

## PRIVATE WATER ADVISORY COUNCIL

Meeting Notes – April 8, 2018

**Council Member Attendees:** Liesa Lehmann (DNR), Michael Hanten, Bill Hanser, Alan Hoyer, Jeff Kramer, Gary Kuhn, Roger Lang, Terry Marshall, Tim Nelesen, Eric Schuette, Troy Van de Yacht, Bruce Walker.

**Other Attendees:** Marty Nessman (DNR), Tom Puchalski (DNR), Dorie Turpin (DNR)

### **Words of Welcome from Scott Hull, DNR Section Chief, Fish and Wildlife Research**

Scott welcomed us to the DNR facility where fish and wildlife research occurs.

### **Advisory Council Membership Changes**

There have been no changes since the last meeting.

### **Notes from January meeting**

The meeting notes were approved without change.

### **DNR Updates**

#### a. Staff changes (Nessman)

Two Private Water Supply Specialist field positions vacated by Janelle Merry and Steve Janowiak have been posted for recruitment, and the application period ended April 9. Applications will be ranked, top candidates interviewed, and Nessman expects to complete hiring process in mid-May.

#### b. Well Driller Viewer (Lehmann)

Lehmann asked whether anyone had feedback on the Well Driller Viewer. Some council members said the search capabilities for well construction reports could be improved. Another suggestion was to show the boundaries of the actual fill areas for landfills and develop a tool to measure the distance from that boundary to the well (existing or proposed) on the map. There was a comment about the lack of municipal well information in the Viewer. Lehmann stated that a survey about the Viewer would be sent to all license holders later this month. Consensus of council members was that the Viewer will save time and increase productivity. Lehmann encouraged people to use the Viewer and provide input by using the “Feedback” button on the Viewer’s tool bar and/or by responding to the survey.

#### c. Special Well Casing Depth Areas (SWCDA’s) (Lehmann)

- Department staff follow a standard process for establishing and updating SWCDA’s.
- The Outagamie and Winnebago SWCDA’s were updated to allow the use of a specific grout accelerant to decrease grout cure time from 24 hours to 18 hours, which will shorten the number of days to drill a well in most cases. Someone asked whether the accelerant could be used in other situations, e.g., well compensation grant wells.
- The department is evaluating water quality data from two SWCDA’s in St. Croix County to consider reducing the size of the areas.
- All existing SWCDA’s will be reviewed and reevaluated over time.

There was a question whether new arsenic SWCDA’s would be developed as new areas of contamination are discovered as a result of the sampling requirements that went into effect in 2014. So far, DNR has not discussed this possibility.

#### d. NewsBits (Lehmann)

The private water supply program has brought back “NewsBits”, the newsletter for well drillers and pump installers, as a quarterly, online newsletter. The first edition was sent via GovDelivery on February 5, 2018 to all license holders who provided DNR with an e-mail address. The first edition

included staff updates, data, notifications, enforcement, code reminders and web links. Issues will be archived online on the Drillers and Installers web page. The April issue is planned to be “2017 Year in Review” with data and graphs. The group wishes to see well construction trends over time. Ideas for articles are welcome.

e. Contamination Response (Nessman)

- Livestock contamination of a drinking water well was recently confirmed in Washington County. A well contaminated by *E. coli* in Calumet County was not confirmed to be either human or livestock waste. Temporary emergency water was provided by DNR in both cases.
- There is an ongoing investigation of private wells in Marinette County contaminated by TYCO fire-fighting foam used at a training facility. 30 out of 130 wells tested have polyfluorinated compounds (PFCs) above the EPA-established Health Action Level. The facility is no longer in use. DNR may establish a SWCDA in the future.

f. Compliance and Enforcement Activities (Nessman / Puchalski)

- Springs and nonpressure storage vessels (NPSVs) Nessman explained that DATCP has learned of several unapproved water supplies involving spring boxes and/or NPSVs used by milk producers in southwestern Wisconsin. Many of these facilities are not electrified and use nonpressure water systems. DNR staff have been meeting with DATCP staff, and creating guidance on how to inspect and obtain NR 812 approval for these systems. There is a meeting with a group of dairy plant reps and farmers on April 18. The department will likely require farmers to hire licensed pump installers to conduct compliance inspections as part of the approval process.
- Enforcement update - Puchalski reported on a criminal investigation of a previously licensed pump installer. The case has been referred to the Department of Justice and is still pending. This case was initiated with tips from area pump installers willing to report suspicious activity.

g. Rig Operator Training (Turpin)

Beginning January 1, 2020, registered drilling rig operators who wish to apply for a water well drilling license will be required to complete specific training before taking the license exam. This was added to NR 146.04(2), Wis. Adm. Code in the last rule revision. The training concept is similar to the 500 hours of formal training (not on-the-job training) required of plumbing apprentices before becoming Journeyman Plumbers. NR 146 requires 33 hours of rig operator training on these topics: cement or bentonite grouting of wells, drilling fluids, geology, well code, filling and sealing, safety and first aid, and welding. The code has a similar requirement for heat exchange drillers, but does not specify topics or numbers of hours.

DNR is developing a framework for standardized training and is looking for input and suggestions from the industry. The following comments/questions were raised:

- Manufacturers/trade organizations may be able to provide some training (e.g. mud school)
- The code training would likely need to be provided by DNR.
- On-the-job training by the employer should count as formal training.
- Can past continuing education count toward rig operator training? If so, it could depend on long ago the continuing education was held. The training requirement was added to the code in October 2014.
- How will training relate to the annual continuing education?
- Won't be a lot of applicants, so should schedule training only as needed
- Would the numbers of individuals who require the training be sufficient to make it economical?
- Technical colleges may be able to provide some of the training.
- Classroom training won't work for everything.
- Training should be hands-on, by a formal trainer.
- Choose a format that will work best for the topic area.

- The training could be too expensive for some applicants.
- Why is experience not required for pump installers? They only have to pass an exam.
- There should be more experience/training requirements.

Lehmann stated that drilling rig operator training would also be a topic at the next meeting. Current rig operators who already have 2 years of experience could submit their applications before January 1, 2020 and may not need to complete the training program. DNR will be communicating with registered drilling rig operators and their employers regularly about this upcoming requirement.

h. NR 812 Revisions (Lehmann)

Lehmann gave an overview of the current schedule for completion of the revisions:

- Drafting is nearly complete; internal reviews and legal reviews are next
- Summer 2018—Economic Impact Analysis will be completed
- Late 2018—Public Hearings will be held
- Spring 2019—The rule will go before the Natural Resources Board for final approval
- Summer/Fall 2019—Review by Governor and Legislature
- Early 2020—Revisions could go into effect

i. DSPS Licensing Survey (Lehmann) - 2017 Wisconsin Act 59, section 9139, requires the Department of Safety and Professional Services (DSPS) to submit a report to the Governor and the Legislature by December 2018 that includes recommendations for reform relating to Wisconsin's occupational licenses. To meet this requirement, DSPS is conducting a study to determine which occupational licenses are needed to protect the public, and to explore whether less restrictive alternatives may be appropriate. DSPS is surveying each state agency to identify each license and their associated requirements. We are providing information about the licenses and registrations for well drillers, pump installers, heat exchange drillers, and certified operators.

### **Old Business**

The noncompliance checkbox on the Property Transfer Well Inspection form for driven point well without a well construction report is based on NR 812.44 language. There is no similar code language for drilled wells.

### **New Business**

Water quality versus well depth (Hanser)

Why require deeper casing when shallow wells sometimes produce better quality water? It seems like driven point wells receive a bad rap. DNR response: Driven point wells are allowed, and DNR can review a variance for a drilled well depth if it is known that the deeper water produce good water.

Deep well contamination discharged through septic systems into shallow formations (Hanser)

Concern that when deeper wells have arsenic, and the water is used and discharged into the septic drainfield, this will contaminate the shallow aquifer. Nessman noted that arsenic is not soluble and will bind to the solids in the wastewater, so this should not result in shallow aquifer contamination.

Test results from real estate transfers (Hanser)

Question about whether the data is being used by the department. No, DNR does not receive this data.

### **Upcoming Meeting Dates**

- October, 2018
- January, 2019 - Wisconsin Dells, the day before the Groundwater Conference