

(VIII) ONE MEMBER OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE APPOINTED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE.

Title 8. Water and Water Resources.

Subtitle 6. Well Drilling and Well Drillers

Part II. Well Drilling

8-602. Authority of [Department] DEPARTMENTS to make rules and regulations; scope and application of rules and regulations.

(a) The Department OF NATURAL RESOURCES may adopt any rule or regulation to further its general powers of supervision over natural resources of the State, and for proper conservation for public use, allocation, and development of underground waters of the State. Part II of this subtitle denies any State municipality, county, or other political subdivision the right to adopt and enforce any additional rule or regulation relating to construction of wells. The [Department of Natural Resources and the] Department of Health and Mental Hygiene shall [jointly] adopt [a single set of] regulations on the construction of wells. The regulations shall be effective January 1, 1979. Also, the provisions of Part II of this subtitle do not limit the powers of [the Department of Health and Mental Hygiene or] any [other] State unit having jurisdiction of and supervision over the public and potable water supplies of the State. The rules and regulations adopted may recognize a variation in the primary use or construction of wells, and of the materials penetrated in different localities.

(b) Any rule or regulation proposed by the Department OF HEALTH AND MENTAL HYGIENE with respect to the construction of wells shall be submitted to the Board for comment before adoption.

8-603. Permit prerequisite to drilling.

A licensed well driller may not undertake any operation to bore, core, dig, or construct a well for any owner who is required to obtain a permit for production and appropriation of waters from a well under the provisions of this title until the owner has obtained the permit from the Department OF HEALTH AND MENTAL HYGIENE. A permit may not be refused for domestic use on a farm.

8-604. Permit to drill well required; report of driller on completion of work.

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