

**ARIZONA DEPARTMENT OF WATER RESOURCES**

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**JANE DEE HULL**  
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**ARIZONA DEPARTMENT OF WATER RESOURCES**

**SUBSTANTIVE POLICY STATEMENT**

**Variance Requests for Notices of Intention to Drill or Abandon Wells**

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

**I. Background**

The Arizona Department of Water Resources (“Department”) is required by statute to adopt rules establishing construction standards for wells, including the abandonment of existing wells. A.R.S. 45-594(A). The Department adopted such rules effective March 5, 1984, and amended the rules effective June 18, 1990. The rules are set forth in Arizona Administrative Code (“A.A.C.”) R12-15-801 through R12-15-852.

The Department’s well construction rules authorize variances (issued at the discretion of the Director) from the minimum well construction or abandonment standards if extraordinary or unusual conditions exist. A.A.C. R12-15-820. In keeping with contemporary well drilling industry practices and standards, the Department previously issued Substantive Policy Statements that provide for variances, if requested, for certain types of well drilling activities. These Substantive Policy Statements are as follows:

**Variance from Minimum Well Construction Requirements and Setback Requirements for Geotechnical Wells.** Effective August 16, 1995.

Provides that upon request, a person intending to drill a geotechnical well will be granted a variance from the minimum well construction requirements of A.A.C. R12-15-811 and the setback requirements of R12-15-818, provided that the well is abandoned in accordance with A.A.C. R12-15-816 before the drill rig is removed from the site.

**Thermoplastic Casing Surface Seal Variance for Vadose Zone, Monitor, Piezometer and Exploration Wells. Effective August 1, 2000.**

Provides that upon request, all qualified vadose zone, monitor, piezometer and exploration wells will be granted a variance that allows the substitution of qualified thermoplastic casing for the steel casing required by A.A.C. R12-15-811 in the upper 20 feet of the well's surface seal, unless extraordinary circumstances require steel casing. Wells issued this variance must be installed only in an oversized borehole without driving, and be completed below land surface in a vault. The thermoplastic casing must conform with American Society of Testing and Materials Specification F480-89(1989).

Complete copies of these Substantive Policy Statements are filed with the Office of the Arizona Secretary of State and also available for downloading as PDF files from the Arizona Department of Water Resources Internet website at: <http://www.water.az.gov/>.

**II. Additional Well Construction and Well Abandonment Variances Allowed**

In addition to the variances granted through previous Substantive Policy Statements, the Director has determined that it is appropriate to provide notice that upon request, the Director will grant other types of commonly requested well construction and well abandonment variances if certain criteria are met. Variances that will be granted upon request, and the criteria that must be met to qualify for the variances, are listed in the attached Tables 1 and 2.

**III. Effective Date**

This substantive policy statement shall become effective immediately. The Director may modify or revoke this policy at any time.

DATED this 18<sup>th</sup> day of December, 2002.



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Joseph C. Smith  
Director  
Arizona Department of Water Resources

**Table 1. Well construction variances that qualify for approval upon request to ADWR  
(including criteria that must be met to qualify for the variance)**

Activity	Description of Variance	Criteria That Must Be Met to Qualify for Variance	Category of Wells for Which Variance Applies	A.A.C. Rule From Which Variance is Granted
Well Drilling	Well may be located within 100 feet of any septic tank system, sewage disposal area, landfill, hazardous waste facility, storage area of hazardous materials or petroleum storage areas and tanks.	Wells cannot be used for any water production purposes except to provide water samples.	Environmental Wells  Note: No variance is required to drill monitor wells and piezometer wells within 100-foot setback zones.	R12-15-818
	Surface seal casing may be less than 20 feet, but not be less than 5 feet.	Shallow groundwater conditions exist. <b>Or</b> Soil monitoring, groundwater monitoring or remediation activities require shortened seal. <b>Or</b> Groundwater recharge activities require shortened seal.	Monitor Wells Piezometer, Wells Environmental Wells Exploration Wells Specialty Wells	R12-15-811(B)(1)
	Well may be screened more than 10 feet above highest seasonal static water level.	Monitoring or recharge activities require this type of well design. <b>Not allowed in areas of soil or groundwater contamination.</b>	Monitor wells	R12-15-811(H)(1)

**Table 2. Well abandonment variances that qualify for approval upon request to ADWR  
(including criteria that must be met to qualify for the variance)**

Activity	Description of Variance	Criteria That Must Be Met to Qualify for Variance	Category of Wells for Which Variance Applies	A.A.C. Rule From Which Variance is Granted
Well Abandonment	Well may be filled with clean, fine sand.	Well must be greater than 8 inches in diameter and penetrate a single aquifer only, with no vertical flow components. <b>No water quality issues may exist.</b>	Any well that meets the required criteria.	R12-15-816
	Well may be filled with alternating layers of 50 feet of clean, fine sand and 10 feet of an acceptable grout material as provided in Well Abandonment Handbook <sup>1</sup> , Alternative 5, variance option 1.	Well must be greater than 8 inches in diameter and penetrate a single or multiple aquifers with vertical flow components. <b>No water quality issues may exist.</b>	Any well that meets the required criteria.	R12-15-816
	Clean, fine sand or an approved grout material or mixture may be used to fill well above and below aquifer boundary seals. Aquifer boundary seals must be installed as provided in Well Abandonment Handbook <sup>1</sup> , Alternative 5, variance option 2.	Well must be greater than 8 inches in diameter and penetrate a single or multiple aquifers with vertical flow components. <b>No water quality issues may exist.</b>	Any well that meets the required criteria.	R12-15-816

<sup>1</sup> “Well Abandonment Handbook” refers to the Well Abandonment Handbook issued as a substantive policy statement by the Director on September 20, 2001. A copy of the Well Abandonment Handbook is on file with the Arizona Secretary of State and is also available as a PDF file from the Arizona Department of Water Resources Internet website at <http://www.water.az.gov/>.