

PRIVATE WATER ADVISORY COUNCIL

Meeting Notes – January 18, 2017

Council Member Attendees: Liesa Lehmann (DNR), Bill Batten (WGNHS), Mike Hanten, David Haupt, Alan Hoyer, Jeff Kramer, Terry Marshall, Rob Spence, Ken Sweeney

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

Advisory Council Membership: DNR will distribute the current membership list and procedures with the notes from this meeting (attached). David Haupt's and Eric Schuette's terms ended on December 31, 2016. WWA can reinstate Haupt to an additional term or appoint a replacement for Haupt. DNR asked Schuette to serve another 3-year term. Terry Marshall has served as temporary co-chair of the council. Marshall indicated his wish to step down and recommended that Michael Hanten be elected co-chair. No one else expressed an interest in becoming co-chair and no one objected to naming Hanten as co-chair.

DNR and Private Water Supply Program Updates

a. Staff Changes and Realignment

- Steve Elmore is the new Bureau Director. Most recently Steve served as the Public Water Systems Section Chief. He also worked in the Water Use section.
- Troy Stapelmann was hired last October as the Public Water Supply Supervisor in Eau Claire.
- Liz Heinen is transferring to a field position in the public water supply program.
- Bruce Rheineck was just hired as the Groundwater Section Chief. Bruce previously worked for DATCP and DHS in water-related programs.
- Steve Ales moved to become the Deputy Bureau Director for DNR's Remediation and Redevelopment program, and he will direct their field operations.
- Drinking Water and Groundwater will hire a Field Operations Director position soon.
- Private Water Supply will request approval to fill one field specialist position, to replace the Glenn Mueller (retired) and Liz Heinen (transferred) positions. It will likely be in Fitchburg.
- DNR's organizational realignment was announced in November. No changes to the Bureau of Drinking Water and Groundwater. The Bureau will continue to focus on our core regulatory work and look for efficiencies. Changes were made in other divisions, including consolidation of all wardens, park/forest rangers into the Bureau of Law Enforcement.

b. NR 812 Revisions

The Scope Statement was approved by the Governor and Natural Resources Board in October, so rule revisions can begin. DNR staff Lehmann, Nessman, Puchalski and Turpin are the rule drafting team. An external workgroup led by Nessman will focus on Subchapter 2 well construction standards. Nessman is identifying 8-10 drillers to serve on the workgroup, and WWA will be offered an opportunity to appoint 2 additional drillers. The workgroup is expected to meet 3-4 times this winter and spring. DNR staff will draft initial revisions to other subchapters based on the Scope Statement, and consult with affected stakeholders throughout the drafting process. Beiriger suggested that more stakeholder involvement be planned similar to past years when a committee reviewed each rule section in detail through a series of advisory meetings. Lehmann indicated that DNR recognizes industry professionals do not have time for extensive meetings, and we will consider other opportunities to solicit industry input.

DNR plans communication with the entire licensed community at several points during the process. A GovDelivery email message will be sent soon to announce that revisions are underway, and provide a web page link for more information. Key stakeholders including the Advisory Council will receive a briefing and draft revisions prior to public hearings. All license holders will receive written notice of the public hearings and opportunity to comment. Based on current progress, public hearings are expected to be held in winter 2017-18, and rule revisions are expected to be effective in early 2019.

c. Driller/Installer Continuing Education – process update (Lehmann)

DNR mailed a letter to all licensed drillers and pump installers in December, reminding them of the continuing education changes, providing a list of approved courses, and telling them about the new [Continuing Education web page](#) and online calendar. Some reminders/updates:

- Any training provider may offer courses of any length for continuing education credit.
- DNR will consider approval of all methods of training – lecture, hands-on, and electronic.
- Drillers and installers can choose from all approved courses to earn credits.
- DNR will speak at the annual Wisconsin Water Well Assn. and Wisconsin Geothermal Assn. conferences. DNR will not provide speakers at other approved courses.
- DNR has approved several 2017 courses which offer continuing education credit for drillers and installers. When future courses are approved, we'll add them to the online calendar.
- DNR agreed to have 1-2 private water supply field specialists attend the other WWSWA-sponsored continuing education sessions in 2017. DNR staff will be available for questions from individual license holders on breaks and during lunch.
- DNR will host an annual mid-year meeting with training providers starting in 2017, to discuss training priorities for the coming year.
- DNR will hand out Well CDs at the Trade Show. Well CDs can also be requested by mail, email or fax by submitting the form that was mailed to all licensees in December.

Hanten suggested that DNR at least provide a handout for each course provider every year, so that the license holders would receive a common/consistent message from DNR. Beiriger requested data on the numbers of license holders by license type. (attached)

d. License Exams – 2017 schedule, integration with operator certification

DNR's realignment requires integrating our licensing process more closely with the operator certification program for administrative efficiency. This year 2 of the 4 license exams will be offered at the same date and location as operator certification exams, with the ultimate goal of reducing DNR staff time for proctoring exams. 2017 license exams will be in February, May, August and November.

Old Business

Water Treatment for Coliform Bacteria (*tabled from last meeting*)

Hanten expressed concern that private well owners with coliform-positive test results are installing water treatment devices without obtaining an approval from DNR as required in NR 812.37. He also stated that not all installed devices are approved by DSPS, and changes in the DSPS codes are causing confusion. In addition, NR 812 is not in sync with the Revised Total Coliform Rule (RTCR) for public water systems.

Nessman noted that a further problem is that the term "bacteriologically unsafe" is used but not defined in chapter NR 812. Ultraviolet light is the most prevalent treatment method for bacteriological problems, but there is a wide range in price and quality of devices. Contractors

should assist well owners to identify what might be causing a coliform-positive and work to correct system defects.

Lehmann noted that it is rare for DNR to receive an NR 812.37 approval request, and that the code requires a well owner to try to find an alternative safe source of water before treatment. Can we make the approval process work better if it happens at the time of property transfer? How should we define bacteriological contamination? Are devices installed to “prevent” or to “treat” bacteria problems? Are devices installed for nuisance bacteria without making sure the system is free of total coliform? Hanten suggested that the department mandate where a sample is collected, so that bacteria test results are consistent, reliable, and reproducible. Lehmann indicated that many of these issues can be addressed in the NR 812 rule revisions.

New Business

Property Transfer Inspection Form

Marshall noted that DNR had promised to reevaluate the Property Transfer Inspection Form following a year of use, and it has been in use more than 2 years. Lehmann agreed that DNR and WWA should meet to discuss further. Lehmann will follow-up with WWA to schedule.

Next Meeting

The next meeting will be Thursday, April 6th in the Madison area.