

567—49.7(455B) Delegation of construction permitting authority to a county.

49.7(1) *Application.* A county board of supervisors, board of health, or the board's designee, hereafter referred to as a "county," requesting the authority to issue private well construction permits shall enter into an intergovernmental (28E) service agreement with the department in accordance with Iowa Code chapter 28E. The agreement shall be signed by the department and the county and include statements complying with this chapter and 567—Chapter 39. Additional information supporting an application may be requested by the department. The department may contract for all or part of the private well permitting services in those counties that do not receive or maintain delegation authority or for permit authorities retained by the department.

49.7(2) *Information to the department.* The delegation agreement shall provide for the method, format, and frequency of reporting all permit application information and remission of fees to the department.

49.7(3) *Authority.* After delegation of authority to a county, all applications in that county shall be made to the board or its designee, except that all new private well construction permit applications by state or federal agencies shall be made to the department.

49.7(4) *Delegation term.* A delegation of authority may be for up to five years and may be redelegated at the department's discretion.

49.7(5) *Permit number.* Each permit shall be given a unique number as prescribed by the department. This numbering system shall be consistent throughout the state.

49.7(6) *Emergency permits.* Contracting counties must have policies and procedures in place to accommodate the issuance of permits on an emergency basis for the immediate replacement or reconstruction of wells in response to the sudden and unforeseen loss or serious impairment of a well for its intended use.

49.7(7) *Delegation agreement revocation.* The department may revoke a county delegation agreement if the board of supervisors or the board's designee failed or refused to carry out the provisions of this chapter in a timely manner or violated any of the provisions of the delegation agreement with the department.

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