

STATUTORY AUTHORITY – chs. 280, Stats.
REFERENCES RELEVANT TO PROPOSED NR 146 REVISIONS

- 1. Include a provision to extend continuing education attendance requirement with acceptance of attendance outside of the current calendar year. Make waivers and extensions available for circumstances that impede completion of continuing education attendance within the current calendar year.**

280.15(2m)(b) Renewal. *In order to retain his or her license as a driller or pump installer an individual shall do all of the following:*

- 1. Comply with requirements for continuing education promulgated by the department by rule. The department shall require continuing education specific to well drilling for individuals seeking to retain a driller license that authorizes well drilling and shall require continuing education specific to heat exchange drilling for individuals seeking to retain a driller license that authorizes heat exchange drilling.*
- 2. Apply for license renewal and pay the required license fees under par. (c) annually on or before January 1.*

- 2. Limit processing of mailed renewal applications to those who can provide a valid reason to “opt-out” of online renewal processing. All other applicants are required to process renewals online.**

280.15(1)(c) Renewal. *In order to retain registration as a drilling business or pump installing business a person shall apply for registration renewal and pay the required registration fees annually on or before January 1.*

280.15(2m)(b) Renewal. *In order to retain his or her license as a driller or pump installer an individual shall do all of the following:*

- 1. Comply with requirements for continuing education promulgated by the department by rule. The department shall require continuing education specific to well drilling for individuals seeking to retain a driller license that authorizes well drilling and shall require continuing education specific to heat exchange drilling for individuals seeking to retain a driller license that authorizes heat exchange drilling.*
- 2. Apply for license renewal and pay the required license fees under par. (c) annually on or before January 1.*

280.15(3g)(b) Renewal. *In order to retain registration as a drilling rig operator an individual shall do all of the following:*

- 1. Complete training approved by the department.*
- 2. Comply with requirements for continuing education promulgated by the department by rule. The department shall require continuing education specific to well drilling for individuals seeking to retain a drilling rig operator's registration that authorizes well drilling and shall require continuing education specific to heat exchange drilling for individuals seeking to retain a drilling rig operator's registration that authorizes heat exchange drilling.*
- 3. Apply for registration renewal and pay a fee of \$25 annually on or before January 1.*

- 3. Revise prerequisite license exam eligibility requirements:**
 - a. Require pump installer experience as prerequisite to license exam eligibility**
 - b. Have rig operator training attendance requirements coincide with training time needed for transfer of key knowledge concepts and skills.**

280.15(2m)(e) **Prerequisites for pump installer license.** The department may not issue a pump installer license unless the applicant demonstrates competency in pump installing by passing an examination administered by the department.

280.15(2m)(f) **Prerequisites for driller license.**

1m. The department may not issue a driller license that **authorizes well drilling** unless all of the following apply:

a. The applicant demonstrates competency in well drilling by passing an examination administered by the department.

b. Except as provided in par. (g), the applicant has been a registered drilling rig operator for at least 2 years within the 5 years before applying, has complied with training and continuing education requirements under sub. (3g), and has the well drilling experience required by the department by rule.

2m. The department may not issue a driller license that **authorizes heat exchange** drilling unless all of the following apply:

a. The applicant demonstrates competency in heat exchange drilling by passing an examination administered by the department.

b. Except as provided in par. (g), the applicant has been a registered drilling rig operator for at least 2 years within the 5 years before applying, has complied with training and continuing education requirements under sub. (3g), and has the heat exchange drilling experience required by the department by rule.

146.04(2)(h) Except as provided in par. (j), for applications submitted after January 1, 2020, have completed online, classroom or hands-on coursework approved or sponsored by the department in each of the following subject areas for the specified number of hours:

1. Cement or Bentonite Grouting of Wells — 6 hours
2. Drilling Fluids — 6 hours
3. Geology of Wisconsin — 3 hours
4. The Well Codes — 6 hours
5. Well Filling & Sealing — 3 hours
6. Safety & First Aid — 3 hours
7. Welding — 6 hours

4. Establish one driller license credential that authorizes activity in water well drilling and heat exchange drilling.

280.15(2m)(am) Activities authorized under driller license. In issuing a driller license under this subsection, the department may specify that the license is limited to the authority to engage only in well drilling or to the authority to engage only in heat exchange drilling.

280.15(2m)(b) Renewal. In order to retain his or her license as a driller or pump installer an individual shall do all of the following:

1. Comply with requirements for continuing education promulgated by the department by rule. The department shall require continuing education specific to well drilling for individuals seeking to retain a driller license that authorizes well drilling and shall require continuing education specific to heat exchange drilling for individuals seeking to retain a driller license that authorizes heat exchange drilling.

280.15(2m)(f) Prerequisites for driller license.

1m. *The department may not issue a driller license that authorizes well drilling unless all of the following apply:*

a. The applicant demonstrates competency in well drilling by passing an examination administered by the department.

b. Except as provided in par. (g), the applicant has been a registered drilling rig operator for at least 2 years within the 5 years before applying, has complied with training and continuing education requirements under sub. (3g), and has the well drilling experience required by the department by rule.

2m. *The department may not issue a driller license that authorizes heat exchange drilling unless all of the following apply:*

a. The applicant demonstrates competency in heat exchange drilling by passing an examination administered by the department.

b. Except as provided in par. (g), the applicant has been a registered drilling rig operator for at least 2 years within the 5 years before applying, has complied with training and continuing education requirements under sub. (3g), and has the heat exchange drilling experience required by the department by rule.

5. Establish one rig operator credential to authorize drilling activity in water well drilling and heat exchange drilling.

280.15(3g) Drilling rig operator registration.

a. Application. *An individual who seeks registration as a drilling rig operator shall apply to the department on a form prepared by the department. The individual shall include a fee of \$25, except that an individual who is eligible for the veteran's fee waiver program under s. 45.44 is not required to pay the fee.*

b. Renewal. *In order to retain registration as a drilling rig operator an individual shall do all of the following:*

1. Complete training approved by the department.

2. Comply with requirements for continuing education promulgated by the department by rule. The department shall require continuing education specific to well drilling for individuals seeking to retain a drilling rig operator's registration that authorizes well drilling and shall require continuing education specific to heat exchange drilling for individuals seeking to retain a drilling rig operator's registration that authorizes heat exchange drilling.

6. Establish one driller business registration credential to authorize activity in water well drilling and heat exchange drilling.

280.15(1) Business registration.

(a) Registration requirement. *No person may engage in the business of well drilling or heat exchange drilling in this state unless the person obtains registration under this paragraph as*

a drilling business, and no person may engage in the business of pump installing in this state unless the person obtains registration under this paragraph as a pump installing business,

(am) Prerequisite. The department may not grant registration under par. (a) to a person to engage in the business of well drilling or heat exchange drilling unless the person is a licensed driller, a licensed driller has an ownership interest in the business, or the person employs or contracts with a licensed driller. The department may not grant registration under par. (a) to a person to engage in the business of pump installing unless the person is a licensed pump installer, a licensed pump installer has an ownership interest in the business, or the person employs or contracts with a licensed pump installer.

7. Clarify definition of “pump installing”.

280.01(5) “**Pump installing**” means the industry and procedure employed in the placement and preparation for operation of equipment and materials utilized in withdrawing or obtaining water from a well for consumption or use, including all construction involved in making entrance to the well and establishing such seals and safeguards as are necessary to protect such water from contamination.

146.02(5) “**Pump installing**” has the meaning specified in s. 280.01 (5), Stats., and includes installing, repairing, replacing or reinstalling a: spring box, reservoir, pump, pump drop pipe, check valve, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate a pump or pressure system, and any chemical addition, water treatment device or yard hydrant upstream of the water storage or pressure vessel or building control valve; attaching well casing pipe to extend the well casing pipe to a complying height above grade, or up and out of a pit or a subsurface pumproom or alcove; or bailing or chemically conditioning a well to return it to its original capacity, production capability or water quality. Pump installing does not include installation of a temporary test pump by a water well driller for the purpose of determining well capacity or water quality and does not include the installation, by a well driller, of a well cap or seal. Opening a well cap or well seal to inspect or chlorinate a well is not considered pump installing unless the well cap or seal is replaced with a different cap or seal, or unless the well has a hand pump installed on it.

8. Designate pump installer classifications for property transfer well inspectors, welders who install pitless adapters and for employees of licensed pump installers or registered pump installer businesses. Require thorough demonstration of competencies to ensure alignment with activities authorized by the classification.

280.15(2m)(e) **Prerequisites for pump installer license.** The department may not issue a pump installer license unless the applicant demonstrates competency in pump installing by passing an examination administered by the department.

280.30(3) **Property transfer well inspections.**

(a) An individual may not for compensation, in contemplation of a transfer of real property, conduct an inspection of the real property for the purpose of locating or evaluating water supply wells or pressure systems on the real property unless the individual is a licensed driller who is authorized by the department to engage in well drilling or a licensed pump installer.

280.30(2) **Well abandonment.** An individual may not fill or seal a water supply well unless one of the following applies:

(a) *The individual is a licensed driller who is authorized by the department to engage in well drilling or licensed pump installer.*

(b) *The individual is under the supervision of a licensed driller who is authorized by the department to engage in well drilling or licensed pump installer or the individual is under the supervision of a water system operator certified under s. [281.17 \(3\)](#) and the well is within the service area of the local governmental water system for which the certified operator works. The licensed or certified individual is not required to be present during the filling or sealing.*

146.10 Well filling and sealing.

(1) *This section applies to all water supply wells used for any potable or nonpotable purpose.*

(2) *An individual may not fill and seal a water supply well, or verify and report that a well was properly filled and sealed, unless at least one of the following applies:*

(a) *The individual is a licensed water well driller or licensed pump installer.*

(b) *The individual is under the supervision of a licensed water well driller or licensed pump installer as their employee or the employee of a registered water well drilling or pump installing business.*

(3) *The licensed or certified individual is not required to be present during the filling or sealing of a well except that the licensed or certified individual is responsible if the filling and sealing is not done in compliance with ch. [NR 812](#).*

280.16 Prohibition on use of certain devices in wells.

(1) *In this section, “**pitless adapter**” means a device that attaches a well casing pipe to an underground pipe that conveys water from the well.*

(2) *No person may install a pitless adapter that extends into the inside of a well casing pipe except if the sand screen is permanently attached to the bottom of a well casing pipe that is constructed of polyvinyl chloride. Only the following may install pitless adapters:*

(a) *A licensed pump installer.*

(b) *An employee of a licensed pump installer or a registered pump installing business.*

(c) *A welder under contract with a licensed pump installer or registered pump installing business.*

9. Codify assignment of responsibility for parties who enter into contractual agreements for the purpose of engaging in drilling and pump installing activities.

280.11 Pure drinking water; powers of department.

(1) *The department shall, after a public hearing, prescribe, publish and enforce minimum reasonable standards and rules and regulations for methods to be pursued in the obtaining of pure drinking water for human consumption and the establishing of all safeguards deemed necessary in protecting the public health against the hazards of polluted sources of impure water supplies intended or used for human consumption, including minimum reasonable standards for the construction of well pits. It shall have general supervision and control of all methods of obtaining groundwater for human consumption including sanitary conditions surrounding the same, the construction or reconstruction of wells and generally to prescribe, amend, modify or repeal any rule or regulation theretofore prescribed and shall do and perform any act deemed necessary for the safeguarding of public health.*

280.13 **Additional powers of department.**

(1) *The department may exercise such powers, and may promulgate such rules, as are reasonably necessary to carry out and enforce the provisions of this chapter.*

10. Make provision for administration of license exams by a third-party provider.

280.15(2m)(e) **Prerequisites for pump installer license.** *The department may not issue a pump installer license unless the applicant demonstrates competency in **pump installing** by passing an examination administered by the department.*

280.15(2m)(f) **Prerequisites for driller license.**

1m. *The department may not issue a driller license that authorizes well drilling unless all of the following apply:*

*a. The applicant demonstrates competency in **well drilling** by passing an examination administered by the department.*

2m. *The department may not issue a driller license that authorizes heat exchange drilling unless all of the following apply:*

*a. The applicant demonstrates competency in **heat exchange drilling** by passing an examination administered by the department.*

11. Accept training specific to drilling for pump installer continuing education credit and accept training specific pump installing for driller continuing education credit.

280.15(2m)(b) **Renewal.** *In order to retain his or her license as a driller or pump installer an individual shall do all of the following:*

1. *Comply with requirements for continuing education promulgated by the department by rule. The department shall require continuing education specific to well drilling for individuals seeking to retain a driller license that authorizes well drilling and shall require continuing education specific to heat exchange drilling for individuals seeking to retain a driller license that authorizes heat exchange drilling.*

280.15(3g) **Drilling rig operator registration.**

2. Renewal. *In order to retain registration as a drilling rig operator an individual shall do all of the following:*

1. *Complete training approved by the department.*

2. *Comply with requirements for continuing education promulgated by the department by rule. The department shall*