

76.10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

- (1) **Abandoned well** - A well that has not been used for six consecutive months. A well is considered to be in use in the following cases:
 - (A) a non-deteriorated well which contains the casing, pump, and pump column in good condition; or
 - (B) a non-deteriorated well which has been capped.
- (2) **Annular space** - The space between the casing and borehole wall.
- (3) **Atmospheric barrier** - A section of cement placed from two feet below land surface to the land surface when using granular sodium bentonite as a casing sealant or plugging sealant in lieu of cement.
- (4) **Bentonite** - A sodium hydrous aluminum silicate clay mineral (montmorillonite) commercially available in powdered, granular, or pellet form which is mixed with potable water and used for a variety of purposes including the stabilization of borehole walls during drilling, the control of potential or existing high fluid pressures encountered during drilling below a water table, and to provide a seal in the annular space between the well casing and borehole wall.
- (5) **Bentonite grout** - A fluid mixture of sodium bentonite and potable water mixed at manufacturers' specifications to a slurry consistency which can be pumped through a pipe directly into the annular space between the casing and the borehole wall. Its primary function is to seal the borehole in order to prevent the subsurface migration or communication of fluids.
- (6) **Capped well** - A well that is closed or capped with a covering capable of preventing surface pollutants from entering the well and sustaining weight of at least 400 pounds and constructed in such a way that the covering cannot be easily removed by hand.
- (7) **Casing** - A watertight pipe which is installed in an excavated or drilled hole, temporarily or permanently, to maintain the hole sidewalls against caving, advance the borehole, and in conjunction with cementing and/or bentonite grouting, to confine the ground waters to their respective zones of origin, and to prevent surface contaminant infiltration.
 - (A) Plastic casing - National Sanitation Foundation (NSF-WC) or American Society of Testing Material (ASTM) F-480 minimum SDR 26 approved water well casing.
 - (B) Steel Casing - ASTM A-53 Grade B or better and have a minimum weight and thickness of American National Standards Institute (ANSI) schedule 10.
 - (C) Monitoring wells may use other materials, such as fluoropolymer (Teflon),

glass-fiber-reinforced epoxy, or various stainless steel alloys.

(8) **Commission** - The Texas Commission of Licensing and Regulation.

(9) **Cement** - A neat portland or construction cement mixture of not more than seven gallons of water per 94-pound sack of dry cement, or a cement slurry which contains cement along with bentonite, gypsum or other additives.

(10) **Chemigation** - A process whereby pesticides, fertilizers or other chemicals, or effluents from animal wastes is added to irrigation water applied to land or crop, or both, through an irrigation distribution system.

(11) **Complainant** - A person who has filed a complaint with the Texas Department of Licensing and Regulation (Department) against any party subject to the jurisdiction of the Department. The Department may be the complainant.

(12) **Completed monitoring well** - A monitoring well which allows water from a single water-producing zone to enter the well bore, but isolates the single water-producing zone from the surface and from all other water-bearing zones by proper casing and/or cementing procedures. The single water-producing zone shall not include more than one continuous water-producing unit unless a qualified geologist or a groundwater hydrologist has determined that all the units screened or sampled by the well are interconnected naturally.

(13) **Completed to produce undesirable water** - A completed well which is designed to extract water from a zone which contains undesirable water.

(14) **Completed water well** - A water well which has sealed off access of undesirable water to the well bore by proper casing and/or cementing procedures.

(15) **Constituents** - Elements, ions, compounds, or substances which may cause the degradation of the soil or ground water.

(16) **Dry litter poultry facility** - Fully enclosed poultry operation where wood shavings or similar material is used as litter.

(17) **Easy access** - Access is not obstructed by other equipment and the fitting can be removed and replaced with a minimum of tools without risk of breakage of the attachment parts.

(18) **Edwards aquifer** - That portion of an arcuate belt of porous, water bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

- (19) **Environmental soil boring** - An artificial excavation constructed to measure or monitor the quality and quantity or movement of substances, elements, chemicals, or fluids beneath the surface of the ground. The term shall not include any well which is used in conjunction with the production of oil, gas, or any other minerals.
- (20) **Flapper** - The clapper, closing, or checking device within the body of the check valve.
- (21) **Foreign substance** - Constituents that includes recirculated tailwater and open-ditch water when a pump discharge pipe is submerged in the ditch.
- (22) **Freshwater** - Water whose bacteriological, physical, and chemical properties are such that it is suitable and feasible for beneficial use.
- (23) **Granular sodium bentonite** - Sized, coarse ground, untreated, sodium based bentonite (montmorillonite) which has the specific characteristic of swelling in freshwater.
- (24) **Groundwater conservation district** - Any district or authority created under Article III, Section 52, or Article XVI, Section 59 of the Texas Constitution or under the provisions of Chapters 35 and 36 of the Texas Water Code that has the authority to regulate the spacing or production of water wells.
- (25) **Irrigation distribution system** - A device or combination of devices having a hose, pipe, or other conduit which connects directly to any water well or reservoir connected to the well, through which water or a mixture of water and chemicals is drawn and applied to land. The term does not include any hand held hose sprayer or other similar device which is constructed so that an interruption in water flow automatically prevents any backflow to the water source.
- (26) **Monitoring well** - An artificial excavation constructed to measure or monitor the quality and/or quantity or movement of substances, elements, chemicals, or fluids beneath the surface of the ground. Included within this definition are environmental soil borings, piezometer wells, observation wells, and recovery wells. The term shall not include any well which is used in conjunction with the production of oil, gas, coal, lignite, or other minerals.
- (27) **Mud** - A relatively homogenous; viscous fluid produced by the suspension of clay-size particles in water.
- (28) **Piezometer** - A device so constructed and sealed as to measure hydraulic head at a point in the subsurface.
- (29) **Piezometer well** - A well of a temporary nature constructed to monitor well standards for the purpose of measuring water levels or used for the installation of piezometer resulting in the determination of locations and depths of permanent monitor wells.
- (30) **Plugging** - An absolute sealing of the well bore.

(31) **Pollution** - The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water that renders the water harmful, detrimental, or injurious to humans, animals, vegetation, or property, or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any or reasonable purpose.

(32) **Public water system** - A system supplying water to a number of connections or individuals, as defined by current rules and regulations of the Texas Natural Resource Conservation Commission 30 TAC Chapter 290.

(33) **Recharge zone** - Generally, that area where the stratigraphic units constituting the Edward Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such in official maps in the appropriate regional office of the Texas National Resource Conservation Commission.

(34) **Recovery well** - A well constructed for the purpose of recovering undesirable groundwater for treatment or removal of contamination.

(35) **Sanitary well seal** - A water tight device to maintain a junction between the casing and the pump column.

(36) **Undesirable water** - Water that is injurious to human health and the environment or water that can cause pollution to land or other waters.

(37) **Water or waters in the state** - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

(38) **Well** - A water well, injection well, dewatering well, monitoring well, piezometer well, observation well, or recovery well.

(39) **State well report (Well Log)** - A log recorded on forms prescribed by the Department, at the time of drilling showing the depth, thickness, character of the different strata penetrated, location of water-bearing strata, depth, size, and character of casing installed, together with any other data or information required by the Executive Director.