



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

DG-19-0006

DOCUMENT TITLE

PUB-DG-091 Property Transfer Well Inspections – A fact sheet for buyers and sellers

PROGRAM/BUREAU

Drinking Water and Groundwater Program

STATUTORY AUTHORITY OR LEGAL CITATION

Section 280.30(3), Wis. Stats. and section NR 812.44, Wis. Adm. Code.

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

November 11, 2019

DATE FINALIZED

December 9, 2019

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

A handwritten signature in black ink, appearing to be 'Steve' followed by a flourish.

12/9/19

Signature

Date

Property Transfer Well Inspections

A fact sheet for buyers and sellers



If you're in the market to buy or sell a property with a private well, you may have the well inspected as part of the property transfer. Several important regulations apply to ensure proper inspection and sampling.

Why have a well inspection?

Although not required by DNR, many buyers and sellers choose to have the well and pressure system inspected, and some lending institutions require it. Similar to a home inspection, inspection of the well provides valuable information about the property, specifically the well's construction and the quality of the drinking water it produces.

- A licensed well professional visually inspects certain aspects of the well construction and pump installation, to evaluate whether they comply with state code.
- Drinking water testing for three common groundwater contaminants provides information about the drinking water quality and potential health risks.
- The inspector also searches the property for unused wells that could be a threat to groundwater and drinking water if not properly filled and sealed.

Who can inspect a well and pressure system?

- By state law, only a licensed water well driller or licensed pump installer may make a statement, for compensation, at time of property transfer regarding the location, compliance, condition, capacity or performance of a well and pressure system.
- When you hire someone to inspect the well, make sure they are a licensed water well driller or licensed pump installer. A list of licensed water well drillers and licensed pump installers is available at dnr.wi.gov, search "Well Contacts". A home inspector may not have the required license to evaluate a private well.
- *Note:* if there is no inspection and only water samples are collected, a license is not required.

During the inspection

- The licensed well professional will conduct a visual inspection of the well and pressure system, and look for specific features that do not comply with the state's well regulations in NR 812, Wisconsin Administrative Code. The inspector will record their observations on a required inspection form (DNR Form #3300-221). Wells are generally required to meet the regulations in effect at the time the well was constructed or installed, but there are some exceptions, so not all wells are "grandfathered".
- The inspector will evaluate a well for compliance with separation distances from potential sources of contamination or flooding. NR 812 does not require any separation distance from a well to a lot line.
- The inspector will identify any visible and known noncomplying features of the well and pressure system. Some features - such as well casing depth - and some possible contaminant sources are buried and cannot be seen without opening the well, excavating, or conducting a records search. The inspector will note whether additional investigation is recommended to assess features that cannot be seen.

*The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240.
This publication is available in alternative format (large print, Braille, audiotape, etc.) upon request.
Please call 608-266-1054 for more information.*

Wisconsin Dept. of Natural Resources
101 S. Webster St., Box 7921
Madison, WI 53707-7921
(608) 266-1054



- The inspection does not include the plumbing distribution system or electrical code requirements.
- The inspector will search for any other wells that may be on the property, even if they are unused. The inspector is required to inspect and complete a separate report form for each well on the property.

Water testing

- The inspector is required to collect water samples from each well on the property, and submit the samples to a certified laboratory for testing. Drinking water wells must be tested for three contaminants - coliform bacteria (includes *E. coli*), nitrate and arsenic. Wells used for nonpotable purposes such as lawn irrigation are only tested for coliform bacteria. The inspector may not ask someone else to collect the samples.
- The inspector may collect water samples from any location within the water system. Collecting samples from the tap near the pressure tank is the best way to find out about the groundwater quality.
- Lending institutions sometimes require additional tests. Inspectors may suggest additional tests based on their knowledge of water quality in the area.

Inspection results

- The inspector will provide a completed inspection form and water sample test results for each well to the person who requested the inspection. The form will identify whether the well and pressure system comply with NR 812 or do not comply with NR 812, and if more research is needed.
- If a feature on the inspection form has a checked box, the inspector has identified noncompliance or a possible concern with that feature. Some noncomplying features can be easily corrected, others cannot. For detailed explanations of noncomplying features and possible corrective actions, see the DNR publication *Understanding Your Property Transfer Well Inspection Results*, Pub. #DG-092.

After the inspection

- If the inspection identifies a noncomplying feature, or a well that needs to be filled and sealed, the buyer and seller may negotiate whether to take action to correct it. A lender may require noncompliance to be corrected as part of a financing agreement.
- An inspector with experience working on existing water systems may provide advice on how to bring the system into compliance. Any follow-up work, including measuring casing depth or filling and sealing an old well, must be done by a licensed water well driller or pump installer.
- Water sample test results provide important information about the quality of the water and potential health risks. Test results may detect a contaminant, but this does not mean the well is noncomplying.

DNR is not involved in property transfers. There is no state requirement to bring a well and pressure system into compliance to sell a property.

Well condition, capacity and performance

- Although not required, the inspector may note observations regarding the condition, capacity or performance of the well and pressure system, including well or pump yield.
- Well yields can vary greatly. In general, six-inch diameter drilled wells produce more water than driven point wells, and wells in granite bedrock tend to produce less water. The number of people in a home, high water-use plumbing fixtures, and sprinkling systems can all affect a well's performance.
- No one can predict when a pump or pressure tank will fail or when groundwater levels will drop. Either of these could require a new well, deepening of the existing well, or lowering the pump deeper into the well.

More information

- Well construction reports are available online at dnr.wi.gov, search "Well Construction Reports".
- You can look up other groundwater quality data online dnr.wi.gov, search "Groundwater".

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.