



## **A.4557 (JAFFEE ET AL.)**

## **S.2678 (MORAHAN, HANNON)**

### **Summary**

This bill would amend New York's Public Health Law by adding a new Section 1110 to govern private well testing and directing the Department of Health to promulgate related regulations. The bill stipulates that any contract for the sale of real property served by a private well for potable water shall include a provision requiring that as a condition of sale the well be tested for bacteria, nitrates, iron, manganese, pH, volatile organic compounds and lead. Test results would be shared with the relevant county health department and compiled by the Department of Health in order to study groundwater supplies and contamination within the state. Results would also be provided to the Department of Environmental Conservation (DEC) to further the state's efforts to remediate contaminated groundwater, as well as for inclusion in the agency's environmental facilities maps, which document pollution sources throughout the state.

### **Explanation**

Groundwater is a critical resource that millions of New Yorkers rely on for drinking water. Because ground and surface water resources are interconnected, water quality impacts on one resource invariably impact another. By providing for private well testing and directing the Department of Health to compile the results, this bill will provide the public with important information that can be used to guide remediation efforts and future development.

In New York State, citizens who rely on public water supplies know that their water is regularly tested for contaminants and toxics. However, those who purchase a home or property served by private water supplies have no such assurances. This bill would ensure that home buyers have basic information regarding water quality so that they can make informed decisions regarding this precious resource.

This proposal will also direct the Department of Health to report wells that fail the water quality tests to the relevant county health department. The county department will then issue a general notice to property owners in the vicinity of the failed well that rely on private wells that a nearby well has failed. With this information, neighbors will have the opportunity to have their wells tested, as well.

**Environmental Advocates of New York supports this bill.**

**Memo 31**