grammatical and consistency changes were made throughout the document.