



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 24th, 2023

Support of SB 483/ HB 011 - The Private Well Safety Act of 2023

The Honorable Kumar P. Barve, Chair Environment and Transportation Committee

Chair Barve, Vice-Chair Stein, and Esteemed Members of the Environment and Transportation Committee:

The Private Well Safety Act will provide roughly 830,000 Marylanders who get their drinking water from a private well with the necessary resources and information to monitor and safeguard their household drinking water. First, the bill requires the Department of the Environment to provide eligible residents with financial assistance to cover the costs of well testing and remediation if a funding source is identified. Second, the bill requires MDE to create an online database of well water test results, populated by county health departments and state-certified labs. Third, the bill requires water quality testing during the sale of a home with a well.

The history of this bill goes back to the 2020 session, when it was brought to Delegate Stewart by a group of advocates concerned about the levels of toxic chemicals they found in private well water in Southern Maryland. During the 2021 interim, his office convened a workgroup of stakeholders to discuss the details and find a solution that worked for everyone. The group included representatives from the Maryland Department of the Environment, the Center for Progressive Reform, Clean Water Action, SERCAP, MACo, Maryland Septics Stakeholders, Waterkeepers Chesapeake, and more. Last session, this bill nearly passed. We got as far as the second reader in the Senate before we ran out of time on Sine Die.

One million Marylanders rely on private wells for their drinking water, but water quality protections are few and far between. In fact, according to a 2020 report from the Center for Progressive Reform, our state offers fewer protections for private wells than almost any other state. While Maryland does require new wells to meet certain safety thresholds, this policy is insufficient because the quality of well water can degrade over time. In addition, the protections of the Safe Drinking Water Act, the primary federal statute governing the health of the nation's

drinking water, do not extend to private drinking wells and smaller community-based systems.

Maryland is, simply put, behind. Unlike at least 22 states, Maryland does not offer free or low-cost test kits. Unlike at least 12 states, Maryland does not require testing of private wells during a property transfer. And unlike at least 40 states, Maryland does not maintain a public database with information about the health of private wells. And until last year, landlords were not required to test wells and provide renters with water testing results. 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.

The most worrying contaminant in private wells is nitrates, which often pollute groundwater due to the overapplication of fertilizer or manure. Since they are odorless, colorless and tasteless, nitrates often go unnoticed. High nitrate levels in drinking water are linked to a condition fatal to infants called blue baby syndrome. They are also associated with cancer and pregnancy complications.

Maryland's hands-off approach to private wells hurts working-class Marylanders and Marylanders of color the most. The areas of the state most vulnerable to nitrate contamination are more impoverished than the state average. Safe drinking water is a human right, and we must ensure all Marylanders have access to it. This program would be a modest, but important step in that direction. This bill before you today is the same bill passed out of the House and this Committee last year with a few minor modifications. This year, senators on the Education, Energy, and Environment Committee unanimously voted for this bill.

I understand that the House version of this bill has accepted several amendments from MDE. I agree that it makes sense for MDE to work with DoIt to plan the phase of a One-Stop Portal. However, I do believe we should retain the Private Well Safety fund *subject to identifying a funding source*. There is federal funding available for this purpose and I am confident that this program will qualify.

I urge a favorable report.



Senator Karen Lewis Young