

RULE 21 – PLUGGING AND CAPPING OF WATER WELLS

Every owner or lessee of land within the District, upon which is located an open, uncovered, abandoned or deteriorated water well must permanently plug or cap the water well as set forth below and in accordance with standards set forth in the Texas Water Well Drillers and Pump Installers Administrative Rules, Title 16, Chapter 76, Texas Administrative Code. A well cap must be capable of sustaining a weight of at least 400 pounds and fixed or attached such that it is not easily removed.

- A. The District may require the owner or lessee of land on which an open, uncovered, or abandoned water well is located to plug the water well permanently in accordance with these rules.
- B. The District may require the owner or lessee of land on which a deteriorated water well is located to bring the well into compliance with the District's water well completion standards or plug the water well permanently. The owner or lessee must inform the District at least three days prior to reworking or repairing a well to bring the well into compliance or plugging the well.
 - 1. Test Borings – Any boring drilled for exploration or testing shall be plugged by pressure grouting with cement or bentonite from the bottom of the boring to one (1) foot below ground surface. If the test boring is completed at a depth of less than fifty (50) feet, pressure grout or cement can be used to plug the boring from the bottom of the boring to ground surface.
 - 2. Water Wells
 - a. PVC Cased Wells – All PVC casing and screen must be removed or perforated and the boring plugged by pressure grouting with cement or bentonite from the bottom of the boring to two (2) feet below ground surface.
 - b. Steel Cased Wells – Remove all removable steel casing and the boring plugged by pressure grouting with cement or bentonite from the bottom of the boring to two (2) feet below ground surface.
 - c. Large Hand Dug Water Wells – Remove all debris from the water well. If the water well contains standing water, it must be chlorinated by adding chlorine bleach at a rate of one (1) gallon of bleach for every five hundred (500) gallons of water. The well must be plugged by placing cement in the bottom five feet of the water well and backfill to the surface with compacted clay to the surface, and fill mounded to compensate for settling.
- C. If the owner or lessee of the land fails or refuses to plug or cap the water well within ten (10) days after being requested to do so in writing by the District, an Enforcement Action will be taken in accordance with Rule 27. The Board shall upon finding that a well is in violation of this Rule instruct District personnel to employ any person, firm, or corporation to enter the land and plug or cap the water well.
- D. Reasonable expenses incurred by the District in plugging or capping a water well constitute a lien on the land on which the water well is located. The Board shall consider the availability of state funds to assist in plugging or capping any water well and may on its own motion bear some or all of the expense of the plugging or capping of any water well.
- E. The lien is perfected by filing in the deed records of the county where the water well is located an affidavit, executed by any person conversant with the facts, stating the following:

1. The existence of the water well.
2. The legal description of the property on which the water well is located.
3. The approximate location of the water well on the property.
4. The failure or refusal of the owner or lessee, after notification, to plug or cap the water well within 10 days after the notification.
5. The plugging or capping of the water well by the District, or by an authorized agent, representative, or employee of the District.
6. The expense incurred by the District in closing the water well.

Nothing in this Rule affects the enforcement of Subchapter A, Chapter 756, Health and Safety Code.