

## PRIVATE WATER ADVISORY COUNCIL

Meeting Notes – November 10, 2015

Council Member Attendees: Liesa Lehmann (DNR), Bill Batten, Rick Brehmer, Jerry Ellis (for Rob Spence), Bill Hanser, Rick Peterson, David Haupt, Jeff Kramer, Terry Marshall, Tim Nelesen, Eric Schuette, Bruce Walker.

Other Attendees: Jeff Beiriger, Michael Hanten, Cindy Wachter, Marty Nessman (DNR), Dorie Turpin (DNR)

Council Members Absent: Kenneth Sweeney

### Agenda Preview/Repair

**April Meeting Notes.** Approved. Some members asked that the April Notes be sent out again.

### Private Water Supply Program Updates

1. Heat Exchange Driller Licensing

Lehmann reported that DNR has issued 37 individual Heat Exchange Driller licenses to-date. The heat exchange exam is now offered with the regular cycle of exams for other license types. HED license holders need to earn 6 continuing ed credits a year starting 2016.

2. License Renewal “Lean” Project

Lehmann reported that DNR has consolidated the License Renewal form and eliminated questions not related to license renewal, in response to customer feedback and analyzing the process. Licensees will receive one renewal form per license number. Renewal forms are in the mail and license holders should receive them this week. DNR will do a follow-up survey in early 2016 to get feedback on the revised form; and begin work on an electronic renewal process for 2017 renewals. Electronic renewal will not be mandatory, but will allow license holders to pay renewal fees on-line and receive their electronic license “card” directly from their computer. The license “card” will also list all licenses held by the individual. DNR expects that notice of the electronic process will be sent via e-mail in fall 2016, and those who have not renewed on-line by a specified date will receive a paper renewal form.

3. Code Interpretations (attachment)

Lehmann walked through the draft handbook section for private water field staff. It contains interpretations of NR 812 that were unclear or inconsistent due to recent code revisions, and will ensure consistent interpretation by staff. The document is open for public input through November 19. Send comments to Lehmann at [Liesa.LehmannKerler@wisconsin.gov](mailto:Liesa.LehmannKerler@wisconsin.gov)

Hanten indicated that he would have comments on the laboratory section, and asked if there would be another opportunity to comment on the document after revisions. The document will be finalized after considering public comment; there will not be another comment opportunity. These changes will be incorporated into a future rule revision, which will have public input opportunity.

4. NR 812 Inspection Report Form (handout)

Nessman provided a revised draft of the form discussed at April meeting in addition to draft instructions. The form is designed to meet multiple reporting requirements for well drillers and pump installers under NR 812, including:

- Verification of casing depth
- Compliance inspection of existing system
- Noncomplying features not corrected
- Well Conditioning – e.g. hydrofracturing

The form will have final legal review and be posted for public input, then finalized. DNR will e-mail notice to license holders when form is posted for public comment. The goal is to have final form ready and available for January 2016 continuing education. **Please submit any preliminary comments to Nessman by November 30, 2015.**

Marshall asked about the definition of collector storm sewers. NR 812 has a definition, which was not changed during the most recent code revision. Marshall suggested that the form could be used for Property Transfer Well Inspections.

Hanser noted that he doesn't agree with the requirement that a water line coming into the building be at least 12 inches above the basement floor. He questioned the reasoning behind it, and behind the requirement that offset pumps be 12 inches above basement floor. Turpin indicated that it was to prevent contamination in the event of basement flooding.

5. Continuing Education Survey (attachments)

Lehmann explained that DNR is continuing to evaluate how to address significant DNR staff time and monetary investment with the Continuing Education process. DNR goals for Continuing Education are to ensure 1)high quality, relevant training for license holders; 2)customer satisfaction; and 3)efficient and cost-effective use of taxpayer dollars. DNR sent a Customer Survey to all license holders on June 30. Everyone with an e-mail address received the survey electronically; others received a paper copy. Reminders were sent 2-3 weeks after the original survey.

Summary of Key Results:

- 436/1229 individuals responded = 35.5% response rate
- Paper responses 150/395 = 38%; Electronic responses 286/834 = 34.3%
- Average # years licensed = 22.3 years, 133 respondents with 30+ years (30%)
- 97% respondents are pump installers, 27% well driller, 40% journeyman/master plumber
- Average age of respondent is 54; 74 respondents are 65+ years old
- Member of WWWW? 33.4% Yes, 66.6% No
- Cost is #1 dislike; others are in-person, travel distance, lecture, course topics
- 70% of respondents were either somewhat satisfied or very satisfied with CE overall.
- 60% are interested in on-line training; 70% are interested in hands-on training.
- 40% said that not having the CD or booklet available would make their jobs harder.
- 40% want to keep the 1-year CE cycle, 55% want to longer frequency.
- Large variety of feedback on open-ended questions.

DNR continues to evaluate survey data and process to identify what – if any – changes will be made to current process.

Council member and guest feedback:

- Hanten noted that overall, the feedback was pretty positive.
- Beiriger noted that the responses were good. He has seen problems develop in other trades when either the CE cycle was lengthened, or when the agency reduced its role.
- Offer a CE track for administrative office staff.
- Some said that CD and booklet should have been separated into 2 different questions.
- Hands-on training can work well for small groups. Convention would be a good venue.
- Organizations like Goulds and Franklin Electric offer multi-day training programs. DNR could consider approving these other courses to meet all CE requirements for a year.
- For CE speakers, the desire to be neutral can be difficult because they are experts on their own product, not products of other companies.

#### 6. 2016 Continuing Education

Several changes are made for 2016. WWSA is sole sponsor instead of co-sponsor with DNR. WWSA will continue their previous duties of arranging the facilities, handling registration and arranging for speakers. WWSA will handle several duties that were previously handled by DNR: CE registration mailing, booklet printing, tracking and documenting CE attendance (including at the Trade Show), and requesting and documenting plumbing credits. WWSA will request approval of their CE and Ground Water Conference agendas from DNR for all license types, just as other vendors do. WWSA will mail the registration form soon, and will offer on-line registration.

The 2016 Continuing Education sites and dates are:

Groundwater Conference	January 7	Middleton	February 11
Wisconsin Dells	January 8	Oconomowoc	March 1
Minocqua	January 14	Stevens Point	March 2
Eau Claire	February 9	Hayward	March 3
Green Bay	February 10		

DNR will provide 2 one-hour presentations at each site, one on program updates and one on code review. In addition to the DNR talks, the CE agenda includes:

- Well Rehabilitation (2 hours)
- Split Session A: Trouble-shooting pump problems; Property transfer inspections (2 hours)
- Split Session B: Well grouting; well filling and sealing (2 hours)

Walker asked about CE requirements for heat exchange drillers. Lehmann indicated that it appears 3 credits will be available at the WWSA-sponsored training. Wisconsin Geothermal Association is considering offering training at their conference for the remaining credits.

#### 7. Future Revisions of NR 812

Lehmann reported that DNR will develop a Scope Statement early in 2016 to open NR 812 for "housekeeping" revisions to make clarifications, fix discrepancies and errors resulting from the last code revision. Separation distances and frequency of sampling for nitrate and arsenic are examples. DNR will also look at some streamlining measures, e.g., not requiring drill cuttings on every single high capacity well. Marshall pointed out that the 2014 revision was limited to certain areas of the code, and asked if there could be a broader code revision to include grouting and other areas. Lehmann asked for any ideas to be submitted to her by the end of the year.

#### 8. Enforcement and Update on Use of Citation Authority

Lehmann provided a summary of recent enforcement cases:

- The first case, which was handled by the Department of Justice, involved an individual performing pump installing work without a license in western Wisconsin. He was sentenced to spend 30 days in jail, or do 240 hours of community service.
- The second case involved a pump installer who had not maintained his license. In addition to working without a license, he had failed to collect water samples and install a vermin-proof well cap. He received 3 citations costing approximately \$2600. An owner complaint helped initiate the case.
- The third case involved a pump installer who had failed to collect 9 required water samples. The amount of the citations was approximately \$7000.

Lehmann noted that DNR's goal is not to put people out of business, but to bring them into compliance.

9. Contamination Response

No cases to report.

10. Newly-Approved Products and Equipment

Several pending requests, no new approvals.

### **Old Business**

1. Bentonite Pellets for Filling/Sealing Point Wells (*Ken Sweeney*)

Nessman reported that he had given Sweeney a variance to test the use of slow-release bentonite pellets for filling/sealing a driven point well. The material did not bridge. Lehmann has asked the DNR program attorney for guidance on how to proceed with approving a product for field testing, when the type of product is not allowed to be used for filling and sealing water supply wells. Additional testing will be needed. Schuette pointed out that time-release bentonite pellets are allowed for filling and sealing monitoring wells. Marshall noted that there could be other uses for the pellets.

2. Well Notification Numbers (*Lehmann*)

The DNR program attorney confirmed that statute provides no authority for DNR to issue refunds for the \$50 well notifications. All licensees and businesses who previously requested refunds were personally notified that DNR is discontinuing refunds, and that a notification number cannot be transferred to a different project. Contractors should be certain they have the job prior to purchasing a WNN.

### **New Business**

1. Property Transfer Well Inspection form – WWA Survey Results (*Terry Marshall*) (*handout*)

Marshall shared the results of a survey conducted by WWA about the one-page inspection form. About 9% of recipients responded to the survey. There were questions about a field notes worksheet, possible changes to the one-page form, usefulness of the current form to both the inspector and the customer and the need for information about well and pressure system performance. Many respondents indicated dissatisfaction with the current form. Written comments from the survey were also summarized. Hanser noted that he would like to see water quantity information added to the form.

2. Sampling Timelines (*Bill Hanser*)

Hanser expressed difficulty in getting water samples to a lab within the 48-hour time frame required by code. He must deliver samples to the post office between 10:30 a.m. and 3:30 p.m. on Monday, Tuesday, or Wednesday, and he wondered if the time limit in the rule could

be increased. Council members and guests shared their experiences, and recommended other, faster carriers with pick-up services, and/or finding a laboratory offering a pick-up service for samples. Hanten reported that total coliform analysis does not allow for expanding the timeframe.

3. License requirements for installing point wells (*Bill Hanser*)

Hanser expressed concern that property owners are allowed to construct their own driven point well even though owners are not allowed to fill and seal it. Owner-installed driven point wells may not be in compliance with the well code. The group concurred that this is a problem, but a statute change would be required to require a license to construct a point well. Schuette suggested that driven point wells, especially those installed by the owner, could be included in UDC inspections, so that a UDC inspector could at least check that a well notification was obtained. Reportedly Minnesota has a process for dealing with these.

4. Box elbow installations/point wells (*Bill Hanser*)

A box elbow allows a horizontal line from a driven point well to be installed farther below the ground surface so as to protect the line from freezing. The line comes from the well under the basement floor and the box elbow is installed where the pipe makes the right angle turn from horizontal to vertically upward into the basement. The problem with box elbows is they are dangerous to work on because of their location under the basement of the building. Hanser would prefer that box elbows no longer be allowed. Hanser also stated that a driven point well is basically a vertical suction line and wondered why code doesn't allow horizontal buried suction lines for driven point wells. DNR will consider these issues further.

### **Membership Roster**

Four Advisory Council members have terms ending in December – Terry Marshall, Rick Brehmer, Jeff Kramer, Tim Nelesen. Rick Brehmer has served 6 terms - the maximum number – and the council thanked him for his many years of service. Lehmann asked appointing organizations to notify her by December 11 of the names of new or renewed council members. Jerry Ellis stated that Tim Nelesen would serve another term as a representative of the Wisconsin Well and Pump Suppliers.

### **Next Meeting**

WWWA has offered to host the next meeting on Wednesday, January 6, 2016 at 9:30 a.m. at the Kalahari Resort, Wisconsin Dells. This is the day before their annual Ground Water Conference.

12:30 p.m. Adjourn

### **Handouts:**

- DRAFT NR 812 Inspection Report Form and Instructions
- WWWA Property Transfer Inspection Form Survey Results