

Remediation and Redevelopment Program **April 2017**

Temporary water for private well users affected by fecal bacteria contamination from livestock – NR 738



When private well water is contaminated by fecal bacteria, such as *E. coli*, from livestock, the Department of Natural Resources (DNR) may be able to provide temporary emergency drinking water supplies to the party affected by the contamination. When an affected party is eligible for state assistance, the DNR strives to provide temporary drinking water supplies as quickly as possible.

One or more of the following conditions must exist before DNR is able to issue a written opinion recommending that water from a specific well not be used because of potential human health risks:

- Well water samples are analyzed by a certified laboratory and test positive for fecal bacteria, such as *E. coli*, and this contamination is likely caused by livestock waste.
- A water user at the property has a water-borne illness, which is confirmed by a doctor and is likely caused by livestock waste.
- A change in the quality of the well water, such as its color or odor, is likely caused by livestock waste.

The written opinion from DNR, called an “advisory” in Wis. Admin. Ch. NR 738, makes an affected party eligible to receive a temporary supply of state-funded drinking water.

If any of the three conditions listed above are present, an owner or renter using an affected private, potable well should:

Step 1 – CONTACT DNR

Notify DNR as soon as possible. Go to dnr.wi.gov and search for “[private water supply specialist](#)” to obtain contact information for the DNR private water supply specialist in your area. Discuss your well water situation with the DNR specialist over the phone. Share results from any certified lab tests you may have obtained. A visit to your property may be necessary, based on the information you provide.

Alternatively, if you are concerned about your private well water but none of the conditions above apply, you can contact a certified environmental laboratory to sample and test your water. When lab results are available, contact DNR or your local health department to discuss the data. A list of Wisconsin-certified laboratories is available at dnr.wi.gov, and then searching for “[test private well water](#).”

Step 2 – PROPERTY VISIT AND WATER SAMPLES FOR LABORATORY ANALYSIS

If DNR staff visit your property to discuss and observe your well water situation in person, and contamination is suspected, DNR staff will likely collect water samples for laboratory testing to determine if fecal bacteria from livestock is present in the well water.

Step 3 – RECEIVE DRINKING WATER ADVISORY AND TEMPORARY WATER SUPPLIES

Depending on the results of DNR staff observations during a property visit and any laboratory test results you can provide, DNR may determine that you are eligible to receive a temporary supply of emergency water. The DNR will issue a written opinion (“advisory”) recommending that water from a specific well not be used because of potential human health risks if DNR concludes that the well is known to be or is likely contaminated by fecal bacteria from livestock waste.



The DNR contracts with a private water supplier to deliver temporary emergency drinking water supplies to the property once an advisory is issued. Prior to receiving water supplies, the affected party is required to sign the agreement that is attached to this fact sheet and provide it to DNR. The agreement describes responsibilities for the deposit on and proper maintenance of equipment provided as part of the temporary water supply service. It also gives DNR staff permission to access your property at a time convenient for you so that DNR may conduct follow-up drinking water sampling while the emergency supplies are provided.

The DNR is not authorized to use state funds to provide temporary emergency water supplies when private wells are impacted by nitrates or by fecal contamination that is not related to livestock.

Step 4 – ALLOW CONTINUED WATER SAMPLING

The DNR will continue to provide temporary supplies of emergency water to an affected party for up to six months from the date that the DNR advises them in writing that their well is affected by fecal bacteria contamination from livestock, or until one of the following occurs, whichever happens first:

- Follow-up laboratory analysis of well water samples does not identify fecal bacteria.
- DNR determines, after a study of the area around the affected property and additional laboratory analysis, that the well water contamination was not caused by livestock waste.
- The contaminated well has returned to an uncontaminated condition.
- The contaminated well has been permanently replaced by an uncontaminated well or some other satisfactory water supply.
- One of the other ineligibility criteria described in Wis. Admin. § NR 738 applies.

Step 5 – A SPECIAL WELL COMPENSATION ELIGIBILITY AREA MAY BE ESTABLISHED

Laboratory analysis of well water samples collected by DNR staff during the property visit, and eligibility rules, will also determine if state funds are available to reimburse affected parties for the cost of repairing existing contaminated wells or for the creation of new wells. If laboratory analysis confirms the presence of fecal bacteria from livestock waste, DNR may establish a Special Area of Well Compensation Eligibility under Wis. Stat. § 281.75. State funding is limited, but when special compensation eligibility areas are created attempts will be made to assist all eligible parties through the well compensation program. Additional information is available at dnr.wi.gov, and then searching “[well compensation grant program](#).”

Step 6 – DNR PROVIDES ASSISTANCE TO PRIVATE WELL USERS AFFECTED BY FECAL BACTERIA CONTAMINATION FROM LIVESTOCK IN SEVERAL WAYS, INCLUDING:

- Providing temporary supplies of emergency drinking water, or in limited cases, bulk water;
- Providing technical advice to affected well owners about new well construction; and
- Providing reimbursement funds to eligible parties for well replacement.

Summary of the NR 738 Process

