§ 15-1525. Water well drillers in New York state to obtain certificates of registration.

1. No person shall engage in the business of water well drilling in the state of New York without first obtaining a certificate of registration from the department as hereinafter provided. All water well drilling shall be performed in accordance with the rules and regulations promulgated by the commissioner of health pursuant to subdivision eighteen of section two hundred six of the public health law.

2. Application for a certificate of registration shall be made upon a form prescribed and furnished by the department providing such information as the department deems necessary for the purposes of issuance of a certificate of registration.

3. The certificate of registration shall require that, before the commencement of drilling of any well or wells, the water well driller shall file a preliminary notice with the department; it shall also provide that upon the completion of the drilling of any water well or water wells, a completion report be filed with the department, giving the log of the well, the size and depth thereof, the capacity of the pump or pumps attached or to be attached thereto, and such other information pertaining to the withdrawal of water and operation of such water well or water wells as the department by its rules and regulations may require. The water well driller shall provide a copy of such completion report to the water well owner. The number of the certificate of registration must be displayed on the well drilling machinery of the registrant. The certificate of registration shall also contain a notice to the certificate holder that the business activities authorized by such certificate are subject to the provisions of article thirty-six-A of the general business law. The fee for such certificate of registration shall be ten dollars annually. The commissioner shall promulgate a water well completion report form which shall be utilized by all water well drillers in satisfying the requirements of this section and any other provision of state or local law which requires the submission of a water well completion report or water well log.

4. The department may revoke any certificate of registration for violation of any of the provisions of this section, or violation of rules made by the department pertaining thereto. A certificate of registration may be revoked by the department regardless of the criminal provisions with regard to this section found in section 71-1115.

5. a. On and after January first, two thousand three, any individual who is responsible for the on-site supervision of water well drilling activities must have passed, with at least a seventy percent score, a two-part certification exam by the national ground water association or an equivalent exam offered or approved by the commissioner. Evidence of having passed such exam shall be provided by the person responsible for the on-site supervision of water well drilling activities upon demand of any enforcement officer.

b. Notwithstanding the provisions of paragraph a of this subdivision any individual, who is responsible for the on-site supervision of the repair or installation of water pumps, requiring the opening of the well casing, must have passed, with at least a seventy percent score, a certification exam developed by the national ground water association or the water systems council, or an equivalent exam offered or approved by the commissioner. Evidence of having passed such exam shall be provided by the person responsible for the on-site supervision of the repair or installation of water pumps, requiring the opening of the well casing, upon demand of any enforcement officer.

6. Except as otherwise provided by law, nothing in this section shall be deemed to preempt any provision of local law which requires the license or registration of water well drillers or which otherwise regulates the practice of water well drilling, provided that the provisions of such local law are at least as comprehensive as the provisions of this section.