



## **Town of Concord Board of Health**

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### ***"Minimum Sanitation Standard for Private and Semi-Public Water Supplies"***

#### **1. TERMS**

**WELL:** The "well" so used in these regulations shall include any pit, pipe, excavation, spring, casing, drill hole, or other source to be used for any purpose of supplying potable water in the Town of Concord, and shall include dug wells, driven or tubular wells, drilled wells (artesian or otherwise) and springs, gravel packed, gravel walled wells, gravel developed and wash boring and as further described in Massachusetts Department of Public Health Bulletin, Rural Water Supplies 1956.

**WATER SYSTEMS:** The words "water system" as used in these regulations shall include pipes, valves, fittings, tanks, pumps, motors, switches, controls, and appurtenances installed or used for the purpose of storage, distribution, filtration, treatment or purification of water for any use whether or not inside a building.

**PRIVATE WATER SUPPLY:** The term "private water supply" as used in these regulations means any water system serving or intended to serve water for human consumption or for domestic uses or purposes as defined on one lot. The system shall include all of the sources, treatment works, and distribution lines to the point where distribution takes place within the building.

**SEMI-PUBLIC WATER SUPPLY:** The term "semi-public water supply" means any water system serving or intended to serve water for human consumption or for domestic uses or purposes including a multiple dwelling of two or more units, or to more than one multiple dwelling under single ownership and/or to restaurants, dairies, schools, institutions, motels, mobile home parks, bottling plants, camp grounds, recreational camps for children, state forest, parks, and beaches.

#### **2. WELLS**

**2.1** No well shall be installed until a permit has been obtained from the Board of Health or its agent. The fee for this permit shall be set by the Board of Health from time to time. Effective January 1971, the fee is ten dollars. (*Amended 9/82 - \$35.00*)(*Amended 1/88 - \$60.00*).

- 2.2 The well contractor shall observe reasonable sanitary measures and precautions in the performance of his work in order to prevent pollution or contamination of the well.
- 2.3 See Attachment A.
- 2.4 A certified plot plan shall be submitted with the application for a well permit to the Board of Health indicating the proposed location of the well, all buildings, boundary lines, road, right of way, or other walk, septic systems (within 200 feet).
  - 2.4.1 Wells shall be located at least 15 feet from any public or private way or street and 10 feet from lot lines and 100 feet from any leaching system or any other such greater distance as may be required by the State Sanitary Code.
  - 2.4.2 Wells must be properly curbed and covered to prevent entrance or contamination and to divert surface drainage away from the well.
- 2.5 Evidence of the yield of the well shall include a demonstration test in the presence of the BOH Agent or the rate of flow in a satisfactory manner by the well contractor before his equipment is removed from the site.
  - 2.5.1 There shall be a minimum yield of 200 gallons per bedroom per day at 40 psi at the highest fixture serviced. A bedroom shall include undeveloped area that could be made into a bedroom.
  - 2.5.2 Pressure tanks for individual home installation shall be a capacity of 30 gallons per bedroom served with a minimum size of 42 gallons. The water system shall be able to deliver 5 gallons per minute for four hours continuous running.
  - 2.5.3 Water flow rate requirements may be adjusted accordingly when large storage, and/or storage pressure tanks are provided, (see page 101 Individual Water Supply Systems of the US Department of H.E.W.)
  - 2.5.4 Auxiliary power must be available to maintain a water supply for multiple dwellings or adequate storage.
  - 2.5.5 The casing of wells equipped with power pumps shall extend at least eighteen (18) inches above the floor or ground.
  - 2.5.6 The wall of a dug well shall extend at least four inches above the floor or the original ground surface.

### **3. SANITATION, PRODUCTION, QUALITY**

- 3.1** Sanitary protection must be incorporated into the construction of the well and final finishing at grade shall include cement platform of 6' square or large enough to extend at least 2' in all directions from the well casing itself.
- 3.2** All newly completed wells shall be disinfected in accordance with instructions from Massachusetts Department of Public Health Rural Water Supplies 1956.
  - 3.2.1** Before approval every well shall be pump tested. The results of the pump test shall be submitted to the Board of Health for approval. The pump test shall include a draw down test and a minimum of five (5) gallons/minute for four (4) hours.
  - 3.2.2** A bacteriological test to indicate a 0/100 ML coliform density will be the minimum requirement. When results are bad - re-sample before denial of permit.
  - 3.2.3** A chemical analysis will be required if the Board of Health Agent notes any extenuating circumstances. The quality of the water must meet U.S. Public Health recommended standards. Toxicity tests may also be required.
- 3.3** The owners of a semi-public water supply shall possess and display a valid permit from the Board of Health, which signifies the status of sanitary protection, maintenance, operation, and improvements recommended.
  - 3.3.1** The owner of private water supplies shall be required to register with the Board of Health.
  - 3.3.2** The holder of a permit for a semi-public water supply shall furnish the Board of Health with a bacteria report from an approved state laboratory each year before renewal of the water permit is issued. Also, the holder of a semi-public water supply shall furnish at the request of the Board of Health or its Agent a complete report or other particular information concerning the condition and operation of the water system or any part of it.
- 3.4** Pump houses or pump rooms shall be kept in a sanitary condition at all times. Also, the size of the room should be no larger than necessary to house the pumping and electrical equipment involved in the water system. Lawn movers, snow blowers, or other gas driven engines shall not be stored in the pump room. Insecticides and/or fertilizers shall not be stored in the pump room.
  - 3.4.1** Pump house, pump or pipe pits and wells shall be designated and constructed so as to prevent flooding and otherwise to prevent the entrance of pollution and contamination.

**3.4.2** Pump house and pump rooms or pitless adapters shall be installed in accordance with the U.S. Public Health Service Booklet "Manual of Individual Water Systems" as currently published.

**3.4.3** No person shall install or enter into a contract for installing or making additions, modifications or alterations to any semi-public water supply before submitting complete plans, specifications, and descriptions to the Board of Health and receive a written approval from them. Private and semi-public water supply systems shall be approved by the Board of Health before occupancy is permitted.

**4. WATER CONDITIONING**

**4.0** Permanent disinfection of a polluted supply is prohibited. Treatment plans for water conditioning such as iron, manganese hardness, or others shall be submitted to the Board of Health for approval.

**5. PIPES AND EQUIPMENT**

**5.0** All service pipe and connections shall be of non-toxic material and meet the specifications approved by the New England Water Works Association or NSF.

**5.1** The installation of pipes shall be such that they are protected from crushing and/or attack by rodents and freezing.

**5.2** Dis-similar metals should be discouraged in the water system. The use of non-conductive plastic inserts between pipes and fittings or the installation of sacrificial anodes is helpful in minimizing electric corrosion problems.

**5.3** Electrical service grounds shall not be attached to the water piping.

**6. PROHIBITIONS**

**6.0** Surface water supplies for private or semi-public water supplies shall be prohibited.

**6.1** Cisterns shall be prohibited.

**6.2** Cross connections shall be prohibited. No cross connection between a private source of water supply shall be allowed.

**6.2.1** Other cross connections for whatever purpose shall not be allowed without a written statement from the Massachusetts Department of Public Health.

**7. ENFORCEMENT**

**7.0 VARIANCES**

**7.0.1** 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 these minimum standards. 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 Clerk of the Town, or in the Board of Health Office, and notice of the grant of variance shall be filed with the Commissioner of Public Health of the Commonwealth.

**7.1** Variance, Grant of Special Permission, Expiration, Modifications, Suspension of:

**7.1.1** Any variance or other modification authorized to be made by these regulations may be subject to such qualification, revocation, suspension, or expiration as the Board of Health expresses in its grant. A variance or modification authorized to be made by these regulations may otherwise be revoked, modified, or suspended, in whole or in part, only after the holder thereof has been notified in writing and has been given an opportunity to be heard in conformity with the requirements for an order and hearing of Regulations 7.3 and 7.4.

**7.2** **GENERAL ENFORCEMENT**

**7.2.1** The provisions in Article 1 of the State Sanitary Code shall govern the enforcement of these regulations.

**7.3** **ORDERS - SERVICE & CONTENT**

**7.3.1** If an examination as provided for in any regulation or sanitary code reveals failure to comply with the provisions of these regulations - the Board of Health may order the person responsible to comply with the violated provision.

**7.3.2** Every order authorized by these regulations shall be in writing. Orders issued under the provisions of regulation 3.2.1 shall be served on all persons responsible for the violated regulations. All orders shall be served on the designated person:

- personally, by any person authorized to serve civil process, or
- by leaving a copy of the order at his/her last known residence, or
- by sending him/her a copy of the order by certified mail, return receipt requested, or
- if his/her place of residence is unknown or outside of the Commonwealth of Massachusetts, by posting a copy of the order in a conspicuous place on or about the affected premises.

**7.3.3** Subject to the emergency provision of these regulations, any order issued under the provisions of these regulations shall:

- include a statement of the violation, or defect, and may suggest action which if taken will effect compliance with this code, and
- allot a reasonable time for any action it requires and
- inform the person to whom it is directed of his right to a hearing and of his responsibility to request the hearing, and to whom the request shall be made.

#### **7.4**    **HEARING**

**7.4.1** The person or persons to whom any order served pursuant to regulations 7.3 of these regulations has been directed may request a hearing before the Board by filing within seven (7) days after the day the order was served by the Board of Health a written petition requesting a hearing on the matter. Upon receipt of such petition the Board of Health shall set a time and place for such a hearing and shall inform the petitioner thereof in writing. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed: provided, that upon application of the petitioner the Board of Health may postpone the date of the hearing for a reasonable time beyond such ten (10) day period if in the judgement of the Board of Health, the petitioner has submitted a good and sufficient reason for such postponement.

**7.4.2** At the hearing, the petitioner shall be given an opportunity to be heard and to show why the order should be modified or withdrawn.

**7.4.3** After the hearing, the Board of Health shall sustain, modify, or withdraw the order and shall inform the petitioner in writing of its decision. If the Board of Health sustains or modifies the order, it shall be carried out within the period allotted in the original order or in the modification.

**7.4.4** Every notice, order, or other record prepared by the Board of Health in connection with the hearing shall be entered as a matter of public record at the Board of Health.

**7.4.5** If a written petition for a hearing is not filed with the Board of Health within seven (7) days after an order as provided in regulation 7.4.1 has been issued, or if after a hearing the order has been sustained in any part, each day's failure to comply with the order as issued or modified shall constitute an additional offense. (See regulation 7.6).

#### **7.5**    **APPEAL**

**7.5.1** Any person aggrieved by the decision of the Board of Health may seek relief therefrom in any court competent jurisdiction, as provided by the laws of the Commonwealth.

**7.6** **PENALTIES**

**7.6.1** Any person who violates any provision of these regulations for which penalty is not otherwise provided in any of the General Laws or in any other provision of these regulations or articles of the State Sanitary Code shall upon conviction be fined not less than ten (\$10) dollars or more than fifty (\$50) dollars.

**7.6.2** Any person who shall fail to comply with any order issued pursuant to the provisions of these regulations shall upon conviction be fined not less than ten (\$10) dollars or more than fifty (\$50) dollars. Each day's failure to comply with an order shall constitute a separate violation, only after the holder thereof has been notified in writing and has been given an opportunity to conform with the requirements for an order and hearing of regulations 7.3 and 7.4.

**7.6.3** The inspection and these regulations can not be constructed as a guarantee by the Town of Concord or its agents that the water system will function satisfactorily.

The Above Regulations were approved by the Concord Board of Health  
at a Meeting on June 11, 1974