

567—49.3(455B) Applicability. The provisions contained herein apply to the construction and reconstruction of all nonpublic water supply wells 20 feet or greater in depth.

49.3(1) *Nonconforming well construction installations.*

a. Certified well drillers and pump installers shall ensure that the reconstruction of nonconforming wells adheres to all applicable provisions of this chapter or to comparable construction or installation requirements approved by the administrative authority, except for separation distances (SDs).

b. When any construction or reconstruction is done on a nonconforming feature of a well, that feature shall be upgraded and brought into compliance with the material and installation standards in this chapter, except for SDs.

49.3(2) *Nonconforming water system installations.*

a. Certified pump installers shall ensure that the reconstruction or repair of nonconforming water systems adheres to all applicable provisions of this chapter or to comparable construction or installation requirements approved by the administrative authority.

b. When pump services are performed on a well that has a contamination problem, the well shall be upgraded and brought into compliance with the installation standards in this chapter, except for SDs.

c. When pump services are performed on a well that does not have a contamination problem, the well may be put back into service with nonconforming features. However, the certified installer shall notify the well owner in writing of the defects and include recommendations to correct these deficiencies.

49.3(3) *Construction permit required.*

a. In accordance with Iowa Code section 455B.187(2), a landowner or landowner's agent shall not construct a new private well without first obtaining a well construction permit from the department or a county authorized to issue permits pursuant to this chapter. Examples of private wells requiring well construction permits include but are not limited to domestic wells, livestock wells, irrigation wells, recreational-use wells, monitoring wells, heat pump wells, horizontal and lateral geothermal wells, industrial wells, and dewatering wells.

b. A private well construction permit is required for all replacement wells and for modification of the physical dimensions of a well.

49.3(4) *Exemptions.*

a. The permitting and construction rules in this chapter shall not apply to public water supply wells; elevator shafts; underground storage tank monitoring wells covered under 567—Chapter 135; or monitoring wells for solid waste disposal facilities covered in 567—Chapter 113.

b. All dewatering wells are exempt from the construction standards of this chapter, except that a construction permit is required if a dewatering well will be in place for more than seven consecutive days.

c. Private well construction permits are not required for temporary test holes or wells that are in place for seven consecutive days or less; soil borings; mineral, rock, gas, and other non-groundwater wells or exploration boreholes; and all monitoring wells required as part of a permit or a construction approval issued by the department.

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