



KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT

PROCEDURE FOR REQUESTING INACTIVE STATUS FOR WATER WELLS

Procedure #: WWP-4

Narrative:

K.A.R. 28-30- 7(F), of Article 30 - Water Well Contractor's License; Water Well Construction and Abandonment, states in part, "Landowners may obtain the department's written approval to maintain wells in an inactive status rather than plugging if the landowner can present evidence to the department as to the condition of the well and as to the landowner's intentions to use the well in the future." The purpose of this guidance is to outline requirements of the Kansas Department of Health and Environment (KDHE) when requesting to maintain water wells in an inactive status. The request will be reviewed by KDHE and the appropriate parties will be notified of KDHE's approval or denial of the request.

Procedure:

1. The request for inactive water well status must be submitted to KDHE in writing and shall contain all required information relevant to the request as required under K.A.R. 28-30- 7(t). Below are the requirements that will need to be addressed in your request.
 - a. The well and the annular space between the original borehole and the casing shall be grouted and have no defects that will permit the entrance of surface water or vertical movement of subsurface water into the well.
 - b. The water well is clearly marked and is not a safety hazard.
 - c. The top of the water well has to be securely capped in a water tight manner and is adequately maintained in such a manner as to prevent easy entry by someone other than the owner.
 - d. The area surrounding the water well shall be protected from any potential sources of contamination within a 50 foot radius.
 - e. If the pump, motor or both, have been removed for repair, replacement, etc., the water well shall be maintained to prevent injury to people and to prevent the entrance of any contaminant or foreign material.
 - f. The water well shall not be used for the disposal or injection of trash, garbage, sewage, wastewater or stormwater.
 - g. The water well shall be easily accessible to routine maintenance and periodic inspection.

(Over)

2. A thorough and detailed explanation of why inactive well status shall be provided, length of inactivity requested (not exceeding 2 years unless the Division of Water Resources, Kansas State Board of Agriculture has placed a Water Right on inactive status and the water well is affiliated with the water right) and a completed Inactive Water Well Request Form (WWC-6 form) shall be submitted to KDHE. KDHE, in most cases, will not grant inactive well status on water wells that have not been used for beneficial use records (WWC-5 forms) must be received by KDHE prior to KDHE reviewing the inactive well status requests.
3. A drawing, sketch or a map must be attached to the request showing the location of the well(s), including footages, and pertinent features in the vicinity such as roads, buildings, parking lots, property lines, etc.

The landowner shall notify the department of any change in the status of the well and is the responsibility of the landowner to submit to KDHE a request for additional time after the initial period has expired. Failure to request additional time at the end of the initial request period will result in the water well declared abandoned and required plugged. All inactive wells found not in accordance with the criteria listed in line one (a through g) above shall be considered to be abandoned and shall be plugged by the landowner in accordance to Article 30. The decision to grant inactive well status will be based almost entirely on the data provided by the entity requesting inactive well status and will pertain to the wells mentioned in the inactive well status request. An approved inactive well status request shall become null and void if any of the information submitted in the request is found to be false or if the wells are not constructed in strict conformity to Kansas rules and regulations and the requirements of KDHE listed in the approval.