

IRRIGATION WELL REGULATIONS
SOUTHBOROUGH BOARD OF HEALTH
Adopted by Vote of the Board
December 14, 2016

It is the purpose of these regulations to protect the public health, safety and welfare by ensuring that irrigation wells are properly located, recorded and on file at the Board of Health office.

In accordance with the authority granted by M.G.L. Ch. 111 sec. 31 the Board of Health hereby adopts the following regulations regarding the construction of irrigation wells.

These regulations are an addition to the Board's Private Well Regulations for human consumption.

1.0 WELL CONSTRUCTION PERMIT:

1.1 No person shall install an irrigation well until a completed application has been submitted to the Board of Health and a well construction permit has been issued.

1.2 A fee may be charged for plan review, and for the permit to construct a well. The fee is considered part of the application. The current fee will be posted in the offices of the Board of Health and the Town Clerk

1.3 The application shall include:

- (a) The property owner's name and address.
- (b) The well driller's name and business address and proof of valid state registration.
- (c) Two (2) copies of a site plan prepared by a professional engineer or registered sanitarian or Massachusetts Licensed Land Surveyor or another professional who, in the opinion of the Public Health Director is qualified to properly locate the irrigation well.

1.4 Well construction permits are not transferable and expire after one (1) year. Permits may be renewed if in the opinion of the Board of Health the conditions on which the design is based are unchanged and the design conforms with current state and local applicable regulations.

1.5 Every licensee (permittee) must notify the Board of Health of any changes of status or address.

2.0 SITE PLAN:

2.1 The plan must provide the property owner's name, and identify the property location by street name and number, and the assessor's map and parcel number in the lower right hand corner.

2.2 The submitted plan must be drawn using a 1" = 20' scale. Another scale will require prior approval from the Board of Health or its Agent.

2.3 North must be indicated on the plan and a minimum of two benchmarks must be given.

2.4 Property lines must be actual and not proposed.

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2.5 Existing or proposed above and/or below ground structures must be shown.

2.6 Approximate G.P.S coordinates must be shown.

3.0 WELL LOCATION AND USE REQUIREMENTS: Each irrigation well shall be accessible for repair, maintenance and inspections.

3.1 When possible, the well shall be located upgradient of all potential sources of contamination and shall be as far removed from potential sources of contamination as practical, given the layout of the property. The following minimum lateral distances shall apply:

<u>FIXED INFRASTRUCTURE</u>	<u>MINIMUM LATERAL DISTANCE</u>
Driveway	5 Feet
Property Line	10 Feet
Public Way	15 Feet
Right of Ways	15 Feet
Stable, barnyard, manure storage	20 Feet
Septic Tank	10 Feet
Subsurface Sewage Disposal Field	20 Feet
Underground fuel storage tank	20 Feet
Wetland or High Water Elevation of any lake, pond, river stream or ditch	15 Feet

3.2 The centerline of a well shall, if extended vertically, clear any projection from an adjacent structure by at least five (5) feet.

3.3 When a proposed irrigation well location is in areas which might interfere with underground MWRA Aqueducts/Tunnel the Board of Health office may require the applicant to get MWRA sign-off.

3.4 A suction line from a well shall be located a minimum of 10 feet from a building sewer.

3.5 Pressure water supply lines shall be installed at least 10 feet from and 18 inches above any sewer line. Whenever water supply lines must cross sewer lines, both pipes shall be constructed of class 150 pressure pipe and shall be pressure tested to assure water tightness.

3.6 The Board reserves the right to impose minimum lateral distance requirements from other potential sources of contamination not listed above. All such special well location requirements shall be listed as a condition of the well construction permit.

3.7 No irrigation well, or its associated distribution system, shall be connected to the distribution system of a public water supply.

4.0 WELL CONSTRUCTION REQUIREMENTS Any work involving the connection of the irrigation well to the distribution system of the residence must conform to any and all applicable codes.

A physical connection is not permitted between a water supply, which satisfies the requirements of these regulations, and another water supply that does not meet the requirements of these regulations without prior approval of the Board.

A. General Well Design and Construction All irrigation wells shall be designed such that:

- (1) The materials used for the permanent construction are durable in the specific hydrogeological environment that occurs at the well site.
- (2) No unsealed openings will be left around the well that could conduct surface water or contaminated groundwater vertically to the intake portion of the well or transfer water from one formation to another.
- (3) Permanent construction materials shall not impart toxic substances, taste, odors or bacterial contamination to the water in the well.

B. Labeling of well head, storage tank and any sill cock connected to the Irrigation Well

- (1) The applicant or well driller must affix a permanent weatherproof marker either on the well head, pipe shaft or on a marker affixed to the ground no more than four (4) feet from the well head bearing the following language or similar language: **“THIS WELL WATER IS FOR IRRIGATION PURPOSES ONLY. THE WATER FROM THIS WELL IS NOT TO BE USED FOR HUMAN CONSUMPTION”**
- (2) If water from the irrigation well is stored in a tank and its distribution for plants, lawns, decorative fountains, decorative pools or fish ponds, decorative moving water systems, the applicant must also affix permanent weatherproof signage at any faucet, sill cock or other fixture which could be mistakenly used for drinking by humans.

C. Well Completion Report Upon completion of the well the driller shall submit to the Board of Health its copy of the “WATER WELL COMPLETION REPORT”

5.0 AS-BUILT SKETCH: Upon completion, an as-built plan or sketch showing the exact location of the irrigation well shall be submitted.

6.0 DECOMMISSIONING REQUIREMENTS: Abandoned wells, test holes, and borings shall be decommissioned so as to prevent the well, including the annular space outside the casing, from being a channel allowing the vertical movement of water.

7.0 VARIANCES: The Board of Health may vary the application of any provision of these regulation, with respect to any particular case when, in its opinion, the enforcement thereof would do manifest injustice; provided, that the decision of the Board of Health shall not conflict with the spirit of any minimum standards established by these regulations. Any variance must be requested in writing. Any variance granted by the Board of Health shall be in writing. A copy of any such variance shall, while it is in effect, be available to the public at all reasonable hours in the office of the Board of Health.

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8.0 **ENFORCEMENT:** The Board of Health, its agents, officers, and employees, shall have the authority to enter upon privately owned land for the purpose of performing their duties for the administration and review of this regulation, and may make or cause to be made such examinations, surveys, or samplings as the Board of Health deems necessary.

The Board shall have the authority to enforce these regulations and permits issued thereunder by violation notices, administrative orders, and civil and criminal court actions.

Any person who violates any provision of this regulation or permits issued hereunder, shall be subject to a fine of not more than three hundred dollars. Each day or portion thereof constitutes a separate offense, and each provision of the regulation or permit that is violated shall constitute an separate offense.

As an alternative to criminal prosecution the Board may elect to utilize the non-criminal disposition procedure set for in M.G.L. Chapter 40, section 21D. For the purpose of this provision, the penalty to apply in the event of a violation shall be as follows: \$25.00 for the first offense; and \$50.00 for the second offense; \$100.00 for the third offense; and \$200.00 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed a separate offense.

9.0 **HEARING** The irrigation well owner to whom any order has been served may request a hearing before the Board by filing with the Board within 7 days after the day the order was served, a written petition requesting a hearing on the matter. Upon receipt of such petition the Board shall set a time and place for such hearing and shall inform the well owner thereof in writing. The hearing shall be commenced not later than 30 days after the day on which the order was served. The Board, upon application of the well owner, may postpone the date of the hearing for a reasonable time beyond such 30 day period if, in the judgment of the Board, the well owner has submitted a good and sufficient reason for such postponement. At the hearing the well owner shall be given a opportunity to be heard and to show why the order should be modified or withdrawn. After the hearing, the Board shall sustain, modify, or withdraw the order and shall inform the well owner in writing of its decision. If the Board sustains or modifies the order it shall be carried out within the time period allotted in the original order or in the modification.

10.0 **INVALIDATION:** If any section, paragraph, sentence, clause or phrase of these rules and regulation shall be decided invalid for any reason whatsoever, such decision shall not affect the remaining portions of these regulations, which shall remain in full force and effect.

11.0 **ADOPTION:** These rules and regulations were adopted by vote of the Board of Health and are to be in full force and effect upon publication in a newspaper serving the residents of the community.