



**Town of Southborough
Board of Health
9 Cordaville Road, Lower Level
Southborough, MA 01772-1662**

Health Department
Phone: 508-481-3013

PRIVATE WELL REGULATIONS

SOUTHBOROUGH BOARD OF HEALTH

1.0 PURPOSE AND AUTHORITY

It is the purpose of these regulations to protect the public health, safety and welfare by ensuring that housing units lacking access to public water supplies have a supply of safe drinking water from private wells and provide for the protection of the Town's groundwater resources.

In accordance with the authority granted by M.G.L. Chapter 111, Section 31, the Board of Health hereby adopts the following regulations regarding the construction of, and the water quality of private drinking water wells and wells used for purposes other than drinking water.

~~Any and all previous regulations concerning private wells are hereby repealed.~~

2.0 DEFINITIONS

As used in these regulations, the following terms shall be defined and interpreted as follows:

(1) Agent: The Southborough Board of Health Agent, as designated by Chapter 111, Section 27A, the Southborough Board of Health, lab staff from a State certified water lab or other individuals designated as agents by the Southborough Board of Health.

(2) Applicant: Any person who intends to have a private well constructed or decommissioned.

(3) Aquifer: A water bearing geologic formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs.

(4) Bedrock: The solid rock that underlies all soil, sand, clay, gravel, and loose material on the earth's surface.

(5) Board:

[REVISED] The Board of Health of the Town of Southborough, Massachusetts, including its authorized agents unless otherwise specified.

(6) Business of Digging or Drilling: A person who charges a fee for digging or drilling a well, or a person who advertises for hire the availability to dig or drill wells within the Commonwealth of Massachusetts.

(7) Casing: Impervious durable pipe placed in a boring to prevent the walls from caving in and to serve as a vertical conduit for water in a well.

(8) Certified Laboratory: Any laboratory currently certified by the Massachusetts Department of Environmental Protection for drinking water analysis. A laboratory holding provisional certification shall also qualify.

(9) Deep Well:

[REVISED] Any well with a total depth greater than 100 feet.

(10) Drilled Well: Any well that is drilled into bedrock with a casing that is sealed to the bedrock.

(11) Driven Well: Any well utilizing a drive-well point which is driven into the ground.

(12) Dug Well:

~~Any excavation dug by man or machine which is used to provide water for irrigation or any other purpose.~~

[REVISED] Any excavation dug by hand or machine for the purpose of obtaining groundwater.

(13) Irrigation Well: A well which is not connected to a domestic water supply line used or potentially used for human consumption. There shall be no plumbing connected to the house. It must be identified by a firmly attached yellow metal tag having the shape of a four-inch equilateral triangle bearing the legend WATER UNSAFE in letters not less than 7/16 inches in height.

(14) Non-essential Private Well:

~~Any well not used as a potable water source, including but not limited to irrigation wells.~~



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[REVISED] Any private well not used as a potable water source, including irrigation wells and other non-potable water supply wells.

(15) Person: Means any agency or subdivision of the federal government or state; any state, public or private corporation or authority; any interstate body, foreign nation, individual, trust, firm, joint stock company, partnership, associations or other entity; any officer, employee or agent of such person; and any group of persons.

~~(16) Point Well:~~

~~Any well utilizing a drive well point which is driven into the ground.~~

[REVISED] Deleted. See definition of "Driven Well."

(16) Potable Water:

~~Water that is satisfactory for drinking and for culinary and domestic purposes. Chemical and bacteriological analysis shall meet the standards set forth by the Massachusetts Department of Environmental Protection public water supply division regulations for potable water.~~

[REVISED] Water satisfactory for drinking, culinary, and domestic purposes that complies with the water quality standards established in Section 8.0 of these regulations.

(17) Private Well: Any dug, driven, or drilled hole, with a depth greater than its largest surface diameter developed to supply water intended and/or used for human consumption and that will not serve either a number of service connections or a number of individuals sufficient to qualify as a public water system as defined in 310 CMR 22.00.

(18) Pumps and Pumping Equipment: Any equipment or materials used or intended for use in withdrawing or obtaining groundwater, including, without limitation, pumps, seals and tanks, together with fittings and controls.

(19) Registered Well Driller: Any person registered with the Department of Conservation and Recreation/Office of Water Resources to dig or drill wells in the Commonwealth of Massachusetts.

(20) Shallow Well:

~~Any well with a total depth of less than 100 feet including but not limited to point wells, dug wells, and driven wells.~~

[REVISED] Any well with a total depth less than or equal to 100 feet, including but not limited to dug wells and driven wells.

(21) Static Water Level: The level of water in a well under non-pumping conditions.

(22) Well: An excavation or opening into the ground made by digging, boring, drilling, driving or other methods for the purpose of providing a water supply.

(23) Well Seal: An approved arrangement or device used to cap a well or to establish and maintain a separation between the casing or curbing of a well and the piping or equipment installed therein, the purpose and function of which is to prevent pollutants from entering the well or the upper terminal.

Unless the context requires otherwise, words not herein defined shall have the same meaning as given in the applicable regulations of the Department of Environmental Protection (DEP) and the Department of Conservation and Recreation (DCR).

3.0 WELL CONSTRUCTION PERMIT

3.1 No person shall install a private drinking water well or a well to be used for a purpose other than drinking water until a completed application has been submitted to the Board and a well construction permit has been issued.

3.2 A fee may be charged for plan review and for the permit to construct a well. The fee shall be considered part of the application.

3.3 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.



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(c) two (2) copies of a site plan prepared by a professional engineer or registered sanitarian.

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

3.5 Every licensee (permittee) shall notify the Board of any changes of status or address.

4.0 SITE PLAN

4.1 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.

4.2 The submitted plan must be drawn using a 1" = 20' scale. Another scale will require prior approval from the Board.

4.3 North must be indicated on the plan, and a minimum of two benchmarks must be given. Existing and proposed contour intervals shall be no less than two feet.

4.4 Property lines must be actual.

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

4.6 A description and location of visible and/or known prior and current uses of the property within two hundred (200) feet of the proposed well location which represent a potential source of contamination must be shown.

4.7 The permit shall be on site at all times that work is taking place.

5.0 WELL LOCATION AND USE REQUIREMENTS

Each private well shall be accessible for repair, maintenance, testing and inspections.

5.1 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:

Source of Contamination	Minimum Lateral Distance
Driveway	25 Feet
Property Line	10 Feet
Public Way	25 Feet
Right of Way	15 Feet
Stable, barnyard, manure storage	100 Feet
Septic Tank	100 Feet
Subsurface Sewage Disposal Field	100 Feet
Underground Fuel Storage Tank	200 Feet
Wetland or High-Water Elevation	25 Feet

Pools 25 Feet

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

5.3 When possible, private water systems shall be located in areas above the 100-year floodplain.

5.4 A suction line from a well shall be located a minimum of 10 feet from a building sewer constructed of durable corrosion resistant material with watertight joints, or 50 feet from a building sewer constructed of any other type of pipe; 50 feet from a septic tank; 100 feet from a leaching field; and 100 feet from a privy.

5.5 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 watertightness.



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5.6 The Board reserves the right to impose minimum lateral distance requirements from other potential sources of contamination not listed above.

5.7 No private well or associated distribution system shall be connected to the distribution system of a public water supply.

6.0 WATER QUANTITY REQUIREMENTS

The applicant shall submit to the Board for review and approval a Pumping Test Report. The report shall include, at a minimum:

- Name and address of the well owner
- Well location referenced to at least two permanent structures or landmarks
- Date the pumping test was performed
- Depth at which the pump was set
- Location of discharge line
- Static water level immediately prior to pumping
- Discharge rate and any rate changes during the test
- Pumping water levels and corresponding times
- Maximum drawdown during the test
- Duration of pumping and recovery periods
- Recovery water levels and corresponding times
- Reference point used for measurements

In order to demonstrate the capacity of the well to provide the required volume of water, a pumping test shall be conducted in the following manner:

6.1 The volume of water necessary to support the household's daily needs shall be determined using the following equation:

$(\text{number of bedrooms} + 1 \text{ bedroom}) \times (110 \text{ gallons per bedroom}) \times (\text{safety factor of } 2)$

6.2 The storage capacity of the well shall be determined using the measured static water level and the depth and radius of the drill hole or casing.

6.3 The required volume shall be calculated by adding the volumes of water in (1) and (2). This volume of water must be pumped from the well within a 24-hour period.

7.0 WATER SAMPLING PROCEDURES

All private wells and non-essential private wells shall be disinfected following construction, rehabilitation, or repair before the well is placed into service.

Any well that is constructed, opened, repaired, deepened, or otherwise subject to contamination shall be disinfected using chlorine or another Board-approved disinfectant. The well shall be pumped to waste (not to the septic system) until free of chlorine.

7.1 The Board or other persons approved by the Board shall collect water samples immediately following construction, rehabilitation, and disinfection of the well.

7.2 Representative samples for laboratory analysis shall be collected at pump discharge or from a tap in the discharge line.

7.3 Samples shall be analyzed for the following minimum parameters:

- Total Coliform
- Fecal Coliform/E. coli
- Arsenic
- Lead
- Sodium



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- Iron
- Manganese
- Copper
- Magnesium
- Color
- Sulfate
- Turbidity
- Alkalinity
- Chlorine
- Chloride
- Hardness
- Ammonia
- Nitrate
- Nitrite
- pH
- Conductivity
- Odor
- Potassium

All analyses shall be performed in accordance with U.S. EPA drinking water analytical methods.

7.4 The laboratory shall notify the Board if a sample is received with a broken custody seal.

8.0 WATER QUALITY REQUIREMENTS

8.1 All analytical results shall be reviewed by the Board to determine whether the water supply complies with applicable drinking water standards established by the U.S. EPA, DEP, and these regulations.

8.2 All water quality analyses shall be conducted by a laboratory certified by the DEP for the applicable parameter being analyzed.

8.3 [REVISED] The Board may require additional water quality testing whenever, in its opinion, groundwater quality may be compromised or additional characterization of the water supply is necessary.

8.4 No analytical result shall exceed applicable drinking water standards established under 40 CFR 141, 310 CMR 22.00, or other applicable state or federal standards.

Coliform results shall demonstrate zero colonies per 100 mL of sample or, upon a positive result, shall be followed by two successive zero-coliform samples drawn a minimum of 24 hours apart.

Where results indicate a potential health hazard, the Board may disapprove the well for use as a potable water supply and may require treatment or remediation measures.

8.5 The Southborough Board of Health may require the collection and submittal of water quality testing for any property when in the opinion of the Board the water supply quality is suspect or potentially compromised.

9.0 WELL CONSTRUCTION REQUIREMENTS

Any work involving the connection of the private well to the distribution system of the residence shall conform to all applicable plumbing and building codes.



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A physical connection shall not be permitted between a water supply meeting the requirements of these regulations and another water supply that does not comply with these regulations without prior approval of the Board.

9.1 General Well Design and Construction

All private wells shall be designed and constructed such that:

- (1) Materials used for permanent construction are durable under site-specific hydrogeologic conditions.
- (2) No unsealed openings remain that could permit surface water or contaminated groundwater to enter the well.
- (3) Permanent construction materials shall not impart toxic substances, taste, odor, or bacterial contamination to the water supply.

9.2 Well Completion Report

Upon completion of the well, the driller shall submit to the Board a copy of the WATER WELL COMPLETION REPORT

10.0 TRANSFER OF THE TITLE TO REAL ESTATE PROPERTY TESTING

The Board of Health of the Town of Southborough requires that prior to the transfer of title to real property located in the Town of Southborough, any private water supply for that particular parcel be tested by a Massachusetts Certified Water Testing Laboratory for appropriate yield and for chemical, physical and biological water contamination according to the Southborough Board of Health Minimum Sanitation Standards for Private or Semi-Public Water Supply. The results of these tests shall be submitted to the Southborough Board of Health. It is the responsibility of the owner, and not the Southborough Board of Health, to inform the buyer of the results of the tests. The Board shall issue an advisory report on whether the results meet said standards for a private well-drinking water supply. A copy of the advisory shall be placed on file at the Board of Health and shall be deemed a public record. If the owner decides to forgo the water tests, the owner shall execute a waiver (form attached) to be signed by both the owner and buyer, and the owner shall file the signed waiver with the Board of Health. In such an event, the Board of Health takes no position and makes no warranty as to the adequacy and potability of the water supply.

11.0 WATER SUPPLY CERTIFICATE

No well shall be placed into service until the Board has issued a Water Supply Certificate indicating that the well has been located, constructed, tested, and approved in accordance with these regulations.

~~The Board of Health shall require supervision of all construction and testing by the designer and require him to certify in writing that all work has been completed in accordance with the terms of the permit and the approved plans.~~

[REVISED] The Board may require written certification from the designer, driller, or other qualified professional that all work has been completed in accordance with the approved plans and permit conditions.



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12.0 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.

13.0 VARIANCES

The Board of Health may vary the application of any provision of these regulations, 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.

14.0 ENFORCEMENT

The Board, its agents, officers, and employees shall have authority to enter upon privately owned land for purposes of administering and enforcing these regulations.

The Board may enforce these regulations through violation notices, administrative orders, civil actions, criminal proceedings, or non-criminal disposition pursuant to M.G.L. Chapter 40, Section 21D.

Any person violating any provision of these regulations or permits issued hereunder shall be subject to a fine not exceeding three hundred dollars (\$300.00). Each day a violation exists and each separate provision violated shall constitute a separate offense.

For non-criminal disposition purposes, penalties shall be:

- First offense: \$25.00
- Second offense: \$50.00
- Third offense: \$100.00
- Fourth and subsequent offenses: \$200.00 per offense per day

~~14.0 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 such examinations, surveys, or samplings to be made 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 a separate offense.~~



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~~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.~~

15.0 HEARING

The private 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 commence 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 an 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.

16.0 INVALIDATION

If any section, paragraph, sentence, clause or phrase of these rules and regulations 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.

17.0 REPEAL

All previous rules and regulations relating to private drinking water wells in the Town of Southborough are hereby repealed.

18.0 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. December 17, 1991

Regulations Amended July 7, 2026

Chelsea Malinowski

Board of Health Chair _____

Dr. Safdar Medina

Board of Health Vice Chair _____

Dr. Elizabeth Zulick



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Board of Health Clerk _____

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