



Town Of Boxborough
Board of Health
29 Middle Road
Boxborough, Massachusetts 01719
(978)-263-1116

WELL REGULATIONS
(Amended March 25, 2004)

SECTION 1. PURPOSE

These regulations are intended to promote the public health and general welfare by ensuring that private wells are constructed in a manner which will protect the quality of the groundwater derived from private wells.

SECTION 2. AUTHORIZATION

These regulations are adopted pursuant to Chapter 111, Section 31 of the Massachusetts General Laws as amended.

SECTION 3. DEFINITIONS

As used in these regulations, the following terms shall be defined and interpreted as follows:

Abandoned Water Well: A private well that has not been used for water supply for a period of one year or more and which the owner does not intend to use again for supplying water.

Agent: The Nashoba Associated Boards of Health (hereinafter referred to as Nashoba) serving as the agent for the Board of Health, as provided by Chapter 111, Section 27A.

Aquifer: A water-bearing geologic formation that contains water in sufficient quantities to supply a well.

Irrigation Well: Any opening or penetration into the ground intended for water withdrawal uses other than for drinking water purposes. An irrigation well shall include non-potable wells and wells for use as heat pumps or other heat exchange.

Person: An individual, corporation, company, association, trust, or partnership.

Potable Water: Water that is safe and fit for human consumption.

Private Well: A water supply well which will not serve either a number of service connections or a number of individuals sufficient to qualify as part of a public water system as defined in 310 CMR 22.02. A private well shall include irrigation wells and non-potable wells as defined by this regulation.

Regulating Agency: The Boxborough Board of Health through its agent, the Nashoba Associated Boards of Health.

Sanitary Landfill: A private or municipally operated facility where trash is deposited and covered with earth.

Well: A bored, drilled or driven shaft, or a dug hole with a depth greater than its largest surface dimension.

Well Driller: Any person who is licensed by the Water Resources Commission (as defined by Chapter 620 of the Acts of 1956, as amended) to construct wells.

SECTION 4. REQUIREMENTS FOR PRIVATE WELLS

4.1 No private well shall be deemed a source of potable water unless it is constructed in accordance with these regulations. No well shall be destroyed except in accordance with these regulations.

4.2 For each private well constructed after the effective date of these regulations, there shall be:

- (a) a well construction permit application;
- (b) a well construction permit;
- (c) a water quality analysis;
- (d) a certificate of compliance with the terms of the permit;
- (e) a well driller's report.

4.3 For each private well destroyed after the effective date of these regulations, there shall be:

- (a) a well destruction permit application;
- (b) a statement of well abandonment from the owner;
- (c) a well destruction permit;
- (d) a well driller's or contractor's report of destruction.

4.4 The Board of Health or its agent shall investigate violations of these regulations or of any permit issued and may take such actions as it may deem necessary for the protection of public health and to restrain violations of these regulations.

4.5 Whoever violates these regulations shall be punished by a fine of not more than five hundred dollars payable to the Town of Boxborough.

SECTION 5. WELL CONSTRUCTION OR DESTRUCTION PERMITS

5.1 No person shall engage in the business of constructing or destroying private wells within the Town of Boxborough under these regulations unless registered as a well driller with the Water Resources Commission pursuant to 313 CMR 3.00.

5.2 A well construction or destruction permit shall be obtained from Nashoba prior to the construction or destruction of any private well.

5.3 An application for a well construction or destruction permit shall be submitted by the well driller or his agent to Nashoba on a form furnished by Nashoba.

5.4 No irrigation well shall be permitted without the written approval of the water district or water department if the property is served by a Public Water Supply.

5.5 The general location and design of a proposed private well along with a description of possible sources of contamination within 400 feet of the proposed well shall be submitted to Nashoba as part of the application for a well construction permit.

5.6 The specific location and design of the abandoned private well along with a written statement from the owner that the well is abandoned, shall be submitted to Nashoba as part of the application for a well destruction permit.

5.7 Fees for a well construction or destruction permit will be determined and charged by Nashoba.

5.8 For irrigation well(s) a sketch plan must be submitted containing the following minimum information:

- (a) Location;
- (b) Proposed construction;
- (c) Plumbing Connection plan; and
- (d) Existing condition plan.

SECTION 6. WELL DRILLER'S REPORTS

6.1 Within thirty days after completion of the construction of any well, the well driller shall submit to Nashoba a report containing the following information:

- (a) the name of the owner of the well;
- (b) the address of the property served (including street number, lot number, and assessor's parcel number);
- (c) the depth, size and method of construction of the well;

- (d) the location as shown on a sketch plan which shall show the distance from the well to at least two permanent landmarks;
- (e) the static water level;
- (f) the yield of the well after eight hours of pumping;
- (g) the well driller's log information.

6.2 Within thirty days after completion of the destruction of any well, the well driller or contractor shall submit to Nashoba a report containing the following:

- (a) the name of the owner of the well;
- (b) the address of the property served;
- (c) method of sealing, including materials used.

SECTION 7. WELL LOCATION

7.1 In establishing the location of a well, the well driller shall identify sources of contamination which exist within 400 feet of the proposed well site. The following minimum lateral distances from contamination shall apply:

<i>Source of Contamination</i>	<i>Minimum Lateral Distance</i>
Subsurface sewage disposal system (leaching area)	100 feet
Septic Tank	50 feet
Property line or common way	35 feet
Public way	35 feet
Active or closed sanitary landfill	400 feet
Hazardous waste spill site	400 feet
Wetland (MA Wetland Protection Act) ¹	50 feet

¹ The owner and applicant are responsible for compliance with the Massachusetts Wetland Protection Act and local Conservation Commission requirements.

7.2 Where, in the opinion of Nashoba, adverse conditions exist, the above distances may be increased or special means of protection may be required. These special requirements shall be added to the well construction permit by Nashoba.

7.3 Where possible, the well shall be upgradient of sources of contamination. The top of a well shall be higher than any surface sources of contamination and above any known conditions of flooding by drainage or runoff from the surrounding land, unless otherwise adequately protected.

7.4 Irrigation well(s) may be subject to forfeit if in any way the well(s) encroaches on any other property.

SECTION 8. WELL CONSTRUCTION STANDARDS

Wells shall be constructed in conformance with the recommendations of the latest edition of the Manual of Individual Water Supply Systems, U.S.E.P.A. Office of Drinking Water (exception: springs shall not be used as a potable water supply).

SECTION 9. DISINFECTION AND OTHER SANITARY REQUIREMENTS

All private wells shall be disinfected following construction, rehabilitation, and well or pump repair before the well is placed into service. The well shall be pumped to waste (not to the septic system) until the water is as clear as possible. Thereafter the well and pumping equipment (and plumbing if installed) shall be disinfected with a solution containing at least 50 ppm of chlorine. The well shall remain in contact with the chlorine solution for a minimum of 24 hours before the well is pumped to waste (not to septic system) and the water found to be free of disinfectant.

SECTION 10. WELL DESTRUCTION

A well that is abandoned shall be destroyed to protect the groundwater supply and to eliminate potential physical hazards. Wells shall be sealed with non-hazardous, impervious materials which shall be permanently in place. All casing materials, pumping equipment, and distribution lines shall be removed. The excavation shall be returned to the current existing grade of the surrounding land.

SECTION 11. WATER SAMPLING

11.1 Water samples shall be collected by Nashoba Associated Boards of Health. The water sample may be taken to a Laboratory of Nashoba's choice unless the owner selects a specific laboratory, at which time the sample container may be sealed with a custody tag and be delivered to the owner-selected testing laboratory by him/herself. The laboratory shall be required to notify Nashoba should the sample be received with a broken custody seal.

11.2 Chemical and bacteriological analyses shall be made and approval of the results by Nashoba shall be obtained before the well shall be put into service as a potable supply.

11.3 The water sample shall be analyzed by a laboratory certified to perform drinking water analysis by the Department of Environmental Quality Engineering.

SECTION 12. WATER QUALITY

12.1 Water samples submitted for bacteriological analysis shall meet the standard of zero total coliform per 100 ml of sample using a method accepted in the latest edition of Standard Methods for the Examination of Water and Wastewater, American Public Health Association.

12.2 Nashoba or the Board of Health may require that a chemical analysis be performed on the well water. Such a requirement shall specify which chemicals shall be tested.

SECTION 13. VARIANCES

13.1 Variances may be granted only as follows: the Board of Health may vary the application of these regulations with respect to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and the applicant has proven that the same degree of public health and environmental protection required under these regulations can be achieved without strict application of a particular provision(s).

13.2 Variance requests shall be in writing to the Board of Health. The Board of Health shall grant, modify, or deny a variance in writing.

SECTION 14. SUBSTANTIVE PROCEDURES

Substantive procedures shall be performed as specified in 105 CMR 400.100.

BY: BOXBOROUGH BOARD OF HEALTH

[signed by the Board 3/24/04]

[received by the Town Clerk 3/25/04]