

Section 6 Wells

6.1 No person shall drill, dig, or otherwise develop any new well for water without a permit from the Board of Health. Such a permit shall be in effect for a period of three years from the date of issue.

Penalties: Unless otherwise specified, the penalty for violation under this Section 6.1 shall be \$50.00 per violation, each violation shall be considered a separate offense and the penalty shall apply to each day of the violation.

6.2 A plan showing, as a minimum, the lot, the proposed well, proposed water line, and the building to be served and any subsurface sewage disposal systems within 200 feet, must be submitted to the Board of Health with the required fee. The proposed well must be located on the lot which it serves, and must meet these minimum distance requirements:

Distance from: Feet:

Leaching Facility 100

Designated Leaching Reserve Area 100

Septic Tank 50

Property Line 10

6.3 A well from which the water is not intended for human or animal consumption or for the irrigation of foods or food ingredients may be less than 100 feet from a leaching facility but not less than 25 feet.

6.4 The Board of Health may refuse to issue a permit if it deems that the location of the proposed well will unreasonably interfere with the probable future installation or repair of a septic system on a neighboring lot of land, or for any reason which may be contrary to sound public health policy as determined by the Board of Health.

6.5 Before use, or upon transfer of a property any well intended for use as a potable water supply must be tested for Volatile Organic Compounds (VOC's) in accordance with EPA Method 524.2 and for Total Coliform bacteria, and must meet the minimum standard of 0 Total Coliform bacteria per 100 ml. Such well must also be tested for Arsenic, **and for any other constituents determined necessary by the Board of Health**, and must meet the current standard (0.01 mg/L) for Arsenic, **and any other constituents determined necessary by the Board of Health**. Testing must be done by a laboratory which is certified by the Department of Environment Protection or the Environmental Protection Agency and the report of the testing must be provided to the Board of Health before the well is used as a potable water supply, or in the case of a transfer of property, the report of the testing must be provided to the Board of Health and to the buyer of the property before the transfer of the property.

6.6 All test results of well water submitted to the Board of Health shall remain part of the permanent record of that building.

6.7 Any well which is developed after these regulations take affect without a permit from the Board of Health shall not be afforded the protection of Title 5 of the Environmental Code or Section 5 of these regulations.

6.8 All abandoned wells shall be tightly sealed by filling to a minimum of 25 feet with clay or cement to prevent pollution of the ground water.

6.9 No person shall allow a well to be left uncovered or in an unsafe condition.

6.10 No person shall allow the connection of any building, or other facility, to the municipal water supply and to a private water supply concurrently. Such constitutes a cross connection and is prohibited.

6.11 Temporary well moratorium - The Board of Health recognizes that certain areas of the groundwater aquifer beneath the Town of Wilmington have been contaminated by releases of pollutants

from the Olin Chemical and Sutton Brook Disposal Area (SBDA) Superfund Sites (Olin Site and SDBA Site, respectively, or collectively, Sites). Exposure to groundwater contamination through direct ingestion, dermal contact, inhalation by showering, and irrigation may pose unacceptable public health risks to Wilmington residents. In order to prevent any harmful exposure to contaminated groundwater, further migration of the contaminated groundwater plumes, and interference with the site remedies selected by the U.S. Environmental Protection Agency (EPA) and Massachusetts Department of Environmental Protection (MassDEP), the Board of Health establishes the following temporary well moratorium:

Except for investigation, monitoring, or other remediation-related wells installed, or required to be installed, by any federal, state, or local government authority, no person may drill, dig, or otherwise develop any new water supply well for any purpose, including, but not limited to, potable, irrigation, commercial/industrial production, or agricultural (such as lawn watering, gardening, livestock watering, or irrigation of crop land) use, or change the use of an existing well from non-potable to potable, in the areas of concern for the Sites shown on Figure 1 (for the Olin Site) and Figure 2 (for the SBDA Site) (collectively, Figures), included at the end of this Section.

EPA and MassDEP continue to evaluate the full extent of groundwater contamination in Wilmington associated with the Sites. The Figures may be updated periodically by EPA and MassDEP as new groundwater data becomes available.

6.12 At least 14 days before the transfer of a property located within the areas of concern for the Sites shown on Figures 1 and 2 (referenced in Section 6.11) on which is located any water supply well(s), the property owner shall notify the Board of Health of the location of the well(s), and, if known to the property owner, the water intake depth, and the pumping rate of the water supply well(s).

This moratorium is in effect until September 21, 2026 and will expire on such date.