

HB250 (Senate) - Private Well Safety Act of 2022 -

Uploaded by: Dakota Matthews

Position: FAV



John Hartline, Chair

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Charlotte Davis, Executive Director

Testimony in Support of
House Bill 250 - Private Well Safety Act of 2022
Senate Education, Health, and Environmental Affairs Committee
March 30, 2022

The Rural Maryland Council supports House Bill 250 as amended. This bill will ensure safe drinking water for Marylanders by creating the Well Safety Program and the Private Well Safety Fund, establishing an online private well water quality database, and requiring testing of well water during the sale of land. These provisions will provide more testing and better tracking of the drinking water in these wells, ensuring the water that Marylanders are drinking is clean and free from forms of hazardous bacteria and toxins. The increased testing will help all Marylanders, but rural Marylanders will benefit particularly because of the high usage of private wells compared to urban and suburban residents of the State.

Covering the cost of water quality testing will increase the number of residents willing to test their wells. Many Marylanders have used the same well water for years without testing to ensure that the water is safe, or they may have tested the water once and have assumed it is safe to drink since. The Maryland Department of the Environment reports that 350,000 household across the State use a private well for drinking water. It is important that these households are not using water that is polluted with bacteria or toxins that can harm the families living there. A study done by University of Maryland researchers evaluated the private well water of 118 homes in Montgomery, Cecil, Kent, and Queen Anne's counties, what they found was that just over 43% of the wells did not meet at least one of the federal health-based drinking water standards. Some of the bacteria and toxins found in the wells were coliforms, fecal coliforms, enterococci, and escherichia coli.

One of the most dangerous toxins that can infiltrate wells is nitrate. The same study by University of Maryland researchers found that 3.4% of the wells tested contained nitrate levels above the drinking water standard of 10mg/L. High nitrate levels can cause health problems such as cancer and can be harmful or even fatal to infants if drank by the mother while pregnant. Since nitrate cannot be tasted or smelled in water, families may be drinking contaminated water with no way of knowing. This is why it is important to provide the necessary resources for families to test and track the quality of their drinking water.

Rural Marylanders are more likely to use private well water than those in suburban and urban parts of the State. HB-250 will help keep wells clean and protect those who drink water from private wells. The Rural Maryland Council respectfully requests your favorable support of House Bill 250.

The Rural Maryland Council (RMC) is an independent state agency governed by a nonpartisan, 40-member board that consists of inclusive representation from the federal, state, regional, county and municipal governments, as well as the for-profit and nonprofit sectors. We bring together federal, state, county and municipal government officials as well as representatives of the for-profit and nonprofit sectors to identify challenges unique to rural communities and to craft public policy, programmatic or regulatory solutions.

"A Collective Voice for Rural Maryland"

HB 250_CBF SUPPORT_EHE.pdf

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Position: FAV



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 250

Private Well Safety Act of 2022

Date: March 30, 2022

Position: **Support**

To: Education, Health, and Environmental Affairs

From: Doug Myers, Maryland Senior Scientist

Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 250 which establishes a grant program for counties and individuals to support water quality testing of drinking water wells and a requirement to test wells when property is sold to a new owner, or a new well is created. The bill also requires MDE to identify hot spots for drinking water contamination, when 50% or more of wells in a particular area exceed any limits for safe drinking water.

CBF understands that the required groundwater testing includes testing for nitrates as part of the potability standard. Common sources of nitrate include excess application of manure and fertilizer to fields, as well as septic system drainage. CBF has particular concern about contaminants in groundwater reaching surface waters, especially if contaminants like nitrates are impairing surface waters. Groundwater has been found to be a source of nitrates in the Bay.¹

Nitrates are a form of nitrogen. Excess nitrogen pollution in the Bay feeds algal blooms that block sunlight to underwater grasses and suck up life supporting oxygen when they die and decompose. These resulting "dead zones" of low or no oxygen can stress and even kill fish and shellfish. Algal blooms can also trigger spikes in pH levels, stressing fish, and create conditions that spur the growth of parasites.

With this bill's requirement for all well data to be uploaded to a database available to the public in summarized form for each county, CBF could access the data to inform environmental work, especially by obtaining information on nitrates in groundwater within zip codes with close proximity to tidal waters.

CBF urges the Committee's FAVORABLE report on HB 250. For more information, please contact Robin Clark, Maryland Staff Attorney at rclark@cbf.org and 443.995.8753.

¹ [Factors Affecting Nitrate Concentrations in Stream Base Flow](#), Susan A. Wherry, Anthony J. Tesoriero, and Silvia Terziotti, *Environmental Science & Technology* 2021 55 (2), 902-911, DOI: 10.1021/acs.est.0c02495

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HB250 Matt Geckle 3-30 FAV.pdf

Uploaded by: Mathew Geckle

Position: FAV

HB 250 Private Well Safety Act of 2022

Education Health and Environmental Affairs

Mathew Geckle
Back River Precast
March 30, 2022

Position: Favorable

It is urgent that Maryland do more to test and protect private wells. 45 states have better well testing and safety program than Maryland. This is putting rural Maryland at unnecessary risk from illnesses.

I want to focus on one large threat to our private wells. Septic systems. Most homes on wells often also have septic. EPA estimates that at least 10% of our current 450,000 systems are failing. I can also attest that over the last couple years my calls for failing systems have skyrocketed. The combination of aging systems, poor design, or bad installation added to increased heavy rains and more people home instead of at work and school has played havoc on septic systems function.

Of course, the problem from failing septic systems extend beyond household sewage bubbling up in yards or basements. These failing systems are putting untreated waste into the ground and therefore putting drinking water at risk.

As we now know many people have no idea that they must test their wells regularly. Maryland is not educating well owners on testing or making it simple.

Passing HB 250 will provide the education, financial help to make it easier to find out if the home's drinking water is safe. Equally importantly it helps to fund solutions to any contamination.

This bill is urgently needed to protect rural Maryland's health and their investment in their home. We cannot simply pretend there is no problem because we are not testing for it. Almost every other state protects their residents better than Maryland.

I urge a favorable report.

HB 250 Private Wells FAV in EHE_.pdf

Uploaded by: Sara Fidler

Position: FAV

Written Support**Senate Education, Health, and Environmental Affairs Committee*****House Bill 250 (Stewart) Private Well Safety Act of 2022*****Sara C. Fidler, President**sfidler@micua.org**March 30, 2022**

On behalf of the member institutions of the Maryland Independent College and University Association (MICUA) and the 58,000 students we serve, I thank you for the opportunity to provide written testimony in support of the third reading version of ***House Bill 250 (Stewart) Private Well Safety Act of 2022***. This bill establishes the Private Well Safety Program in the Department of the Environment to address and manage the contamination of private and domestic water supply wells in the State. The bill also establishes a fund to award grants for costs associated with water quality testing and remediation.

One of the MICUA member institutions, McDaniel College, owns the McDaniel Environmental Center (MEC), and there are three private wells on the site. Over the last several years, McDaniel has made significant investments in establishing and developing the MEC. The College tests the wells annually for contamination. The testing practice has been in place for the last seven years. To date, each well's test results have been within the permitted range. The College incurs expenses to test the wells for contamination; the College also incurs periodic expenses to evaluate the wells, pipes, and pumps. Environmental health and safety are key components of McDaniel's Environmental Studies program. **Therefore, this bill will provide an opportunity for McDaniel College to better serve its students and those who use the water from these wells.**

In addition to its important role in McDaniel's growing Environmental Studies program, all McDaniel students spend time at the MEC as part of their orientation experience. The MEC also plays an important role in the community as a valuable educational resource for public school teachers and their students, as well as for the local community at large.

We appreciate the sponsors' vision for environmental health and safety with the establishment of the Private Well Safety Program in the Department of the Environment. If you have any questions or would like additional information, please contact Angela Sherman, Vice President for Academic Affairs, asherman@micua.org.

For these reasons, MICUA urges a favorable Committee report for House Bill 250.

HB 250 FAV Del Stewart (1).pdf

Uploaded by: Vaughn Stewart

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB250

Testimony by Delegate Vaughn Stewart

March 30th, 2022 • Education, Health, and Environmental Affairs Committee

What the Bill Does:

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. 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.

Over the interim, my office convened a Workgroup of stakeholders to discuss this legislation. 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. HB250, with a sponsor amendment, is the result of that collaboration.

Why the Bill is Important:

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.

Why the Committee Should Vote Favorably:

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.

I urge a favorable report.

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Uploaded by: William Castelli

Position: FAV



House Bill 250 – Private Well Safety Act 2022

Position: Support

Maryland REALTORS® supports efforts to ensure clean and safe drinking water for Maryland residents served by private wells. The REALTORS® supported amendments in the House which are included in the bill before the Senate Committee today.

Among other provisions, HB 250 will provide homeowners and homebuyers information about their wells and an opportunity to inspect a well before purchase. However, the purchaser may agree to waive the test. The waiver addresses situations such as: properties which are sold “as is;” where timeliness is important for a transaction; and where certain mortgages like FHA already require a test that may not be the same as the test required by the bill.

Another important change to the bill was to clarify that test results are valid for 3 years similar to the current requirement in state law for residential rental real estate.

With these changes enacted in the House, the Maryland REALTORS® supports HB 250 and encourages a favorable report.

**For more information contact bill.castelli@mdrealtor.org,
susan.mitchell@mdrealtor.org, lisa.may@mdrealtor.org or
theresa.kuhns@mdrealtor.org**

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Uploaded by: Tyler Abbott

Position: INFO



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 30, 2022

The Honorable Paul Pinsky
Senate Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, 2W
Annapolis, Maryland 21401

Re: House Bill 250 – Private Well Safety Act of 2022

Dear Chair Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed HB 250, *Private Well Safety Act of 2022*, and would like to share some information on this legislation. MDE worked with the sponsor and stakeholders extensively on HB 250 and through conversations on the House side, amendments were made to address many of our previous concerns.

HB 250 proposes to amend Title 9 of the Environment Article by requiring MDE to expand the existing Private Well Safety Program (Program) and set up a Private Well Safety Fund to make grants to help cover the costs of water quality testing and remediation for private wells. The bill requires records of certificates of potability and water quality testing results to be uploaded to a portal accessible by the public. It requires MDE to annually report the information and data collected pursuant to the Program.

The legislation, as proposed, does not identify a source of funding to implement the bill's requirements. While the Department currently has adequate and sufficient staff and resources to conduct its mission effectively and efficiently, any additional legislatively-mandated program or regulation, such as this, could hamper our efficiency, force us to divert resources away from current core competencies, and could disrupt customer service and/or diminish services.

Thank you for your consideration. We will continue to monitor HB 250 during the committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or tyler.abbott@maryland.gov.

Sincerely,

Tyler Abbott

cc: The Honorable Vaughn Stewart
Lee Currey, MDE, Director, Water and Science Administration