

Definitions:

Facility: means any mechanical device or monitoring well and its associated apparatus, placed within a public street, and designed and constructed to measure or monitor the quality or movement of foreign substances, elements, chemicals, fluids, or pollutants below the surface of the ground; or any mechanical device, method, or apparatus, placed in a public street and designed and constructed to obtain a sample soil core boring from a depth of greater than one foot below the surface of the ground, for the purpose of removing soil for environmental quality testing.

Public Street: means the entire width between the boundary lines of every way that is held by the city in fee or by easement or dedication when any part thereof has been accepted by the city, or has been opened to the use of the public for purposes of vehicular travel, and specifically shall include any designated state or federal highway or road or any designated county road that is under the administrative control of the city for maintenance, repair, or vehicular traffic control purposes.

Who needs a MW/Boring permit?

Any entity that wishes to install a monitoring well (MW) or collect soil by boring in a public street (as stated in City of Houston Ordinance Chapter 40, Article XII, City of Houston Code of Ordinances.)

https://library.municode.com/tx/houston/codes/code_of_ordinances?nodeId=COOR_CH40STSI_ARTXIIIMOW_EENTEBOFA

What is required?

- A completed Application for Monitoring Well/Boring Permit:
<https://www.houstonpermittingcenter.org/media/1081/download>
- A colored GIMS map showing the accurate location of each proposed facility in relation to all traffic signal conduits, sanitary sewer, storm, and water lines; calling out their distance from these utilities
<http://www.gims.houstontx.gov/PortalWS/MainPortal.aspx>
- The accurate location of the proposed facility shall include a description provided by the Global Position Satellite coordinates and must be in Degrees Latitude Longitude (i.e. 29.766894, -95.368431)
- Permittee shall maintain in effect certain insurance coverage and shall furnish certificates of insurance, in duplicate form, before beginning its performance under its permit. (see insurance requirements section below)
- A bond in the amount of \$1000.00 for first facility and \$750.00 for each additional facility thereafter issued by a corporate surety authorized to transact business in Texas.
- A certified or cashier's check from a bank that is authorized to transact business in the State of Texas made out to the City of Houston.

What does it cost?

All fees are nonrefundable.

Original application:

\$392.53 for first facility

\$84.11 for each additional facility on the same application

\$29.64 administrative fee.

Permit Renewal:

\$84.11 for each facility on the same application

\$29.64 administrative fee.

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What happens to a MW/Boring Permit Request once submitted?

1. The application package is checked for completeness.
2. If NOT complete, applicant is notified of what is required before a permit can be issued.
3. Once approved, permits are issued. A copy is e-mailed immediately to the applicant and the originals are kept on file.
4. If NOT approved, applicant is notified of decision and allowed to make corrections, if needed.

I need multiple permits. Do I need to submit a separate application for each one?

No. The ordinance states, "A single application for permits for multiple facilities may be filed with the director provided that the physical location of each proposed facility logically arises out of, and reasonably pertains to, the scheme and plan of a single environmental testing project."

I have submitted an application for multiple facilities. Do I need a separate bond for each facility?

No. One bond, covering the cost of each facility is sufficient. The current bond requirements are \$1000.00 for first facility and \$750.00 for each additional facility thereafter on the same test site.

Do I need a bond to renew a permit?

Yes. A bond is required on all monitoring wells and borings until they have been confirmed to have been properly plugged.

My permit will be expiring soon. How do I renew my permit?

Applications for renewal permits shall be submitted in the same form and manner as original applications, provided that any information furnished in a prior application which has not changed may be adopted by reference.

My permit has expired. What do I do?

Upon the expiration of a permit, if not renewed, the permittee, shall remove the facility, close the bore site, and restore the public street to its previous condition at his sole expense. Any facility which has not been removed by the tenth day next following the revocation or expiration of the permit shall be deemed abandoned, and it may be removed by the city without notice to the permittee. Removal of the facility by the city shall be at the sole expense of the permittee and shall be recorded as a charge against the permittee's restoration bond.

Any facility that has not been removed by the tenth day next following the expiration of the permit may be re-permitted in the same form and manner as original application. Application should be mailed to the address below.

I am planning to plug /remove my facility. What do I do now?

The Permittee shall notify the Inspector at MonitoringWells@houston.tx.gov a minimum of (48) hour prior to drilling or plugging to arrange for an inspection.

Insurance Requirements:

Permittee shall maintain in effect certain insurance coverage and shall furnish certificates of insurance, in duplicate form, before beginning its performance under its permit. All policies except Professional Liability and Worker's Compensation must name the city as an additional insured. All liability policies must be issued by a company with a Certificate of Authority from the State Department of Insurance to conduct insurance business in Texas or a rating of at least B+ and a financial size of Class VI or better according to the current year's Best's Key Rating Guide, Property-Casualty United States. Permittee shall maintain the following insurance coverage in the following amounts:

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- (1) Commercial General Liability insurance including Contractual Liability insurance: \$500,000 per occurrence; \$1,000,000 aggregate;
- (2) Worker's Compensation including Broad Form All States endorsement: Statutory amount;
- (3) Professional Liability: \$1,000,000 per claim; \$1,000,000 aggregate; and
- (4) Automobile Liability insurance: \$1,000,000 combined single limit per occurrence.

Aggregate limits are per 12-month policy period unless otherwise indicated. All insurance policies must require on their face, or by endorsement, that the insurance carrier waives any rights of subrogation against the city. Permittee shall give 30-days written notice to the city before a policy may be canceled or non-renewed. Within the 30-day period, Permittee shall provide other suitable policies in lieu of those about to be canceled or non-renewed so as to maintain in effect the required coverage.

The director of the department of administration and regulatory affairs, or its successor department, may adjust the above liability limits as reasonably necessary.

Who can I contact for more information?

Houston Permit Center
Monitoring Well Permits
1002 Washington St. 2nd Floor
Houston, TX 77002
Attn: Monitoring Well Program
Office: (832) 394-9490
E-Mail: MonitoringWells@houstontx.gov