

January 9, 2012

Hon. Robert W. Godshall
150 Main Capitol Building
PO Box 202053
Harrisburg, PA 17120-2053

Re: Consumer Affairs Committee Written Testimony on House Bill 1855

Dear Representative Godshall,

On behalf of myself and on behalf of the Pennsylvania Ground Water Association, I am submitting this written testimony on House Bill 1855 that will be considered by the Consumer Affairs Committee.

To provide some background, in 2001 some Pennsylvania Ground Water Association members, including myself, were very involved in the development of House Bill 1591 that passed in the House of Representatives but never came out of committee in the Senate. I am a consulting groundwater geologist with more than 45 years of experience in locating, quantifying, developing, protecting, and remediating the groundwater resources of Pennsylvania.

Today there is no denying that new legislation is urgently needed to protect the quality and quantity of Pennsylvania's groundwater resources. This new legislation must contain all of the components listed below to create a new program that will effectively protect the groundwater resources of Pennsylvania. The new legislation should:

1. set construction standards for residential water wells
2. set construction standards for monitoring wells
3. set construction standards for geothermal boreholes
4. set construction standards for certain geotechnical borings
5. require the registration of water-well, monitoring well, geothermal borehole, and geotechnical drilling companies
6. require the permitting of water-well, monitoring well, geothermal borehole, and geotechnical drilling rigs
7. require the licensing of water-well, monitoring well, geothermal borehole, and geotechnical drillers through a process of passing a written exam
8. set the continuing education requirements for the annual renewal of drillers' licenses
9. require the permitting of new residential water wells, monitoring wells, geothermal boreholes, and certain geotechnical borings and the submission of a completion report
10. require the inspection of the drilling and construction of new residential water wells, monitoring wells, geothermal boreholes, and certain geotechnical borings by a Water-Well Enforcement Officer
11. establish the duties of local Water-Well Enforcement Officers

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12. establish the requirements to become a Water-Well Enforcement Officer by passing a written exam
13. establish the requirements for annual continuing education for Water-Well Enforcement Officers
14. establish a Water-Well and Geothermal Borehole Technical Advisory Committee
15. establish the fee structure for the registration of drilling companies, the permitting of drilling rigs, the licensing of drillers, the permitting of new residential water wells, monitoring wells, geothermal boreholes, and certain geotechnical borings, and the designation of Water-Well Enforcement Officers

All of the 15 components listed above were addressed in whole or in part in House Bill 1591. Some of the wording in House Bill 1591 needs to be updated due to the passage of 11 years. For example, today, due to few new homes being constructed in the current economy, and due to Federal Tax Credits for the installation or retrofitting of residential and commercial geothermal heat pump systems, at least ten times more geothermal boreholes than residential water wells are being drilled each month. Geothermal boreholes penetrate Pennsylvania's aquifers and hence must be thoroughly addressed in the new legislation and its related regulations.

House Bill 1855 does not address geothermal boreholes at all, and does not include all of the 15 components listed above, so it is the recommendation of the Pennsylvania Ground Water Association and me that House Bill 1855 be amended and revised to incorporate the 15 components listed above.

The Pennsylvania Ground Water Association is volunteering and I am personally volunteering to help with the process of amending and editing House Bill 1855, including providing technical advice and wording as needed.

When it is time for the implementation of this new legislation, I am personally volunteering to prepare drafts of the two written exams and proposed continuing education courses for the review and approval of the Department of Environmental Protection.

Thank you and the members of the Consumer Affairs Committee for considering this written testimony. Please contact me if you or any committee members have any questions concerning this testimony.

Sincerely,



Todd Giddings, Ph.D., P.G., President, Todd Giddings and Associates, Inc., and
International Ground Source Heat Pump Association Accredited Trainer

and

Director, Treasurer, and Education Committee Chairman of the Pennsylvania Ground Water Association

E-mail: toddgiddings@verizon.net

Cell phone: 814-571-0956