
By: **Delegate Kach**

Introduced and read first time: March 8, 1999

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Water Wells - Tests**

3 FOR the purpose of requiring the Department of the Environment to adopt certain
4 regulations that require certain tests of water from a well used for domestic
5 purposes; providing for the application of the regulations adopted under this
6 Act; and generally relating to tests of water from wells.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 9-1305
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1998 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Environment**

15 9-1305.

16 (a) The Department shall adopt rules and regulations for the construction of
17 wells.

18 (b) The rules and regulations may recognize a variation:

19 (1) In the primary use or construction of wells; and

20 (2) Of the materials penetrated in different localities.

21 (c) Before the Department adopts any rule or regulation that relates to the
22 construction of wells, the Department shall submit the proposed rule or regulation to
23 the Board for comment.

24 (d) Notwithstanding any provisions to the contrary, a county board of health,
25 delegated by the Department of the Environment to implement a well inspection
26 program, may collect a fee for the issuance of well permits required under § 9-1306 of

1 this subtitle. However, a county health department may not collect a fee for test or
2 irrigation wells.

3 (E) (1) NOTWITHSTANDING SUBSECTIONS (A) THROUGH (D) OF THIS
4 SECTION, THE DEPARTMENT SHALL ADOPT REGULATIONS TO REQUIRE THE
5 FOLLOWING TESTS OF WATER FROM A WELL USED FOR DOMESTIC PURPOSES:

6 (I) HEAVY METALS;

7 (II) VOLATILE ORGANIC COMPOUNDS; AND

8 (III) CARCINOGENIC MATERIALS.

9 (2) THE REGULATIONS SHALL APPLY TO ANY PERSON OR UNIT OF STATE
10 OR LOCAL GOVERNMENT THAT TESTS THE WATER FROM A WELL.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1999.