Water Supply for Rural or On-Farm Food Businesses

# All water used in food service or food manufacturing must come from an approved source.

Minnesota laws on water source:

Minnesota Rules 4626.0980

[www.revisor.leg.state.mn.us/rules/?id=4626.0980](http://www.revisor.leg.state.mn.us/rules/?id=4626.0980)

Minnesota Rules 4720

[www.revisor.leg.state.mn.us/rules/?id=4720](http://www.revisor.leg.state.mn.us/rules/?id=4720)

Minnesota Rules 4725

[www.revisor.leg.state.mn.us/rules/?id=4725](http://www.revisor.leg.state.mn.us/rules/?id=4725)

Minnesota Statutes 31.175

[www.revisor.leg.state.mn.us/statutes/?id=31.175](http://www.revisor.leg.state.mn.us/statutes/?id=31.175)

Water used in food establishments, including temporary ones, must be from an approved source, but that does not necessarily mean a public water supply. There are several options for sourcing water:

Municipal water supply.

If your farm or rural business location is already on a municipal or public water supply, that is considered an approved source. Note: While the public water supply is considered an approved source, there will still be a requirement for documentation that the plumbing that delivers the water to the food business site is up to code.

Your location’s private well.

If your farm or rural business is not connected to a municipal or public water supply, you can, as part of the licensing process, request approval of a private well on the property as an approved source of water. The approval process has two main components: well construction records and isolation distances.

Construction records for the well are required for it to even be considered as an approved water source. These records have been collected by counties or the State of Minnesota since 1974, and are available in the County Well Index Online: www.health.state.mn.us/divs/eh/cwi/

If the well is older than the mid-1970s, the contractor who constructed it may still have a construction record — or a copy of that record may be found in your farm’s older files. If the well construction record is not available, the well cannot be approved as a water source. Testing of the water or inspection of the interior of the pipe cannot substitute for the construction record.

Onsite inspection to verify isolation distances is required for approval of a water source. New wells are constructed with the correct isolation distances from potential sources of contamination like a septic system or a cattle pen, but over time the uses of the area near the well can change. If a well meets construction standards but isolation distances have been violated since it was constructed, it cannot serve as an approved source of water. Isolation distances are available on the Minnesota Department

of Health website: [www.health.state.mn.us/divs/eh/wells/construction/isolate.html](http://www.health.state.mn.us/divs/eh/wells/construction/isolate.html)

The size and frequency of operations of your on-farm or rural food business also affects

whether your private well can be an approved source of water.

If your food business will have fewer than 25 people on the premises per day, on fewer than 60 days per year, your private residential well can be an approved water source for that licensed establishment – IF that well meets the construction standards that were in place at the time the well was constructed and meets required isolation distances. If your days of operation and number of people present per day are more than that threshold of 25 people on 60 days per year, see the sidebar: “What if my on-farm food business really takes off and I have a lot of people coming around?”

If your location is not on a public water supply and you cannot provide the required documentation for approval of the private well, you could haul in municipal water or bottled water. The water must be transported in clean, food-grade containers or vessels.

Construction of a new well is another option. The Minnesota Department of Health estimates that a water well has a lifetime of 50 to 60 years. If your well is approaching that age and lack of a construction record for it is holding you back, it may be time for a new well. If this is your choice, consider the information about size and frequency of your business, in the paragraphs above and in the sidebar: “What if my food business really takes off?”

Is your business likely to grow to the point that a public water supply will eventually be required? If that is possible, you should have your new well constructed to those higher public water supply standards so that the well is eligible to be re-classified as a public water supply once that becomes necessary.

What if my rural or on-farm food business really takes off and I have a lot of people coming around?

***Food Service:***

If a food establishment (such as a restaurant) has at least 25 people present on at least 60 days of the year, for approved water source purposes that puts it into the category of “Restaurants, Resorts, Campgrounds (Transient).” Establishments in that category are required to use a public water source. If your location is not connected to a municipal water supply, you may be able to get your private well re-classified as a “transient non-community public water source.”

#### Food Manufacturing:

The threshold of fewer than 25 people per day on fewer than 60 days per year applies to food manufacturing or food processing businesses, but the people present will likely be mostly employees rather than customers. If your business exceeds the threshold and needs to use a public water source, you may be able to get your private well re-classified as a public water source. Because employees are a more permanent population than customers, the category for your businesses may be “Schools, Offices, Factories, and Child Care (Nontransient),” and the classification of the well may be “non-transient non-community public water source.”

If you request re-classification of your private well as a public water source, an inspector from the Minnesota Department of Health (MDH) Drinking Water Protection Program will review the well’s construction record, isolation distances, facilities, maintenance, and operation to make sure that it meets the current standards for a public water supply. MDH will also test the water on a regular basis for bacterial and nitrate contamination; and possibly other contaminants also. You can learn more about the process at MDH’s webpage for noncommunity public water supply systems:

www.health.state.mn.us/divs/eh/water/ncom/