

Maryland Private Well Safety Program (HB 1069)

Delegate Vaughn Stewart

Key Components of Legislation

- Creates a well testing and remediation program where residents can receive financial assistance with the costs associated with water test kits and, when unsafe levels of contamination are found, the costs of well remediation.
- Encourages transparency by creating an accessible online database of well water quality test results and requires the state to engage in basic data and information gathering related to unprotected groundwater drinking sources.
- Ensures well drinking water protections for tenants and new home buyers by establishing testing and notification requirements for property owners.
- Establishes a source tracking and notification program requiring the state to conduct field sampling of groundwater in areas of known or suspected contamination, notifying residents when contamination hotspots are found.

Need for Legislation

- The Safe Drinking Water Act is the primary federal statute governing the health of the nation's drinking water, but the statute's protections do not extend to private drinking wells and smaller community-based systems.
- Roughly 2 million Marylanders rely on well water as their primary drinking source. Maryland well owners are expected to take the safety of their drinking water into their own hands, but many believe their well water is safe to drink, do not know they should test annually, or cannot afford the cost of testing.
- In reviewing key protective policies and programs states have adopted to protect the drinking water of private well owners, Maryland ranked among the five states with the fewest protections. This bill would bring Maryland in line with the protections and resources that other states provide to well owners.

A Case Study of Nitrates in Well Drinking Water on Maryland's Eastern Shore. Nitrates are a colorless, odorless, and tasteless compound that can form through the decomposition of animal waste from industrial agriculture operations and contaminate groundwater resources that are used as drinking water supplies. EPA estimates that 28% of Maryland has groundwater nitrate levels exceeding 5 mg/L, second only to neighboring Delaware, where there is also a high concentration of concentrated feeding animal operations. In Wicomico and Worcester counties, roughly 1 out of 10 private wells sampled between 1965-2020 had nitrate concentrations of 3 mg/L or above, a level that may be or become hazardous to health. Rates of cancer, colorectal cancer, infant mortality, and low birth weight, which have all been linked to nitrate consumption, are greater in Lower Eastern Shore counties compared to the state as a whole. A 2021 study also found that cancer patients on the Lower Shore, particularly those with colon cancer, were more likely to rely on private wells. Nitrate pollution may also disproportionately harm lower income families who may not be able to afford costly treatment systems as the proportion of people living in poverty is greater in the Lower Eastern Shore compared to the state as a whole. Counties in the Lower Shore also have the highest proportion of Black residents compared to the rest of the shore, suggesting that adverse impacts of nitrate pollution could exacerbate health disparities borne by systemic racism.