

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 9/6/2024
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Chapter NR 812 - Well Construction and Pump Installation	
4. Subject Revisions to update, correct and clarify existing code requirements and add requirements for new pump installations and water treatment and other specified code requirements. (DG-03-23)	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected N/A
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input checked="" type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input checked="" type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The primary objectives of ch. NR 812, Wis. Adm. Code, revisions are to correct and clarify language, streamline processes, update construction standards, and ensure consistency with federal and state law. Specific objectives include: A. Correct grammatical, spelling and punctuation errors throughout the rule. B. Address redundancies and omissions and improve clarity throughout the rule. C. Update, correct and clarify Subchapter III - Requirements for New Pump Installations and Water Treatment. D. Expand the allowed use of bentonite chips as an annular space seal in unconsolidated formations (s. NR 812.13, Wis. Adm. Code) and bedrock formations (s. NR 812.14, Wis. Adm. Code). E. Clarify/update the casing diameter standards for existing installations in ss. NR 812.42 and 812.44, Wis. Adm. Code. F. Clarify/update requirements and standards for dewatering wells. G. Make additional rule changes within ch. NR 812, Wis. Adm. Code, and other administrative rule chapters which are reasonably related to rule revisions specified in items A. through F. and required for consistency with the revised ch. NR 812, Wis. Adm. Code.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. Well drillers, heat exchange drillers, pump installers, the Wisconsin Water Well Association and the Wisconsin Geothermal Association were represented at advisory meetings.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. This rule does not impact local government units directly. No local governmental units participated in the development of this EIA.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)	

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The total economic impact is estimated to be \$0 per year. There is no economic impact estimated for specific businesses or business sectors, public utility rate payers, local governmental units, or the state economy.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefits of implementing the rule include better understanding and compliance with the standards. The rule also provides pump installers with the option to use a wider variety of wellhead equipment by removing the requirement that the equipment be approved by the DNR before it can be used; instead, any equipment used will need to meet the codified standards which maintain sanitary and environmental protections. The revisions to the requirements for the well casing diameter for existing wells will improve the rate of compliance for existing wells during property transfer well inspections.

Alternatives include not amending the rule, which would maintain outdated code language that does not match current industry practices, is inconsistent with state and federal law, and misses the opportunity to improve groundwater protection during well construction and pump installation.

16. Long Range Implications of Implementing the Rule

The long range implications are to improve sanitary conditions for private well owners and protect the groundwater resource.

17. Compare With Approaches Being Used by Federal Government

Private well construction and pump installation are not regulated by the federal government. There is no comparable federal government approach to this rule.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Neighboring states have similar approaches to pump installation and casing diameter requirements.

19. Contact Name	20. Contact Phone Number
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This document can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

The provisions of this proposed rule revision do not cost entities anything to implement or to remain in compliance. Overall, the provisions should provide more options for small businesses to meet standards which will reduce costs. The total economic impact is estimated to be \$0.

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

The department assembled a study group consisting of well drillers and pump installers from throughout the state to provide input into the revisions and to evaluate potential impacts to their businesses.

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☒ Less Stringent Compliance or Reporting Requirements
- ☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
- ☐ Consolidation or Simplification of Reporting Requirements
- ☒ Establishment of performance standards in lieu of Design or Operational Standards
- ☐ Exemption of Small Businesses from some or all requirements
- ☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

No measurable impact on small business is anticipated.

5. Describe the Rule's Enforcement Provisions

Chapter NR 812 has civil and criminal provisions as well as citation authority for certain specific violations. The proposed rule revisions do not alter these provisions.

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- ☐ Yes ☒ No
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