

# **Frequently Asked Questions**

## **Well Contractor Certification**

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### **I. General Certification Issues**

#### **A. What is certification all about?**

- a. *In 1997, the General Assembly passed laws designed to protect our groundwater resource and protect consumers from persons who may not be qualified to construct, install, repair, alter, or abandon wells. The Well Contractors Certification Commission was created, and has adopted rules to implement a certification program. Certification of individual well contractors began January 2000.*

#### **B. What's the difference between certification and registration?**

- b. *The registration program was established by the State legislature in 1972 as a way to keep track of those individuals in the business of well construction, repair, and abandonment. Any individual could become registered simply by filling out an information form and paying a fee. The Certification Program, established by the legislature in 1997 replaced the registration program and is intended to ensure that well contractors meet minimum qualifications in terms of competence, ability and other criteria required by State laws. The Certification Program provides a way to screen out individuals who may not be qualified to perform well contractor activities.*

#### **C. I would like to have my company certified to do well drilling. How can this be done?**

- c. *Unlike the previous "Registration" program, the current "Certification" program only applies to individuals. There are no provisions for the certification of companies in the current law. Each business owner will need to determine how many of his employees will need to be certified to comply with State rules ("A certified well contractor must be present at all times when well contractor activities are being conducted.")*

## II. Certification Fees

### A. What does it cost to become certified?

- a. *There is a \$250 application fee. This fee covers the cost of a scheduled exam, and after passing the exam, the certification fee for the time left in that certification period.*

### B. Will I have to pay a fee for certification each year?

- b. *Yes. There is an annual renewal/certification fee of \$200. The renewal deadline is June 30<sup>th</sup> of each year.*

### C. I own a well drilling company, and have several drillers. Am I expected to pay the certification fees for all of them?

- c. *There is an annual fee of \$200 for each individual who desires to be certified. The Well Contractors Certification Commission places no obligation on companies to pay certification fees for individuals employed by that company.*

## III. Certification by Examination

### A. I am currently certified in another state. Do you offer reciprocity?

- a. *We currently do not have a reciprocity agreement with any other state. You will be required to pass the certification exam.*

### B. I have many years of well drilling experience and I do not want to take an exam to become certified. Can I become certified by “grandfathering”?

- b. *“Grandfathering” is no longer an option, you must take the exam. The law mandates that only those who had been registered with the North Carolina Department of Environment and Natural Resources since July of 1992 and who submitted their application and fee by January 1, 1999, were eligible for certification without examination. Currently all well contractors are required to pass a certification examination to become certified.*

### C. When are certification exams offered?

- c. *A minimum of two scheduled exams are offered each year. Qualified individuals will be notified of the next scheduled exam date when their application is approved..*

### D. Is there a way to take the exam at a time sooner than the one scheduled?

- d. *Yes. Once the approval letter is received, an applicant may request an “out-of-cycle” exam. An extra \$50 must be sent in with the written request. Staff will then schedule a time with the applicant to come take the exam.*

**E. If I fail the exam, what then?**

- e. *For an additional \$50 exam fee, those that fail the examination may be given the opportunity to take another examination the next time it is offered. Anyone who has failed the examination will not be able to personally supervise or manage well contractor activities until they have passed the exam. You may also request an exam review, free of charge, to review the questions you missed on a date prior to retaking the exam.*

**F. How long will my application be held?**

- f. *The applicant must pass the exam within 3 consecutive attempts or within a one year period of time after the application is submitted, whichever expires first, or a new application shall be required. An applicant who has failed the examination after 3 consecutive attempts shall be required to obtain 8PDH units prior to resubmittal of an application for certification.*

**IV. Do I Need To Be Certified If...**

**A. I am a pump installer. Do I need to become certified?**

- a. *Possibly. To perform pump installer activities, you need to register with the State as a Pump Installer. However, any construction, installation, repair, or alteration of a well during the replacement or repair of a well pump is a well contractor activity and will require the supervision of a certified well contractor.*

**B. I own a well drilling company, but never physically do the drilling myself. Do I have to be certified?**

- b. *Not necessarily. You will need to be certified if you personally supervise or manage any well contractor activity. A certified well contractor must be on-site, personally supervising and/or performing any well contractor activity.*

**C. I own a drilling company and I have several drillers and helpers. Do they all have to be certified?**

- c. *No, not necessarily. Only one certified well contractor must be physically present when well contractor activities are being conducted. However, no well contractor activity can legally occur unless a certified well contractor is physically present. Company owners must therefore decide how many of their employees will need to be certified in order to conduct business.*

**D. If my certified driller (or me, if I operate my own rig) is unable to complete an already-started job, can someone else who works for me finish the job?**

- d. *Yes, but only if that individual is a certified well contractor.*

**E. We're an environmental/engineering/geologic consulting company and we just put in monitor wells, recovery wells, Geoprobe holes, piezometers, etc. Do we need to get certified?**

*e. Yes. You must be certified as a well contractor if you are in the business of constructing wells, regardless of the size or intended use of those wells.*

**F. I only drill wells that will not be used for drinking water purposes. Do I need to be certified?**

*f. Yes. You must be certified as a well contractor if you are in the business of constructing wells, regardless of whether those wells are for drinking water or some other purpose.*

**G. I only plan to install wells on my own property. Do I need to be certified?**

*g. No. You do not have to be certified to install, repair, or abandon wells on your own property. However, wells you construct, repair, or abandon on your own property, must meet all State and local well construction standards.*

**H. I am an engineer, geologist, or licensed contractor. In the future, I would like to hire a certified well contractor to perform well contractor activities per my instructions. Do I also have to be certified as a well contractor?**

*h. Not necessarily. However, you will need to be certified if you personally supervise or manage any well contractor activity, regardless of whether that supervision or management is done on-site or from some remote location. If you instructions include on-site direction or control of the well contractor activity, or involve giving direction to the on-site direction or control of the well contractor activity, or involve giving direction to the on-site certified well contractor in conducting those activities, then you must also be certified as a well contractor.*

**I. I do not drill wells at all. I just perform minor well repair. Do I need to become certified?**

*i. Yes. Any modification or alteration of a well is a well contractor activity and will require the presence of a certified well contractor.*

**J. I only abandon wells. Do I need to become certified?**

*j. Yes. The abandonment of wells is defined by law as a well contractor activity for which certification is required.*

**K. Is certification required to install temporary dewatering wells (vacuum wellpoints)?**

- k. Not necessarily. As per G.S.87-98.4 (b)(5&6), Certification is not required for 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:*
- 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.*

*Certification is also not required for 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.*

**L. I am a federal employee. Do I require certification to perform well contractor activities in North Carolina?**

- l. Certification is not required for a person who is employed by a government agency and performs well contractor activities solely within the scope of the person's government employment. However, immunity would not apply to private contractors hired by the federal government to perform the work.[G.S. 87-98.4 (b)(3)]*

**M. Is it necessary to have certification to install Cathodic Protection Anodes?**

- m. No. It was determined that the installation of cathodic protection anodes is not a well contractor activity and therefore does not require certification.[G.S. 87-98.4 (b)(10)]*

**N. Is certification required for the installation of wetland monitoring gauges?**

- n. Not necessarily. Installing wetland monitoring gauges at depths of eight feet or less solely to monitor fluctuations in the water table does not require certification.[G.S. 87-98.4(b)(11)]*

**O. What are some other exemptions from the certification requirement?**

- o. Certification is not required for:*
- *Drilling of a blast hole.*
  - *Exploratory drilling for mining-related investigations.*
  - *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.*
  - *Installation of a cathodic protection anode.*
  - *Installation of a wetland monitoring gauge at a depth of eight feet or less for the purpose of monitoring fluctuations in the water table.*
  - *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 the construction of a monitoring well.*
  - *Installation of a caisson, piling, or structural pier. [G.S. 87-98.4(b)]*

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