The attached document is a draft section for the Bureau of Drinking Water and Groundwater’s Private Water Supply Operations Handbook, regarding “Alternative Eligibility Requirements for Heat Exchange Driller Licensing”. This guidance was developed to support implementation of the new heat exchange license program, by identifying alternatives to the eligibility requirements in NR 146.04(9)(a), Wisconsin Administrative Code, for use when the applicant’s experience was obtained prior to April 1, 2015. This guidance provides direction to staff on evaluating license applications. The guidance will be applied to applications received during the first year of the program, after which the codified eligibility requirements will apply.

The Department’s authority to establish alternative eligibility requirements for applicants who have gained heat exchange drilling experience before April 1, 2015 is found in Section 280.15(2m)(g)2., Wis. Stats.

The attached draft guidance has been made available to DNR staff for their input, and the Department is now soliciting comments from external stakeholders. Once the 21-day public input period is complete, all comments will be considered, revisions will be made to the guidance document as needed, and final guidance will be issued.

Please send any comments related to this draft guidance document to:

Liesa.LehmannKerler@wisconsin.gov
3.A. License Procedures


Authority
Effective April 1, 2015, a Heat Exchange Driller’s License is required to drill a heat exchange borehole. Section 280.15(2m)(g)2., Wis. Stats., authorizes DNR to establish alternative eligibility requirements for applicants who have gained heat exchange drilling experience before April 1, 2015.

Principles
DNR included eligibility requirements in s. NR 146.04(9)(a), Wis. Adm. Code, to take the exam for an individual heat exchange driller license. In addition, DNR will apply the following principles regarding eligibility to take the exam for an individual heat exchange drilling license, for applications received prior to April 1, 2016:

• The requirements of s. NR 146.04(9)(a) are used whenever possible.
• Exceptions or alternatives are made for requirements that are not possible for anyone to meet.
• Other reasonable exceptions or alternatives that achieve the intent of the requirements are allowed.
• Where exceptions are provided, the exam serves as a check to ensure that individuals who become licensed have substantial knowledge of current construction requirements, essential hydrogeology and drilling and grouting methods.

Alternative Eligibility Requirements
For applications for a heat exchange driller license received prior to April 1, 2016, an applicant shall meet all of the requirements of s. NR 146.04(9)(a)1. through 10., Wis. Adm. Code listed below, with the exceptions or alternatives noted in italics:

1. Has been a registered heat exchange drilling rig operator for at least 2 years within the 5 years before the date of applying for an individual heat exchange driller license. 

   Exception: This provision does not apply since it is not possible for anyone to register as a heat exchange drilling rig operator before April 1, 2015.

2. Within the 5 years immediately prior to the date of applying for an individual heat exchange driller license, has completed a minimum of ten heat exchange drilling projects totaling at least 5000 feet of heat exchange pressure grouted drillhole or has completed a minimum of 30 pressure grouted wells including a minimum of 2500 feet of pressure grouted casing. Nonpotable pressure grouted wells, including pressure grouted environmental monitoring wells constructed under ch. NR 141, qualify toward the requirements of this subdivision. Experience obtained in a formal degree or apprenticeship program approved in advance by the department may qualify toward the requirements of this subdivision.

   Alternative: The Department may exercise its discretion to allow an applicant’s drilling experience to be completed more than 5 years prior to the date of applying if the applicant has worked in the drilling industry and has held a water well drilling rig operator registration or water well driller license continuously since the time of initial licensure. The
Department may exercise its discretion to allow an applicant’s experience to be fewer than ten heat exchange drilling projects, if the total length of heat exchange pressure grouted drillholes is substantially greater than 5000 feet.

3. Was the individual who operated the drilling rig performing all the heat exchange well drilling activities during the period of the drilling experience under subd. 2. To fulfill this requirement all heat exchange drillholes included on the application shall be constructed in accordance with all laws and rules including reporting, and any department-approved plans, specifications, variances and approvals. Alternative: Was the individual who operated the drilling rig performing water well drilling activities for all submitted water well drilling experience, and all submitted water wells are constructed in accordance with all laws and rules.

4. Submit a completed application that includes the following information regarding the heat exchange drilling experience under subd. 2.: the name, address and signature of the supervisory heat exchange driller, the dates during which a heat exchange drilling rig operator registration was held, a description of the heat exchange drilling activities performed, the names of well owners, their addresses and phone numbers, the legal descriptions of the locations of the heat exchange drillholes, the dates the heat exchange drillholes were constructed, the types and hours of activities for which the supervisory heat exchange driller was present, and a recent photo of the applicant operating a heat exchange or water well drilling rig in which the applicant’s face can be seen clearly. Alternative: Submit the same information specified above for all submitted water well drilling experience.

8. Has attended the department sponsored or department sanctioned continuing education for heat exchange drillers during the experience period under subd. 1. Exception: This provision does not apply since continuing education for heat exchange drillers was not required before April 1, 2015.

Timeline
These alternative eligibility requirements will be used for all applications received prior to April 1, 2016, which is one year from the effective date of the heat exchange license requirement.