NC Well Contractor Certification Clarifications

State & Federal Employees

Topic	Summary	Certification Required?
Federal Employees	**Exemption** G.S.87-98.4 (3)- A person who is employed by a government agency and who performs well contractor activity **solely within the scope of the person's government employment."**	No
	(G.S. 87-98.2 definitions)- Exempt since not "in trade or business."	
	4/2/2002 WCCC- Commission discussed letter from USGS. They believe Federal employees cannot be required to get certified when performing well contractor activities in NC. Counsel agreed but immunity would not apply to private contractors hired by USGS or other Federal agencies to perform the work.	
State Employees	**Exemption** G.S.87-98.4 (3)- A person who is employed by a government agency and who performs well contractor activity **solely within the scope of the person's government employment."** (ex.- State Drill Crew drilling environmental investigation wells)	No
	(G.S. 87-98.2 definitions)- Exempt since not "in trade or business."	
County Employees	**Exemption** G.S.87-98.4 (3)- A person who is employed by a government agency and who performs well contractor activity **solely within the scope of the person's government employment."** (ex.- County Registered Environmental Health Specialist using downhole camera to inspect well)	No
	(G.S. 87-98.2 definitions)- Exempt since not "in trade or business."	

On Mining Property

Topic	Summary	Certification Required?
Exploratory Drilling	**Exemption** G.S. 87-98.4 (7)- Exploratory drilling for **mining**-related investigations.	No
Water Level Observation Well	**Exemption** G.S. 87-98.4 (8)- Installation of a water level observation well **on property for which a mining permit** has been issued under the Mining Act of 1971, Article 7 of Chapter 74 of the General Statutes.	No

NC Well Contractor Certification Clarifications

Odds-n-Ends

Topic	Summary	Certification Required?
Cathodic Protection Anodes	**Exemption** G.S. 87-98.4 (10)- for "Installation of a cathodic protection anode"	No
Caisson, Piling (Auger Cast Piles), Structural Pier	6/3/2003 WCCC- The intent is not to install a well. These activities are not considered well contractor activities.	No
	Exemption G.S. 87-98.4 (12)- for "Installation of a caisson, piling, or structural pier."	
Blast Hole	**Exemption** G.S. 87-98.4 (9)- for "Drilling of a blast hole."	No
Wetland Monitoring Gauges	7/11/2000 WCCC- Motion passed that installing Wetland Monitoring Gauges at depths of five feet or less to monitor fluctuations in the water table be allowed without requiring certification.	No* (≤ 8 feet)
	Exemption G.S. 87-98.4 (11)*- for "Installation of Wetland Monitoring Gauge at a depth of **eight feet** or less,for the purpose of monitoring fluctuations in the water table"	
Hand Augering for soil or water samples	3/4/2003 WCCC*- The Commission decided that "hand augering, to depths of **six feet** or less, in order to take soil or water samples or to measure water levels" would not be considered a well contractor activity.	No* (≤ 6 feet)
	Exemption G.S. 87-98.4 (4)*- "A person who is licensed as a **professional engineer** under Chapter 89C of the General Statutes, a **geologist** under Chapter 89E of the General Statutes, or a **soil scientist** under Chapter 89F of the General Statutes who uses a hand auger to collect soil or water samples or to measure water levels. This exemption does not include construction of a monitoring well."	No*
Obtain water sample from a Monitoring Well	12/2/2008 WCCC- Motion passed that certification as a well contractor is not required to obtain a water sample from an existing monitoring well.	No
Well Development	9/9/2003 WCCC- The intent of well development is to alter or modify the characteristics of the well. This activity therefore fits the definition of a well contractor activity.	**Yes**
Well Disinfection	2/5/2008 WCCC- Motion passed that introducing any substance into a well to disinfect it is considered a well contractor activity.	**Yes**
Add chemicals to ground water Remediation Wells	8/10/2010 WCCC- Motion passed that certification not required to add chemicals to ground water remediation wells because already various oversight with related activities, such as DEH permitting the chemicals to be used.	No
Remediation System Piping	2/7/2012 WCCC- Connection of remediation system piping to remediation wells.	No
Oil & Gas Drilling	2/8/11 WCCC- Motion passed to confirm that yes, oil & gas drilling are considered well contractor activities. Includes on & off-shore drilling.	**Yes**

NC Well Contractor Certification Clarifications

Odds-n-Ends (continued…)

Topic	Summary	Certification Required?
Supervision of Multiple Drill Rigs	2/8/11 WCCC- Staff drafted better clarification of certification requirements regarding whether a certified contractor can supervise multiple drill rigs on a site. WCCC legal council (Phillip) advised against adopting this specific clarification as this would be "adding a rule".	**Yes**
AFVR	11/9/2010 WCCC- AFVR is when stinger pipes (narrow PVC) are installed/suspended in monitoring wells, and a vaccum is created, to pull contaminents & vapor out of the vadose zone & groundwater.	No

NC Well Contractor Certification Clarifications

Geotechnical

Topic	Summary	Certification Required?
Geoprobe	3/5/2002 WCCC- Operating a **Geoprobe.** Used to collect soil samples and may be used to construct monitoring wells.	**Yes**
Direct Push Technology	A method used to collect soil, soil vapor, and **groundwater** samples. Can also be used to install small diameter monitoring wells which are typically less than 25' deep.	**Yes**
Soil Samples	12/8/2009 WCCC- Any **motorized equipment** used to obtain soil samples (Geotechnical soil boring), require certified well contractor due to potential for contamination.	**Yes**
Standard Penetration Testing	Geotechnical investigations where soil samples are collected via Standard Penetration Testing, done for soil compaction, density/load bearing capacity, etc. (**relating to building a structure**, not environmental soil samples)	~~No~~ **Yes** (12/8/09)
	1/6/2004 WCCC- decided this activity is not considered a well contractor activity **as long as borings are properly abandoned within five (5) days and groundwater samples are not collected**. *Is this decision overridden by 12/8/09 decision above?? Or can they be considered different activities (Building-related vs. environmental application)?* 5/4/10 WCCC- clarification that this is overridden by 12/8/09 decision, certification is required.	~~No~~ **Yes** (12/8/09) (5/4/10)
"Screen Point 15" Geoprobe	A stainless steel tube w/ screen inside which is driven down, and the screen extends out. A **water sample** is then pumped out. All of the probe is pulled back out and the hole is filled w/ bentonite. (30' max depth)	**Yes**
Horizontal Directional Drilling	**Horizontal Directional Drilling** is the trenchless technology for the installation of buried infrastructure systems. Used for placing fiber optic, electrical, cable TV, oil, gas, water and wastewater utilities. Can use mud rotary in sandy soils. May use casing while inserting utility lines.	(See Below)
	3/2/2010, 5/10/2011 WCCC- Yes, Certification required If purpose is installation of **well**. (such as remediation well, recovery well, geothermal well (vertical or horizontal/directional) , geotechnical soil boring for compaction samples)	**Yes**
	3/2/2010 WCCC*- No, if purpose is installation of **utilities**. (Open trench geothermal, run lines bewteen geothermal well and house (HVAC system), powerlines, cable TV lines...)	No
Closed-Loop Geothermal Wells	Falls under definition of a "well" in 2C.0200 & EPA definitions	**Yes**

NC Well Contractor Certification Clarifications

Dewatering Wells

Topic	Summary	Certification Required?
Temporary dewatering wells, vacuum wellpoints	9/3/2002, 11/12/2002 WCCC- Motion passed to consider any type of dewatering a well contractor activity.	~~Yes~~
	Exemption G.S. 87-98.4 (5)*- "Construction, repair, or abandonment of a well used for a temporary dewatering activity that is associated with, and **necessary to complete construction of, a utility distribution or collection system, a building or other structure, or a transportation system**, if all of the following conditions are met:	No*
	a. The dewatering well is constructed solely for the purpose of removing water from or lowering the water table in the **immediate area of the construction** activity.	
	b. The dewatering well is located **within 25 feet of the excavation** and is **not greater than 25 feet deeper than** the excavation.	
	c. The dewatering well **is abandoned** in accordance with rules governing the abandonment of wells adopted by the Environmental Management Commission pursuant to G.S. 87-87 **within 30 days of installation** of the well **or within 10 days of completion** of the project, whichever is later."	
Borrow Pit	**Exemption** G.S. 87-98.4 (6)*- "Construction, repair, or abandonment of a well used for a temporary dewatering activity that is associated with the construction of a **borrow pit** if the dewatering activity is located **within 15 feet** of the proposed perimeter of the borrow pit."	No*

Plumbers

Topic	Summary	Certification Required?
Install Well Pump	**Exemption** G.S. 87-98.4 (13)*- "A person who is **licensed as a plumbing contractor** under Article 2 of Chapter 87 of the General Statutes who installs pumps or pumping equipment; installs, breaks, or reinstalls a well seal in accordance with G.S. 87-85(6); or disinfects a well **incident to the installation, alteration, or replacement of pumps or pumping equipment within or near a well**. However, the plumbing contractor shall maintain documentation of having **attended a continuing education course that covered well seal installation**, protection, and sanitation within the last two years prior to the work being performed. The State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors shall ensure that continuing education courses covering well seal installation, protection, and sanitation are available to licensed plumbing contractors during each six-month continuing education course schedule. The licensed plumbing contractor shall **remain on-site while the work is being performed** until the well is disinfected and sealed."- *effective 2009*	No* (Only applies to Plumbing License holder!)
Only initial disinfection covered by exemption	3/2/2010 WCCC- Clarification that **disinfection** in above exemption only applies to *initial* disinfection done at time of pump installation/repair, NOT future disinfections due to bad water samples.	