

CORRESPONDENCE/MEMORANDUM

DATE: October 24, 2022

TO: Advisory Council on Well Drilling, Heat Exchange Drilling & Pump Installing

FROM: Marty Nessman, Private Water Supply Section Chief
DNR Bureau of Drinking Water and Groundwater

SUBJECT: **Advisory Council Meeting Agenda**

Date/Time: **Thursday, October 27, 2022 – 8:30AM – 12:30 PM**

Location: Plumbers Local 75 Training Center, 2102 E. Springs Dr., Madison
Google Maps Link: <https://goo.gl/maps/9edkQDKT2bWfZr7Y8>

Meeting Agenda**1. Welcome and Introductions**

- Attending: Bruce Walker, Jeff Beiriger, Pete Chase, Terry Marshall, Jim Hutmacher, Dennis Crow, Rick Peterson, Online -Tim Butterfield, Eric Schutte
- DNR: Marty Nessman, Frank Fetter, Stacy Steinke, Bob Gundrum

2. WGNHS Updates (Pete Chase)

- Filling position of Ken Bradburry – Initial search failed; Eric Carson serving as interim director while new director is being appointed.
- Working on mapping upgrades – parameters being added to existing mapping.
 - Grant County study essentially done, western Lafayette County study current focus.
 - Looking at eastern Jefferson County – shallow dolomite wells, lack of detailed information from this area. Approx. 600 ft deep
 - Bayfield county inventory of artesian wells. County trying to protect local artesian wells from outside interests. Bottling companies. Identified 170 artesian wells in the county. Some municipal wells (Washburn) are artesian. Samples submitted for analysis. Most wells were active use wells. Ashland and Washburn wells used widely by locals. Half sampled were private wells. Public use wells sampled by the city. People assume if its artesian, it is pure. Some wells tested high in arsenic and metals.

3. DNR Updates**a. Staffing Updates (Nessman/Steinke)**

- Sara Fry – move to new position –
 - promotion with focus on enforcement, annual reports and managing compliance reviews.
 - Will be a delay in backfilling the position, Sara on maternity leave.

b. High Capacity Well Approval Updates (Freihoefer)

- Definition revised 2015 – 70 gpm or more
- Has there been an increase in water withdrawal? –
 - Cyclical, a lot of variables involved. Determining what the variables are.
 - Economic security drives a lot of the wells,
 - Approvals issued - not permits. No renewal required.
 - Form for potable and non potable applications.

- Location and water use type is considered in reviewing the applications
- 2021 Supreme court decision
 - DNR has duty to look at impact of High Cap wells.
 - Look at impacts on waters of the state when reviewing applications
 - Pumping determined to be significant impact on lakes.
 - This science is being applied to review of current applications.
 - Trying to translate study to other areas of the state.
 - Legislature does not define “harm”. Makes application review difficult in some areas as far as what is allowable and what is not.
 - Application review and decision within 65 business days is the goal.
 - Of 2021 wells, 56 of 119 wells approved had conditions applied to the approval
 - 166 received in 2022, 170+ have been approved
- Questions –
 - If capacity stays below 70 gpm, well owner can do what they want to. Not a high cap well.
 - Well pump capacity is how volume is looked at.
 - Permanent pump is used in the volume capacity determination.
 - Development pumping capacity is not considered in well capacity relative to high cap.
 - 119 applications in 2021 and 166 in 2022, how many of these were 150 gpm or less?
 - That number is not available. It was suggested that this be tracked going forward.
 - Plumbing projects now using demand rather than capacity when sizing plumbing for projects.
 - Many systems have been oversized due to use of capacity in design rather than demand.
 - Suggested looking at capacity in gpd rather than gpm.
 - Fire protection applications – fire code offsets the DNR code. Have to be hooked into the potable well system. Ties into residential potable systems. These are high-capacity wells with low capacity draw. Another example of gpd vs gpm rating.
 - Low cap well on high cap property? Requirement for 60 feet of cement is questioned. Why is the construction required to be high cap, example is a camp ground well.
 - You can drill a low cap well on high cap property
 - Terry pointed to example where DNR required 60 feet of cement where it was needed.
 - Confusion over whether camp ground well is a high capacity well. Variance is one solution to the inconsistent requirement regarding well use on property designated high capacity.
 - Bruce W. references NR 812 requirement.

- Paper approval vs online approval – is there a time when requirement will be all online. No—will continue using both.
- Fees are not refundable if application is denied.
- Should there be a committee to review the definition or requirement on high capacity well? Should the DNR begin a review or should this be looked at by the association? Jeff B. - this is not something that the department would undertake. Would need to be done by the association.

c. IT Updates (Nessman)

d. Compliance and Enforcement activities (Steinke/Fetter)

- Compliance inspections - Stacy
- Enforcement – Frank
 - Schedule 80 vs Schedule 40 conduit use. Advice to field staff is to call offender first and if offense is repeated, then go to next level and issue NON.
 - Sometimes the conduit is down 5 ft and will not be replaced. Usually damage occurs near the top.
 - Sometimes requires changing the well cap to allow for size of opening for wire size that is needed.

e. NR 812 Revisions (Fetter)

i. Board Order DG-07-22(E) and DG-08-22 update (Type IL Cement)

ii. Next up: NR 812 Subchapter III, and NR 146

1. Which to start on first?

- Consensus is that NR 146 is the higher priority.
- Nessman – drillers have too much work. Requirements of NR 146 getting in the way of getting drillers licensed.
 - Terry M. - Licensing should be lightened up. The apprenticeship program should be kept, but requirements lightened up.
 - Tim Butterfield – if so, increase monitoring
 - Statute will be the guard rails. Must work within the statute.
 - Legislature will welcome the change that makes licensing easier
 - Terry M. - Make sure that monitoring is there to make sure driller can handle different situations.

2. NR 812 Subchapter III Advisory Committee

- Can we live with putting off subchapter III for 3 years
 - Pump installation and water treatment.
- Terry – rather approach the licensing than pump installation issues.
- Rick – yes we need more people in the industry to do the drilling.
- Are there a lot of issues in pump installing? –
 - Plain folk and their approach and how they meet requirements.
 - There are subchapter III issues that we have had and we are dealing with them.
 - DNR is looking at development of an advisory committee on NR 812 Subchapter III.
 - Would want 2 or 3 members from the industry
 - Offset pump installation would be looked at

- Flowing well pump installation
- DSPS licensing has been restricted – in essence related to code requirements that have been politicized. There have been changes in positions held and the focus is shifting to dealing with hurdles to licensing including people from out of state getting reciprocity in Wisconsin.
- What has happened with the question of pump installers being able to install their own pumps. Legislature needs to review and approve. That is in planning but has not moved forward at this point.
- Marty would like to put in scope pump installing on non-electric systems. (Plain folk). This is a challenge to address and the number of individuals is growing.
 - Consider off-the-grid applications as well as spring box examples. The frequency of occurrence is likely to increase.

f. Dual Aquifer/Maquoketa Shale Factsheet (Fetter)

- i. Factsheet to go to DGMT for approval on November 1, then would be put out for public comment sometime in November. He showed example of Figure for back of sheet

g. Licensing & Continuing Education (Gundrum)

1. 2021 License Expiration Data Review

2. Jim Hutmacher/Wyo-Ben - Grouting, Drilling Fluids, Well Filling and Sealing training

- 2 hours in the lab followed by time in the field
- Lumber yard at facility may be available for on-site training purposes
- Class rooms could be used to teach and then move outside for hands-on training
- Training completion – including test or quiz
 - Class room instruction is not the same as what is in the field.
 - Everyone's equipment is different – on the job is the most important aspect of training
 - Cost is a concern to employer – no assurance that the driller will stick with the company when training has been completed and license is obtained.

4. Tour of Plumbers Local 75 Madison Training Center (all)

5. New Business

a. Driller Track to Licensing (“road map” or “apprenticeship”) program (Jeff Beiriger/All)

- What we are dealing with is not an apprenticeship type of need. We should drop that nomenclature, even casually for this. What we have is a batch of training. What is needed is building a road map. Association needs to use resources to build out a training program.
- Expense involved with small group training would not be feasible.
- This facility could be used for very low cost. Jeff B. feels this is the best track to developing a program.

- Doing all in one week may be too much to digest. Break into two weeks of training separated by 2 months.
- When is the season over? Weather related. Probably training in December through February.
 - 3 months to build, 6 months to implement and hopefully it pays off.
 - Jim busy until early April. That might be the best time to do the training.
- Marty – apprenticeship program ensures that a driller will stay with the employer.
- Jeff B. – apprenticeships are paid by employer and the employee. The apprentice pays nothing to pay for training within the union structure. When apprentice is in training, he becomes a part of committee that is responsible for his employment.
- How do we keep drillers in the trade? (Terry)
- Terry mentioned CDL license requirement, and the cost associated with that license.
- CE approval of business related training. Bruce feels this would be a positive with respect to retaining people in the industry.
- Jeff B.: Compliance related credit requirements applied in septage. Compliance credit relates to code applicable training. Other training in business related topics is approved but is limited by the required compliance related credit.

b. Well cap replacement requiring Bacti, N and Arsenic sample (Rick Peterson)

- Replacing well cap requires sampling for bacteria, arsenic and nitrate
 - Subchapter 8 – requirement NR 812.46(1)(c)(1)
 - Look at definition for terms used. Requires sampling for items that does not require well entry.
 - Do you need to sample when you change a pressure switch? Not what was intended, but is in code and must be enforced.
 - Short term, need to get word out to the public
 - Long term, need to revise the code
 - Marty will address in presentation to the association in January
 - Also will be mentioned in NewsBits and the Well Log

c. Landfill Variance Applications – Concerns (Eric Scheutte)

- Eric Scheutte: Realize that DNR is short on staff, but time required is of concern.
 - Hiring of hydrogeologist is pending and will address backlog as soon as position has been filled. Should see backlog come down. Should see improvement in the near future. From business and driller aspect, the backlog has been frustrating.
 - From the drilling side, this is a seasonal business. And it can be frustrating when project is held back because of the need for the variance. Is there a way for DNR to put more staff on in the spring when the majority of irrigation/farming projects need to be completed.
 - Can't wait for 2 weeks on a project when set up. Why when there is a critical situation, why can't some urgency be placed on review of the variance application.
 - Running into problems with project coordination with landscapers and others when delayed by variance application approval.

6. Old Business

- a. **Change in definition of School Wells in NR 812.07(94) (7/20) – Daycares (carried over from January 2022)**
 - Tabled

7. [April 2022 Meeting Notes](#)

8. **Future Meeting Dates**

- a. **January 2023 – Lake Delton (WWWA Convention)**
- b. **April 2023 – WGNHS Research Collections & Educational Center, Mt. Horeb (?)**