

**CHAPTER 4725
DEPARTMENT OF HEALTH
WELLS AND BORINGS**

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4725.0350 FEES APPLICABLE TO THIS CHAPTER.

Subpart 1. **Applicability.** The fees specified in this part apply to this chapter. Fees are not refundable.

Subp 2 **Examination application fee.** A nonrefundable fee of \$50 to apply for examination for licensure or registration is required for any of the following:

- A a well contractor license as specified in part 4725 0475, subpart 3, either as a representative or individual,
- B a limited well contractor license as specified in part 4725 0475, subpart 4,
- C an elevator shaft contractor license as specified in part 4725 0475, subpart 5; or
- D a monitoring well contractor registration as specified in part 4725 0475, subpart 6

Subp 3 **License or registration fees.** An application for an original or renewal license or registration must be accompanied by a nonrefundable license or registration fee of:

- A \$250 for a well contractor's license,
- B \$50 for an individual well contractor's license;
- C \$50 for a limited well contractor's license,
- D \$50 for an elevator shaft contractor license, or
- E \$50 for a monitoring contractor registration

Subp. 4 **License or registration late renewal fee.** If a licensee or registrant fails to submit all information required for the renewal of a license or registration or submits the application and information after the required renewal date as specified in part 4725 1300, a late fee of \$50 must be paid in addition to the fees specified in subpart 3.

Subp 5 **Water supply well notification fee.** A nonrefundable notification fee of \$100 for each new water supply well drilled must be paid by a property owner where the well is to be located.

Subp 6 **Permit fees.** A nonrefundable permit fee to be paid by a property owner where a well or wells are to be located is required as follows:

- A \$100 annually for a water supply well that is not in use and under a maintenance permit,
- B \$100 for construction of a monitoring well,
- C \$100 annually per well for a monitoring well that is unsealed and under a maintenance permit,
- D \$100 per site for all monitoring wells, regardless of number, used as leak detection devices at a single motor fuel retail outlet or petroleum bulk storage site excluding tank farms,

E \$100 for a groundwater thermal exchange device in addition to the notification fee specified in subpart 5,

F \$100 for a vertical heat exchanger,

G \$100 for the construction of a dewatering well except a dewatering project comprising more than five wells shall pay no more than \$500 for a single permit for the wells recorded on the permit,

H \$100 annually for a dewatering well that is unsealed and under a maintenance permit except that a dewatering project comprising more than five wells shall be issued a single permit for \$500 for wells recorded on the permit, and

I \$100 for a boring to install an elevator shaft hydraulic cylinder

Subp 7 **Drilling machine registration fee.** A person may not use a drilling machine unless a nonrefundable fee of \$50 is paid annually to register the drilling machine

Subp 8 **Pump hoist registration fee.** A person may not use a pump hoist unless a nonrefundable fee of \$50 is paid annually to register the pump hoist

Subp 9 **Well disclosure fee.** In accordance with the disclosure provisions of Minnesota Statutes, section 1031 235, a nonrefundable disclosure fee of \$20 shall be collected. Of the \$20 fee collected, \$17 50 must be transmitted to the commissioner of health for each well disclosure certificate received during the quarter

Subp 10 **Variance fee.** A nonrefundable fee of \$100 shall be charged by the commissioner to request a variance from this chapter

Subp 11 **Electronic payment.** The fees specified in this part may be paid electronically

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.0410 VARIANCE.

Subpart 1 **General.** The commissioner shall grant a variance to any provision of this chapter according to the procedures and criteria specified in parts 4717 7000 to 4717 7050.

[For text of subps 2 and 3, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.0550 REPRESENTATIVE OR INDIVIDUAL WELL CONTRACTOR.

[For text of subpart 1, see M R]

Subp 2 [Repealed, 18 SR 1222]

[For text of subp 3, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1075 APPLICATION FOR LICENSURE OR REGISTRATION.

Subpart 1 **Application for licensure or registration.** A person must apply for licensure or registration on a form provided by the commissioner

[For text of items A and B, see M R]

C The application for licensure or registration must be accompanied by the nonrefundable licensure or registration fee specified in part 4725 0350

Subp 2 [Repealed, 18 SR 1222]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1250 BONDING.

At the time the fee is submitted for initial licensure or registration, or licensure or registration renewal, the licensee or registrant must show proof of holding a corporate surety bond as required by Minnesota Statutes, chapter 1031. The bond must be submitted to the commis-

sioner One bond is required for each licensee or registrant If on proof to the commissioner it is shown that multiple licenses or registrations are held by one licensee or registrant, the bond held by that licensee or registrant may cover all licenses and registrations The licensee or registrant must be named as the principal The bond must be signed by an official of the company who is legally authorized to represent the company The bond may be used by the commissioner to compensate persons injured or suffering financial loss because of failure of a licensee or registrant to properly perform the duties under part 4725 0475 and Minnesota Statutes, chapter 103I The term of the bond must be continuous or concurrent with the term of the license or registration The penal sum of the bond is noncumulative and is not to be aggregated every year that the bond is in force The bond must be written by a corporate surety licensed to do business in Minnesota The corporate surety shall be responsible for providing 30 days' written notice to the commissioner of cancellation of a licensee's or registrant's bond If a bond is canceled, a licensee or registrant must not perform work requiring the license or registration until the licensee or registrant obtains another bond meeting the requirements of this part An individual well contractor, as described in Minnesota Statutes, section 103I 525, subdivision 1, paragraph (c), is exempt from the requirements of this part

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1300 LICENSE OR REGISTRATION RENEWAL.

Licenses expire on January 31 of each year and registrations expire on December 31 of each year Each licensee or registrant shall submit an application for license or registration renewal on forms provided by the commissioner no later than January 31 for licenses and December 31 for registrations The renewal application must be accompanied by the license and registration fees A penalty fee must also be paid if the renewal is submitted after the January 31 license or December 31 registration deadline At the time of license or registration renewal, the approved continuing education courses completed by the individual well contractor or representative as required by part 4725 1650 must be listed and the licensee or registrant must provide the bond required under part 4725 1250

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1800 DRILLING MACHINE AND HOIST REGISTRATION.

Upon licensure or registration, the licensee or registrant must register all drilling machines and hoists and pay a fee for each machine or hoist Each time the licensee or registrant renews licensure or registration under part 4725 1300, the licensee or registrant must renew each drilling machine and hoist registration and must pay a renewal fee for each drilling machine or hoist Upon acquiring additional drilling machines or hoists after initial licensure or registration or after renewal of licensure or registration, the licensee or registrant must register the machine or hoist and pay the hoist or drilling machine registration fee Upon receipt of the required fee and information, a drilling machine or hoist registration card shall be issued for identification purposes for each drilling machine and hoist registered by the contractor The card shall be carried on the drilling machine or hoist at all times where it may be inspected by the commissioner

In the case of a licensee or registrant with more than one representative, the licensee or registrant may designate one representative to register all the licensee's or registrant's drilling machines and hoists

The registration card and decals furnished for a drilling machine or hoist are not transferable

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1820 NOTIFICATION FOR CONSTRUCTION OF WATER SUPPLY WELLS.

The owner of the property where a water supply well is to be located, the property owner's agent, a licensed well contractor, or a limited well contractor licensed to construct dug

wells and drive point wells must submit notification of construction of the proposed well to the commissioner according to this part. This part does not apply to the construction of monitoring wells, dewatering wells, or drive point wells installed by the well owner on the owner's property for residential or agricultural use.

[For text of item A, see M R]

B. Notification must be made on a form provided by the commissioner. The notification must be legible, accompanied by the required fee, and signed by the representative of the licensee or the owner of the property where the well is located, or the property owner's agent.

[For text of item C, see M R.]

D. The notification must include the following information for each well:

[For text of subitem (1), see M R]

(2) the name, address, and telephone number of the well owner, and property owner if different, and

(3) the township number, range number, section and one quartile, or street address if the property is located in an incorporated area, of the proposed well location.

E. A new notification must be filed with the commissioner if:

[For text of subitems (1) and (2), see M R]

F. The notification is valid for 18 months from the date it is filed.

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1825 DEWATERING WELL CONSTRUCTION PERMITS.

This part applies to all dewatering wells as defined in part 4725 0100, subpart 24c, including drive point wells used for dewatering. Until June 30, 1992, this part does not apply to dewatering wells that are constructed and that operate down to 45 feet.

[For text of items A to G, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1830 MONITORING WELL CONSTRUCTION PERMIT.

This part applies to all monitoring wells, including drive point wells used as monitoring wells.

[For text of items A to I, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1831 GROUNDWATER THERMAL EXCHANGE DEVICE PERMITS.

This part applies to the construction of a groundwater thermal exchange device (heat pump) with reinjection to an aquifer.

[For text of items A to E, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1833 VERTICAL HEAT EXCHANGER CONSTRUCTION PERMITS.

This part applies to the construction of vertical heat exchangers.

[For text of items A to E, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1835 ELEVATOR SHAFT CONSTRUCTION PERMITS.

This part applies to an excavation or hole for installation of an elevator shaft or hydraulic cylinder for an elevator shaft.

[For text of items A to F, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1836 NOTIFICATION AND PERMIT.

The fees specified in part 4725 0350, must accompany all notifications and permit applications Notification or permit fees may be paid electronically and the permit requests or notifications may be submitted by facsimile. Notification and permit application fees shall not be refunded

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.1848 WELL MAINTENANCE PERMITS.

[For text of subps 1 to 3, see M R]

Subp 4 **Water supply well maintenance permits.** An annual well maintenance permit is required for an unsealed water supply well that is not in use or that is inoperable The owner of the property on which such a well is located must submit the annual permit fee along with the permit application, or have the well sealed

Subp 5 **Monitoring well maintenance permits.** The provisions in items A to C apply to monitoring well maintenance permits

A The owner of property on which an unsealed monitoring well is located must obtain a maintenance permit starting 14 months after construction of the well and must pay the required permit fee The permit must be renewed annually until the well is sealed

[For text of items B and C, see M R]

Subp 6 **Dewatering well maintenance permits.** The conditions in items A to C apply to dewatering well maintenance permits.

A. No later than 14 months after construction of a dewatering well, the owner of the property on which a dewatering well is located must obtain a maintenance permit for an unsealed dewatering well and must pay the required permit fee The permit must be renewed annually for wells that are in use

[For text of items B and C, see M.R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.2010 APPLICABILITY.

The general construction and use requirements specified in parts 4725.2010 to 4725 3875 apply to all wells and borings except exploratory borings regulated under chapter 4727.

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.2020 INTERCONNECTION OF AQUIFERS PROHIBITED.

[For text of subps 1 and 2, see M R]

Subp 3 **Aquifers in rock.** Aquifers in rock separated by the Decorah, Glenwood, Saint Lawrence, and Eau Claire confining layers must not be interconnected The confining layers specified are defined in "Geology of Minnesota A Centennial Volume" by Sims, P.K and Morey, G.B , pages 459-473, "Paleozoic Lithostratigraphy of Southeastern Minnesota" by George Austin which is incorporated by reference in part 4725 0150

Statutory Authority: *MS s 144.122*

History: *18 SR 1222*

4725.3350 INTERCONNECTIONS AND CROSS CONNECTIONS.

No connection between a well or boring and another well, boring, water supply system, or contamination source is allowed unless the connection is

A protected by an air gap as described in part 4715 2010,
[For text of items B to D, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.4450 DISTANCES FROM CONTAMINATION SOURCE.

Subpart 1 **Isolation distances.** A water supply well must be located where there is optimum surface drainage and at the highest practical elevation. A water supply well must be as far as practical from a contamination source, but no less than 150 feet upgrate from a sanitary landfill, dump, or waste stabilization pond.

A water supply well must be no less than

[For text of items A to D, see M R]

E 50 feet from:

[For text of subitem (1), see M R]

(2) an animal feedlot as defined in part 7020 0300, subpart 3, except as provided in subpart 2;

[For text of subitems (3) to (12), see M.R.]

[For text of items F and G, see M R]

[For text of subp 2, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.6150 DEWATERING WELL.

Subpart 1 **Scope.** This part applies to a dewatering well as defined in Minnesota Statutes, section 103I 005, subject to the exemption in Minnesota Statutes, section 103I 115. A dewatering well must be constructed in accordance with the general construction standards in parts 4725 2010 to 4725 3875. A dewatering well must not be used for a purpose other than dewatering. A dewatering well is exempt from the provisions in parts 4725 4050 to 4725 5650.

[For text of subs 2 to 6, see M.R.]

Statutory Authority: *MS s 144.122*

History: *18 SR 1222*

4725.6450 APPLICABILITY AND USE.

In addition to the general construction and use requirements in parts 4725 2010 to 4725 3875, a monitoring well that is not in use must be sealed.

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*

4725.6650 CONSTRUCTION OF MONITORING WELLS.

Subpart 1 **PVC materials.** A monitoring well must be constructed according to parts 4725 2010 to 4725 3875, except that a monitoring well may be constructed with flush threaded polyvinyl chloride (PVC) casing and screens if

[For text of items A to D, see M R]

[For text of subs 2 and 3, see M R]

Statutory Authority: *MS s 144 122*

History: *18 SR 1222*