

TITLE 178 ENVIRONMENTAL HEALTH

CHAPTER 11 FEES UNDER THE WATER WELL STANDARDS AND CONTRACTORS' PRACTICE ACT

11-001 SCOPE AND AUTHORITY: These rules prescribe fees for licensure under the Water Well Standards and Contractors' Practice Act. The authority for these regulations is found in Neb. Rev. Stat. §§ 46-1201 to 46-1241 and the Uniform Credentialing Act.

11-002 DEFINITIONS

Act means the Water Well Standards and Contractors' Practice Act, Neb. Rev. Stat. §§ 46-1201 to 46-1241.

Credential means a license, certificate, or registration.

Department means the Division of Public Health of the Department of Health and Human Services.

License means an authorization issued by the Department to an individual to engage in a profession which would otherwise be unlawful in this state in the absence of such authorization. In 178 NAC 11 it means those licenses issued under the Act.

Reinstatement means the restoration of a license to active status.

11-003 FEES

11-003.01 Schedule of Fees

1. A fee of \$150 for any regular or temporary hardship, initial or renewed license issued under the Act. These fees include a \$1 fee for the Licensee Assistance Program;
2. A fee for each water well required to be registered by the Department of Natural Resources. The fee for water wells designed and constructed to pump ~~less than~~ 50 gallons per minute or less and each monitoring and observation

well is \$30. The fee for a water well designed and constructed to pump ~~more than~~ 50 gallons per minute ~~or more~~ is \$70. For water wells permitted pursuant to the Industrial Ground Water Regulatory Act, the fee is collected for each of the first 10 water wells registered; and for each group of 10 or fewer water wells registered thereafter, the fee is collected as if only 1 water well is being registered. These fees are remitted to the Director of Natural Resources with the registration form required by Neb. Rev. Stat. §46-602 and are described in Neb. Rev. Stat. § 46-606;

3. A fee of \$100 for application for a declaratory order and;
4. A fee of \$100 for application for a variance.

11-003.02 Proration of Credentialing Fees: When a credential will expire within 180 days after its initial issuance date and the initial credentialing fee is \$25 or more, the Department will collect \$25 or one-fourth of the initial credentialing fee, whichever is greater, for the initial credential. The credential will be valid until the next subsequent renewal date.

11-003.03 Administrative Fees: These fees are:

1. \$10 for a duplicate original or reissued credential.
2. \$25 for certification of a credential. This includes a certified statement that provides information regarding the basis on which a credential was issued; the date of issuance; and whether disciplinary action has been taken against the credential; and whether a credential is valid at the time the request is made.
3. \$5 for verification of a credential.
4. \$35 reinstatement fee in addition to the renewal fee.
5. \$25 retained by the Department from the credentialing fee when a credential is denied or an application is withdrawn. If the credentialing fee is less than \$25, the fee is forfeited. Exam fees are not returned.

THESE AMENDED RULES AND REGULATIONS Replace Title 178 NAC 11, Fees Under the Water Well Standards and Contractors' Practice Act, effective June 7, 2011.