
By: **Delegates Cane, Bozman, G. Clagett, Conway, and Heller**

Rules suspended

Introduced and read first time: March 15, 2004

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 23, 2004

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **Environment - ~~Well Permit Fees~~ - ~~Removal of Cap~~ Well Permits - Fees**

3 FOR the purpose of altering the cap on certain well permit fees that a county board of
4 health may establish to defray certain expenses in inspecting and testing wells;
5 requiring a county board of health to issue a certain permit within a reasonable
6 period of time after receipt of a certain application; and generally relating to
7 well ~~permit fees~~ permits.

8 BY repealing and reenacting, with amendments,
9 Article - Environment
10 Section 9-1307
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2003 Supplement)

13 Preamble

14 WHEREAS, Local health departments across Maryland are responsible for the
15 inspection and testing of residential and commercial wells; and

16 WHEREAS, The inspection and testing of wells is essential to the protection of
17 the public health of the community; and

18 WHEREAS, The current well permit fee cap of \$80 per well has been in effect
19 since 1984 and does not cover the expenses incurred by local health departments in
20 performing the work necessary to insure the protection of public health; now,
21 therefore,

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Environment**

4 9-1307.

5 (a) In applying for a permit to drill a well, the well driller shall give the
6 Department any information the Department requires.

7 (b) As a condition to issuing a permit to drill a well, the Department may
8 require that samples of the materials encountered in drilling the well be preserved
9 and submitted to the Department.

10 (c) A county board of health may establish a permit fee to defray county
11 expenses in inspecting and testing wells. The fee may be charged before a permit
12 required under § 9-1306 of this subtitle is issued. The fee may not exceed [~~\$80~~ ~~\$180~~
13 ~~\$160~~ per well or [~~\$80~~ ~~\$180~~ ~~\$160~~ per cluster of wells to be used exclusively to transfer
14 heat to or from the ground or groundwater. A permit shall be ISSUED WITHIN A
15 REASONABLE PERIOD OF TIME AFTER RECEIPT OF THE APPLICATION AND SHALL BE
16 valid for a period of 12 months from the date of issuance by the approved delegated
17 permitting authority.

18 (d) A county board of health may waive a fee for a well that is drilled to replace
19 a well not in conformity with the regulations adopted under § 9-1305 of this subtitle.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2004.