Wisconsin
Department of Natural Resources

Drinking Water and Groundwater Study Group Meeting

Madison

April 5, 2018

WISCONSIN
DEPT. OF NATURAL RESOURCES

NR 140 Updates

Bruce Rheineck – Groundwater Section Chief
Sarah Yang – Department of Health Services

Act 10 Guidance

Adam Freihoefer – Water Use Section Chief

WISCONSIN
DEPT. OF NATURAL RESOURCES

BUREAU OF DRINKING WATER & GROUNDWATER PROGRAM GUIDANCE

Water Use Program

Replacing, Reconstructing and Transferring Approved High Capacity Wells Under 2017 Wisconsin Act 10

Effective Date: XXXXX
Guidance #: DG-2018-001

Notice: 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. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. 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.

APPROVED:

Steve Elmore, Director
Bureau of Drinking Water and Groundwater

Date

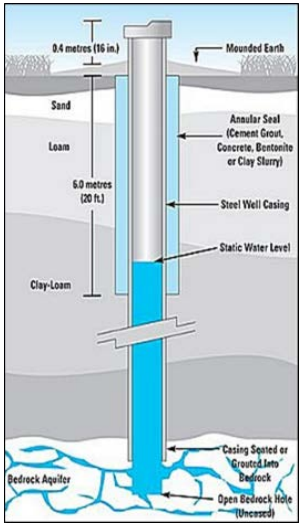
- Clarifies process and criteria for the reconstruction, replacement, or transfer of a high capacity well under 2017 Wisconsin Act 10
- Public comment period open until April 6, 2018
- Visit wi.dnr.gov, Search “Guidance”

- Questions?
  Call Water Use @ 608-266-2299

Type of Well	Statutory Requirements
Replacement	1. Fill and seal existing well 2. Meet one of the following • The replacement well's purpose is to prevent contamination; or • The replacement well is constructed to substantially the same depth as the existing well and either within a 75-foot radius of the existing well <u>or</u> farther away from the nearest groundwater protection area than the existing well. 3. Adhere to all other conditions of existing high capacity well approval 4. DNR must be notified within 90 days (via WCR)
Reconstruction	1. Maintain same depth and specifications of existing well 2. Adhere to all conditions of existing high capacity well approval 3. DNR must be notified within 90 days
Transfer	1. Adhere to all conditions of existing high capacity well approval 2. DNR must be notified within 90 days

If a replacement well criteria is met, the owner must complete the following:

24 hour notification to DNR private water specialist prior to drilling



Owner must:

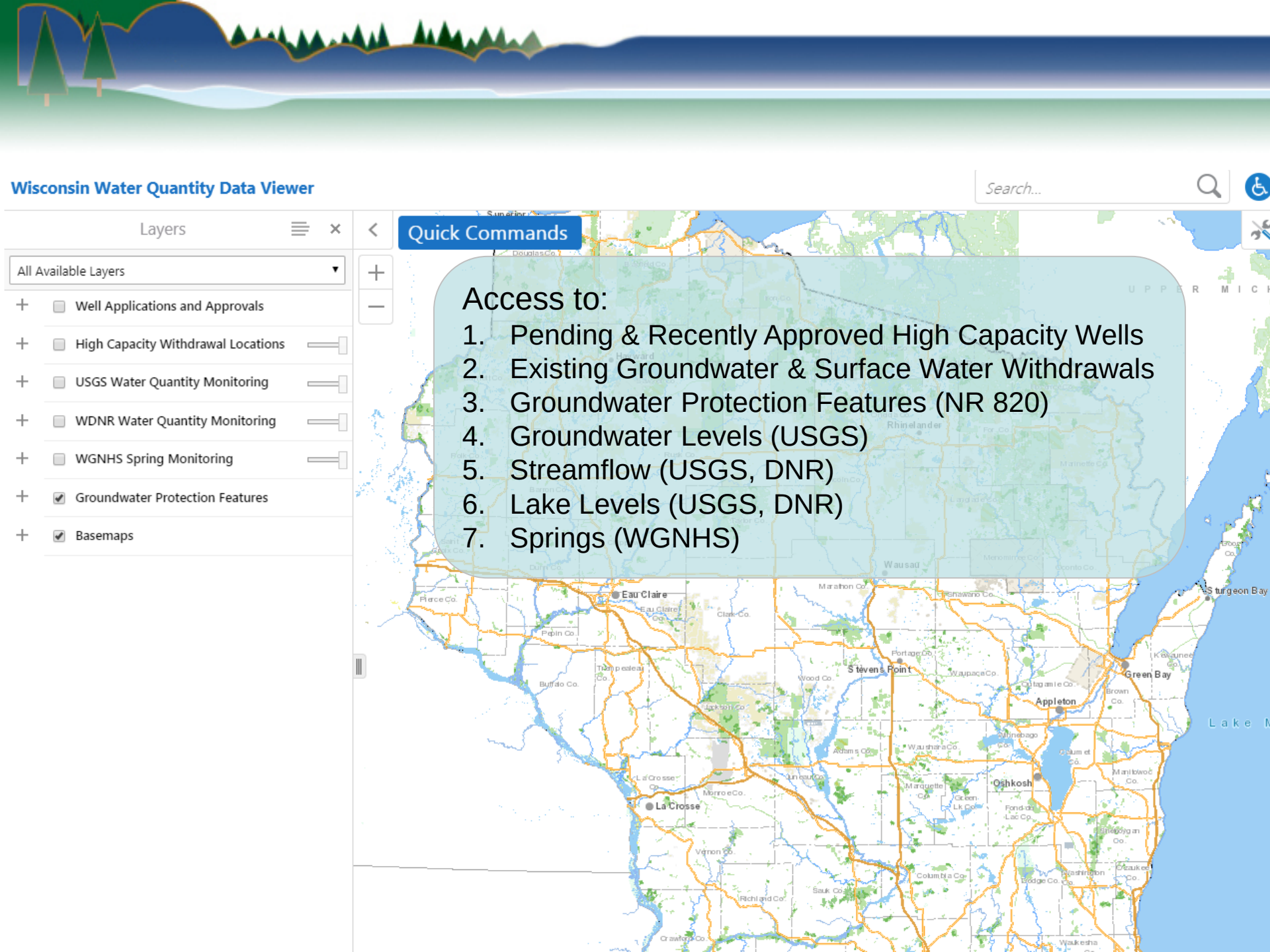
- ✓ be consistent with the existing approval
- ✓ drill well to substantially the same depth
- ✓ adhere to well construction standards specified in NR 812 & 811
- ✓ provide notification within 90 days (via WCR)
  - replacement gets new WUWN and high capacity well number

Fill and seal existing high capacity well

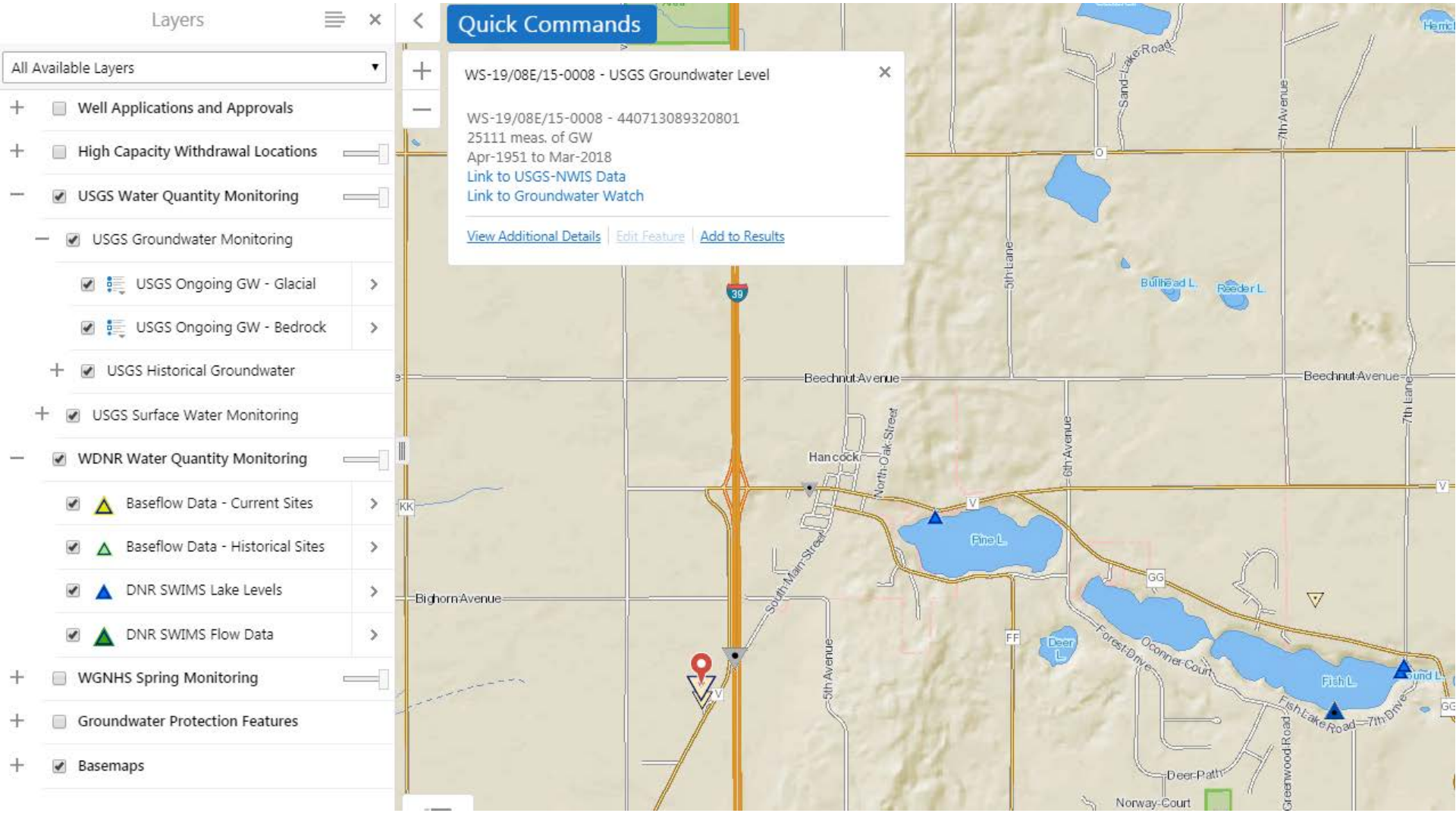
- ✓ Provide notification within 90 days (Fill and Seal Report)
- ✓ Include the high capacity well number for the well that is filled and sealed as well as the WI unique well number for the replacement high capacity well so that the DNR can link between the existing and new well

Water Quantity Data Viewer

Adam Freihoefer – Water Use Section Chief


Wisconsin Water Quantity Data Viewer
Search...
Layers
All Available Layers
Well Applications and Approvals
High Capacity Withdrawal Locations
USGS Water Quantity Monitoring
WDNR Water Quantity Monitoring
WGNHS Spring Monitoring
Groundwater Protection Features
Basemaps
Quick Commands
Access to:
1. Pending & Recently Approved High Capacity Wells
2. Existing Groundwater & Surface Water Withdrawals
3. Groundwater Protection Features (NR 820)
4. Groundwater Levels (USGS)
5. Streamflow (USGS, DNR)
6. Lake Levels (USGS, DNR)
7. Springs (WGNHS)
Eau Claire
Stevens Point
Green Bay
Appleton
Oshkosh
La Crosse
Wausau
Rhinelander
Sturgeon Bay

Visit dnr.wi.gov, Search “Water Use Data and Maps”



Lead and Copper Comments to USEPA

Steve Elmore – Program Director

Lead and Copper Comments to USEPA

- WI Department of Natural Resources Comments to USEPA
  - Lead Service Line Replacement (LSLR)
    - Voluntary effort carried out over several years
    - Updated distribution system inventories
  - Corrosion Control Treatment
    - Systems regularly address the effectiveness (optimization) of the treatment
    - Challenges of a prescribed orthophosphate level on Waste Water facilities
  - Public Education
    - Targeted education for residences with lead service lines
  - Tap Sampling
    - No pre-stagnation flushing
    - “sampling out”
    - Regular updates to monitoring site plans to account for inventory changes

Lead and Copper Comments to USEPA

- Association of State Drinking Water Administrators' comments to USEPA
  - Progressively more stringent regulatory framework based on reported levels of 90th percentile lead samples
    - Corrosion control treatment
    - Lead service line replacement
    - Water quality parameters
    - Public education and outreach materials
    - Tap sampling frequency

Internal Updates

Kyle Burton – Field Operations Director

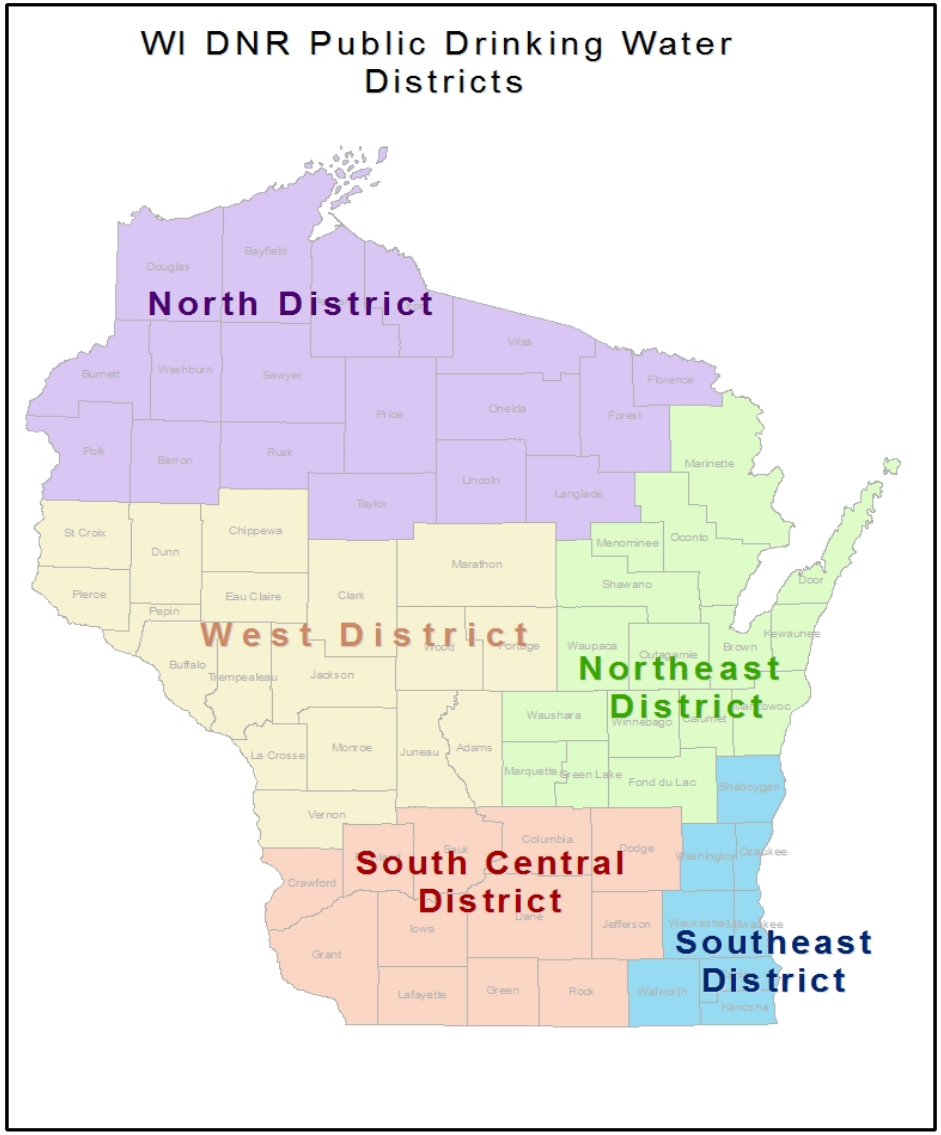
Addressing Vacancies

- New Hires 2018
  - Miranda Sachtschale – Plan Review Engineer
  - Ken Scherer – Plan Review Engineer
  - Aaron Pruitt – Hydrogeologist
  - Scott Wright – Water Supply Specialist
  - JaNelle Merry – Public Water Field Supervisor

- 12 Remaining Vacancies

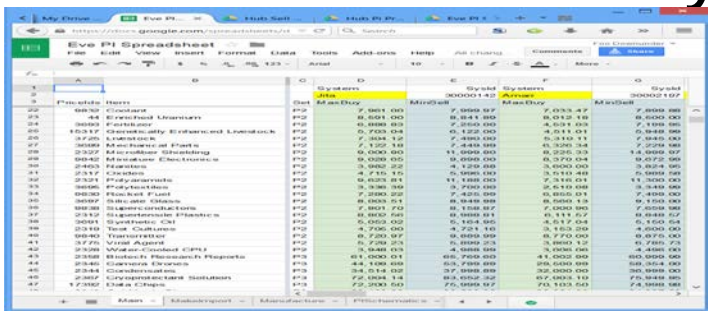
Managing Resources

- Public Water Field Program
  - Northeast
    - JaNelle Merry
  - South Central
    - Eileen Pierce
  - Southeast
    - Jesse Jensen
  - North
    - Mark Pauli
  - West
    - Troy Stapelmann



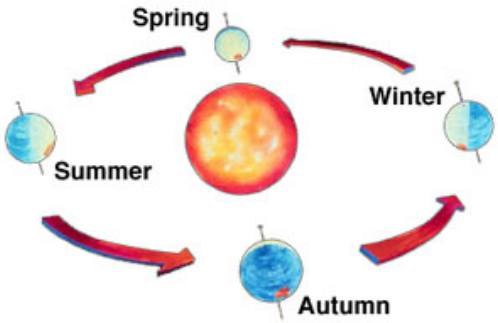
Managing Resources

- Workload Analysis Survey
  - Update past analysis
    - Incorporate new work created by RTCR and PB/CU rule implementation changes
    - Address turnover (new hires replacing veteran staff)
  - Equate workload to resource needs by location



Seasonal System Start-Up

- A "**seasonal public water system**" starts up and shuts down at the beginning and end of each operating season, and depressurizes at least part of the water system at some point during the year.
  - *Examples include: Ski chalets, summer resorts, camp grounds, and restaurants that are only open during part of the year.*



Seasonal System Start-Up

- What do Systems have to do?
  - Complete the start-up procedure described in this booklet **prior** to serving water to the public.
  - Certify to the DNR or county, in writing, that process has been completed within 10 days of opening.
    - *Email or supplied postcard*

Seasonal System Start-Up

Bureau of Drinking Water and Groundwater

WISCONSIN DEPT. OF NATURAL RESOURCES

Response Required

Within 10 days of opening to the public

Seasonal Public Drinking Water System

Start-Up Procedure

IMPORTANT:

Failure to complete this procedure before serving water to the public will result in monthly water sampling requirements for bacteria.

Why am I getting this?

Owners/operators of seasonal public water systems must perform a yearly "Seasonal Start-Up Procedure" to be in compliance with the Federal Safe Drinking Water Act. If you are receiving this booklet, your facility has been identified as a **seasonal public water system**. If you believe this information is incorrect, please contact your DNR Water Supply Specialist.

A "**seasonal public water system**" starts up and shuts down at the beginning and end of each operating season, and depressurizes at least part of the water system at some point during the year.

Examples include: Ski chalets, summer resorts, camp grounds, and restaurants that are only open during part of the year.

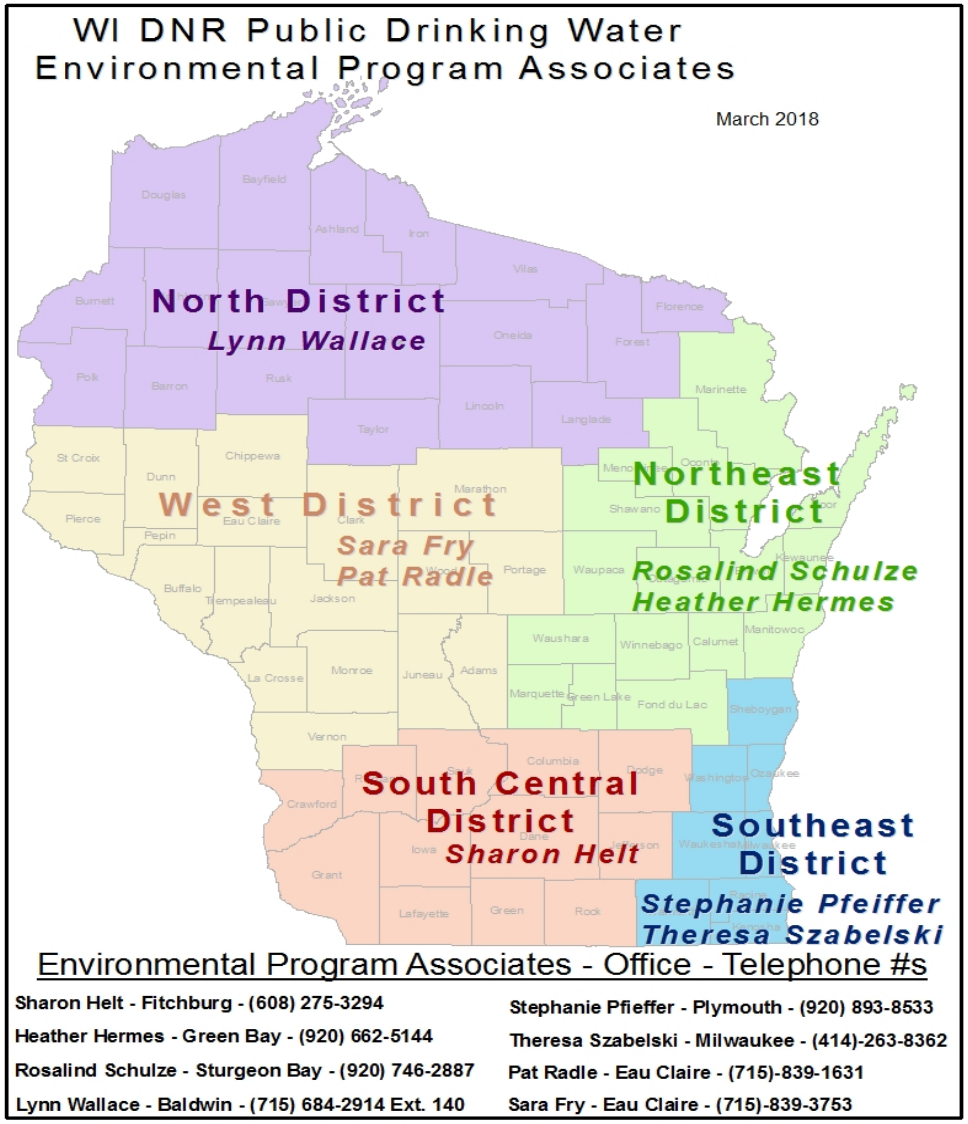
What do I have to do?

1. Complete all the steps described in this booklet **before** serving water to the public.
2. Return completed checklist within 10 days of opening to the public.

Failure to complete this start-up procedure before serving water to the public will result in a violation, and increase your water sampling requirements for bacteria to monthly. Failure to report completion of the procedure within 10 days of opening to the public will result in a violation.

Seasonal Start-Up

- Who to contact:
  - District Environmental Program Associates
- Publication Link:
  - https://dnr.wi.gov/files/PDF/pubs/DG/DG0079I.pdf



Deadlines and Communication

- July 1, 2018
  - Consumer Confidence Reports (CCR)
    - Municipal and Other-Than-Municipal systems
- Water Quality Sampling(WQP)follow up
  - “BIG 12” municipal systems
  - Individual meetings – Spring 2018

Committed to Excellent Customer Service

- Positive Interactions
- Explain the “WHY”
- Understanding the Balance of Values
  - Social / Ecological / and Economic

NR 812 Revisions
Update on Rulemaking Process

Liesa Lehmann – Private Water Section Chief

NR 812 Rule Revisions

- Rulemaking Scope and Objectives
- Key Proposed Revisions
- Remaining Process Steps and Timeline

NR 812 Scope and Objectives

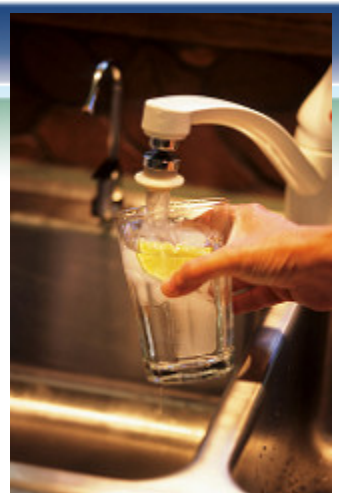
1. **Correct and clarify** errors and unclear language
2. **Streamline** processes and requirements
3. **Update** construction standards
4. **Be consistent** with federal/state law

NR 812 Key Proposed Revisions

"Correct and clarify"

- Fix - errors from past rulemaking
- Definitions – add/delete/revise for clarity
- Location – simplify Table of separation distances, clarify how to measure
- Re-organize sections
- Revise or delete figures

NR 812 Key Proposed Revisions



"Streamline"

- Approval process –
  - standardized for all approvals under NR 812.09
  - new product approval section refers to national stds.
- Water treatment – private well bacteria treatment OK without an approval if inspection shows well is compliant
- Sampling –
  - requirements moved into one new section
  - includes requirements for laboratories so annual agreement no longer required
  - 31 days for labs to report results
  - sampling frequency – no repeat nitrate and arsenic if tested within the last six months

NR 812 Key Proposed Revisions

"Update"

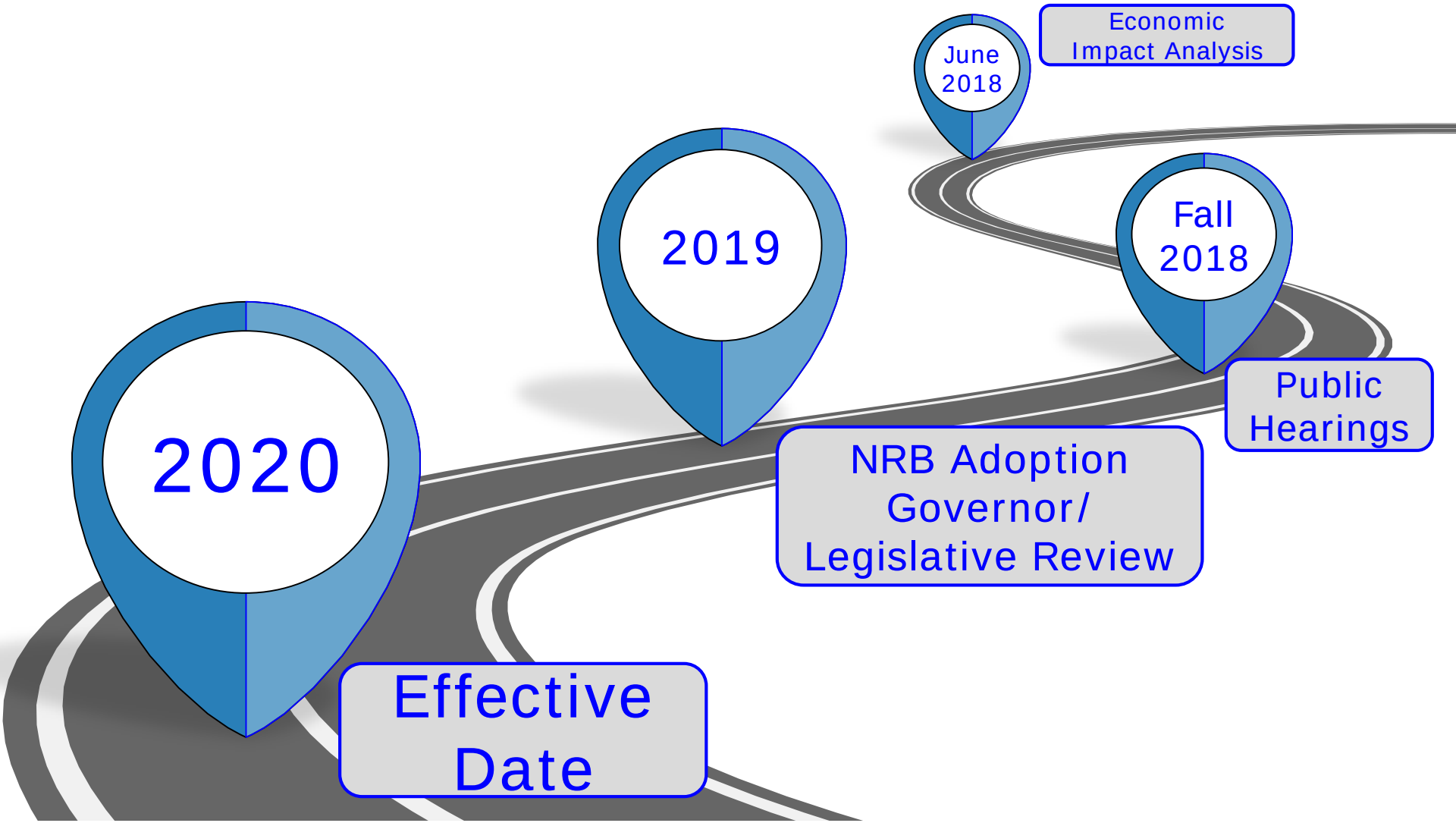
- Repeal and replace NR 812, Subchapter II
  - Performance standards regardless of drilling method
  - Separate sections for HE drillholes, potable high capacity/school/WW treatment plant wells
  - Simplify requirements for well rehabilitation, liners
  - Allow more grouting materials
  - Eliminate mud-and-cuttings as annular seal
  - Allow bentonite chips as annular seal in some situations

NR 812 Key Proposed Revisions

"Be consistent"

- Remove references to "safe" or "unsafe" - and instead refer to coliform bacteria negative or positive - to be consistent with RTCR / NR 809
- Update / add language to reflect changes in high capacity well law
- Cross-reference definitions in terms to other statutes and codes

NR 812 Rulemaking Timeline



NR 812 Rulemaking

Staying informed

- NR 812 Rule Changes web page
  http://dnr.wi.gov/topic/Wells/nr812.html
- GovDelivery
- Public Hearings

Hot topics

Wrap – up and adjourn

Adjourn

Next Meeting Date:

July 18, 2018

GEF 2, State Natural Resources Building, Madison, 9:30a.m. – 12:30 p.m.

Meeting minutes will be posted on the Drinking Water & Groundwater Study Group website