

PRIVATE WATER ADVISORY COUNCIL

Meeting Notes – January 6, 2016

Council Member Attendees: Liesa Lehmann (DNR), Bill Batten, Gary Kuhn, Bill Hanser, Michael Hanten, Alan Hoyer, David Haupt, Jeff Kramer, Terry Marshall, Tim Nelesen, Rob Spence, Ken Sweeney, Bruce Walker.

Other Attendees: Jeff Beiriger, Rick Peterson, Marty Nessman (DNR), Dorie Turpin (DNR)

Agenda Preview/Repair

None

Membership Roster

An updated Membership Roster was provided via email. Terms for four Advisory Council members ended in December 2015. Terry Marshall, a water well driller appointed by WWSWA, will serve another term. Jeff Kramer, a pump installer appointed by the DNR, will serve another term. Tim Nelesen was reappointed by Well and Pump Suppliers for another term. Rick Brehmer's term ended and Gary Kuhn, a pump installer, was appointed by WWSWA to replace him. In addition, WWSWA appointed Michael Hanten to complete the rest of Rick Peterson's term as a pump installer representative. Kuhn and Hanten were welcomed to the council.

Election of a co-chair will take place at the April meeting.

November 2015 Meeting Notes

Approved

Private Water Supply Program Updates

1. DNR Strategic Alignment Effort

Lehmann reported on a process to realign DNR leadership and program structure to help the DNR work more effectively and efficiently. She shared a chart showing the department's temporary structure while the process is ongoing. DNR is also assessing what activities may need to be modified or eliminated so DNR can focus its staff and financial resources on core work activities. A public comment period is planned for late January/early February. Lehmann will inform the Advisory Council when the public comment period begins on the proposed final realignment of DNR programs.

2. License Renewal "Lean" Project update

As a result of the lean project and customer survey in early 2015, changes were made to the 2016 license renewal forms, including: one form per license or registration number; elimination of all questions not relevant to renewing a license; and a consolidated license card. The changes resulted in more licenses being returned earlier and fewer errors in payment amounts. Kuhn appreciated not having to count samples he collected. There was general agreement that the revisions were an improvement. DNR will conduct a follow-up survey to determine degree of customer satisfaction with the changes.

DNR is also developing an electronic license renewal process, which is expected to be available for fall 2016 or 2017. Online renewal is not expected to be mandatory, and will be available for those who wish to renew online.

3. Code Interpretations-final document

Lehmann provided copies of the final NR 812 Code Interpretations document following public comment, which addresses four topics in the code that need clarification before a code revision can take place. Several comments were from laboratories; one was related to separation distances. The document will be provided to continuing education attendees and posted on the DNR website.

4. NR 812 Inspection Report Form-status update

Nessman provided the latest version of the form (and its instructions) which will be used to report: verification of well casing depth, inspection for compliance, noncomplying features, delegated county inspections, and well conditioning. One member commented that the front side of the form is similar to the worksheet that was developed for property transfer well inspections. Questions were raised about the form; could it be attached to the property transfer inspection form; would it replace the noncomplying features form; could it be used for inspections for municipal well abandonment ordinances; and could we use another term besides "inspection."

Lehmann advised the group to take advantage of the public comment period which should happen soon. She will send an e-mail to the council when the comment period opens up.

5. Special Well Casing Depth Areas-update

A new special well casing depth area was established in Manitowoc County due to an old vinyl chloride spill at a gravel pit. Lehmann shared the letter that was mailed to the 100 potentially affected well owners in the area and all drillers in the eastern part of the state. New wells will need a 10-inch diameter upper enlarged drillhole and a minimum of 275 feet of grouted casing; no requirement for well owners to replace their existing wells. Two other special well casing depth areas are pending. One council member commented that the drilling specifications should not show preference for one drilling method over another.

6. NR 812-Future revisions—rulemaking process, revision suggestions

Lehmann provided a handout illustrating the steps in the department's rulemaking process. Twenty-seven months is the minimum timeframe required, with many approvals required by the Governor, Natural Resources Board and legislature. This timeframe does not include any stakeholder or technical advisory group meetings that may occur.

The department has four general goals for revising NR 812 – 1)corrections (ex: separation distances); 2)clarifications (ex: definitions), 3)streamlining (ex. reducing drill cutting submittal to WGNHS); and 4)modernizing to update sections of the code that haven't been addressed in many years (ex: add dual rotary requirements). Before any rule language can be written, a Scope Statement must be approved by the Governor and Natural Resources Board. The Scope Statement identifies the areas of the code to be revised, not too narrow or too broad

Ideas/questions for future code revision:

- Sealing the basement end of a nonpressurized conduit (see new business)
- Clarify separation distances for floor drains and sealed crocks, pressurized versus gravity, watertight versus sealed, what is legal and what isn't
- Short-cased 5-inch wells
- Why is 8 ¾ inch upper enlarged drillhole allowed for rotary mud drilling and not for percussion drilling such as cable tool and rotary air?
- Jet pumps on point versus drilled wells, height off basement floor, box elbows
- PVC well construction and hookup

- Heat exchange inconsistencies
- Definitions
- Conflict of interest for a well driller/pump installer to open their own lab to analyze their required samples
- Simplification of well construction standards

Marshall indicated that WWSA would like time to meet and develop a unified list of proposed areas of the code which they would like to discuss with the department. Some are items that didn't turn out the way they expected; others are items that weren't within the scope of the revision. Lehmann requested that everyone submit their suggestions to DNR by April 1, so they can be discussed at the next Advisory Council meeting.

Old Business

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

Turpin reported that she had not contacted CETCO yet about submitting a request for product approval. DNR needs to ensure that none of the ingredients are toxic or a threat to groundwater, yet companies are concerned about keeping their ingredients confidential. We will discuss confidentiality with our program attorney then contact CETCO.

Several members present indicated that their interest is in the smaller diameter discs with a coating that prevents bridging. Lehmann and Turpin clarified that DNR can't issue a blanket approval to use the product for small diameter well filling and sealing because the code doesn't currently allow this type of material. However, we can issue an approval for the product, then issue individual variances allowing it to be demonstrated in filling and sealing specific wells. Lehmann requested that council members contact Nessman when they have opportunities to demonstrate the product. If the product works successfully, then the code can be updated.

2. Property Transfer Well Inspection form—WWSA survey results and update (*Terry Marshall*)

Marshall indicated that as a result of their survey, WWSA has developed a worksheet that can be used in conjunction with the DNR Inspection form to document what is seen during the inspection—not just the noncompliance. They are also developing a sheet to explain violations. Both will be handed out at continuing education. WWSA would still like to meet with DNR about the required form, indicating that many prefer the old form.

New Business

1. Well Seal for the Basement End of a Nonpressure Conduit (*Ken Sweeney*)

Sweeney raised an example of a nonpressurized conduit (NPC) that had been sealed on the basement end with mortar and had a pitless adapter installed. He shared photos of the installation and asked for opinions on whether the system was compliant. Sweeney indicated that a prior inspector did not flag the NPC as noncomplying or require an upgrade.

Sweeney stated that DNR is not offering consistent opinions, and is not backing up industry professionals. He also noted that DNR is not issuing variances or visiting properties. Lehmann reminded everyone that the law does not require system upgrades at time of property transfer - the inspection is to make the buyer or seller aware of any noncompliance. She also noted that a variance application can be submitted at any time, but DNR can only grant variances when compliance with the code is not feasible. Nessman noted that a

property transfer well inspection is only a visual inspection, so for the example a prior inspector would not have been expected to open the well and discover the pitless adapter.

2. Maps and Browsers

Walker stated that some of DNR's mapping applications only work with Internet Explorer, not other browsers. Lehmann will forward the information to the appropriate DNR staff.

Future Business

Hanten voiced a concern that UV treatment is being installed on unsafe water supplies. He stated that manufacturers and treatment installers are selling UV devices without getting a department approval. There is confusion with treatment installers about what a DSPS product approval means vs. the individual DNR approval, and the process for obtaining an approval.

Next Meetings

- Thursday, April 7, 2016 – southern Wisconsin
- Thursday, October 6, 2016 – central Wisconsin

Handouts:

- DNR Temporary Alignment Chart
- Latest DRAFT NR 812 Inspection Report Form and Instructions
- Manitowoc County Special Well Casing Depth Area