

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2006-025

**A RESOLUTION RELATING TO PRIVATE WELLS
IN THE WEST CENTRAL LAKE ELMO AREA**

WHEREAS, the Minnesota Pollution Control Agency, in conjunction with the Minnesota Department of Health, has taken water samples from approximately 239 private residential wells in the west central portion of the City of Lake Elmo (the "WCLE Area") as illustrated on Exhibit A attached; and

WHEREAS, the private well water sampling in the WCLE Area indicates that the following perfluorochemicals ("PFCs") are present in some of the private wells:

- A. Perfluorooctane sulfate ("PFOS") and perfluorooctanic acid ("PFOA") have been detected in nineteen (19) private residential wells at levels in excess of the health base values ("HBVs") set by the Minnesota Department of Health; and
- B. PFOS and PFOA has been detected in sixty four (64) residential wells at levels that do not yet exceed the HBVs set by the Minnesota Department of Health; and

WHEREAS, the Minnesota Pollution Control Agency reports that, based upon animal studies, concentrations of PFOS have been shown to adversely affect liver and other organs; high concentrations of PFOA over a long period of time may also cause cancer in animals (still under review); and that developmental affects have been seen the offspring of rats exposed to PFCs; and

WHEREAS, the WCLE Area lies easterly of the nearby Oakdale 3M Landfill (a Superfund Site) and lies southerly and westerly of the Washington County Landfill (a closed landfill program site); and

WHEREAS, all of the private residential wells in the WCLE Area are located downstream from the source of contamination and draw water from the same aquifers; and

WHEREAS, the Minnesota Department of Health has determined that the sealing of the private wells within the WCLE Area will:

- A. Remove the need to monitor multiple private wells whose future uses are unclear.
- B. Prevent the further spread of PFCs in or between the affected aquifers from poorly constructed or failing wells.
- C. Remove pumping of numerous wells as one of the complicating factors in predicting ground water flow from the Washington County Landfill and also predicting movement of the contaminants.
- D. Stop the movement of PFCs from the ground water into the environment (PFCs do not volatilize, so any PFCs pumped from a private well will be reintroduced into the soil and ultimately back into the ground water).
- E. Minimize minor human exposures through other pathways (soil gardening, swimming pools) from using contaminated water, even water with PFCs below health based value levels).
- F. Prevent the possibility of future cross connection and contaminations of public water supply from do it yourself plumbers.
- G. Eliminate the cost to the homeowner of maintaining and operating and ultimately sealing their well.
- H. Eliminate liability concerns at the time of future property transfer.

WHEREAS, the WCLE Area will soon be part of an expanded formal Special Well Construction Area which may require, under statute, that the existence of the well be disclosed at property transfer; and

WHEREAS, the sealing of some, but not all of the wells, in the WCLE Area will increase the likelihood of contamination in the unsealed wells; and

WHEREAS, the City of Lake Elmo has obtained a 3M community grant which will allow the City to extend the City water service to serve the WCLE Area and to connect the parcels within the WCLE Area to the City water system (the "Water Improvement Project") without the necessity of specially assessing Water Improvement Project costs to the parcels within the WCLE Area; and

WHEREAS, the City of Lake Elmo will be awarding contracts in 2006 for the construction of the Water Improvement Project; and

NOW, THEREFORE, be it resolved that the Lake Elmo City Council hereby declares that all private wells within the WCLE Area, as identified on Exhibit A attached, are a known or potential health hazard and directs that, upon the availability of a City water system, such private wells shall be sealed in compliance with the regulations of the Minnesota Department of Health and that the private dwellings within the WCLE Area shall be connected to the City water system.

Approved by the City of Lake Elmo on the 6th day of March, 2006.

CITY OF LAKE ELMO

By:



Dean Johnston
Its: Mayor

ATTEST:



Martin Rafferty
Its: City Administrator