

## CHAPTER 103I

## WELLS, BORINGS, AND UNDERGROUND USES

103L101	Powers and duties of the commissioner of health.	103L341	Collection and enforcement of well sealing costs.
103L208	Notification filing fees and permit fees.	103L401	Elevator shaft borings.
		103L535	Elevator shaft contractor's license.

**103L101 POWERS AND DUTIES OF THE COMMISSIONER OF HEALTH.**

*[For text of subs 1 to 5, see M.S.1996]*

**Subd. 6. Fees for variances.** The commissioner shall charge a nonrefundable application fee of \$120 to cover the administrative cost of processing a request for a variance or modification of rules adopted by the commissioner under this chapter.

**History:** 1997 c 203 art 2 s 4

**NOTE:** The amendment to subdivision 6 by Laws 1997, chapter 203, article 2, section 4, is effective July 1, 1998. Laws 1997, chapter 203, article 2, section 38.

**103L208 NOTIFICATION FILING FEES AND PERMIT FEES.**

**Subdivision 1. Well notification fee.** The well notification fee to be paid by a property owner is:

- (1) for a new well, \$120, which includes the state core function fee;
- (2) for a well sealing, \$20, which includes the state core function fee; and
- (3) for construction of a dewatering well, \$120, which includes the state core function fee, for each well except a dewatering project comprising five or more wells shall be assessed a single fee of \$600 for the wells recorded on the notification.

**Subd. 1a. State core function fee.** The state core function fee to be collected by the state and delegated boards of health and used to support state core functions is:

- (1) for a new well, \$20; and
- (2) for a well sealing, \$5.

**Subd. 2. Permit fee.** The permit fee to be paid by a property owner is:

- (1) for a well that is not in use under a maintenance permit, \$100 annually;
- (2) for construction of a monitoring well, \$120, which includes the state core function fee;
- (3) for a monitoring well that is unsealed under a maintenance permit, \$100 annually;
- (4) for monitoring wells used as a leak detection device at a single motor fuel retail outlet or petroleum bulk storage site excluding tank farms, the construction permit fee is \$120, which includes the state core function fee, per site regardless of the number of wells constructed on the site, and the annual fee for a maintenance permit for unsealed monitoring wells is \$100 per site regardless of the number of monitoring wells located on site;
- (5) for a groundwater thermal exchange device, in addition to the notification fee for wells, \$120, which includes the state core function fee;
- (6) for a vertical heat exchanger, \$120;
- (7) for a dewatering well that is unsealed under a maintenance permit, \$100 annually for each well, except a dewatering project comprising more than five wells shall be issued a single permit for \$500 annually for wells recorded on the permit; and
- (8) for excavating holes for the purpose of installing elevator shafts, \$120 for each hole.

**History:** 1997 c 203 art 2 s 5

**NOTE:** The amendment to this section by Laws 1997, chapter 203, article 2, section 5, is effective July 1, 1998. Laws 1997, chapter 203, article 2, section 38.

**103L341 COLLECTION AND ENFORCEMENT OF WELL SEALING COSTS.**

**Subdivision 1. Lien for sealing costs.** The commissioner and the board of water and soil resources have a governmental services lien under section 514.67 for the costs of sealing

a well or boring that the commissioner or board has contracted to be sealed under section 1031.315, subdivision 2; or 1031.335. The lien attaches to the real property where the well or boring is located. The lien is perfected by filing the lien with the county recorder or registrar of titles where the well or boring and the property are located and serving or mailing by return receipt a copy of the lien to the property owner.

*[For text of subs 2 to 5, see M.S.1996]*

**History:** 1997 c 7 art 1 s 24

### **1031.401 ELEVATOR SHAFT BORINGS.**

Subdivision 1. **Permit required.** (a) A person may not construct an elevator shaft until a permit for the hole or excavation is issued by the commissioner.

(b) The elevator shaft permit preempts local permits except local building permits, and counties and home rule charter or statutory cities may not require a permit for elevator shaft holes or excavations.

*[For text of subs 2 to 4, see M.S.1996]*

**History:** 1997 c 203 art 2 s 6

**NOTE:** The amendment to subdivision 1 by Laws 1997, chapter 203, article 2, section 6, is effective July 1, 1998. Laws 1997, chapter 203, article 2, section 38.

### **1031.535 ELEVATOR SHAFT CONTRACTOR'S LICENSE.**

*[For text of subs 1 to 8, see M.S.1996]*

Subd. 9. **Incomplete or late renewal.** If a licensee fails to submit all information required for renewal in subdivision 8 or submits the application and information after the required renewal date:

(1) the licensee must include an additional late fee set by the commissioner under section 16A.1285; and

(2) the licensee may not conduct activities authorized by the elevator shaft contractor's license until the renewal application, renewal application fee, and late fee, and all other information required in subdivision 8 are submitted.

**History:** 1997 c 7 art 1 s 25