



MINNESOTA WATER WELL ASSOCIATION

Representing Minnesota's Water Well Drilling Industry

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Currently, there are no laws in the State of Minnesota that require homeowners, or buyers, to test a private water system at the time of sale. In fact, the only legal requirement at the time of sale is that the current property owner must disclose if there is a private water system on the property.

It is the position of the Minnesota Water Well Association that it is time to produce a new law that would require some type of basic water testing of a private water system when a property is sold. This type of common-sense regulation would ensure that new property owners would have a good understanding of the water quality in their new home or property. Because operating private water systems is not basic and common knowledge, this law would protect unsuspecting, or under educated, home buyers from moving into an unforeseen and undesirable situation.

Although it is relatively uncommon for wells to test positive for things that would lead to an immediate illness or detrimental health, some basic testing would ensure that a new owner would not be faced with a situation they did not contribute to. In general, the most common characteristic that would change in a well over time is whether the well is free of bacteria. Often, the primary factor in a well that fails a bacteria test has to do with lack of proper system maintenance.

On any newly constructed private water system in the State of Minnesota, a water test is required to be performed, and said system cannot be used as potable water until the tests have been returned showing acceptable levels on Coliform Bacteria (Not Present), Total Nitrates (less than 10 mg/L), and Arsenic (less than 10 ug/L).

The Minnesota Water Well Association proposes that this small battery of tests reflect current MDH regulations and testing guidelines be adopted. This battery of tests should always include tests for bacteria, nitrates, and arsenic. We would also recommend adding a stipulation that would include testing for lead if the property owner cannot produce the results from a test within the last ten years.

It is the position of the MWWA that these basic tests are in line with current industry best practices, the practices of many lending institutions, and would provide new property owners with a critical piece of information about their property.

For additional information on this and other groundwater related topics, please contact the Minnesota Water Well Association directly at 1-800-332-2104 or visit www.mwwa.org. This information is open source and free to the general public.