



HARFORD COUNTY HEALTH DEPARTMENT

120 S. Hays Street

P.O. Box 797

Bel Air, Maryland 21014-0797

Susan C. Kelly, EHS
Health Officer

Russell W. Moy, MD, MPH
Deputy Health Officer

MEMORANDUM

To: Development Community
Engineers, Surveyor, Consultants

From: Leonard Walinski, LEHS *LWW*
Division of Subdivision Review
Bureau of Environmental Health

Though: John Resline, LEHS *JWR*
Division of Environmental Water Quality
Bureau of Environmental Health

Date: November 18, 2014 original September 30, 2014

Re: Existing Water Supply Wells and Miscellaneous Wells
In the Subdivision of Land

.....

The Code of Maryland Regulations (COMAR) 26.04.03. "Water Supply and Sewerage Systems in the Subdivision of Land in Maryland" states in the Preface, "It is the intent of these regulations to assure that subdivisions developed in the State shall ... in the absence of ... a community water supply ... shall provide for an adequate and safe supply of drinking water ... on each building site" This requirement also applies to the remaining lands and any new lot created with existing facilities. COMAR 26.04.03.01.P includes in the definition of a subdivision as a change in lot line which brings the remaining lands into the review of the subdivision plan.

To satisfy this provision of the regulations, the Harford County Health Department (HCHD) requires the following to be shown on the preliminary plan:

1. The location of any proposed well(s).
2. The location of any existing water supply/well(s) including:
 - a) Any well to remain.
 - b) Any well to be abandoned.
 - c) The location of any well not in use.
 - d) Any other water well (non-potable) including, but not limited to:
 - i. Agricultural wells.
 - ii. Monitoring wells.
 - iii. Geo-thermal wells.
 - iv. Springs.

- e) The plan must indicate the dwelling(s) and other structure(s) being served by the well(s) and when appropriate the water distribution network location.
- 3. Indicate the use of the well(s) to remain.
- 4. The type of well construction. Examples include: drilled well, drilled well in a pit, buried drilled well, dug well, stone lined dug well, etc.
- 5. Drilled well(s): if a well tag is present the well tag number must be provided.

The HCHD will visually evaluate the well(s) to remain to verify its construction (type and depth of casing), the cap design and the overall status of its condition. In some cases a licensed well driller or licensed plumber may have to certify the condition of the existing well(s). Unsatisfactory conditions will have to be corrected, or the well may need to be abandoned and a new well drilled.

All domestic water supplies to remain must be tested to document a safe water supply.

- 1. A well placed into service prior to November 28, 1980 – typically, this well will require testing for bacteria and nitrates.
- 2. A well drilled on or after November 28, 1980, should have been issued a Certificate of Potability (COP).
 - a) If no COP was issued for the well prior to being placed into service the well must complete the COP testing requirements. This process involves obtaining two consecutive good bacteriological samples taken at least 7 days apart within a maximum of six (6) months between samples, and testing for nitrates, turbidity, and sand.
 - b) If a COP was issued on the well, sampling typically will be limited to bacteria and nitrates.
- 3. Based on the historical use of the property or the surrounding properties, and/or underlying geological formation, the following additional testing may be required:
 - a) Testing for Volatile Organic Compounds (VOC) in accordance with the Environmental Protection Agency's (EPA) protocol 524.2.
 - b) Testing for Synthetic Organic Compounds (SOC), in accordance with an EPA 500 series method.
 - c) Testing for Radionuclides such as Gross Alpha and Gross Beta.
 - d) Regulated Heavy Metals.
 - e) All sampling shall be conducted at the owner/developer's expense.
- 4. All results are to be forwarded to this office for review.
- 5. All water testing must be collected by a Maryland Certified Water Sampler and analyzed at a Maryland Certified Lab. All submitted results must include the Chain of Custody documentation.
- 6. Depending on the test results, remediation measures may be required as determined by the Approving Authority. Remediation measures may include, but are not limited to, the installation of treatment equipment, development of a disclosure document, the development of another water supply well and groundwater remediation.

An existing domestic supply well to remain in service may be required to conduct a current yield test to ensure adequate supply at the time of subdivision. A well that may need a current yield test includes:

1. A well with no completion report on file.
2. The yield test conducted on the well is not in compliance with current yield testing requirements.
3. The well is located in an area which typically produces low yields.

In addition to COMAR 26.04.03. the following sections of the COMAR are applicable in determining the acceptability of an existing well/water supply prior to approving a subdivision of land. To some extent professional judgment must be used in establishing the above requirements.

COMAR 26.04.02.02.F. "Water Supply for Non-Community System.

- (1) Only the following may be used as a water supply for residential and other establishments not served by a community system:
 - (a) A well that satisfies the requirements of COMAR 26.04.04."

COMAR 26.04.02.03.F. "A person may not construct or alter any structure, residence ... or commercial establishment ... served by an ... private water supply system ... until the Approving Authority has:

- (4) Certified the existing ... water supply systems as capable of ... meeting the water demand and any reasonable foreseeable increase in ... water demand."

COMAR 26.04.02.03.G. "If, in the opinion of the Approving Authority, a safe and adequate water supply is not available to the lot, an on-site sewage disposal permit shall be denied."

COMAR 26.04.04.10.A. states, "The well owner's responsibility is to maintain their well in a condition to conserve and protect the ground water resource."

COMAR 26.04.04.10.B. states, "The well owner's responsibility is to maintain the upper terminal of the well at the proper height indicated in COMAR 26.04.04.07.F.(3).

COMAR 26.04.04.10.C. states, "The well owner's responsibility is to maintain the access port in a manner which prevents the entrance of water, dust, insects, or other foreign material and permits ready access for water level measurements."

COMAR 26.04.04.10.E. states, "The well owner's responsibility is to maintain the identification tag attached to the well.

It is the HCHD position, supported by the noted regulations, that a subdivision of land should not be approved where there is not a documented safe and adequate water supply.

The above procedures are effective immediately on any new subdivision or plan that has not been extended preliminary plan approval by the HCHD.

JR/LWW/FJF/mm