Title 56
PUBLIC WORKS
Part V. Capital Area Ground Water Conservation Commission

Chapter 1. Water Well Registration in the Capital Area Ground Water Conservation District

§101. Water Wells That Shall Be Registered

A. All wells which supply a public water system, regardless of yield, must be registered with the state.

B. All other water wells capable of producing more than 50,000 gallons per day must be registered. For wells in the district that are exempt from registration by the commission, refer to §105. Refer to §103 for procedures for registering water wells used in connection with petroleum activities.

C. Procedures for determining when a water well is considered registered and procedures for determining responsibility for registering water wells are given in §§107 and 111.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2637 (December 2007).

§103. Registration of Water Wells Used in Connection With Petroleum Production

A. Water wells producing fresh water for water flood activities permitted by the Department of Conservation must be registered according to the rules, regulations, and procedures stated herein.

B. Water wells producing saline water in connection with petroleum production do not have to be registered. These wells are regulated by the Louisiana Department of Conservation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2637 (December 2007).

§105. Exemptions

A. As provided for by Section 3073(3), and Section 3076(D) of Act 678 (1974), the following wells are exempt from the rules, regulations, and procedures for the registration of water wells in the district:

1. wells less than 400 feet in depth;

2. wells serving less than six households;

3. wells used for bona fide agricultural or horticultural purposes; and

4. wells used for both domestic and agricultural purposes, but not capable of producing more than 50,000 gallons per day.

B. Although the cited wells in the district are exempt from the commission's rules and regulations for registration, they may not be exempt from the rules, regulations, and procedures for water well registration of other state agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2637 (December 2007).

§107. Registration of Water Wells Completed on or After July 1, 1975

A. The rules, regulations, and procedures as stated herein shall be used for establishing responsibility for registering water wells in the Capital Area Ground Water Conservation District completed on or after July 1, 1975, for determining when such a well is considered registered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2637 (December 2007).

§109. Responsibility for and Procedures for Registering Water Wells

A. The water well contractor who drilled and constructed the well shall register the well by submitting to the Louisiana Department of Public Works, a completed Water Well Registration Form (LDPW-GW-1) for wells that must be registered in accordance with §101 and completed on or after July 1, 1975. Copies of the registration form for wells in the district will be made available to the commission, after field check and verification.

B. The registration form must be sent to the Louisiana Department of Public Works no later than 30 calendar days after the well has been completed. The commission and the Louisiana Department of Public Works consider that the well is completed when the well is accepted by the well owner.

C. Water Well Registration Form LDPW-GW-1, which will be provided by the Commission or the Louisiana Department of Public Works shall be used to register water wells in the district completed on or after July 1, 1975.

D. When the registration form (LDPW-GW-1), which is submitted by the water well contractor, is assigned a local well number by the department or commission, the water well shall be considered registered. Upon request, the well

owner and water well contractor will be informed of the fact of registration and of the assigned local well number.

E. Copies of all attachments to the registration form will be sent by the department to the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2637 (December 2007).

§111. Registration of Water Wells Completed Prior to July 1, 1975

A. The rules, regulations, and procedures stated in this Section shall be used for establishing responsibility for registering a water well completed prior to July 1, 1975, the effective date of the rules, regulations, and procedures adopted by the Department of Public Works, and for determining when such a well is considered registered by the state. Because some of the water wells that have been completed have been inventoried, the procedures for registering wells completed prior to July 1, 1975, are dependent on whether or not the well has been inventoried and the records for the wells are available to the state agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2638 (December 2007).

§113. Responsibility for and Procedures for Registering Inventoried Water Wells Whose Records are Available to the State

A. The commission shall obtain from available data a listing, by landowner or lessee, of wells with pertinent data. A copy of the list shall either be sent to the landowner or lessee for checking or shall be checked and verified by a representative of the department.

B. If the list is sent to the landowner or lessee for checking and updating, the landowner or lessee shall be responsible for updating and correcting the list, certifying the list as current, and returning the corrected and verified list to the commission within 30 days after receiving the list.

C. The list shall be updated by indicating the current status of each listed well, by adding wells not on the list, and by indicating the wells that have been abandoned.

D. When the list, as corrected and certified by the landowner or lessee is received by the commission or department, the active wells on the list provided by the commission or department shall be considered registered. Wells added to the list by the owner shall be inventoried and registered by a representative of the commission or department in accordance with the procedures in §115.

E. If in the opinion of the commission or department a visit or contact by a representative of the state is preferable and more convenient to the landowner or lessee than sending a list of wells, a field visit or contact shall be made by a representative of the state. This procedure will be used when the landowner or lessee is responsible for only a few wells. After the data is checked and the location verified, a local well number shall be assigned to the well. At that time the well shall be considered registered.

F. Upon request, the landowner or lessee will be sent an updated listing of registered wells, by the department or commission, for which he is responsible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2638 (December 2007).

§115. Responsibility for and Procedures for Registering Water Wells Which Have Not Been Inventoried

A. The commission's or department's representative shall contact the landowner or lessee to obtain well data and to check and verify the location of wells that have not been inventoried and whose records are not on file with a governmental agency. The landowner or lessee shall make available any needed data and shall permit access to the well site.

B. After the commission or department assigns a local well number the well shall be considered registered. Upon request the landowner or lessee will be informed of the fact of registration and of the assigned local well number.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2638 (December 2007).

§117. Registration of Reworked Wells

A. Registered wells that are reworked (e.g. development, replacing the screen) need not be registered a second time unless the screen is set in a shallower or deeper aquifer (sand). If the registered well, after reworking, obtains water from an aquifer different from that reported on the original Registration Form (LDPW-GW-1), another form shall be submitted by the contractor within 30 days after completion of work.

B. If an unregistered will is reworked, deepened, changed in any manner, or a screen(s) is set in a shallower or deeper aquifer, a registration form (LDPW-GW-1) shall be submitted to the department by the water well contractor within 30 days after the work is completed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2638 (December 2007).

§119. Test Holes

A. Registration of test holes is not required. If a hole is converted after July 1, 1975, to a production well which is capable of producing 50,000 gallons per day, or is used to supply a public water system, a registration form must be filed with the commission and/or department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2638 (December 2007).

§121. Observation Wells

A. Registration of wells used solely for observation purposes is not required. If converted after July 1, 1975, to a well capable of producing more than 50,000 gallons per day or used to supply a public water system, a registration form must be filed with the commission and/or department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2639 (December 2007).

§123. Use of Information

A. The registration of water wells is intended to complement and in no way void the requirements of the Louisiana Department of Public Works, Louisiana Division of Health, and the Louisiana Department of Conservation.

B. The information on the forms will be available to all persons upon request. The data will be coded and integrated with water data systems operated by other governmental agencies and research groups.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2639 (December 2007).

§125. Definitions

A. For the purpose of the rules and regulations stated herein the following definitions shall apply.

Abandoned Well—a well whose use has been permanently discontinued or which is in such a state of disrepair that it cannot be used to supply water.

Active Well—an operating augered, dug, driven, bored, or drilled well that is used to supply water.

Aquifer Test—pumping tests are made in water wells for either one of two purposes or for both objectives;

a. to obtain information about the performance and efficiency of the well being pumped; or

b. to provide data from which the hydraulic characteristics of the aquifer can be calculated.

The test made to determine hydraulic characteristics is usually referred to as *aquifer test.*

Bacteriological Analysis—this analysis, usually for drinking water, generally consists of determining total coliform.

Biological Analysis—biological analysis of ground water is made only when there is a possibility of contamination from a surface source and an examination for microorganisms is made.

Board—the Board of Commissioners of the Capital Area Ground Water Conservation District.

Chemical Analysis—usually a report of dissolved minerals in the water and the water's physical properties, such as temperature. The minimum chemical properties that are usually determined are hardness, specific conductance, hydrogen-ion concentration (pH), dissolved solids, chloride, bicarbonate, iron, flouride and nitrate.

Commission—the Capital Area Ground Water Conservation Commission.

Contaminant—any physical, chemical, biological, or radiological substance or matter in water.

Contamination—any introduction into water of microorganisms, chemicals, wastes, or wastewater in a concentration that makes the water unfit for its intended use.

Department—the Louisiana Department of Public Works.

Detritus—unconsolidated sediment comprised of both inorganic and decaying organic material.

Director—the Director of Public Works of the State of Louisiana or his designated representative.

District—the Capital Area Ground Water Conservation District.

Drawdown—the difference, usually in feet, between the static (nonpumping) water level and the pumping level in a well for a stated period of pumping from the well.

Drill Cuttings—Samples of the material obtained during drilling which are the source of lithologic information needed for proper selection of screen openings. The principal objective of drilling test holes is to obtain samples.

Driller's Log—the driller's description of the geologic strata encountered, their thickness and depth.

Electrical Log—a record of the resistivities of the subsurface formations and the contained fluid and the spontaneous potentials generated in the borehole, both plotted in terms of depth below the land surface. Other similar logs made in boreholes are the induction logs. Other borehole geophysical logs that may be also available are the gamma ray, caliper and neutron. Usually only an induction or electrical log is available for new wells.

Inactive Well—a well which is not in operation but can be used, with a minimum of effort as an observation well or a supply well.

Lessee—see definition for *water well owner*.

Observation Well—a well used by the appropriate engineering or research group in studies of the water resources of an area.

Pollution—a condition created by harmful or objectionable material in water.

Potable Water—water whose bacteriological, physical, and chemical properties make it suitable for human consumption and other beneficial purposes.

Public Water System—a system for the provision to the public of piped water for human consumption, if such a system has at least 15 service connections or regularly serves at least 25 individuals.

Pumping Test—pumping tests are made in water wells for either one of two purposes or for both objectives:

a. to obtain information about the performance and efficiency of the well being pumped; or

b. to provide data from which the hydraulic characteristics of the aquifer can be calculated.

The test made to obtain information about the performance of the well is usually referred to as *pumping test*.

Pumping Water Level—the water level, usually expressed in feet, in a well that is being pumped, above or below a specific datum, usually land surface.

Registered Well—an inventoried well that has been assigned a local well number by the state and whose records are available.

Saline Water—water with a dissolved solids content of 1,000 milligrams per litre or more.

Seepage—the appearance and disappearance of water into the ground surface—a type of movement of water.

Specific Capacity—the rate of discharge of water from a well divided by the drawdown of water level within the well for a specified period of continuous pumping of the well. It is usually expressed as "gallons per minute per foot of drawdown after X hours of continuous pumping."

Standby Well—a well that is used in emergencies or occasionally as a replacement well for an active well.

Static Water Level—the water level usually expressed in feet, in a well that is not being pumped, above or below a specified datum, usually land surface.

State—State of Louisiana.

Test Hole—an augered, drilled, driven, or bored hole that is used for the collection of geologic, hydrologic, and water quality data.

Water Well Contractor—any person, organization, or corporation who engages for compensation in the drilling, boring, construction of a water well. Does not include anyone who drills, bores, cores, or constructs a water well on his own property for his own use.

Water Well Owner—an individual, corporation, association, partnership, institution, or governmental agency who is either the legal owner of the property on which the well is located or is holding a long term lease on the property (lessee).

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2639 (December 2007).

Chapter 3. Plugging and Sealing of Abandoned Water Wells and Holes in the Capital Area Ground Water Conservation District

§301. Purpose

A. The rules, regulations, standards, and methods as stated herein for well and hole abandonment were prepared in response to this directive and were developed in coordination with other state agencies, which are also concerned with the wise use of the water resources of the state. The contents of these standards do not preempt but complement the Department of Public Works rules related to water wells, the Department of Conservation's rules and regulations related to oil, gas, and salt wells and the Division of Health's Sanitary Code requiring the protection of "freshwater sand". The Capital Area Ground Water Conservation Commission shall be responsible only for water wells in the Capital Area Ground Water Conservation District which is composed of the parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, and West Feliciana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2640 (December 2007).

§303. General Rules and Requirements

A. The rules, regulations, standards, and methods stated herein apply to water wells that are drilled, bored, dug, augered, or driven. They are designed to provide for the restoration, as nearly as possible, of those subsurface and surface conditions that existed prior to drilling, boring, digging, or augering activities and for the installing of a well, taking into account any changes that may have occurred as a result of "natural stresses." The purpose of these regulations is to prevent contamination of aquifers by surface waters and the interchange of water between aquifers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2640 (December 2007).

§305. Exemptions

A. The following wells, excavations, and holes are exempted from the provisions of rules, regulations, standards, and methods stated herein: seismic holes, cathodic-protection holes, saline water wells associated with secondary recovery operations, brine wells, oil and gas wells and holes, geothermal and geopressured holes, brine-injection wells, water disposal wells, holes, and excavations used in the development and/or exploration of mineral resources, including but not limited to, gravel, salt, and sulphur, excavations, and borings associated with the construction of buildings, roads, bridges, and soil boring activities.

B. Although the cited activities are not covered by Act 678 (1974), they are not exempted or excepted by state law. Therefore, persons, corporations, governmental agencies, etc., should take any and all action, and use all protective methods necessary to protect our water supply and to prevent contamination. The exclusion of these activities from Act 678 (1974) does not in any way remove or establish legal liability for health and safety hazards, contamination or pollution problems alleged to be caused by persons engaged in the cited activities in the first paragraph of this Section.

C.1. As provided for by Section 3073(3) of Act 6781 (1974) the following wells are exempt from the commission's rules, regulations, standards, and methods for the sealing and plugging of abandoned water wells in the district:

a. wells less than 400 feet in depth;

b. wells serving less than six households;

c. wells used for bona fide agricultural or horticultural purposes; and

d. wells used for both domestic and agricultural purposes but not capable of producing more than 50,000 gallons per day.

2. Although the cited wells in the district are exempt from the commission's rules and regulations, they are not exempt from the rules and regulations of other state agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2640 (December 2007).

§307. Effective Date

A. All water wells and holes abandoned on and after October 1, 1975, the effective date of the rules, regulations, standards and methods stated herein, shall be sealed in accordance with the procedure and methods stated herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2640 (December 2007).

§309. Status of Wells Abandoned Prior to Effective Date

A. If production operations have ceased, or a well is in state of disrepair prior to the effective date of procedures stated herein, and the owner has not and does not intend to place the well in the inactive status, the well shall be considered abandoned. The responsible party shall have six months from the effective date of these standards to return the well to active status or inactive status. After that time the abandoned well shall be plugged or sealed as provided for in the standards and methods stated herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2641 (December 2007).

§311. Filing of Water Well Abandonment and Plugging Form (LDPW-GW-2)

A. The contractor who plugs an abandoned well or hole after October 1, 1975, shall complete Louisiana Department of Public Works Water Well Abandonment and Plugging Form (LDPW-GW-2) within 30 days after the completion of the work and submit the form (LDPW-GW-2) to the Louisiana Department of Public Works, who will record and transmit a copy to the commission. Copies of Form LDPW-GW-2 may be obtained from the commission or the Louisiana Department of Public Works. The commission considers the work completed when the work is accepted by the responsible party. Acceptance by the responsible party does not imply in any way acceptance and approval by the State of Louisiana. The commission, after inspection of the site and records (refer to §315), can cause the responsible party and/or contractor to do that additional work necessary to properly plug and seal a hole or well in accordance with the methods and standards stated herein. The expense for the additional work shall be borne by the responsible party.

B. The Louisiana Health and Human Resources Administration may also require additional information for wells used to supply public water systems. Abandoned drilled water wells and holes plugged and sealed prior to the effective date of the rules, regulations, standards, and methods can be reported to the commission, using Form LDPW-GW-2. For wells or holes abandoned and plugged and sealed, prior to the effective date, the landowner or lessee may be required to describe or provide information on the methods used to plug and seal the abandoned wells and holes. The location of abandoned wells and holes and those wells and holes plugged prior to October 1, 1975, should be known by the landowner or lessee so that the site may be readily inspected by a representative of the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission,

LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2641 (December 2007).

§313. Adequacy of Plugging an Abandoned Water Well or Hole

A. To assure that an abandoned water well or hole is plugged and sealed properly, and that there has been no "jamming" or "bridging" of the material, verification calculations and measurements should be made by the contractor to determine whether the volume of the material placed in the well or hole at least equals the volume of the casing or hole plugged and/or filled. When bridge plugs are set, sufficient time shall be allowed for the material to set. After that time the location of the plugging shall be verified by "tagging", measuring, or sounding. Any measurement and calculations, the results of which should be included on the Abandonment and Plugging Form (LDPW-GW-2), shall also be made available upon request by the Capital Area Ground Water Conservation Commission and/or the Department of Public Works. The Board of Commissioners shall be responsible for determining whether a well or hole is satisfactorily plugged or sealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2641 (December 2007).

§315. Inspection

A. The Board of Commissioners may order at any time the site of an abandoned water well or hole inspected, to determine whether the work has been satisfactorily completed in accordance with the standards and methods stated herein, and as stated on the Water Well Abandonment and Plugging Form (LDPW-GW-2). The landowner or lessee shall make all records available to the representatives of the state and commission, and allow representatives to enter the property and visit site(s).

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2641 (December 2007).

§317. Contractor

A. In addition to the responsibility for submitting Form LDPW-GW-2 (§311) for wells or holes plugged and sealed after October 1, 1975, it shall be the responsibility of each water well contractor to inform a landowner, lessee, or person having a well or hole drilled or altered, that the well or hole drilled shall be plugged if abandoned, in accordance with standards stated herein. The water well contractor shall also inform the owner of the necessity of plugging and sealing all other wells that have been previously abandoned.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2641 (December 2007).

§319. Availability of Well Data

A. The drilling and construction records of a water well, if not in the owner's file, may be obtained from the water well contractor who installed the well and/or from one of the following governmental agencies.

Louisiana Department of Public Works

Post Office Box 44155, Capital Station

Baton Rouge, LA 70804

or

U.S. Geological Survey, WRD

Post Office Box 66492

Baton Rouge, LA 70806

B. Reports and/or information on hydrology, geology, the occurrence of saline water bearing and fresh water bearing sands, and quality of water, may also be obtained from the above named governmental agencies and/or from:

Louisiana Department of Conservation

Post Office Box 44275

Baton Rouge, LA 70804

or

Louisiana Geological Survey

Post Office Box 66492

Baton Rouge, LA 70803

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2641 (December 2007).

§321. Regulations and Standards for Plugging and Sealing a Well or Hole and for Determining Responsibility

A. Following are regulations and standards for determining the status of a dug, drilled, bored, augered, or driven water well or hole and for determining the party responsible for properly plugging an abandoned well or hole.

B. Unless otherwise specified in the regulations and standards stated herein, the landowner or lessee shall be responsible for plugging and sealing an abandoned water well or hole. The individual or group responsible for plugging an abandoned water well or hole shall be known in the rules, regulations, standards, and methods as the responsible party. The responsible party shall take the necessary action to insure that an abandoned hole or well is plugged properly by a contractor qualified and experienced in plugging and sealing abandoned wells and holes, and in accordance with the methods and standards in §509.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2642 (December 2007).

§323. Active Well

A. An active well is an operating water well or a standby well that can be used with little effort and at any time, to supply water. When an oil or gas well has been converted to a fresh water well in accordance with the provisions of Section XIXG, Louisiana Department of Conservation's Amendment (3/1/74) to statewide Order 29-B, the abandonment of the water well or hole is then regulated by the rules and regulations stated herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2642 (December 2007).

§325. Abandoned Well

A. Unless the landowner or lessee declares a well to be abandoned, the well is considered abandoned by the state of Louisiana when production operations have ceased for a period of one year or more and the well is in such a state of disrepair that the well cannot be placed in the active classification and there is no intent to use the well for observation purposes. For wells used for observation purposes, or those temporarily out of use. An abandoned water well shall not be used for disposal of any waste or any other purpose.

B. The landowner or the lessee of the land shall be responsible for plugging and sealing an abandoned water well within 90 days after abandonment, or after the well has been declared abandoned by a local or state agency in accordance with the regulations and standards stated herein. For the responsibility of plugging and sealing abandoned observation wells refer to §329.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2642 (December 2007).

§327. Inactive Well

A. A well considered inactive is one that is not presently operating but is capable of being pumped with a minimum of effort or one that is used as an observation well. The owner must give evidence of his intentions for continued use. As evidence of his intentions, the owner shall be responsible for properly maintaining the well in such a way that:

1. the well and the annular space between the hole and casing shall have no defects that will permit the seepage of water from outside the well;

2. the well is clearly marked and is not a safety hazard;

3. the well is covered or capped in such a manner as to prevent easy entry by other than the owner;

4. the area surrounding the well is kept clear of waste and debris;

5. if the pump has been removed for repair or replacement, the well shall be adequately covered to prevent the entrance of any contaminant or pollutant;

6. the well is not used for the disposal or injection of trash, garbage, sewage, waste water, and/or storm runoff.

B. Unless a well is used for observation purposes, a well shall not remain in the inactive status for more than one year. After that time, it will be considered abandoned. Upon written request by the responsible party, the Louisiana Department of Public Works or the commission may permit, in writing, a well to remain in the inactive status for a specified period of time but not in excess of one additional year. The responsible party must satisfy the commission or department of his intent to use the well for observation purposes and/or return the well to the active well status within the specified time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2642 (December 2007).

§329. Observation Well

A. An inactive well can be used as an observation well by the landowner or lessee, or with the landowner's permission by governmental agencies, appropriate engineering or research organizations engaged in studies of the water resources of the area. Observation wells shall be covered with an appropriate cap or cover to prevent use or entry except by personnel of the landowner or lessee, or the agency or organization making the observations. It shall be the responsibility of the owner, organization, or agency to prevent entry of any foreign materials or water into observation wells and to keep the surrounding area clear of waste, water, and debris.

B. A well shall not be used for any injection or recharge studies until a permit and permission are obtained in accordance with existing codes, orders, rules, and regulations of the Department of Conservation and/or the Louisiana Health and Human Resources Administration.

C. When a well, which was formerly an active well is no longer needed for observation purposes and the landowner or lessee of the land does not intend to use the well to supply water, the well shall be considered abandoned. The well then shall be sealed and plugged in accordance with these standards within 90 days after the initial date of abandonment. The responsibility for properly sealing and plugging an observation well, which formerly was an active well, shall be the landowner's or lessee's responsibility unless the agreement with the agency or organization to use the well for observation purposes clearly delegates the responsibility to the agency or organization.

D. Wells constructed solely for observation purposes by a landowner or lessee, a governmental agency, engineering or research organization, shall be converted to either active well status or abandoned well status when no longer needed for observation purposes. It shall be the responsibility of the landowner or lessee, agency, or organization who installed the well to plug and seal the well in accordance with these standards and methods stated within 90 days after the initial date of abandonment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2643 (December 2007).

§331. Abandoned Hole

A. A pilot hole driven, drilled, augered, or bored with the intent to install casing and obtain water shall be considered an abandoned hole when the hole is not cased and a well is not developed or used for water supply or observation purposes within 30 days after drilling operations have been completed. Unless the owner has a prior agreement with the water well contractor that states otherwise, it shall be the water well contractor's responsibility to plug and seal such an abandoned hole within 90 days after work is terminated or after the hole is considered abandoned.

B. An exploratory test hole drilled or excavated solely for the purpose of collecting geologic, hydrologic, and water quality data shall be considered an abandoned hole within 30 days after the completion of all testing operations. The agency or organization responsible for the exploratory work is responsible for plugging and sealing the hole unless the landowner or lessee of the land has agreed in writing to retain responsibility for plugging and restoration.

C. When the drilling of a hole is temporarily suspended and the rig moved away from the drilling site, the hole shall be considered an abandoned hole unless drilling operations are resumed within 90 days of the initial date of suspension of drilling operations. During the shut down period, a mud column of sufficient weight and height shall be maintained in the hole at all times to prevent seepage of water from or into the aquifers, or the interaquifer movement of water.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2643 (December 2007).

§333. Failure of Responsible Party to Plug and Seal an Abandoned Water Well or Hole

A. When the responsible party fails to comply within the time allowed for the plugging and sealing of an abandoned hole or well in accordance with the rules and regulations stated herein, the police jury of the parish where the hole or well is located, after being so appraised, may request the commission to require the responsible party to plug and seal the hole or well within 30 days after receipt of the order from the Chairman, Capital Area Ground Water Conservation Commission.

B. Failure to comply with an order of the commission may result in a civil penalty of not more than $1,000 a day for each day of violation and each act of violation in accordance with the provisions of Act 678 (1974) Section 3083.

C. If the responsible party fails to comply within 30 days, the police jury of the parish where the well is located may petition the Louisiana Department of Public Works to plug the well or hole. The responsible party shall be required to reimburse the state the expense incurred for plugging the water well or hole or be considered in violation of Act 535 (1972), Section 7, which permits a civil penalty of not more than $1,000 a day for each day of violation and for each act of violation.

D. The landowner or lessee of the land at the time of sealing and plugging the hole or well, shall be held liable for payment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2643 (December 2007).

Chapter 5. Regulations and Standards for Plugging and Sealing Abandoned Drilled Water Wells and Holes

§501. General

A. The plugging (or sealing) and filling of abandoned drilled water wells or holes shall be done by a contractor with experience in and knowledge of plugging and sealing procedures and the requirements of the rules, regulations, standards, and methods stated herein. The work shall be done in such a manner to prevent the interchange of water between aquifers, to prevent the entry of surface seepage by movement into the annular space and/or the well, and to remove all health and safety hazards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2643 (December 2007).

§503. Preliminary Work

A. Before the water well or hole is plugged and filled, the responsible party and contractor should obtain and study drilling and construction records. An investigation of the well or hole shall be made to determine the well or hole's condition and whether any obstructions will interfere with plugging or drilling the well or hole properly. Any obstructions shall be removed, if possible, by an approved method and by a qualified contractor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2644 (December 2007).

§505. Temporary Cover

A. When the work of plugging or sealing and filling an abandoned water well or hole is temporarily suspended, such as overnight or while awaiting material, the well or hole shall be covered and the immediate area conspicuously marked to protect and warn the public. The cover shall be sufficiently strong and anchored to prevent easy or unintentional entry. It shall be sealed well enough to prevent the seepage of water and the entry of any foreign material into the well or hole.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2644 (December 2007).

§507. Plugging and Fill Materials

A. Requirements or criteria for plugging or sealing material and fill material to be used in accordance with these standards are as follows.

1. Plugging or Sealing Materials

a. It is recognized that no material is completely impervious, however, experience and test show that neat cement or cement slurry has a low enough permeability to be preferred for use when plugging and/or sealing is required. Neat cement or slurry is a mixture consisting of one bag of cement to five to ten gallons of water. Under certain conditions, other materials may be added to accelerate or retard the time of setting and to provide extra bulk. If a gel or bentonite is used, the quantity added should generally vary between one and four percent. Cement grout or concrete grout may be used in place of neat cement or cement slurry if the change is approved by the Louisiana Department of Public Works or the commission. Following are definitions of cement grout and concrete grout.

Cement Grout—a mixture consisting of not more than two parts of sand to one bag of cement (94 lbs.) and five to ten gallons of water.

Concrete Grout—a mixture consisting of cement, sand and gravel, and water in the proportion of one bag of cement (94 lbs.) to an equal volume of dry sand and gravel, and five to ten gallons of water.

b. Unless specified otherwise, plugging material shall be placed in one continuous operation by the circulation or pump method. The grout or slurry shall not be poured or dropped through the water.

2. Fill Materials. The following materials of low permeability (less than .001 millidarcies) are suitable for use as a filler when permitted by these standards: silt, sand and clay mixture, native soil, mud-laden fluid weighing not less than 9 pounds per gallon, a well-proportioned mixture of these materials or with those materials mentioned in Paragraph 1-1.b above. Fill material shall be free of foreign and organic additive material.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2644 (December 2007).

§509. Methods and Standards for Plugging Abandoned Drilled Water Well and Hole

A. The standards and methods discussed herein are intended to:

1. prevent seepage from the surface into fresh water aquifers;

2. prevent the movement of fluids from one aquifer to another; and

3. remove all health and safety hazards. Because of variable hydrologic conditions, differences in well construction, depth and size, and the irregular occurrence of saline water sands, the contents of these standards and methods cannot cover every possible situation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2644 (December 2007).

§511. Exceptions

A. Requests to vary from methods and standards stated herein or information on the proper methods to seal and plug a hole or well are anticipated. Such requests for variance and/or clarification on methods to be used for wells in the district should be addressed to:

Capital Area Ground Water

Conservation Commission

Post Office Box 64526

Baton Rouge, LA 70806

Telephone: (504) 924-7420

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2644 (December 2007).

§513. Plugging and Sealing

A. The well or hold shall be filled or plugged upward from the bottom of the hole or well with neat cement or fill material, preferably in one continuous operation. Fill and/or plugging material shall not be poured into the hole or well. The commission may require under certain conditions, that the casing be perforated and cement forced under pressure into the surrounding formation to prevent movement of water in the annular space from one aquifer to another. Where the top of the casing is cut off below ground surface

the excavation above the top of the casing shall be filled, after the surface plug is set, with enough soil or clay to compensate for compaction. All plugs shall be placed by the circulation or pump down method.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2644 (December 2007).

§515. Surface Plug

A. A surface plug is a 30-foot or more in length cement plug that is placed in the upper 30 feet of the well casing. The plugging material shall be allowed to spill over the top of the casing and into the annular space to a depth of about 10 feet completely sealing the annular space between the hole and casing. To assure no movement of water into the annular space the ground slab, if any, shall be removed before plugging and sealing operations begin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§517. Bridge Plug

A. As used in the methods and standards stated herein the term, bridge plug refers to a cement plug not less than 50 feet in length that is either set at the bottom of the hole or well or at any depth interval in the hole or well.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§519. Methods of Plugging a Drilled Water Well

A. The following standards and methods shall be used under the stated conditions to plug and seal an abandoned drill water well. Although the conditions discussed include nearly all possible conditions, instances will occur that are not covered in the standards and methods. As specified in §511, the commission shall be contacted for decisions on variance and changes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§521. Wells Less Than 50 Feet in Depth

A. A well less than 50 feet deep shall be plugged completely with neat cement or fill material in sufficient amount to plug the hole and seal the annular space.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§523. Wells Greater Than 50 Feet in Depth and Where One or More Fresh Water Aquifer is Penetrated

A. The entire well shall be filled from the bottom up to the top of the casing with neat cement; or

B. fill material shall be placed in the screen or in the open hole opposite the producing aquifer. A bridge plug of not less than 50 feet in length shall be set above the top of the screen. The remainder of the casing below the upper 30 feet shall be filled with fill material, above which the surface plug will be set. In addition, a bridge plug of not less than 50 feet shall be set and centered at the depth(s) where the size of the casing is reduced and the casing of different diameters are joined by a seal or reducer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§525. Wells Where One or More Saline Water Aquifers Have Been Penetrated

A. Because of the need to provide assurance that fresh water aquifers will not be contaminated, the entire well including casing and screen shall be plugged and sealed with neat cement or cement slurry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§527. A Well From Which Some of the Casing Has Been Removed

A. If the casing remaining is in the upper part of the hole, the well shall be sounded to determine the amount, if any, of "cave in." That part of the hole filled with "cave in" material shall be reamed or drilled out to the original depth of the well shall be plugged and sealed with neat cement or cement slurry to a height of not less than 50 above the bottom of the casing. The casing between top of this bridge plug and a depth of 30 feet below the top of the casing shall be filled with fill material if no saline water aquifers were penetrated. A 30-foot surface plug shall be set in the upper 30 feet of the casing. If saline water aquifers were penetrated, the casing and open hole shall be completely filled from bottom up to the top of the casing with neat cement.

B. If the casing (including the screen) remaining is in the lower part of the well, the well and hole shall be completely filled with neat cement from the bottom up to or near the ground surface.

C. If all the casing and screen is removed, the hole for the entire original depth of the well shall be filled with

plugging material as specified in §533 related to abandoned holes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§529. Gravel Packed Well

A. A gravel packed well will be plugged in accordance with §§523 and 525.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§531. Well Where More Than One Aquifer is Screened

A. To provide assurance that the movement of water is not possible, a bridge plug shall be set in each screen. With the exception of the bottom screen, the plug shall extend 50 feet above and below each screen. The bridge plug in the bottom screen shall extend 50 feet above the top of the screen.

1. The casing between each bridge plug may be filled with fill material. Surface plug shall be set in the upper 30 feet of casing; or

2. the entire well shall be filled with neat cement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2645 (December 2007).

§533. The Plugging of an Abandoned Drilled Hole

A. An abandoned hole shall be plugged from the bottom up to ground surface with neat cement (cement slurry).

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2646 (December 2007).

§535. Definitions

Abandoned Well—a well whose use has been permanently discontinued or which is in such a state of disrepair that it cannot be used to supply water or for observation purposes.

Active Well—an operating augered, dug, driven, bored, or drilled well that is used to supply water.

Aquifer (*Ground Water-Reservoir*)—a formation group of formations, or a part of a formation that contains sufficient saturated material to yield significant quantities of water to wells.

Board—the Board of Commissioners of the Capital Area Ground Water Conservation District.

Bridge Plug—a cement plug of not less than 50 feet in length set at the bottom of the hole or well or at any depth in the hole or well.

Casing—a tubular retaining structure, generally metal, which is installed in a drilled, bored, driven, or augered hole to maintain the well opening.

Cement Grout—a mixture consisting of not more than two parts of sand to one bag of cement (94 lbs.) and 5 to 10 gallons of water.

Commission—the Capital Area Ground Water Conservation Commission.

Commissioner—the elected board of Commissioners of the Capital Area Ground Water Conservation District.

Concrete Grout—a mixture consisting of cement, sand, gravel and water in the proportion of one bag of cement (94 lbs.) to an equal volume of dry sand and gravel and five to ten gallons of water.

Cement Slurry—see definition for *neat cement.*

Contaminant—any physical, chemical, biological, or radiological substance or matter in water.

Contamination—any introduction into water from outside sources of microorganisms, chemicals, wastes, or waste-water in a concentration that makes the water unfit for its intended use.

Department—the Louisiana Department of Public Works.

Director—the Director of Public Works of the State of Louisiana or his designated representative.

District—Capital Area Ground Water Conservation District.

Drill Cuttings—samples of the material obtained during drilling and the source of lithologic information needed for proper selection of screen openings. The principal objective of drilling test holes is to obtain samples.

Geopressured Aquifers—a term used for an aquifer, especially in the Gulf Coast Area, in which the fluid pressure exceeds the normal hydrostatic pressure of 0.465 pounds per square inch per foot of depth.

Geothermal—pertains to the internal heat of the earth.

Ground Water—water suitable for any beneficial purpose percolating below the earth's surface.

Gravel Packed Well—an underreamed well in which artificially selected gravel or coarse material is hydraulically placed in the area immediately surrounding the screen or slotted pipe used as a screen, to increase the effective diameter at the well.

Health Hazard—any condition that may create a danger to public health and well being.

Inactive Well—a well which is not in operation but can be used, with a minimum of effort as an observation well or a supply well.

Lessee—see definition for *water well owner.*

Neat Cement (*Cement Slurry*)—a mixture consisting of one bag of cement to five to ten gallons of water.

Observation Well—a well used by the owner, an appropriate engineering or research group in studies of the water resources of an area.

Person—any natural person, corporation, association, partnership, receiver, tutor, curator, executor, administrator, fiduciary, or representative of any kind.

Pilot Hole—a hole drilled or augered with the intent to install casing and supply water.

Pollution—a condition created by harmful or objectionable material in water.

Potable Water—water whose bacteriological, physical, and chemical properties make it suitable for human consumption.

Public Water System—a system for the provisions to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves at least 25 individuals.

Registered Well—an inventoried well that has been assigned a local well number by the state and whose records are available.

Saline Water—water with a dissolved solids content of 1,000 milligrams per litre or more.

Screen—a structural tubular retainer, usually metal, used to support the hole in unconsolidated material with openings in the form of slots, whose openings are selected on the basis of adopted standards and allows sand free water to flow freely into the well in ample quantities and with a minimum loss of head. In agricultural wells and in other wells from which the pumping of sand creates little or no problems slotted pipe is used.

Seepage—the appearance and disappearance of water into the ground surface—a type of water movement.

Standby Well—a well that is used in emergencies or occasionally as a replacement well for a supply well.

Surface Plug—a cement plug of not less than 30 feet in length, in wells or holes deeper than 30 feet, and set at or below the top of the casing in the well.

Water Well Owner—individual, corporation, association, partnership, institution, or governmental agency who is either the legal owner of the property on which the well is located or is holding a long term lease on the property (lessee).

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:386 (September 1975), effective October 1, 1975, repromulgated LR 33:2646 (December 2007).

Chapter 7. Rules and Regulations for Metering and/or Recording the Yield of Water Wells

§701. Authority

A. The rules and regulations contained herein were prepared in accordance with the provisions of R.S. 38:3076A(8) that states "...to require well owners who are users or well owners providing water to other users, at their own expense, to meter wells to permit accurate determination of rates of use. Metering may be required on a continuous or periodic basis ...".

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007).

§703. Purpose

A. The purpose of these regulations is to implement the above stated authorization for new wells that are drilled and installed after the effective date of these regulations. The regulations apply to wells that are not excluded herein and not otherwise excluded by R.S. 38:3071-38:3084, and are located in the parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, and West Feliciana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007).

§705. Exclusions

A. The following water wells are excluded from the rules and regulations stated herein.

1. Wells with a total depth of less than four hundred feet or wells in the Mississippi River alluvial aquifer; or wells from which the production is used exclusively for bona fide agricultural or horticultural purposes; or for domestic use of persons resident upon the same premises and capable of producing not more than fifty thousand gallons per day in the aggregate; geopressure and geothermal wells, and wells producing water from formations producing oil or gas or both for commercial purposes, or wells producing salt water used for pressure maintenance; wells used in secondary recovery operations or other operations for the production of oil or gas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007).

§707. Measuring Well Yield

A.1. The well owner shall be required to:

a. install a metering device that records and "totals" the yield of the well; or

b. measure well yield or rate under normal pressure to permit the calculation of the "total" yield of the well for a given period of time; or

c. design and construct into the discharge line of water well a bypass line that can be used to periodically measure the flow of the well as the well discharges to the atmosphere, using a measuring device such as a portable or permanently installed orifice plate and manometer.

2. If method b or c is used, an hour meter or exact records shall be used and/or maintained to record the number of hours the well is pumped for a stated period of time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007).

§709. Records

A. The well owner shall be required to keep records of well yield and shall, on request, furnish data concerning such records to the representatives of the Capital Area Groundwater Conservation Commission [R.S. 38:3076A(8)].

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007).

§711. Variance

A. Requests to vary from the rules and regulations stated herein must be sent in writing to the Capital Area Groundwater Conservation Commission, whose address is:

Capital Area Ground Water Conservation Commission

Post Office Box 64526

Baton Rouge, LA 70806

Telephone: (504) 924-7420

The request must show that compliance is impractical and must outline an alternative method.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:307 (July 1977), repromulgated LR 33:2647 (December 2007).

Chapter 9. Rules and Regulations Requiring the Submission of Plans for New Water Wells in the Capital Area Ground Water Conservation District

§901. Purpose

A. The rules and regulations as stated herein were prepared in response to this authorization for the purpose of obtaining information that will be useful in advising users of any potential problems and of the location of nearby wells in the same aquifer, and to answer queries regarding the effects of pumping or changes in pumping rates.

B. This requirement for submission of plans shall not be construed in any way as a permit or as approval or disapproval by the commission of the proposed wells.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), repromulgated LR 33:2647 (December 2007).

§903. Rules and Regulations

A. Users shall submit to the commission's office, their plans to install wells that will produce 50,000 gallons per day or more. The plans shall include, at the minimum, the following information for each well: the depth of the well, the proposed screen setting(s), aquifer(s) to be screened, if known, proposed rate of yield, estimated daily use, and a map or sketch showing the location of the well. In an urban area, the location of the well should be described in reference to the nearest streets. All of the requested information should be submitted, if possible, at least thirty days prior to the beginning of drilling to the following address:

Capital Area Ground Water Conservation Commission

P.O. Box 64526

Baton Rouge, LA 70896

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), repromulgated LR 33:2648 (December 2007).

§905. Effective Date

A. Plans for water wells, excluding those exempted, drilled on or after March 20, 1976, the effective date of the rules and regulations as stated herein, shall be submitted to the commission's office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), repromulgated LR 33:2648 (December 2007).

§907. Exemptions

A. As provided for by R.S. 38:3073(3), the following wells are exempt from the commission's rules and regulations for submitting plans for new water wells in the district:

1. wells less than 400 feet in depth;

2. wells serving less than six households;

3. wells used for bona fide agricultural or horticultural purposes; and

4. wells used for both domestic and agricultural purposes but not capable of producing 50,000 gallons per day or more.

B. The following wells, excavations, and holes are not included in the provisions of the rules and regulations as stated herein: seismic holes; cathodic-protection holes; saline-water wells associated with secondary recovery operations; brine-injection wells; water-disposal wells; holes and excavations used in the development and/or exploration of mineral resources, including but not limited to, gravel, salt, and sulphur; excavations and borings associated with the construction of buildings, roads, bridges, and soil boring activities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), repromulgated LR 33:2648 (December 2007).

§909. Information for Exempted Water Wells

A. The commission will provide information listed in §901 to any user planning to install a well that is exempted in accordance with §907.A, provided the user submits to the commission the planning information requested in §903.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), repromulgated LR 33:2648 (December 2007).

§911. Water Well Registration

A. The submission of plans as required in §903 does not in any way preempt the state's rules, regulations, and procedures for water well registration as provided for in R.S. 38:3091 through 3097.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), repromulgated LR 33:2648 (December 2007).

Chapter 11. Determination of and Payment of Accounts

§1101. Purpose

A. The purpose of these rules and regulations are:

1. to establish the time when pumpage charges assessed by the Capital Area Ground Water Conservation Commission in accordance with R.S. 38:3083 are delinquent; and

2. to provide for penalties for violation of Act 678, Regular Session of 1974, as amended by Act 213, Regular Session of 1976, by failure to pay pumpage charges within the time specified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:366 (September 1977), repromulgated LR 33:2648 (December 2007).

§1103. Applicability

A. The rules and regulations contained herein shall apply to all users in the parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, and West Feliciana who are determined by the board of commissioners to be liable for the payment of pumpage charges (R.S. 38:3079).

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:366 (September 1977), repromulgated LR 33:2648 (December 2007).

§1105. Billing Schedule

A. The commission bills on a quarterly basis with pumpage charges due as follows: For the period October-December, billing date is January 1; for the period January-March, billing date is April 1; for the period April-June, billing date is July 1; and for the period July-September, billing date is October 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:366 (September 1977), repromulgated LR 33:2648 (December 2007).

§1107. Pumpage Fee

A. The pumping charges for ground water users shall be $5 per million gallons and is to be paid quarterly.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 1:291 (July 1975), amended LR 10:592 (August 1984) effective January 1, 1985, repromulgated LR 33:2649 (December 2007), LR 34:435 (March 2008), effective April 1, 2008, LR 39:486 (March 2013).

§1109. Determination of When an Account Is Delinquent

A. A user's account shall be considered delinquent 60 calendar days after the quarterly billing dates, which are specified above. When the 60 calendar days have expired and a user has not paid the pumpage charges, the commission shall inform the user by certified mail, return receipt requested, that unless payment is received in the commission's office within 15 calendar days of receipt of letter, the user shall be considered in violation of state Act 678, Regular Session of 1974, as amended by state Act 213, Regular Session of 1976.

B. If the user is unable to pay the pumpage charges in the time specified above, the user shall provide the commission valid and substantiated facts, which necessitate the request for an extension of time to pay. The decision to extend the time for payment shall rest solely within the discretion of the Board of Commissioners, Capital Area Groundwater Conservation Commission, and each such request for an extension will be dealt with on a case by case basis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:366 (September 1977), repromulgated LR 33:2649 (December 2007).

§1111. Violation Penalty

A. A user, who has been so notified in accordance with the Section entitled "Determination of When an Account Is Delinquent," herein, who is knowingly and willfully in violation of the provisions of Act 678 and its amendments for failure to pay pumpage charges, shall be subject to a civil penalty that shall be computed on the basis of one percent per day of the amount of the pumpage charges owed until that amount is paid in full. The penalty shall not exceed $1000 a day for each day of violation and for each act of violation as provided in R.S. 38:3083.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:366 (September 1977), repromulgated LR 33:2649 (December 2007).

§1113. Civil Suit and Jurisdiction

A. The place of suit to recover this penalty shall be selected by the board, as may be appropriate, in the district court of the parish of the residence of any one of the defendants, or in the district court of the parish where the violation took place. [R.S. 38:3083(A)(1)]

B. Suit shall be at the direction of the board, and shall be instituted and conducted in its name by the attorney general or by the district attorney of the district under the direction of the attorney general. [R.S. 38;3083(A)(2)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 3:366 (September 1977), repromulgated LR 33:2649 (December 2007).