



BOARD OF HEALTH

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PRIVATE WELL WATER SAMPLING AND QUALITY TESTING REQUIREMENTS FOR THE SALE OF PROPERTY

Updated: September 13, 2023

The Code of the Town of Harvard, Article II: Private Wells, amended September 12, 2023 and effective October 23, 2023, states in part at §145-18:

- A. The Harvard Board of Health, Nashoba Associated Boards of Health, Massachusetts Department of Environmental Protection (MassDEP) certified laboratories, a Massachusetts Licensed Site Professional, an Approved Sampler, or other persons authorized by the Board of Health upon submittal and preapproval of a waiver, shall collect water samples immediately following construction or rehabilitation and disinfection of a well. A representative sample for laboratory analysis shall be collected at pump discharge or from a tap in the pump discharge line. Chemical and bacteriological analysis shall meet the standards set forth by the Massachusetts Drinking Water Standards & Guidelines for potable water for the following items: total coliform, fecal coliform/E.coli, arsenic, lead, nitrate nitrogen, nitrite nitrogen, Gross Alpha and radon; approval of the results by the Harvard Board of Health or the Nashoba Associated Boards of Health shall be obtained before the well shall be put into service as a potable supply. All wells shall be tested for the following secondary standards: calcium, copper, iron, magnesium, manganese, potassium, sodium, alkalinity, ammonia, chloride, chlorine, color, conductivity, fluoride, hardness, odor, pH, sulphate, turbidity, and sediment. Certain addresses may also be required to test for PFAS per the Harvard Board of Health Policy: *Well water quality testing for property sales and new construction*.
- B. All drinking water wells located on property to be sold shall be similarly sampled using the untreated source and tested as described in § 145-18A. The analytical results must be submitted to the Board of Health no less than 30 days prior to the transfer of ownership and are valid for 12 months from the sample date. All drinking water wells shall be retested at the time of sale and/or transfer of the property if standards are not met at initial testing and treatment is required.
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- D. Water samples shall be analyzed by a laboratory certified to perform drinking water analysis by the MassDEP, and a record of the results sent to both the Harvard Board of Health and the Nashoba Associated Boards of Health. Payment for fees associated with sampling performed by the Health Agent and subsequent analysis must be received by the Nashoba Associated Boards of Health prior to sampling.

- E. Following receipt of water quality test results, the well owner shall submit a Water Quality Report to the Board of Health, which includes:
- 1) A copy of the MassDEP certified laboratory's test results;
 - 2) The name and contact information of the individual who performed the sampling;
 - 3) Where in the system the water sample was obtained.
- F. The owner of a property for sale shall give copies of all available water quality test results of which he/she has knowledge (regardless of age of results) for the private well in question to any buyer and/or broker involved in the transfer and to the Board of Health.
- G. The Board of Health reserves the right to require retesting of the above parameters, or testing for additional parameters when, in the opinion of the Board, it is necessary due to local conditions or for the protection of public health, safety, welfare and the environment. All costs and laboratory arrangements for the water testing are the responsibility of the property owner. The sample shall be collected by the Board of Health, its agents, or an Approved Sampler.
- H. Water samples submitted for bacteriological analysis shall meet the standard of zero total coliform per 100 milliliters of sample using a method accepted in the latest edition of Standard Methods for the Examination of Water and Wastewater, American Public Health Association. Following a positive coliform sample, two consecutive negative results are required.
- I. Arsenic levels shall not exceed 10 ppb. Water with arsenic levels that exceed 10 ppb shall require notification through the property deed after remediation to concentrations below 10 ppb.
- J. Water with radon levels exceeding 10,000 pCi/L shall require notification through the property deed. Adsorption and absorption filters such as charcoal, which would become radioactive waste as a result of their use, shall not be used for radon removal from water.
- K. If the Gross Alpha is equal to or greater than 5 pCi/L, further testing is required for radium (226 + 228). If Gross Alpha is equal to or greater than 15 pCi/L, further testing is required for uranium and for radium (226 + 228). Maximum contaminant levels (MCLs) for radionuclides are listed below:
- 1) Radium (226 + 228): 5 pCi/L. Water with radium (226 + 228) levels that exceed 5 pCi/L shall require notification through the property deed after remediation to concentrations below 5 pCi/L.
 - 2) Uranium: 30 ug/L. Water with uranium levels that exceed 30 ug/L shall require notification through the property deed after remediation to concentrations below 30 ug/L.
- L. All treatment systems employed for the removal of a contaminant shall be a point of entry and whole supply system. Any use of a treatment system for the purposes of achieving compliance with any drinking water standard shall require retesting to demonstrate effectiveness and shall

require notification of the property record at the Registry of Deeds of the existence and need for operational equipment in order to provide potable water.

- M. This regulation requires that private drinking water wells meet all current Massachusetts' Primary and Secondary Drinking Water Standards and Guidelines adopted by the MassDEP Office of Research and Standards (ORS). In any case where a private drinking water well does not meet such Standards or Guidelines necessary for the protection of public health, safety or welfare, the Board of Health may take action, including but not limited to, requiring the property owner to provide an alternative source of drinking water.

Additionally, Harvard Board of Health Policy: *Well water quality testing for property sales and new construction*, revised February 28, 2023, also requires sampling and submittal of results for PFAS testing at all properties located on the streets and roads listed here:

Ayer Road (#184-361+)

Blanchard Road

Cedar Ledge Road

Craggs Road

Depot Road

Lancaster County Road

Mill Road

Old Mill Road

Prospect Hill Road (#0-50)

Pattee Road

Still River Depot Road

Under Pin Hill Road

The Policy further states that the Board of Health strongly recommends testing for PFAS in all other locations in Harvard.

Additionally, the Policy states that streets and roads may be added or deleted as necessary given the ongoing investigation of PFAS in the ground waters of Harvard and the surrounding towns.