



KENTUCKY WATER WELL DRILLER'S QUARTERLY

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Notes from Water Well Drillers' Certification Program Coordinator

Scotty Robertson

Everyone, I'm Back! As many of you are aware, I was diagnosed with cancer on my kidney and lungs late last year. Well I am happy to report that they removed the cancer from my kidney and the nodules in my lungs were not cancerous. My doctors think they got it all out of me and now I am cancer free. You can imagine how relieved and blessed I am feeling. I would like to thank all the individuals that expressed well wishes and prayers for my recovery from cancer surgery during the past few months. *"Wrinkles mean you Laughed, Grey hair means you Cared, and Scars mean you Lived"*. I especially liked that sentiment the most. You all will never know how your heartfelt sentiments bolstered by spirits and helped with my recovery. Thank you all.

Susan Mallette a co-worker in the Groundwater Section has been battling lung cancer herself, right alongside of me. Susan's treatment was different than mine she had to go through rigorous radiation and chemo therapy rather than surgery. I think I am the lucky one, at least for now, mine is over, Susan's battle is ongoing. Please join me in wishing her well and a speedy recovery from her latest bout with cancer.

Unfortunately I missed the Kentucky Groundwater Associations tradeshow this year. I missed seeing and talking with everyone. I was told the tradeshow was attended by about seventy water and monitoring well drillers. If you did not attend this year's event, remember that you will need five hours of pre-approved annual training before you renew your certification this year.



2018 KYGWA Tradeshow

Groundwater Section News

David Jackson

For many of you who know **Susan Mallette** the KDOW's Groundwater Protection Plan Coordinator, I am sad, but happy to announce that she will soon be retiring from public service. Susan has spent the approximately 32 years of her adult life working as a public servant. She is a native New Yorker who began her public career working as an oil and gas geologist for the State of New York. She taught public school for a short period of time before she migrated to the Bluegrass State, where for the last eighteen years she has worked for Kentucky State Government, first as a geologist in the Superfund Branch, before spending the last six years of here career working in the Groundwater Section. Susan has worked with many of you assisting drillers with the development of their groundwater protection plans, and helping Scotty and Tekoyia with many aspects of the Drillers Certification Program. Susan has earned the name as the "Enforcer" for her no nonsense review of well construction and plugging records. Susan is always happy to help out and she will be sorely missed when she retires at the end of July of 2018. If you hear from, or see Susan between now and then, be sure to wish her a happy retirement.



Susan Mallette

In August of 2017 **Kurtis Spears** joined the **Groundwater Section** in the Watershed Management Branch. He is a graduate of Western Kentucky University with a Bachelor's of Science in Geology. Kurtis enjoys basketball, fishing, hiking, camping, and rock hounding/hunting. He also enjoys poetry (writing and reading), classic novels, sci-fi and comic books.



Kurtis Spears

Water Well Driller Certification Program Board Meetings

Groundwater Staff

The last meeting of the Water Well Driller Certification Board was held January 12th, 2018 at the Division of Water offices in Frankfort, Kentucky. The Water Well Drillers Certification Board held an inquiry into Notices of Violation issued to two drillers that had submitted well abandonment records containing fraudulent information and documentation to the cabinet. The Water Well Drillers Certification Board made recommendations to the cabinet that the drillers be disciplined for their actions. Disciplinary actions can result in suspension or revocation of a water well driller's certification, fines and other penalties.

The next meeting of the Water Well Drillers Certification Board has been scheduled for May 11, 2018 it too will be held at Division of Waters Offices in Frankfort, Kentucky. Items of interest on the agenda will be updates on the Certification of Closed Loop Vertical Borehole Drillers and the fate of the Driller Apprentice bill. If there is something specific you would like

to see addressed by the Board please let us know. All board meetings are open to the public and all drillers are encouraged to attend. If you would like to attend please contact Scotty Robertson or Tekoyia Brown to make arrangements.

Well Records

Groundwater Staff

The Division of Water is still working towards becoming a paperless operation. The Watershed Management Branch has been working diligently this year to accomplish this goal. New e-log well construction and abandonment records are being developed as we speak. We hope to have these new electronic forms completed and installed on our website soon.

Even with staffing shortages for the past year the Groundwater Section has processed thousands of well records since last year. You may be contacted by one of our staff, concerning processing of a well record you have submitted.

Groundwater Staff may initially contact you by phone or email. The reviewer is usually trying to fill in information that was incomplete or missing from the well record, or they are trying to determine the actual location of the well. Each of the forty-five to fifty items on a well record or a plugging record is checked for compliance against the appropriate regulations before the KDOW can officially send the well record to the Kentucky Geological Survey for storage and presentation in the Groundwater Data Repository.

Every applicable item on a well record is required to be completed if possible. It is important that you, the driller, endeavor to properly locate and complete these records in order to stay in compliance with the regulations.

Remember, well records are legal documents; you can be penalized and/or fined for supplying fraudulent information on these records. That is why it is important for you to be on site and observe all work done during installation, modification, and abandonment of a water or monitoring well. The certified driller signing the well record is liable for the proper installation, modification and/or abandonment of the well in accordance with the applicable regulations.

Amendment to KRS 223.400 Failed to Pass 2018 Legislature

Groundwater Staff

On February 22, 2018 Senator Stan Humphries introduced an amendment into The Natural Resources and Energy committee titled "SB 197 (BR1850) - AN ACT relating to water well drillers". The bill was intended to amend KRS 223.400 to define "water well driller's assistant"; an to amend KRS 223.405 to require anyone who engages in activities associated with drilling a water well to have a valid certificate as a water well driller or water well driller's assistant; it also amended KRS 223.425 to delete the examination exemption for persons in business since 1984 and established the application, examination, and other requirements for certified water well driller's assistants; it also amended KRS 223.447 to establish fees for water

well driller's assistant certifications; and KRS 223.450 to include water well driller's assistants to comply with requirements before performing work.

The bill was amended to retain the original provisions of SB 197; by amending the definition of water well driller's assistant to reference the affidavit of supervision. The amendment also required information from water well driller assistants through submission with the affidavit of supervision; it changed references to monitoring water well to testing water well; it amended KRS 223.430 to require liability insurance or surety bond for water well driller assistants; and amended KRS 223.440 to prohibit water well driller assistants from certifying records. It also amended KRS 223.447 to prescribe fees for certified water well driller and certified water well driller assistants.

The bill was filed on February 23, 2018 and sent to the Natural Resources & Energy committee. On March 7, 2018 the committee reported favorably on the first reading. On March 8, 2018 the bill had its second reading and was posted for passage in the Consent Orders of the Day for Friday, March 9, 2018. Then on March 9, 2018 the bill passed its third reading on the Senate floor, by a margin of 38 to 0.

March 12, 2018 the bill was received in House of Representatives and directed to the Natural Resources & Energy Committee on March 14, 2018. It was then posted in committee on March 20, 2018. On March 22, 2018 it was reported favorably on the bill's first reading. On March 27, 2018 it received its second reading, and was posted for passage in the Regular Orders of the Day for Thursday, March 29, 2018.

On April 02, 2018, floor amendments (1) and (2-title) were filed; and on the third reading, the House passed the bill with floor amendments (1) and (2-title), 87 to 1. The bill was posted in the Senate on April 13, 2018 for passage for concurrence with House floor amendments (1) and (2-title) for Friday.

House floor amendment one (HFA1) was added by B. Rowland. It deleted all provisions in the bill; and provided that the Kentucky Teachers' Retirement System Board of Trustees shall have the authority to pay the same dependent subsidy that executive branch agencies pay for their active employees who have similar coverage during plan years 2019 and 2020 for all retirees not eligible for Medicare who participate in the Kentucky Employees Health Plan through the Kentucky Teachers' Retirement System; amended 2018 HB 366, as amended by the free conference committee report, to remove the reduction to the pension income exclusion for individual income tax purposes, leaving the exclusion at \$41,110. House floor amendment two HFA2 introduced by Representative B. Rowland- amended the title. It was then sent back to the Senate for approval.

On April 14, 2018 the Senate refused to concur with the House floor amendments (1) and (2-title); the bill was ruled out of order; and was sent back to the House to the Rules subcommittee where the bill died when the session ended.

Annual Certification Renewal Starts June 1, 2018

Scotty Robertson

As I mentioned earlier its well driller certification renewal time again. The certification renewal period begins on June 1, 2018, and runs through August 31, 2018. In order to renew your certification you must first have completed 5 hours of annual training, provided the Division of Water with an updated certificate of liability insurance and have an active \$5,000 surety bond on file with the Division of Water.

If you have do not renew your certification for the year, you are not in compliance with the regulations and will not be allowed to install wells in Kentucky until you are in compliance.

We will be emailing out renewal forms to everyone shortly. If you do not receive a copy by June 1, 2018 please contact me and I will be sure to mail you a copy.

Submit all renewal information, fee, insurance, training and bond documents, and the application to the Kentucky Division of Water; Watershed Management Branch, Groundwater Section , Attention; Water Well Drillers Certification Program, , at 300 Sower Boulevard, Frankfort, KY 40601.

You can also pay the renewal fee on the Water Well Drillers webpage as before, but you will need to have all information updated in the Division of Water databases before renewing on line. Your certificate of insurance and proof of annual training can be sent via email to scotty.robertson@ky.gov.

<http://water.ky.gov/groundwater/Pages/WellDrillersProgram.aspx>



If you have any questions, please contact Scotty Robertson at scotty.robertson@ky.gov or **502-782-7054**.

Quick Links

- Drillers Directory: <http://water.ky.gov/groundwater/Documents/GWDrillersDirectory.pdf>
- Forms and Application: <http://water.ky.gov/groundwater/Pages/FormsApplications.aspx>
- Training Resources: <http://water.ky.gov/groundwater/Documents/training%20resources.pdf>

Division of Water-Well Drillers Program

<http://water.ky.gov/groundwater/Pages/WellDrillersProgram.aspx>

<http://water.ky.gov/>

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