Joint Committee on Environment and Natural Resources

Testimony of Coalition for Safe Drinking Water in support of S.585/H.900

An Act protecting drinking water quality in private wells.

Chairs Rausch, Fernandes, and members of the Joint Committee,

The Coalition for Safe Drinking Water ("Coalition") is a grassroots organization composed of a group of diverse individuals and organizations advocating for equitable access to safe drinking water for private well owners across Massachusetts. The Coalition is led by RCAP Solutions and the Health Foundation of Central Massachusetts. Our members and leadership include public health districts, activists, private well testing and repair experts, and local Boards of Health.

The Coalition **strongly supports** a favorable report of S.585/ H. 900, *An Act Protecting Drinking Water Quality in Private Wells.*

In Massachusetts, nearly 500,000 residents rely on private wells for their drinking water. However, since private wells are not subject to statewide regulations or requirements for routine water quality testing, many residents are consuming contaminated and unsafe drinking water from their private wells.[1] Some of the most common contaminants found in private well water include arsenic, E. coli, radon and uranium.[2] Consumption of contaminated drinking water can cause both short-term and long-term health impacts including cancer, gastrointestinal illness, circulatory system problems and kidney toxicity.[3]

[1] Coalition for Safe Drinking Water. "The Problem" *RCAP Solutions, Inc* , 2023, https://www.whatsinyourwellwater.org/the-problem/.
[2] Id.
[3] Id.

By enabling the Massachusetts Department of Environmental Protection (MassDEP) to regulate the drinking water quality of private wells, MassDEP can enact sensible, health-based protections for consumers dependent on private wells for their drinking water. This would include the creation of regular testing of private well water as maximum levels for contaminants. By enacting this regulation, MassDEP would ensure that private well drinking water is both clean and safe.

Testing and repairing private wells can impose a substantial financial burden upon homeowners. Through the expansion of the MassHousing Septic Loan Program, eligible homeowners would be able to receive low-interest loans to help alleviate the financial burden. Furthermore, as testing would only be required at the time of real estate transfers, sellers and buyers would be able to negotiate the cost of testing and repairs as a part of the sale, similar to the process currently in place for septic system inspections under Title V in Massachusetts.

We urge the Joint Committee on Environment and Natural Resources to report these bills with a favorable recommendation to allow MassDEP to enact sensible, health-based protections for private wells and to offer financial resources for homeowners who discover contaminants in their well water.

The testimony that follows is organized into three parts. Part I explains the problem of unsafe drinking water provided by private wells in Massachusetts. Part II discusses the solution MassDEP regulations would provide to this problem. Part III explains the ways in which these sensible health-based standards would complement and strengthen existing drinking water regulations and testing requirements at real estate transfers. Our key takeaways are as follows:

1. The lack of regulations of private wells at both the state and federal level leaves many Massachusetts residents vulnerable and at risk of consuming unsafe and contaminated drinking water.

2. By enacting regulations, MassDEP would create sensible, health-based protection for consumers dependent on private wells for their drinking water. These regulations would complement and strengthen existing drinking water regulations as they would ensure that all residents have access to the same quality of drinking water.

3. Testing requirements should take place during real estate transfers, which would allow real estate professionals to use existing methods to carry out other public health testing requirements, such as septic system testing requirements under Title V.

4. Expansion of the MassHousing Septic Loan Program to include private well repairs in response to test results prior to the sale of real estate would provide necessary financial assistance to help eligible homeowners to address the costs of potential remediation.

Part I: The Problem

Private Well Contamination and Health Impacts

Private wells, which include any drinking water system serving less than twenty-five people on a daily basis, supply drinking water to nearly 500,000 residents across Massachusetts.[4] Nearly 94 towns within the state are "well-reliant," meaning that 60% or more of their residents source their drinking water from private wells.[5] However, despite the large presence of well-reliant towns across the state, many private wells are contaminated and provide unsafe drinking water. In a recent study, researchers found that "32% of well-reliant households tested had levels of contamination exceeding MassDEP's public drinking water health-based limits."[6]

From 2020 to 2022, RCAP Solutions conducted 502 water quality tests across Massachusetts in towns with high concentrations of private wells.[7] Results of this testing revealed that 32% of the wells tested, or 161 private wells, had levels of contamination exceeding state health standards, exposing homeowners to potential health risks.[8] The most prevalent contaminants found were total coliform bacteria (91), radon (33), arsenic (26) and manganese above 0.3mg/l (11). Each of these contaminants present a potential risk to human health when consumed through contaminated drinking water. MassDEP also recently conducted testing on private wells through its PFAS Private Well Sampling Program and found that 5% of all private wells tested contained PFAS levels exceeding state health standards.[9]

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[4] Dash, Kim, et. al. "Evaluation Report: Private Well Program to Protect Public Health." *RCAP Solutions,* February 29, 2024
[5] Estimated Incomes of Well-Reliant Towns in Massachusetts" Flyer, *RCAP Solutions*
[6] Dash et. al. at 4.
[7] RCAP Solutions, Inc. "BeWell Informed Treatment Results." March 2025
[8] Id.
[9] Coalition for Safe Drinking Water. "The Problem" *RCAP Solutions, Inc.,* 2023, https://www.whatsinyourwellwater.org/the-problem/ ; see also "PFAS in Private Well Drinking Water Supplies FAQ." *Massachusetts Department of Environmental Protection,* 2025, https://www.mass.gov/info-details/pfas-in-private-well-drinking-water-supplies-faq#pfas-testing-in-private-wells-

One instance of total coliform bacteria contamination occurred in the town of Boxborough, where a resident moved to his home in 2009.[10] Having never had an issue with the appearance or taste of his drinking water, the resident did not realize his private well was contaminated until taking part of the testing program in the 2021-2022 study conducted by RCAP Solutions.[11] Results of this private well testing showed the resident's drinking water contained high levels of total coliform bacteria contamination, which can cause gastrointestinal illness including severe stomach cramps, diarrhea and vomiting.[12]

Arsenic and radon were also found to be some of the most common types of drinking water contaminants found in the private wells tested in this program. Arsenic and radon are both naturally occurring elements in Massachusetts, however, many residents fail to understand the potential health risks associated with consuming drinking water contaminated with these elements.[13] For instance, one homeowner in Princeton, despite knowing that these elements were naturally occurring in the state, was not aware that radon and arsenic could contaminate the drinking water provided by his private well.[14] The Princeton resident participated in the private well testing program conducted by RCAP Solutions, Inc. and learned that both radon and arsenic were present in his private well.[15]

Arsenic and radon are odorless, tasteless and colorless elements which lead to many homeowners, like the Princeton residents, unaware of these contaminants in their drinking water

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[10] RCAP Solutions, Inc. "Advocating for Massachusetts Private Well Protections | E. coli in Water Calls for Remediation." *YouTube,* 2 July 2022, https://www.youtube.com/watch?v=q4-rmgTTfhg
[11] Id.
[12] Coalition for Safe Drinking Water. "Testimonials." *RCAP Solutions, Inc.,* 2023, https://www.whatsinyourwellwater.org/testimonials/
[13] RCAP Solutions, Inc. "Advocating for Massachusetts Private Well Protections | Arthur's Conundrum with Contaminated Water." *YouTube*, 15 March 2022, https://www.youtube.com/watch?v=uVlSeAqGf-w&t=131s ; see also Coalition for Safe Drinking Water. "The Problem." *RCAP Solutions, Inc., 2023, https://www.whatsinyourwellwater.org/the-problem/*
[14] RCAP Solutions, Inc. "Advocating for Massachusetts Private Well Protections | Arthur's Conundrum with Contaminated Water." *YouTube*, 15 March 2022, https://www.youtube.com/watch?v=uVlSeAqGf-w&t=131s
[15] Id.

without testing.[16] Both elements also pose unique health risks to people who consume contaminated drinking water. Arsenic contamination can cause skin damage, circulatory system problems or even some types of cancer in people.[17] Radon contamination can also cause cancer, including stomach cancer.[18]

Elevated levels of manganese was the fourth most common type of contamination found in the private wells tested under this testing program. Elevated levels of manganese in water can cause drinking water to turn dark brown or black.[19] While manganese is a mineral necessary for human health, consumption of the element in large quantities can cause serious health problems, particularly in children.[20] Consumption of too much manganese by children can impact I.Q. and can cause behavioral problems.[21] A surplus of manganese in an adult can cause symptoms similar to Parkinson's Disease.[22]

Even the most informed homeowners relying of private wells for drinking water who regularly test the common types of contaminants listed above, are still at risk for other newer types of contamination. One resident in Lakeville, MA is one of these homeowners who regularly tested her private well for common contaminants. However, after learning about a new sampling program conducted by MassDEP, this Lakeville resident soon learned that the drinking water provided by her well was contaminated with a "new contaminant [she] has never test for

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[16] Center for Agriculture, Food and the Environment. "Radon in Private Drinking Water Wells" *UMass Amherst,* 1 June 2007, https://www.umass.edu/agriculture-food-environment/cafe/fact-sheets/radon-in-private-drinking-water-wells ; see also Jegen Dominika and Paul Jannetto. "What's in your Water? A well-known risk for arsenic toxicity." *Journal of Rural Medicine,* 5 April 2023, pp. 149-153, https://pmc.ncbi.nlm.nih.gov/articles/PMC10079467/

[17] Coalition for Safe Drinking Water. "The Problem." *RCAP Solutions, Inc.,* 2023*, https://www.whatsinyourwellwater.org/the-problem/*

[18] Id. ; see also Coalition for Safe Drinking Water. "The Problem." *RCAP Solutions, Inc.,* 2023, https://www.whatsinyourwellwater.org/the-problem/

[19] Mehta, Christine. "Tap Water's Toxic Secret." *Harvard Public Health,* 31 August, 2023, https://harvardpublichealth.org/environmental-health/manganese-in-water-a-threat-to-americans-health/

[20] Id.

[21] Id.

[22] Id.

before." : PFAS.[23] PFAS or per- and polyfluoroalkyl substances, are a group of chemicals widely used in a variety of products, including paints, firefighting foams, and non-stick cookware.[24] Due to the their strong carbon-fluorine bonds, PFAS degrade at extremely slow levels over a long period of time, thus explaining their nickname as "forever chemicals."[25] The widespread use of PFAS and their persistence in the environment has results in increasing levels of its contamination of air, water and soils.[26] Exposure to PFAS contaminated drinking water can lead to a number of negative health impacts including developmental effects in fetuses and children, as well as negative impacts on the thyroid, liver, kidneys and the immune system.[27]

Private Well Contamination and Impacts of Climate Change

While private well contamination can occur at any time, there is an elevated risk for contamination "after flooding or heavy rainfall when…nutrients and other contaminations can seep into wells."[28] For instance, widespread flooding occurred after Hurricane Harvey in Texas in 2017, which resulted in more than 8,000 wells across 44 counties becoming contaminated with E. Coli "three times higher than normal."[29] The occurrence of more intense rainstorms and stronger and wetter rainstorms due to climate change are likely to increase the threat of flooding and thus increase the likelihood of private well contamination.[30]

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[23] RCAP Solutions, Inc. "Coalition for Safe Drinking Water | PFAS and Potential Contaminants Pose Problems for Private Wells." *YouTube,* 7 December 2022, https://www.youtube.com/watch?v=OxyJM2QBFcM&t=1s

[24] "Per- and Polyfluoroalkyl Substances (PFAS)" *FDA,* 1 March 2025, https://www.fda.gov/food/environmental-contaminants-food/and-polyfluoroalkyl-substances-pfas#:~:text=What%20Are%20PFAS?,associated%20with%20serious%20health%20effects.

[25] Id.

[26] Id.

[27] Coalition for Safe Drinking Water. "The Problem." *RCAP Solutions, Inc., 2023, https://www.whatsinyourwellwater.org/the-problem/*

[28] Phillis, Michael and John Flesher. "Climate-driven flooding poses well water contamination risks." *Associated Press*, 8 June 2022, https://apnews.com/article/climate-floods-storms-politics-health-2b0f09ecd8a836c9b7fe1fc7448e2470

[29] Id.

[30] Id.

On the other hand, climate change is also likely to impact private wells in areas that experience decreased rainfall and enter into drought conditions. Drought conditions result in "declining groundwater elevations" which can cause problems with "both the yield and water quality of private wells."[31] As the groundwater elevation declines, water is being drawn from further distances towards the private well and has a "lower dissolved oxygen content and is of an older average age."[32] This contributes to high concentrations of naturally occurring contamination in the drinking water provided by the private well, including iron, manganese, and even arsenic.[33]

Current State of Private Well Regulations in Massachusetts

One reason for contaminated private well drinking water is due to the lack of regulations in place at both the federal and state levels. In 1974, Congress passed the Safe Drinking Water Act ("SDWA") to "protect public health by regulating the nation's public drinking water supply."[34] The SDWA authorized the United States Environmental Protection Agency to set "national health-based standards for drinking water" to protect against both naturally occurring and man-made contamination in drinking water across the country.[35] The health-based standards for drinking water established by the SDWA have been implemented at the state level through state legislation and regulation.[36] However, both federal and state drinking water quality protections, including those implemented in Massachusetts, only apply to public water systems

[31] "Information for Private Well Owners During a Drought." *MassDEP*, https://www.mass.gov/info-details/information-for-private-well-owners-during-a-drought

[32] Id.
[33] Id.
[34] "Overview of the Safe Drinking Water Act" *Environmental Protection Agency,* 23 January 2025, https://www.epa.gov/sdwa/overview-safe-drinking-water-act
[35] Office of Water. "Understanding the Safe Drinking Water Act" *Environmental Protection Agency,* June 2004, https://www.epa.gov/sites/default/files/2015-04/documents/epa816f04030.pdf
[36] Id.

providing drinking water to at least twenty-five individuals on a daily basis.[37] Therefore, any drinking water systems serving less than twenty-five people on a daily basis do not fall under the protection of either federal or state drinking water quality regulations.

Currently, the only authority for regulation of private wells in Massachusetts is at the local level through a local board of health ("local BOH"). [38] A local BOH may adopt private well regulations, which can include criteria for private well siting, construction, water quality, and quantity.[39] However, despite being granted this authority, only 47 of the 351 cities and towns in the state adopted private well regulations and/or requirements for well water quality testing.[40] Furthermore, the content of the regulations varies greatly from one local BOH to another, creating a patchwork of regulatory coverage, with some residents being more protected than others simply because of the town in which they reside.[41]

Private Well Study Conducted by MassDEP ***[add in paragraph on findings from this study]***

[37] 42 U.S.C. §300f et seq. (1974) ; 310 CMR 45 ; see also Office of Water. "Understanding the Safe Drinking Water Act" *Environmental Protection Agency,* June 2004, https://www.epa.gov/sites/default/files/2015-04/documents/epa816f04030.pdf ; see also FAQs – Private Wells", *Massachusetts Department of Environmental Protection,* 2025, https://www.mass.gov/info-details/faqs-private-wells

[38] See M.G.L. Ch. 111 §122

[39] "FAQs – Private Wells", *Massachusetts Department of Environmental Protection,* 2025, https://www.mass.gov/info-details/faqs-private-wells

[40] "Estimated Incomes of Well-Reliant Towns in Massachusetts" Flyer, *RCAP Solutions*

[41] While Massachusetts Department of Environmental Protection has created a Model Board of Health Regulation, these document serves as a guideline and the content within these regulations remains at the discretion of each local board of health.

Part II: The Solution

The solution to the problem of unregulated private wells is to establish drinking water quality standards and testing requirements for private wells at the state level. This would create a foundation for minimum drinking water quality standards for private wells, ensuring that all residents have access to safe drinking water regardless of where they live throughout Massachusetts. S.585/ H. 900, *An Act Protecting Drinking Water Quality in Private Wells* ("bill") seeks to address these issues in three ways.[42]

First, the bill requires MassDEP to establish drinking water quality standards for private wells, ensuring that all drinking water within the state, whether from a private well or public water system, is clean and sanitary. These drinking water standards for private wells must include, at a minimum, the required contaminants to be tested, the acceptable level of each contaminant and the frequency of testing. While this bill will provide MassDEP with the authority to create and establish private well regulations, a local BOH will be empowered to enforce these regulations or set stricter standards within its local jurisdiction.

Second, the bill requires MassDEP as a part of the minimum standards for private wells to establish testing requirements for all listed contaminants for private wells before the transfer of residential real property. Unlike an ordinary home inspection, which is often waived, the seller could not pressure the prospective purchaser to waive the private well testing. This testing at the time of real estate transfer requirement is modeled after the current testing requirements in place for other contaminants such as radon and lead as well as the septic system testing requirement currently included in Title V of the Massachusetts Environmental Code. Title V establishes

[42] see SD.847 https://malegislature.gov/Bills/194/SD847

standard requirements for the "siting, construction, inspection, upgrade and expansion of on-site" septic systems.[43] However, even though this testing program is modeled after Title V, remediation costs are expected to be lower than those for septic systems. While private well testing may occur outside of a real estate transfer, the inclusion of this provision ensures that new homeowners are up to date on the health and quality of the drinking water provided by the private well on the property. Furthermore, if this testing is not conducted prior to the transfer of real estate, it will not affect the title of the property.

Finally, the bill expands the MassHousing Septic Loan Program to provide loans for private well repairs for residents who satisfy income eligibility criteria.[44] As many private wells are currently contaminated, homeowners will need to carry out repairs to bring the well into compliance with the minimum standards. Recognizing that these types of repairs can be costly, depending on the type and extent of contamination present, the expansion of this program will help provide financial assistance to homeowners. Under the state Constitution, all residents of Massachusetts have the "right to clean water" regardless of their socioeconomic status, and the expansion of this loan program guarantees this regardless of drinking water source.[45]

Part III: Anticipatory Rebuttal

Concern #1: Cost of Testing is Too High for Homeowners to Afford.

One potential concern homeowner may have regarding this bill is the cost of compliance will be too expensive for them to afford. While testing private wells is an additional expense, these testing costs are not overly burdensome for many homeowners. Nearly 85% of well-reliant

[43] 310 CMR 15.000
[44] Currently, homeowners earning $127,000 and under per year are eligible to receive loans under this program; see "Loans for Homeowners: Septic System Repair Loan." *MassHousing*, https://www.masshousing.com/en/home-ownership/homeowners
[45] Article 97, Massachusetts Constitution.

towns in Massachusetts are located in towns or cities that are high or very high income, with the median family income over 100% of the state's median family income.[46] Therefore, the cost of testing, which can range from $230 to $400 per test, would not place an undue burden on a large majority of homeowners across Massachusetts.[47]

Concern #2: The Cost of Repairs will be Too Expensive for Homeowners to Afford

A second concern homeowners may have related to this bill is the cost of repairs for contaminated private wells. Of the 94 well-reliant towns in Massachusetts, 55 (68%) of these well-reliant towns are classified as moderate or low-income. Moderate income towns are defined as between 80% and 100% of the Massachusetts median family income while low-income is defined as less than 80% of the Massachusetts median family income.[48] Therefore, there is likely to be some concern regarding the financial burden the cost of testing and possible private well repairs may place on homeowners in moderate or low-income areas.

Generally, the cost of repair is greater than the cost of testing, with repair costs varying widely depending on the type and extent of contamination present.[49] Out of all of the contaminated private wells discovered under the RCAP Solutions, Inc. Testing Program, 149 households sought treatment options to address the contamination.[50] The most common treatment option obtained by homeowners with contaminated private wells were point-of-use

[46] Estimated Incomes of Well-Reliant Towns in Massachusetts" Flyer, *RCAP Solutions*
[47] Estimated Incomes of Well-Reliant Towns in Massachusetts" Flyer, *RCAP Solutions*; see also Interview with Dan Gaffney and Elizabeth Schoepke, SafeWell Corporation, October 29, 2024.
[48] RCAP Solutions, Inc. "Estimated Incomes of Well-Reliant Towns." *2024, https://rcapsolutions.maps.arcgis.com/apps/dashboards/1df565bbdf5641ca9e84be217e4392c6* ; The Massachusetts Median Family Income used for this analysis is $112,543 and is based on the 5-year 2021 ACS data.
[49] Estimated Incomes of Well-Reliant Towns in Massachusetts" Flyer, *RCAP Solutions*; see also Interview with Dan Gaffney and Elizabeth Schoepke, SafeWell Corporation, October 29, 2024.
[50] "BeWell Informed Treatment Results." *RCAP Solutions, Inc.,* March 2025

reverse osmosis systems (38%), whole-house cation exchange water softener/ combination systems (23%) and whole-house aeration systems (22%).[51]

Point-of-use reverse osmosis systems are typically installed underneath a sink or faucet and filter the water by sending it through a semi-permeable membrane.[52] This remediation option is used to primarily remove contaminants such as heavy metals and other impurities in order to provide cleaner drinking water.[53] This option typically costs around $550.00, excluding any installation costs.[54] The second most common remediation option, installation of a whole-house cation exchange water softener, is used to remove minerals from the water such as calcium or magnesium.[55] The average cost for this type of remediation averages around $1,500.00.[56] The third most common remediation option was the installation of whole-house aeration systems. The average cost for this remediation system is around $4,500.00 and is typically reserved for dealing with contamination from radon or PFAS.[57]

This bill provides two main avenues for providing financial assistance to homeowners to help cover the costs needed to make the necessary private well repairs. First, the bill will expand the MassHousing Septic Loan Program to cover the costs of private well repairs. By expanding this loan program to include private well repairs, qualifying homeowners will be able to obtain

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[51] Id.
[52] Laukkonen, Jeremy. "The 5 Best Reverse Osmosis Systems The Spruce Has Tested." *The Spruce*, 2 April 2025, https://www.thespruce.com/best-reverse-osmosis-systems-4586893?utm_source=microsoftpaid&utm_medium=con&utm_content=2b03486e93c1119db8252f88623579a4&utm_campaign=commerce-dd-ReverseOsmosisSystems_TheSpruce_Combined_CommSEM_OrganicLP-4586893&utm_term=best%20ro%20water%20system&utm_test=&msclkid=2b03486e93c1119db8252f88623579a4
[53] Id.
[54] Id.
[55] Allen, Nafeesah. "How Much Does It Cost to Install a Water Softener System." *Forbes* , 31 October 2024, https://www.forbes.com/home-improvement/plumbing/water-softener-system-installation-cost/
[56] Id.
[57] Brodhead, Bill. "Radon in Water – Information." *WPB Enterprises, Inc.*, 2021, https://wpb-radon.com/radon_in_water_information.html#:~:text=Radon%20can%20be%20removed%20from%20household%20water%20with,radon%20in%20water%20and%20costs%20about%20a%20%241000.

low-interest loans up to $25,000.[58] This financial assistance can help homeowners obtain the necessary private well repairs and alleviate some of the burden imposed by the repair costs incurred outside of a real estate transaction.

Second, this bill will enable buyers and sellers to negotiate the costs of any necessary repairs as a part of the real estate transaction itself. If testing prior to the closing reveals any contamination in the drinking water provided by the private well, real estate professionals and parties to real estate transactions may contract around the costs of this testing and repairs as they negotiate the conditions of the sale of the property. This will enable parties to the real estate transaction, to incorporate the cost of these repairs into the sales price of the home.

Concern #3: The Cost of Private Well Ownership Will Increase

Another concern that homeowners may have is that the testing and water quality requirements put in place by this bill will dramatically increase the cost of drinking water provided by a private well. Many homeowners who rely on private wells for their primary source of drinking water have become accustomed to minimal to zero costs for the supply of their water. However, it is important to note that while there is a fee for users of public water systems, they have access to water that is regulated and tested regularly to ensure safety, whereas homeowners using private wells do not. The average annual cost of water supplied to consumers in Massachusetts through a public water system is around $710.01.[59] However, in exchange for these amount consumers of drinking water supplied by public water systems enjoy benefits such

[58] https://www.masshousing.com/home-ownership/homeowners/septic-lenders
[59] "Comparative Residential Water and Sewer Rates for U.S. Cities." *MWRA Advisory Board*, 6 May 2024, https://www.mwraadvisoryboard.com/comparative-residential-water-and-sewer-rates-for-u-s-cities/

as regular monitoring and treatment of the water. Therefore, the cost imposed by this bill seeks to provide similar benefits to private well consumers, but on a more individualized basis.

Concern #4: Real Estate Testing Requirement Places Burdens on Real Estate Professionals.

Real estate professionals may oppose this bill out of concern because it places additional administrative burdens on real estate transfers and may make such transfers more difficult to conduct. However, this concern is misplaced as S.585/ H. 900 does not place any new administrative burden on real estate professionals. The real estate testing requirement is modeled after the same provision in Title V. Real estate professionals can expect a process that is merely an expansion of the Title V program. Currently under the Title V program, the sale of a property with a septic system requires an inspection of the system within the two years before a sale or if weather prevents the inspection, 6 months after the sale.[60] The inspection must be performed by a certified system inspector, who must complete the "Title 5 Official Inspection Form" and submit it within thirty day of the inspection.[61] A copy of this completed form must be provided by the seller to the buyer prior to closing.[62]

The requirements for the testing of private wells will implement a similar process to the Title V inspections, with the submission of a copy of the testing results being required to be provided to the buyer prior to closing. Furthermore, real estate professionals and parties to real estate transactions may contract around the costs of this testing and possible repairs in the same manner that they currently conduct for septic systems under the Title V program. Therefore, this

[60] 310 CMR 15.300-15.305; see also "Buying or Selling Property with a Septic System" *MassDEP*, 2025, https://www.mass.gov/guides/buying-or-selling-property-with-a-septic-system
[61] Id.
[62] Id. ; see also Title 5 Official Inspection Form https://www.mass.gov/doc/title-5-official-inspection-form-0/download

bill will not place any new burdens on the real estate community; it simply expands a process already in place to include an additional testing step.