Maryland Department of the Environment

Procedures for New Public Wells

May 2024

This document outlines the steps that need to be completed for a Certificate of Potability (COP) to be issued for public drinking water wells for community water systems (CWS) and non-transient non-community water systems (NTNC) by Maryland Department of the Environment's (MDE) Water Supply Program (WSP). For a COP for transient water systems or if you have questions about private wells, please reach out to your local health department or approving authority.

Definitions

1. **Certificate of Potability (COP):** Approval of a public drinking water well to be put into service.
2. **Water Supply Program (WSP):** The program within MDE that oversees water quality and sustainable supplies of water for drinking and other purposes to meet current and future needs of communities and ecosystems. WSP provides oversight to public drinking water systems.
3. **WSP Field Engineer:** An engineer for MDE's Water Supply Program providing oversight and engineering assistance to public water systems. It is the responsibility of the Field Engineer to issue COPs for public drinking water wells.
4. **Source Protection and Water Appropriation Division (SPWAD):** This division approves sites for all public drinking water sources, regulates water appropriation and use and provides the raw water quality sampling requirements.
5. **Safe Drinking Water Act Implementation Division (SDWAID):** This division is responsible for compliance and will develop finished water quality monitoring requirements for the new well.
6. **Engineering and Capital Projects Program (ECPP):** This program is responsible for issuing construction permits for major water and sewerage facilities for CWSs and NTNCWSs.
7. **Community Water System (CWS):** A public water system that serves at least 15 service connections used by year-round residents or regularly serves 25 year-round residents.
8. **Non-Transient Non-Community Water System (NTNCWS):** A public water system that is not a CWS and that regularly serves at least the same 25 non-residential individuals over 6 months per year.
9. **Transient Non-Community (TNCWS):** regularly serves at least 25 individuals daily at least 60 days out of the year but does not meet the criteria of a CWS or NTNCWS.

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Procedure

1. If the well is for an existing system that requires new treatment or storage facilities, or if it is an entirely new water system, an MDE water construction permit is required. The water system should contact the ECPP at (410) 537-3758, to inquire about the construction permit process. New water systems must also submit a capacity development plan as a part of the construction permit process. Contact the WSP for questions concerning capacity development at (410) 537-3706.

2. The water system should notify SPWAD at (410) 537-3590 to determine whether a modification or a new Water Appropriation and Use Permit is required.

3. A licensed well driller needs to apply for a well construction permit from the local county environmental health department or approving authority. The water system should inform the well driller that the site is considered a public water system. The well driller must mark on the application that the use of water is for a public water supply well.

4. The local health department or approving authority must verify, regardless of how the use of water is indicated on the well construction permit application, if the well is for a public water system. If the well will serve a CWS or NTNCWS, the local health department or approving authority must forward the well construction permit application to the SPWAD for co-approval.

5. The SPWAD will review the proposed well site to ensure it meets the regulatory setback requirements and guidelines as a potential public water supply source. Generally, a site visit is coordinated between the SPWAD, the local health department or approving authority, the well driller, and a representative of the water system. If the site is co-approved by both SPWAD and the local health department or approving authority, the SPWAD will co-sign the well construction permit and issue raw water sampling requirements for the new water source and a packet of instructions for the water system to complete.

6. The well driller must drill and develop the well according to well construction regulations. MDE or the local health department or approving authority may place special conditions on the well construction to contact MDE prior to drilling so that well construction can be observed.

7. In addition to filing a copy of the well completion report with the local health department of approving authority, the water system must ensure a copy of the well completion report is sent to WSP for review.

8. The water system will receive a raw water sampling letter from SPWAD. The raw water from the new well must be sampled for all the required parameters in the letter. A copy of the sample results on MDE forms is required to be sent to the WSP Field Engineer.

9. The WSP Field Engineer will review the sample results. All CWS and NTNC wells must meet both primary and secondary standards of EPA's Safe Drinking Water Act. If necessary, the WSP Field Engineer will issue treatment requirements and request a pre-design meeting with the system or its consultant, to discuss appropriate treatment of the raw water.

10. The water system will submit design and specification plans to ECPP for a permit to construct the proposed treatment (if necessary). Water system operators must be certified in the appropriate class. The SDWAID will determine if the finished water compliance monitoring schedule will change.

11. Upon receipt and approval of water quality data, the well completion report, the appropriation permit, installed treatment (if necessary), finished water sampling after installation of new treatment (if applicable), and any other final follow up samples determined by WSP, the Field Engineer will issue a COP. The well, with treatment, if necessary, can now be put into use.