

## How to Request an Alternate Decommissioning Report for Lost & Destroyed Wells

Property owners are responsible for the maintenance of all wells located on the property and the decommissioning of the well at the end of its life (N.J.S.A. 58:4A-4.1 et seq.). The state well permit grants permission to the property owner to install the well for its intended use and to the well driller to construct the well in a manner which meets all conditions listed on the permit. At the time a well is installed, the property owner is responsible for specifying the use of the well, and the well driller is responsible for making sure that construction is completed in accordance with the well construction regulations (N.J.A.C. 7:9D-1 through D-4). The life span of the well is determined by several physical factors and the specified use.

Current regulations, which require that the driller use a GPS unit to report the location of the well, reduce the chance of a well being lost. However, older methods used to report the well location were often vague and the problem of locating such wells is compounded when the well head is buried beneath the ground surface. Thus, wells were often destroyed, damaged or simply unable to be located as a site was altered or redeveloped over time. The inability to locate or access a well is the main reason wells cannot be properly decommissioned in accordance with well rules.

Property owners, well drillers, and environmental consultants often contact the New Jersey Department of Environmental Protection (NJDEP) well permitting program staff to report that a particular well cannot be located or has been destroyed in way that will not allow for proper decommissioning in accordance with the well rules. A decommissioned well is defined as one that has been done so in accordance with the well rules (see N.J.A.C. 7:9D-3); meaning that a New Jersey licensed well driller has submitted a decommissioning report documenting the proper closure of the well. There was no clear procedure on how to account for lost or destroyed wells where proper decommissioning was not possible. Such wells continued to appear as 'active' in NJDEP databases. Recently, the Bureau of Water Allocation and Well Permitting (BWAWP) within NJDEP's Division of Water Supply and Geoscience, developed guidance for the reporting of damaged, destroyed, and/or lost wells. See page three for the *Guidance for Damaged, Destroyed, or Lost Well* document. This document gives the requestor a general understanding of what types of information and level of effort is needed prior to determining the fate of the well as either lost or destroyed.

A requestor starts the process by submitting the necessary information to the BWAWP. Once the information is reviewed, the requestor will receive either a letter stating that the well is now considered to be lost/destroyed or that further work is needed to resolve the fate of the well. The letter serves as an "alternate" decommissioning report for a destroyed well. For wells reported lost, the letter reminds the property owner of the obligation to decommission the well when it is discovered or becomes accessible in the future. If additional information is needed, the requestor will receive a letter specifying what is needed. Alternate decommission reports are issued by BWAWP in lieu of a traditional decommissioning report.

## Suggested Methods to Protect Wells

Proactive tracking and protection of wells, especially during periods of active construction or demolition, is the best and most effective way to avoid added costs until the well can be decommissioned properly. Suggested actions and contact information are also provided below.

The BWAWP recommends that the following actions be taken to avoid damage or loss of a well, particularly if there will be ongoing demolition, excavation, and/or vehicle traffic near the well(s) or if wells are infrequently monitored.

1. Wells should be clearly marked or protected by using one of the following methods:
  - a. Neon paint;
  - b. Concrete barriers;
  - c. Fence or rope to isolate the well from surrounding areas;
  - d. A steel plate cover over the well (for flush mount installations)
2. Maintain an accurate inventory of all the wells (production and environmental) at the site and include:
  - a. Well Permit Number
    - i. The well permit number must be permanently affixed to the well per N.J.A.C. 7:9D-2.4(a)1.
    - ii. The well permit number should also be included on Forms A & B submitted to Site Remediation & Waste Management Programs in the space indicated.
  - b. Local ID/Site Specific ID
  - c. Well locational information (Northing and Easting)
  - d. Results of annual inspection and photograph to determine condition of wells and if they are being used for their intended purpose. Include at least one photo depicting well with observable landmarks to assist with field identification.

Any comments or questions can be directed to [wellpermitting@dep.nj.gov](mailto:wellpermitting@dep.nj.gov). Additional well information can be located on the Division's website at:

<http://www.nj.gov/dep/watersupply/>



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## Guidance for Damaged, Destroyed, or Lost Wells

In the event that a well has been damaged, destroyed, and/or lost such that it cannot be decommissioned in accordance with Well Construction & Maintenance; Sealing of Abandoned Wells, N.J.A.C. 7:9D Subchapter 3, the property owner or its agent shall contact the Bureau of Water Allocation and Well Permitting (BWAWP) in writing and provide the following information:

1. The name, address, telephone number of the responsible party/property owner for the well;
2. The facility and location information where the well was located including county, township, lot, block, and the known or approximate coordinates;
3. New Jersey Department of Environmental Protection (NJDEP) issued Program Interest ID (PI ID), if applicable;
4. Date when it was discovered that the well was damaged, destroyed, or lost;
5. The approximate date the well was damaged, destroyed, or lost;
6. Circumstances resulting in the well being damaged, destroyed, or lost;
7. Detailed description of the action(s) taken to locate the well in the case of lost wells, or action(s) taken to clear obstruction to facilitate decommissioning in the case of damaged or destroyed wells;
8. Well permit number and well construction specifications, if known. If the well permit number or a copy of the well record is not available, a completed individual well search questionnaire shall be submitted by following the well search directions on the Department's website, which can be located at [www.nj.gov/dep/watersupply/pw\\_permit.html](http://www.nj.gov/dep/watersupply/pw_permit.html).

Examples of action(s) taken to locate lost wells include, but are not limited to: interviewing the original well driller (if possible), interviewing site employees, metal detection, magnetometer, ground penetrating radar (GPR), obtaining original survey information, Open Public Records Act (OPRA) request of Licensed Site Remediation Professional (LSRP) Form A and Form B, site excavation, etc. As mentioned above, a detailed description of whatever actions were employed must be included in the letter to the BWAWP. Please include photographs, drawings, diagrams, maps, survey data, LSRP reports that contain site details, original correspondence with the Department or any other State, County, or Local agencies, and/or well driller notes in order to document the actions that were taken.

Once the provided information has been received and reviewed, the BWAWP will evaluate the information submitted to make a determination whether additional efforts must be made to locate and decommission the well. If the BWAWP determines that additional actions are needed to facilitate the proper decommissioning of the well, the responsible party/property owner shall undertake actions to determine the condition of the well. Failure to comply with the decommissioning requirements of N.J.A.C. 7:9D-3.1 et seq. is considered a violation of the regulations and subject to enforcement action.