

Well Connected®



A Publication of the Water Systems Council

WSC HELPS NEW MEXICO GROUND WATER ASSOCIATION BATTLE WELL RESTRICTIONS



WSC Calendar

JULY - AUGUST 2005

- 30-2 50th Anniversary South Atlantic Well Drillers Jubilee, Myrtle Beach, SC
- 2 WSC Board of Directors Meeting

NOVEMBER 2005

- WSC Fall Members Meeting, Sundial Resort, Sanibel Island, FL
- 9 Golf Tournament
- 10 Committee Meetings, Member Meetings
- 11 WSC Board of Directors Meeting

DECEMBER 2005

- 13-16 NGWA Expo, Cobb County, GA

FEBRUARY - MARCH 2006

- WSC Spring Members Meeting, St. Regis Hotel, Washington, DC
- 28-1 Congressional Meetings
- 2 Committee Meetings, Member Meetings
- 3 WSC Board of Directors Meeting

A top priority for Water Systems Council is to assist state water well associations in addressing mandatory hook-up laws and other issues impacting the water well industry in their states. Currently, WSC is working with the New Mexico Ground Water Association (NMGWA), a WSC member, to challenge proposed restrictions on new private wells in New Mexico.

New Mexico Governor Bill Richardson and State Engineer John D'Antonio have asked the state's General Assembly to place restrictions on private, domestic wells or give the State Engineer discretion to deny new well permits. The Governor and State Engineer assert that each holds the authority to unilaterally restrict wells through administrative action. The state presently imposes severe restrictions on new wells in areas deemed critical in terms of water supply.

Supporters of the ban argue that new private wells "impair" more senior water rights held by others and threaten the state's ability to meet interstate water delivery obligations. In the competition for a dwindling resource, in a state coping with surging residential demand for water, these supporters are arguing on behalf of holders of senior water rights at the expense of the property rights of individual well owners and landowners.

Domestic wells are one of the smallest class of water users in New Mexico. And the state has not measured the impact of existing and future private wells. WSC and its New Mexico partners contend that the state is trying to deny residential homeowners the right to a well based on undocumented water needs or current uses.

WSC worked with the NMGWA to design and run public service announcements in local newspapers to ensure that correct information on wells was presented to the public and to counter inaccurate information that was being distributed by proponents of well restrictions.

WSC also invited Alan Eades, a New Mexico Ground Water Association board member, and Chris Jaramillo, the association's lobbyist, to Washington to meet with Kathleen Stanley, WSC executive director, Jesse Richardson, WSC research and policy advisor, and attorneys

Inside this issue:

Around the States	3
Washington Update	4
WSC News	5
Don't Miss the WSC FALL 2005 MEMBERS MEETING	
November 9-11, 2005	
Sundial Resort, Sanibel Island, FL	

WSC Helps New Mexico Ground Water Association

Continued from page 1

Rich Gold and Mike Galano of Holland & Knight, WSC's law firm. The group drafted a white paper on the New Mexico restrictions and talking points for meetings with legislators and other officials.

One of the public service announcements that recently appeared in New Mexico newspapers, through efforts of the Water Systems Council and New Mexico Ground Water Association.

**Your Right to Own
a Domestic Well is in Jeopardy.**

**Top New Mexico officials
have vowed to curb
private domestic water wells.**

Commercial
23,349
1.26%

Industrial
9,838
0.53%

Mining
64,853
3.49%

Power
12,708
0.68%

Domestic
35,150
1.89%

Category	Value	Percentage
Irrigated Agriculture	1,376,597	74.16%
Public Water Supply	293,917	15.83%
Livestock	39,813	2.14%
Commercial	23,349	1.26%
Industrial	9,838	0.53%
Mining	64,853	3.49%
Power	12,708	0.68%
Domestic	35,150	1.89%

2000 Office of the State Engineer Water Use by Categories in New Mexico Counties and River Basins and Irrigated Acreage

Total Ground Water Withdrawal in Acre Feet:
1,856,224.48

Why?

According to the Office of the State Engineer, less than 2% of all ground water pumped in New Mexico comes from domestic wells. But that 2% assumes an incredible 2,678 gallons of water per day is pumped from every permitted domestic well in New Mexico. On average, Americans use about 80 gallons per person per day. The Office of the State Engineer's figures put 34 people at the tap in each house served by a domestic well in New Mexico!

Come on! Even without meters on private wells, it's easy to see that the state's figures don't hold water... that domestic wells use far less than 2% of the state's ground water... that domestic wells are not to blame for New Mexico's water problems.

Why squelch one of the smallest water users in the state?

The answer is simple...
to control growth in New Mexico.

[Get the facts and get involved!](#)

Contact the New Mexico Ground Water Association:
www.nmgwa.org

URGE GOVERNOR RICHARDSON AND YOUR ELECTED OFFICIALS
TO LEARN THE TRUTH ABOUT PRIVATE DOMESTIC WATER WELLS BEFORE THEY
PUSH TO DENY YOU THE RIGHT TO OWN AND USE ONE.

Massachusetts Towns Struggle with Water Restrictions

In 2003, the Massachusetts Department of Environmental Protection ordered the 14 cities and towns on the state's North Shore to impose watering bans on both public and private water supplies whenever the Ipswich River falls below a certain level. Local water superintendents objected, saying they lacked legal authority to enforce bans on people who own their own wells.

Falmouth was the first to pass a bylaw giving town selectmen the power to broadly restrict water use by all residents, including private well owners. The Massachusetts Attorney General's office ruled that the measure is legal. In the past, most towns imposed bans only during dry stretches of the summer. The new laws will prohibit outdoor lawn watering from any source, public water or private well, between 8 a.m. and 7 p.m., when 90 percent of the water is lost to evaporation.

Arizona Lawmakers May Require Rural Water Plans

Arizona legislators want to give the state's rural areas the power to postpone or prohibit new residential development that does not have adequate sources of water. Water supplies in Arizona's rural areas are stressed by rapid population growth and a nine-year drought. Worse, most rural communities don't have the zoning power or technical expertise to reject new housing developments that cannot demonstrate sufficient water supplies.

The Arizona legislature is considering whether to require rural communities to produce drought and conservation plans and to integrate water planning with land use plans. The state's landmark 1980 ground water law addressed only urbanizing areas and cities, requiring mandatory conservation measures, such as special plumbing fixtures and construction techniques. Legislators may extend such conservation options to Arizona's rural areas.

Wisconsin Seeks Tougher Well Construction Standards

The Wisconsin Department of Natural Resources (DNR) is pursuing those who build shoddy wells and expose homeowners to potential pollutants. State officials say they want to make sure the 17,000 wells drilled in Wisconsin each year are properly sealed to block contaminants from getting into drinking water.

The DNR nearly doubled the number of violations it issued to well drillers in the past decade, increased prosecutions for poor well construction from four cases to 17, and stepped up inspections of new wells. On May 1, a new law went into effect, requiring well drillers to notify the DNR before drilling and establishing new fees for well permits; \$50 for a private well and \$500 for a high-capacity well.

Doug Sorenson, president of the Wisconsin Well Water Association, said, "It might sound kind of funny, that I want more regulation. But we know the importance of this. There are people in the industry who aren't doing things right."

Texas: Abandoned Wells Threaten Water Quality

There are roughly 150,000 abandoned water wells in Texas and each threatens the water quality of wells still in service, said Dr. Bruce Lesikar, Texas Cooperative Extension Service agricultural engineer. He added, "An abandoned well provides a direct channel (for contaminants) from the surface to the aquifer below."

Continued on page 4

Around the States

Continued from page 3

Texas law requires landowners to plug abandoned wells and holds them responsible for contamination or injury caused by the well. However, Dr. Lesikar called on owners of abandoned wells to work with the Texas Department of Licensing and Regulation to ensure that the method used to seal the old well is approved by the state for safety.

Iowa County Residents Resist Mandatory Hookup

Some residents of Cass County in southwestern Iowa may be forced to connect to public water because of an underground oil and gas leak that could pose a threat to their private wells, according to a May report in *The Daily Nonpareil* newspaper. The Iowa Department of Natural Resources and the Cass County Board of Health told residents in March that a computer-generated model indicates the leaks could reach their property, although the timing is unknown.

Residents are skeptical of the model and the state's changing figures on the plume of contamination issuing from the underground leak. "They are trying to take away our rights without any hard evidence there is a problem," said Pug Bower, one of the five property owners who have refused to hook up to the rural system because of the conflicting state threat assessment reports.

Virginia Wells Shaken by Earthquake in Asia

The Washington Post reports that seismic waves generated by the massive South Asian earthquake in December caused water to oscillate about three feet in a well in Christiansburg, Virginia, that is monitored by the U.S. Geological Survey (USGS). David L. Nelms, a USGS water specialist, said waves from the distant earthquake caused the fractured walls within the well to squeeze the water inside, causing the water to move back and forth for more than five hours. Virginia started monitoring wells three years ago to measure the effects of drought.

EPA Posts Updated Drinking Water Needs Survey

American water utilities must invest nearly \$277 billion over the next 20 years to ensure safe drinking water, according to the U.S. Environmental Protection Agency's (USEPA) third national Drinking Water Infrastructure Needs Survey and Assessment. USEPA notes that the newly calculated total need, based on data collected in 2003, is much greater than previously estimated under the first survey in 1995. About \$184 billion is needed to upgrade transmission and distribution infrastructure.

The report states that the new assessment "more accurately captures needs that were under-reported in earlier assessments, particularly costs needed to address rehabilitation and replacement of deteriorating infrastructure." The high cost of water utility maintenance and expansion should strengthen support for alternatives to massive public water systems. WSC's Screven County, Georgia project demonstrates that individual wells can be the most cost-effective system for providing clean drinking water and meeting rural economic development needs in rural areas.



WASHINGTON UPDATE

WQA President Cites Increase Demand for Wells

The trend in new home construction in more rural or exurban settings will increase demand for private wells, said Water Quality Association (WQA) President Gregor E. Norgaard in his State of the Industry address at the WQA annual meeting this spring.

Mr. Norgaard also noted that demand for fresh water in the United States is expected to grow by 70 percent in the next 25 years, that 64 percent of Americans are concerned about the quality of the tap water (up from 44 percent in 2001) and that 45 percent of Americans feel that the quality of their drinking water is not so good as it should be (up from 35 percent in 2001).

MTBE or Not MTBE: Energy Bills Differ Sharply

Providing protection for producers of MTBE from lawsuits over contamination of drinking water is a major sticking point in the House and Senate versions of the national energy bill. MTBE (methyl tertiary butyl ether) is a chemical added to fuel to make it burn more cleanly. In the 1990s, many states required the addition of MTBE to gasoline in order to meet federal clean air rules. But the substance eventually was found in the ground water in 24 states and the cost of clean up is unknown.

The House version of the comprehensive energy policy includes a shield from liability for MTBE producers, while the Senate version, passed in June, does not. The legislation – and the contentious MTBE issue – now goes to a joint House-Senate conference committee for reconciliation.

EPA Urged to Regulate Perchlorate

The American Water Works Association (AWWA) in May urged the USEPA to include perchlorate among the five or more contaminants the agency must decide whether to regulate by August 2006.

Perchlorate contamination in water and soil is attributed mainly to waste from military bases, aerospace installations and defense contractors that build rockets. A small amount of perchlorate contamination in the United States has been traced to a salt-based fertilizer made in Chile. To date, 26 states have documented contamination in water supplies, with California containing the greatest number of sites. A total of 40 states have identified significant use of the chemical.

The USEPA is studying the regulation of perchlorate, but has not issued a Maximum Contaminant Level (MCL) for the substance in public water supplies. AWWA Deputy Executive Director Tom Curtis, in a May 27 letter to USEPA Water Office Chief Benjamin Grumbles, said, "AWWA believes that perchlorate is a prime candidate for one of the regulatory determinations that EPA will propose this summer under the framework of the Contaminant Candidate List. "

Florida Water District Reprints WSC Info Sheet for Customers

The Southwest Florida Water Management District reprinted WSC's new info sheet for realtors and homebuyers, *Buying A Home with A Well*, in its monthly resource regulation newsletter published in April.

Congratulations, George Conyngham!

WSC Distributor Member George Conyngham of Eastern Pennsylvania Supply in Wilkes-Barre has been elected president of the American Supply Association. His term begins in September.



WASHINGTON UPDATE

**WSC
NEWS.....**

WSC NEWS.....

Continued from page 5

Big Shift in Calls to wellcare® Hotline

2005 has seen a major shift in the types of calls to the wellcare® Hotline. The hotline now receives more requests for general information and questions about mechanical pump testing than inquiries regarding drinking water contaminants. The mechanical pump testing questions mostly involve the pressure switch or low water pressure (see Q&A, below).

The Hotline received 1,333 calls from January through June, with Pennsylvania leading with 110 calls, Maryland with 84 calls, New York with 78 calls and a tie between Florida and Virginia, with 75 calls each. Many calls concerned public water systems and community wells, the difficulties in finding water testing laboratories in Texas and the lack of testing for radon in Michigan, Wisconsin and Indiana. The Hotline still receives lots of calls from homebuyers and mortgage companies, most regarding FHA/HUD well and water testing guidelines.

wellcare® hotline Q&A

Q. I frequently have low water pressure and/or no water pressure. When this happens, there may be only one faucet running. Please tell me: Is it my tank or pump that's the problem?

A. It sounds like the pressure switch or the line running to the switch has become clogged with mineral buildup or sediment. This buildup will prevent the switch from correctly gauging system pressure and create a lag in pump start up, to produce the problem you describe. There could be other things wrong with your system like a failing pump or well. However, the pressure switch or the line clogging is more likely.

In any case, you should ask a certified water well driller to inspect your well system to determine precisely what correction is needed.

Q. What are the pros and cons of PE pipe versus PEX pipe for use in a well or for the well to house connection?

A. PEX piping was designed to be used as an alternative to copper piping, mainly for the application of interior plumbing distribution systems, not for burial underground. Your county building inspector may approve PEX piping for underground burial, but you will need to check with that office first.

We question the use of PEX pipe as a riser pipe from inside the well. The weight of the pumping system hanging on PEX pipe will cause a failure much sooner than the same application using PE (or polyethylene) pipe. PE pipe was designed to be buried underground and to withstand the weight and torque of a properly sized pumping system. Again, ask your county building inspector for guidance.

Check Out "Around the States"

"Around the States" provides summaries of state legislative issues related to wells and drinking water and legislative actions that impact the water well industry. This monthly publication is emailed and/or mailed to WSC members only, and available in the members-only section of the WSC website.



NEED HELP?

For help logging on to the members-only section of the WSC website or to make additions or changes to your membership listing, contact **Kathie Auth**, director of Member Services: Kathie.Auth@watersystemscouncil.org / 202-625-4387.

wellcare® Workshops Held in Nebraska and Georgia

WSC wellcare® Workshops continue to receive excellent response from well professionals, sanitarians and local and state officials. The workshops allow the various groups to meet, share ideas and information, and build new or strengthen existing relationships. The cooperation and collaboration provided by the state associations are key to the success of the workshops. WSC salutes the Nebraska Well Drillers Association and the Georgia Drillers Association for their support and assistance in promoting wellcare® Workshops.

Each workshop is designed to meet the specific needs in each state, but there are some presentations and training common to all. These include a review of water rights law and regulations, highlights of the WSC wellcare® program and Hotline.

In Nebraska, 47 groundwater professionals attended the wellcare® Workshop in Lincoln on April 14. Lee Orton, president of the Nebraska Well Drillers Association, challenged the attendees to "spread the news" about the value of their profession and services to the public. The workshop featured sessions on private wells, pollution prevention and education, and a panel of experts discussing innovations in groundwater management in Nebraska.

In Georgia, the Georgia Drillers Association, the Georgia Department of Community Affairs and the Association County Commissioners of Georgia (ACCG) co-sponsored a wellcare® Workshop May 24 in Savannah for 54 water well professionals, municipal and county officials, and state and federal agency representatives. Dr. James Kundell, environmental policy program director of the Carl Vinson Institute, University of Georgia (UGA), reported on his research on interstate and regional issues surrounding water resources. The Screven County, Georgia project, in which wells have been proven to be the most cost-effective drinking water delivery system for that area, was a featured presentation. The workshop participants also viewed a 20-minute video, *Well, What Do You Know?*, produced by the UGA Extension Service for private well owners. Georgia well drillers received 5.5 continuing education units (CEUs) toward state certification for attending the workshop.

2005 wellcare® Workshops

June 24	wellcare® Workshop, South Bend, IN
July 31	Submersible Pump Installation & Maintenance Training Workshop, South Atlantic Jubilee, Myrtle Beach, SC
August 11	wellcare® Workshop, Richmond/Glen Allen, VA
September 21	wellcare® Workshop, Meriden, CT
September 22	Submersible Pump Installation & Maintenance Training Workshop, Meriden, CT
September 24	wellcare® Teachers Workshop - Part One, Wye River, MD
September 29	wellcare® Workshop, Geneva, NY
October 15	wellcare® Teachers Workshop - Part Two, Wye River, MD
October 27-28	wellcare® Workshop, Choctaw, MS
November 14	New England Water Well Symposium, Portsmouth, NH
December 13-16	Submersible Pump Installation & Maintenance Training Workshop, NGWA Expo, Cobb County, GA

WSC Reorganizes Committees

The WSC Board of Directors recently changed its committee structure, in order to rotate chairs and involve as many WSC members as possible in the important committee process. Chair terms are now limited to two years. The new committee chairs and committee assignments are:

Grants Oversight Committee

Dennis Coggins,
Goulds Pumps/ITT Industries,
Seneca Falls, NY

Membership Committee

Dennis Wierzbicki,
Grundfos Pumps, Olathe, KS

Nominating Committee

Tom Sterzing,
Austin Pump & Supply, Austin, TX

Distributors Committee

Tom Sterzing,
Austin Pump & Supply, Austin, TX

Pitless Adapter Committee

Steve Anderson,
Merrill Manufacturing,
Storm Lake, IA

Tank Committee

Kathy Berrill,
A.O. Smith Corporation, Stratford, ON

Government Affairs Committee

DeLancey Davis,
Franklin Pumps, Bluffton, IN

Public Education & Communications Committee

Bo Andersson,
Danfoss Flomatic, Glens Falls, NY

Statistical Reports Committee

Robert Ubriaco,
Goulds Pumps/ITT Industries,
Seneca Falls, NY

Technical Committee

Joe Lane,
Amtrol, West Warwick, RI

WSC Members... Send your news about personnel changes and other items of interest for publication in future issues of Well Connected® to the WSC National Programs Office, 1101 30th Street, N.W., Suite 500, Washington, DC 20007 or e-mail to:

memberservices@watersystemscouncil.org



WSC NATIONAL PROGRAMS OFFICE
 1101 30th Street, N.W.
 Suite 500
 Washington, DC 20007



The Dockers Quartet and The Red Hats provided wonderful live entertainment at the May 3 reception.



WSC and festival organizing committee members in attendance were: Henry King, Aquaflo Pumps Inc., Burnet Chalmers, Milby Company and Glen Larson, Pentair Water Group.

Children's Water Festival Planning Advances

Planning is well underway for the Maryland/Delaware Children's Water Festival to be held at Chesapeake College in Wye Mills, Maryland, March 23, 2006. Ten schools registered within the first week that the announcement brochure was released.

The organizing committee needs volunteers, donations and in-kind support. Please contact WSC Specialist Dawn Greene, 202-625-4387, for more information. The organizing committee will meet at Chesapeake College, August 16, 10 a.m. to 2 p.m.

WSC hosted a fundraising reception for the Maryland/Delaware Children's Water Festival on May 3. Many potential presenters, local government agencies, well drillers and local residents attended. Live entertainment by the Red Hats and the Dockers Quartet – along with demonstrations by Maryland Department of Natural Resources–Project WET, Delaware Department of Natural Resources, Environmental Concern Inc. and special guest Suki Janssen of the Georgia Children's Water Festivals – made a big splash! The entertainers have volunteered to return to perform at the festival, in our "Pit Stop."

Planning also continues for the North Carolina Children's Water Festival, to be held at Catawba College in Salisbury, North Carolina in Fall 2006.

