

# HOUSE BILL 1126

M3, L3

3lr2466

---

By: **Delegate Frush**

Introduced and read first time: February 8, 2013

Assigned to: Environmental Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Well Drilling – Notification to Municipalities**

3 FOR the purpose of repealing a requirement that a well driller, when applying for a  
4 permit to drill a well, notify a municipality under certain circumstances;  
5 requiring the Department of the Environment to notify a municipality of an  
6 application for a permit to drill a well under certain circumstances; and  
7 generally relating to drilling wells and providing notification to municipalities.

8 BY repealing and reenacting, with amendments,  
9 Article – Environment  
10 Section 9–1307  
11 Annotated Code of Maryland  
12 (2007 Replacement Volume and 2012 Supplement)

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

15 **Article – Environment**

16 9–1307.

17 (a) In applying for a permit to drill a well, the well driller shall[:

18 (1) Give] **GIVE** the Department any information the Department  
19 requires[; and].

20 [(2) Notify] **(B) UNLESS A WELL WILL BE DRILLED ONLY FOR THE**  
21 **PURPOSE OF MONITORING GROUNDWATER, THE DEPARTMENT SHALL NOTIFY** a  
22 municipality **OF AN APPLICATION FOR A PERMIT TO DRILL A WELL** if the well will

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 be drilled inside the municipality's corporate boundary line or if the well will be drilled  
2 1 mile or less outside the municipality's corporate boundary line.

3 **[(b)] (C)** As a condition to issuing a permit to drill a well, the Department  
4 may require that samples of the materials encountered in drilling the well be  
5 preserved and submitted to the Department.

6 **[(c)] (D)** (1) (i) A county board of health may establish a permit fee to  
7 defray county expenses in inspecting wells, collecting water samples, and issuing  
8 certificates of potability.

9 (ii) For an interim certificate of potability, a county board of  
10 health shall accept initial test results prepared by a private State certified laboratory.

11 (2) (i) The fee may be charged before a permit required under §  
12 9-1306 of this subtitle is issued.

13 (ii) Except as provided in subparagraph (iii) of this paragraph,  
14 the fee may not exceed \$160 per well or \$160 per cluster of wells to be used exclusively  
15 to transfer heat to or from the ground or groundwater.

16 (iii) In Anne Arundel County only:

17 1. Subject to item 2 of this subparagraph, the fee  
18 charged shall be set so as to produce funds to reflect the actual cost of inspecting wells,  
19 collecting water samples, and issuing certificates of potability by the Anne Arundel  
20 County Board of Health; and

21 2. For a well drilled to replace an existing well the fee  
22 charged shall be no more than 50% of the fee as calculated under item 1 of this  
23 subparagraph.

24 (3) A permit shall be issued within a reasonable period of time after  
25 receipt of the application and shall be valid for a period of 12 months from the date of  
26 issuance by the approved delegated permitting authority.

27 **[(d)] (E)** A county board of health may waive a fee for a well that is drilled  
28 to replace a well not in conformity with the regulations adopted under § 9-1305 of this  
29 subtitle.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2013.