

567—49.4(455B) General.

49.4(1) Duties of administrative authority.

a. The administrative authority shall:

(1) Have the authority to visit well sites during any phase of the work without prior notice, and

(2) Require the issuance of permits and the submission of well logs by rule.

b. The administrative authority may also require posting of performance bonds and the collection and submission of other data.

49.4(2) No well construction or reconstruction shall be initiated until a permit has been issued by the proper authority. Construction permit issuance covered by this chapter shall be coordinated with water withdrawal permits issued by the department, pursuant to 567—Chapter 50.

49.4(3) All well services shall be performed by a certified well contractor or the property owner as specified in 567—Chapter 82.

49.4(4) It is the responsibility of the certified well contractor to ensure that a well construction permit has been issued prior to initiation of well construction or reconstruction and to ensure that all well services are performed in accordance with this chapter.

49.4(5) Waivers. Waivers to these rules may be granted by the administrative authority if sufficient information is provided to substantiate equal protection and the need for such action. Waiver requests and reasoning shall be in writing. Waiver approvals or rejections shall also be in writing. Where permitting authority has not been delegated to the county, the department will review and grant or deny any waiver requests within that jurisdiction.

49.4(6) Noncompliance. Violations of any of the provisions of this chapter may be addressed by the department pursuant to Iowa Code sections 455B.109, 455B.110, 455B.175 and 455B.191.

[ARC 9196C, IAB 5/14/25, effective 6/18/25]