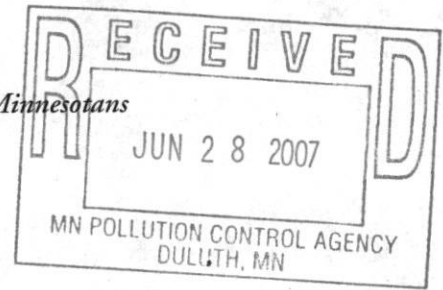




*Protecting, maintaining and improving the health of all Minnesotans*



July 26, 2007

Mr. Arthur M. Usan  
P.O. Box 3573  
Duluth, Minnesota 55803-3563

Dear Mr. Usan:

Subject: Unsealed, Unused Well Located on your Property along Hwy 53, Hermantown, PIN #395-0010-00701, Township 50N, Range 15W, Section 15, SW1/4 of the NW1/4, St. Louis County, Minnesota

Our information indicates that you have an unsealed, unused well located on the subject property. On April 6, 2007, I inspected the subject property and observed the concrete curbing of this well located slightly above grade and beneath the RADCO sign along highway 53 in Hermantown. The concrete curbing, or casing of the well is 3-4 feet in diameter.

Minnesota Statutes, Chapter 103I and Minnesota Rules, Chapter 4725 (Minnesota Well Code) require that a well not in use must be sealed unless the property owner has a maintenance permit for the well. Minnesota statutes and rules also require that **well sealing must be done only by a licensed well contractor or a limited well sealing contractor.**

A well is considered to be not in use if it has been disconnected from its power source or otherwise rendered inoperable or if it is not operated on a daily, regular, or seasonal basis. The owner of a well which is not in use must do one of the following:

1. Have the well permanently sealed by a **licensed well contractor**. The well contractor must remove debris or obstructions in the well, fill the well using methods and materials prescribed in Minnesota Rules, Chapter 4725, and submit a report of the sealing to the Minnesota Department of Health (MDH).
2. Make the well operable, and place the well into service. The well must be maintained whereby it is not a source or channel for groundwater contamination. Any repairs or modifications to the well must comply with Minnesota Rules, Chapter 4725.
3. Obtain an annual maintenance permit from the Minnesota Department of Health. You are not required to obtain maintenance permits for wells which are operable, in use, and properly maintained.

General Information: (651) 201-5000 ■ TDD/TTY: (651) 201-5797 ■ Minnesota Relay Service: (800) 627-3529 ■ [www.health.state.mn.us](http://www.health.state.mn.us)

For directions to any of the MDH locations, call (651) 201-5000 ■ An equal opportunity employer

Mr. Arthur M. Usan

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The requirements for sealing wells apply to all types of wells, including drive point wells, drilled wells, dug or augered wells, monitoring wells, dewatering wells, and irrigation wells.

Unsealed, unused wells are a potential liability for the property owner. They pose a threat of groundwater contamination, contamination of other water supply wells, and a safety hazard for children and animals. **A well owner may be held legally liable if a well is a source or cause of groundwater contamination. In accordance with Minnesota Statutes, Chapter 103I, the owner of a well is not liable for contamination of groundwater from the well after it is sealed if the well has been sealed by a licensed contractor, the seal has not been disturbed, and a report of sealing has been filed with the Minnesota Department of Health.**

Please inform me within 30 days about your plans for the well. Please contact me at 218/723-4653 with any questions.

Sincerely,



Sandra Beck, District Hydrologist  
Minnesota Department of Health - Well Management Section  
Government Services Center, Room 703  
320 West Second Street  
Duluth, Minnesota 55802

cc: Mark Malmanger, Northern Regional Supervisor, Well Management Section, Bemidji  
Kevin Mustonen, Minnesota Pollution Control Agency, 525 Lake Avenue South, Suite 400,  
Duluth, MN 55802