

4725.0200 APPLICATION TO ALL WELLS AND BORINGS.

Subpart 1. **Applicability.** This chapter applies to all groundwater thermal exchange devices, SCLHE systems, and wells and borings except exploratory borings regulated under chapter 4727 and those wells and borings specifically exempted by Minnesota Statutes, chapter 103I.

Subp. 2. **Owner responsibility.** The owner of a well, boring, groundwater thermal exchange device, or SCLHE system is bound by the location, construction, installation, maintenance, and sealing provisions of this chapter.

Subp. 3. **Licensee or registrant responsibility.** The licensee or registrant is responsible to:

A. verify information and investigate conditions to comply with the requirements of this chapter, including the location of contamination sources; and

B. provide accurate and truthful information to the commissioner.

Subp. 4. **Access to information and property.** Upon presentation of credentials, the commissioner or an employee or agent authorized by the commissioner, may examine records or data related to matters governed by Minnesota Statutes, chapter 103I, and section 144.99, of any person subject to regulation under Minnesota Statutes, chapter 103I, and, for the purpose of taking an action authorized under statute or rule, or otherwise identified in Minnesota Statutes, section 144.99, subdivision 1, relating to the enforcement of this chapter, may:

A. enter property to examine the records and data;

B. inspect equipment and material used in performing wells and borings work;

C. obtain and analyze water, air, and waste drill cuttings;

D. inspect drill holes and drilled, sealed, or repaired wells and borings; and

E. inspect groundwater thermal exchange devices and SCLHE systems.

This authority must be exercised during regular working hours of Department of Health inspectors with respect to inspections of bored geothermal heat exchangers, groundwater thermal exchange devices, and SCLHE systems, and at reasonable times in all other cases.

Subp. 5. **Applicability to delegated well programs.** This chapter applies within a political subdivision regulating construction, repair, or sealing of wells or elevator borings delegated by the commissioner under Minnesota Statutes, section 103I.111. This does not prohibit a local delegated authority from adopting an ordinance which is consistent with or more restrictive than this chapter.

Statutory Authority: *MS s 103I.101; 103I.111; 103I.205; 103I.208; 103I.221; 103I.301; 103I.401; 103I.451; 103I.501; 103I.525; 103I.531; 103I.535; 103I.541; 103I.621; 144.05; 144.12; 144.383; 156A.01 to 156A.08; 157.04; 157.08; 157.09; 157.13*

History: *15 SR 78; 17 SR 2773; 33 SR 211; L 2013 c 108 art 12 s 108; L 2014 c 275 art 1 s 136; 45 SR 986; 49 SR 1261*

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