

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Natalie M. Blais and Meghan K. Kilcoyne*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting drinking water quality in private wells.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/17/2025</i>
<i>Meghan K. Kilcoyne</i>	<i>12th Worcester</i>	<i>1/17/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>1/17/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act protecting drinking water quality in private wells.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 21G, as appearing in the 2022 Official Edition, is  
2 hereby amended by inserting after the definition of “Person” the following definitions:-

3 “Private well”, a well that provides water for human consumption and consists of a  
4 system that has less than 15 service connections and either: (1) serves less than 25 individuals or;  
5 (2) serves an average of 25 or more individuals daily for less than 60 days of the year.

6 “Private well facility”, real property, including but not limited to abutting real property,  
7 and any buildings thereon, which is served, is proposed to be served, or could in the future be  
8 served, by a private well.

9 SECTION 2. Chapter 21G of the General Laws is hereby amended by inserting after  
10 section 20 the following sections:-

11 Section 21. (a) The department shall promulgate regulations to be known as the minimum  
12 standards for private wells, to address matters affecting the environment and the well-being of

13 the public over which the department takes cognizance and responsibility, including but not  
14 limited to, testing of private wells.

15 (b) The minimum standards for private wells shall include: (1) Drinking water quality  
16 standards for private wells, including but not limited to, identifying all contaminants required to  
17 be tested, the acceptable level for each contaminant, and the frequency at which such testing  
18 shall occur; (2) Testing requirements for all listed contaminants for all new private wells prior to  
19 being placed into service as a source of drinking water; (3) Testing requirements for all listed  
20 contaminants for all private wells before the transfer of residential property upon which they are  
21 located;

22 (c) A local board of health established under section 31 of chapter 111 may enforce this  
23 section or set minimum standards exceeding the minimum private well standards issued by the  
24 department under this section.

25 Section 22. (a) Except as provided in subsection (b), a private well shall be inspected at  
26 or within 2 years prior to the time of transfer of title to the private well facility. A copy of the  
27 complete inspection report shall be submitted to the buyer or other person acquiring title to the  
28 private well facility.

29 (b) The following transactions shall not be considered transfers of title for the purposes of  
30 this section: (1) taking a security interest in a property, including but not limited to, the issuance  
31 of a mortgage; (2) refinancing a mortgage or similar instrument, whether or not the identity of  
32 the lender remains the same; (3) a change in the form of ownership among the same owners,  
33 such as placing the facility within a family trust of which the owners are the beneficiaries, or  
34 changing the proportionate interests among a group of owners or beneficiaries; (4) adding or

35 deleting a spouse as an owner or beneficiary; or a transfer between spouses during life, out right  
36 or in trust; or the death of a spouse; (5) the appointment of or a change in a guardian,  
37 conservator, or trustee.

38 (c) Failure to comply with this section shall not invalidate a transfer of title to a private  
39 well facility.

40 SECTION 3. Item 1231-1020 of section 72 of chapter 204 of the acts of 1996, as  
41 amended by section 54 of chapter 365 is hereby amended by inserting after the word “called” the  
42 following words:-

43 “and to assist to assist homeowners with treatment systems to ensure that drinking water  
44 from private wells meets primary standards for recommended concentration limits of  
45 contaminants as specified by public drinking water standards issued by the department of  
46 environmental protection and the standards required under section 21 of chapter 21G; provided  
47 further, that the department of environmental protection shall determine the requirements for  
48 loan guarantees and interest subsidies for an eligible project; provided further, that the  
49 department of environmental protection may subcontract the administration of this program to  
50 public authorities and other public instrumentalities of the commonwealth; provided further, that  
51 the board of health of a city or town in which a proposed project shall be undertaken, or the  
52 department of environmental protection shall determine if a homeowner’s proposed project is an  
53 eligible private well remediation project as specified by public drinking water standards issued  
54 by the department; provided further, that for purposes of this program, an eligible project shall  
55 mean a project to construct a treatment system for a private well that a board of health of a city  
56 or town or the department of environmental protection determines is out of compliance with

57 public drinking water standards issued by the department or a septic system that a board of health  
58 of a city or town determines is out of compliance with Title V.”