

Continuing Obligations, Residual And Known Groundwater Contamination

A Fact Sheet For Well Drillers And Pump Installers

Constructing a well, test well or heat-exchange drillhole on or near a property that the department has identified as having known or residual contamination may require [NR 812, Wis. Adm. Code](#) department approval prior to well construction or reconstruction.

Regulations

- [§ 280.11, Wis. Stats.](#) – Directs the Wisconsin Department of Natural Resources (DNR) to establish and enforce minimum reasonable standards for obtaining and protecting pure drinking water for human consumption and establishing safeguards for protecting public health from polluted water supplies.
- [NR 812.09\(4\)\(w\), Wis. Adm. Code](#) – DNR approval is required for “[t]he construction, reconstruction, or replacement of a well or heat exchange drillhole on a property identified by the department as having residual contamination and continuing obligations...”
- [NR 812.10\(6\), Wis. Adm. Code](#) – A well driller or well constructor must consult with the department prior to drilling where they have been notified or determined that there are contaminated formations or groundwater contamination present on a property identified by the department as having residual contamination and continuing obligations.

Drilling on or near certain open and closed remediation sites requires consultation with the DNR or approval prior to beginning well construction.

For consultation or to determine what steps are required, you must contact the regional [private water supply specialist](#).

If approval is required, you must submit the Continuing Obligations/Residual Contamination Well Approval Application [form 3300-254](#) to the regional [private water supply specialist](#).

How To Determine If A Property Is Contaminated And An NR 812 Approval Is Required

Properties identified as having known contamination are maintained in a database and displayed on a GIS layer within the RR Sites Map and the Well Driller Viewer.

Continuing Obligations refer to specific actions or owner responsibilities when residual contamination remains after environmental remediation activities have taken place.

Search the [bureau for remediation and redevelopment RR sites map](#) (or search in the [Well Driller Viewer](#)) for the proposed well location.

The reverse side provides direction on circumstances requiring approval or consultation along with the identifying icon from the GIS Viewers (RR Sites Map and the Well Driller Viewer).

Circumstances That Require Form 3300-254 And DNR Approval

- **Open Sites – Continuing Obligations: Contamination Has Been Identified On This Property, And An Investigation Is Ongoing.** Contamination *may be* present beyond the property boundaries. Continuing obligations apply to one or more properties.
- **Open Site – Continuing Obligations + Affected Another Property Or Right-Of-Way: Contamination Has Been Identified On This Property, And An Investigation Is Ongoing.** Contamination *is* present beyond the property boundaries. Continuing obligations apply to one or more properties.
- **Closed Site – Continuing Obligations: This Site Was Cleaned Up After A Hazardous Substance Discharge.** Due to the remaining contamination, continuing obligations apply to one or more properties.
- **Closed Site – Continuing Obligations + Affected Another Property Or Right-Of-Way.** A hazardous substance discharge cleanup occurred at this site. The hazardous substance discharge originating from the source property has impacted one or more other properties or rights-of-way. Due to remaining contamination, continuing obligations apply to one or more properties.
- **Affected By Contamination From Another Property.** A hazardous substance discharge originating from another property has impacted this property. Due to remaining contamination, continuing obligations apply.



Circumstances That Require Consultation With The DNR Before Construction

- **Open Sites:** Contamination has been identified on this property, and an investigation is ongoing. Contamination *may be* present beyond the property boundaries.



Circumstances That Do Not Require Approval Or Consultation

- **Closed Site:** This site experienced a hazardous substance discharge cleanup. Based on the information available at the time, the department determined that no further remedial action was required.



Additional Information:

- [Continuing obligations/residual contamination well approval application form 3300-254.](#)
- Private water supply specialists coverage and contact information: [private water supply specialists.](#)
- [Site details can be found on BRRTS on the web.](#)
- For more information, please read [continuing obligations for environmental protection \(RR-819\).](#)

If you have questions about continuing obligations, residual and known groundwater contamination sites, contact your regional private water supply specialist.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute, or administrative rules are referenced. The DNR will make any regulatory decisions in any matter addressed by this guidance by applying the governing statutes and administrative rules to the relevant facts.

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