

**VIRGINIA WATER WELL ASSOCIATION**  
**Position Statement**  
**Adopted February 27, 1999**

**Position 1: Protection of Ground Water.** The Virginia Water Well Association supports the following actions in the interest of ground water protection:

- Determination by federal, state and local government that there will be zero tolerance of all forms of ground water pollution
- Strict enforcement of all laws and regulations governing ground water and surface water protection
- Strict enforcement of all laws and regulations which require the clean up of all potential and existing sources of ground water pollution
- Comprehensive review of all programs, laws and regulations that have an impact on ground water and surface water resources; and, based on such review
- Comprehensive nationwide planning for the conservation and protection of all water resources, both ground water and surface water
- A moratorium on the construction of any new public water systems which are not accompanied simultaneously by the construction of a public waste water management system
- Comprehensive review of, and long term planning for, waste water management and treatment
- Comprehensive review and study of the advantages and disadvantages of centralized water systems, their impact on the environment and the quality of water they produce.

**Rationale:** Eighty to ninety percent of America's available fresh water resources are found beneath the earth. Because the hydro-geological cycle provides an amazing system for purifying ground water resources, in many places, ground water remains the safest source of potable water available. However, the natural filtration process that creates potable ground water is increasingly under assault from toxic waste products and pollutants. While many measures are being taken to protect ground water, the problem continues to grow. Some of the most obvious reasons that current approaches are failing include:

- Conflict of interest between the enforcement of environmental policies (laws and regulations) and the protection of economic interests
- Inadequate enforcement of existing laws and regulations
- Inadequate funding for enforcement programs
- Failure of officials and agencies to deal with major polluters of surface water, namely urban areas
- Failure of land use planning to consider water resources protection
- Failure to recognize that the chemical treatments necessary for producing potable water from surface water contribute to ground water pollution.

Officials have begun to embrace the use of public water systems as a way to avoid the problem of cleaning up contamination. No solution could be more short-sighted, for ultimately, ground water is by far our most vast and reliable water resource.

There are a number of problems with using public water systems to avoid cleaning up contaminated ground water. The most obvious problem, from the standpoint of ground water protection, is that public water systems themselves often carry large amounts of chemicals and/or toxic gases (trihalomethanes) which can end up in ground water, thus adding to the contamination. These problems become critical in rural areas where public water lines cover long distances, are under utilized and are discharged into septic systems. This approach also ignores the fact that the ground water remains polluted after the public water systems are constructed.

We are entering an age in which man's belief in the problem-solving capabilities of science and technology is becoming more firmly entrenched than ever before. However, it is a mistake to assume that no matter what we do to our natural resources, science will "bail us out."

Ultimately, it is the development of astute ground water policy, the strict enforcement of existing laws and regulations, and comprehensive long-term planning that will protect ground water. More chemicals, more centralized systems and restrictions on private well use will not do the job.

**Position 2: Citizen's Right to Choose a Water Source.** The Virginia Water Well Association believes that American citizens should have the following rights:

- The right to install a properly constructed water well on private property.
- The right to use a properly tested and constructed private water well as source of potable water.

**Rationale:** Water wells, both private and public, are legal in every state. Properly constructed wells provide a safe, economical, custom-designed water source for both domestic and industrial use. During times of drought, wells provide an excellent alternative water resource for overburdened surface water supplies.

This nation has a strong tradition of upholding an individual's right to make choices about the use of property. Laws and regulations which deny a citizen's right to access ground water supplies on private property by limiting the right to own or construct private wells, go against that tradition. Clearly, citizens should have the right to choose a drinking water source.

In the long run, restricting a citizen's right to a private well also represents a health hazard. For, when these laws are seen in the light of such problems as water shortages, frequent problems with quality and quantity control in public systems, and the potential threat of deliberate public system contamination, it becomes clear that these laws are neither good public policy nor in the interests of the public health.

**Position 3: Proper Well Construction.** The Virginia Water Well Association supports laws and regulations that do the following:

- Govern the proper construction of private water wells
- Require the licensing and/or certification of water well drillers
- Require continuing education of water well drillers
- Require the systematic inspection of new well construction
- Require the strong, consistent enforcement of the above laws and regulations.

**Rationale:** Water well construction is a science. Changes in technology and construction design are making private water wells safer and more productive than ever before. However, these changes require the regular upgrading of well driller educational standards and technical expertise. And, while many professional well drillers' associations have voluntary programs designed to upgrade professionalism, it is also important that regulators adopt a policy of strict enforcement of laws and regulations governing well construction and the licensing and/or certification of well drillers.

**Position 4: Unfair Competition.** The Virginia Water Well Association supports elimination of laws and regulations that require mandatory hook-up to public water systems on the basis that these laws and regulations create unfair competition in the business of providing potable water for the public.

**Rationale:** Potable water is a marketed product that can be obtained from a number of competing providers, including well drillers, governments, quasi-governments (such as water authorities) and privately owned utility companies. Of these providers, only well drillers experience the negative economic impact of federal, state and local laws that require private well users to hook on to public systems when such systems are built. Additionally, only well drillers experience negative economic impact when laws or regulations are adopted that require builders or developers to put in public water infrastructure rather than choose to construct private wells as a water source. Only well drillers experience negative economic impact when laws and ordinances are passed that forbid the drilling and use of wells for non-potable uses such as irrigation systems and heat pumps.

Finally, and perhaps most unfairly, state and local governments, water authorities and utilities often receive public funds to build their systems. Often, access to these funds is based on a government mandate that well users hook on to the public system. Only well drillers experience having their customers ordered, by law, to give up their private source of water and hook on to public water systems.

**Position 5: Drinking Water and the Protection of Public Health.** American citizens have a right to use the best source of potable water available.

- In many cases, the best source of potable water is a private water well
- Public systems, when in use, must be required to be in full compliance with all drinking water safety standards, and such standards must be based on issues of public health and safety, and not on minimizing the cost of public water
- Large centralized public water systems inherently have water quality and quantity problems which, for the most part, do not exist in properly constructed private water wells. Decentralization of large water systems should be undertaken as a strategy for solving problems of both water quality and supply.

**Rationale:** Private water wells are a source of fresh water. Because they are privately owned and are constructed as small closed systems, wells are easily tested. Problems, whether with water quality or system function, are quickly diagnosed and treated. Well owners can choose whether or not they wish to add chemical treatments to the system.

Centralization of systems, whether public water systems or otherwise, has rarely proved to be an effective way of dealing with society's problems. Clearly, there is evidence that shows public water systems to be increasingly unreliable and the water, in some situations, undrinkable. The larger and more centralized the system, the more likely it is to be subject to deliberate contamination, deteriorating infrastructure and increased use of chemicals to guarantee potability. The larger the system the more widespread and devastating problems can be.

Millions of public water users are turning to bottled water for drinking purposes. Clearly this is but one indication they want to take control of their health where drinking water is concerned. Denying citizens the right to have and use a properly constructed private water well for drinking purposes is an infringement not only on property rights, but also on a person's right to control the most vital part of human health -- fresh, clean drinking water.