

Chapter NR 812

WELL CONSTRUCTION AND PUMP INSTALLATION

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Note: Chapter NR 112 as it existed on September 30, 1975 was repealed and a new Chapter NR 112 was created effective October 1, 1975. Chapter NR 112 as it existed on January 31, 1991 was repealed and a new Chapter NR 112 was created effective February 1, 1991; Chapter NR 112 was renumbered Chapter NR 812 under s. 13.93 (2m) (b) 1., Stats., Register, September, 1994, No. 465.

Subchapter I — General

NR 812.01 Purpose. (1) The purpose of this chapter is to establish uniform minimum standards and methods in conformity with chs. 280 and 281, Stats., for:

- (a) Obtaining or extracting groundwater for any purpose; and
- (b) Protecting groundwater and aquifers from contamination through adequate construction and reconstruction of water systems.
- (c) Evaluating, locating, and identifying wells and pressure systems at the time of a property transfer.

(2) This chapter shall govern the location, construction or reconstruction, maintenance and inspection of wells and water systems and heat exchange drillholes, the filling and sealing of wells and drillholes and the installation and maintenance of pumping and treatment equipment.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1) (a), Register, September, 1994, No. 465, eff. 10–1–94; correction in (1) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1998, No. 516; CR 13–096: am. (2), CR 13–099: cr. (1) (c), am. (2) Register September 2014 No. 705, eff. 10–1–14; 2015 Wis. Act 197 s. 42 Register April 2016 No. 724.

NR 812.02 Applicability. (1) For the purposes of construction and installation, the provisions of this chapter apply to all new and existing water systems and drillholes with the following exceptions:

- (a) Wells governed under ch. NR 141, unless they are high capacity wells, in which case ch. NR 812 also applies.
- (b) Any community water system governed under chs. NR 809, 810, and 811.
- (c) Nonpotable surface water systems.

Note: Certain diversions of surface water for nonpotable uses require a permit under ch. 30, Stats.

(2) For the purposes of filling and sealing, the provisions of this chapter apply to all drillholes and wells including elevator shaft drillholes, unsuccessful or noncomplying heat exchange drillholes, mining exploration drillholes not regulated by ch. NR 132 or subch. III of ch. 295, Stats., and wells and drillholes not regulated by s. NR 141.25.

(3) For the purposes of the prohibition of the underground placement of any substance as defined in s. 160.01 (8), Stats., the provisions of this chapter apply to all wells and drillholes.

(4) The requirements of s. NR 812.08 do not apply to water withdrawal or use that is associated with mining operations or bulk sampling regulated under subch. III of ch. 295, Stats.

Note: Private water systems and noncommunity water systems, located in counties delegated authority to administer this chapter under ch. NR 845, are subject to county permit requirements.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1) (a) and (2), cr. (3), Register, September, 1994, No. 465, eff. 10–1–94; correction in (1) (a) and (b) made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; CR 13–099: am. (1) (b), (2) Register September 2014 No. 705, eff. 10–1–14; CR 13–057: am. (2), cr. (4) Register July 2015 No. 715, eff. 8–1–15; correction in (2) made under s. 35.17, Stats., Register July 2015 No. 715.

NR 812.03 Cooperation with the department.

(1) Well drillers, pump installers and well constructors shall, when requested by the department, give notice to the department, as specified in the notice of request, at least on the department work day prior to the day upon which any well construction or reconstruction or any part thereof, any well filling and sealing operation or the installation of any pumping equipment, will be commenced. Heat exchange drillers shall notify the department no less than one work day prior to constructing or reconstructing a heat exchange drillhole.

(3) Well and heat exchange drillers and well constructors shall contact the department to determine if any special construction is required if the well or heat exchange driller or well constructor

proposes to construct or reconstruct a well or heat exchange drill-hole on a property that is located within the service area of a municipally owned water system.

(4) Well and heat exchange drillers and well constructors shall, when requested by the department, contact the department to determine if any special construction is required if the well or heat exchange driller or well constructor is engaged to construct a new well or heat exchange drillhole or reconstruct an existing well because the existing well or heat exchange drillhole is known to contain contaminants in excess of the drinking water standards in ch. NR 809.

Note: Properties that are identified by the department as having residual contamination and continuing obligations can be found by searching the Wisconsin Remediation and Redevelopment Database which is available on the department's website at dnr.wi.gov, search "WRRD."

(5) Heat exchange drillers shall contact the local water supply utility in order to determine whether the project is located within a wellhead protection area or within 400 feet of a municipal well.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; correction in (2) made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; CR 00–111: am., Register October 2001 No. 550, eff. 11–1–01; CR 13–096: am (1), (3), (4), cr. (5), CR 13–099: am. (1), r. (2) Register September 2014 No. 705, eff. 10–1–14.

NR 812.04 Contracts for noncomplying installations. (1) Well and heat exchange drillers, pump installers and well constructors shall ensure that the construction and reconstruction of wells, heat exchange drillholes or the installation of pumping equipment adheres to all the applicable provisions of this chapter or to approved comparable construction or installation requirements. Well and heat exchange drillers, pump installers and well constructors may not enter into any agreement, written or oral, for construction, reconstruction or installation which does not require compliance with the applicable provisions of this chapter or with approved comparable construction or installation requirements.

(2) When there is any construction, reconstruction or equipment installation on a noncomplying feature, the feature shall be upgraded and brought into compliance with the specifications in this chapter for new construction. The well driller or pump installer shall inform the water system owner or user of the water system of other noncomplying features, that are apparent and known, in writing on a department form. A copy of the form shall be filed with the department by the well driller, pump installer or by the water system owner or user within 10 days after the initial evaluation of the water system has been completed if the required repairs are not made.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (2), Register, September, 1994, No. 465, eff. 10–1–94; CR 13–096: am. (1) Register September 2014 No. 705, eff. 10–1–14.

NR 812.05 Disposal of pollutants; injection prohibition. (1) For the purposes of this section:

(a) "Drillhole" includes any excavation or opening that is deeper than it is wide, even if it extends less than 10 feet below the ground surface.

(b) "Well" includes any excavation that is deeper than it is wide regardless of the excavation's depth or purpose.

(2) The use of any well, drillhole or water system for the placement of any waste, surface or subsurface water or any substance, as defined in s. 160.01 (8), Stats., underground is prohibited unless any of the following apply:

(a) The placement is a department–approved activity necessary for any of the following:

1. The construction, rehabilitation or operation of a well, drillhole or water system.

2. The construction of a cathodic protection drillhole approved under s. NR 812.09.

3. The remediation of contaminated soil, groundwater or an aquifer.

4. The study of groundwater conditions under sub. (4).

(b) The placement consists of grouting, sealing or filling and sealing materials as specified in s. NR 812.20 or 812.26; grouting or filling and sealing materials as specified in s. NR 811.13; annular space sealing or filling and sealing materials specified in s. NR 141.13 or 141.25; or other similar materials containing additives approved under sub. (3).

(c) The placement consists of bentonite grout, cement or concrete, or other similar materials containing additives approved under sub. (3), for the purposes of soil or excavation site stabilization, tunnel support, underpinning or foundation strengthening, groundwater control or diversion or for limiting structural settlement.

(3) The department may approve alternative materials or additives that are to be used in conjunction with the activities noted under sub. (2). Approval shall be based on, but not limited to, such factors as the potential toxicity of an alternative material or additive, the effectiveness of an alternative material or additive for its specified use, the amount or quantity of material to be used, and the potential for use of an alternative material to result in groundwater contamination or otherwise harm human health or the environment.

(4) Only department approved groundwater tracers may be used for hydrogeologic studies. Approval shall be based on, but not limited to, such factors as the potential toxicity of a tracer, the effectiveness of a tracer for its use as specified in an application for approval, and the potential for use of a tracer to result in groundwater contamination or otherwise harm human health or the environment. A list of previously approved groundwater tracers is available from the department upon request.

(5) The following activities are not prohibited by this section:

(a) Circulation of water or a food–grade heat exchange fluid through a closed–loop heat pump system in a drillhole.

(b) Construction of a structure such as, but not limited to, a building foundation, support footing, elevator shaft, lift station, utility conduit, sump, mine shaft or equipment vault.

(c) Except for the disposal of a waste material, the placement of a solid object such as, but not limited to, a cathodic protection device, coffin, piling, pole or post.

(d) Horticultural or agricultural practices, other than those activities that involve the use of a well or drillhole for the placement of a waste material or drainage water underground.

(e) Injection activities conducted in conjunction with placement of backfill into an underground nonferrous metallic mine approved under ch. NR 132 or in connection with placement of backfill into an underground ferrous mine approved under subch. III of ch. 295, Stats.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. Register, September, 1994, No. 465, eff. 10–1–94; am. Register, May, 2000, No. 533, eff. 6–1–00; CR 13–099: am. (2) (b) Register September 2014 No. 705, eff. 10–1–14; CR 13–057: am. (5) (e) Register July 2015 No. 715, eff. 8–1–15.

NR 812.06 Drinking water standards. Private or non–community water systems producing water containing contaminant levels in excess of the primary drinking water standards contained in ch. NR 809, the enforcement standards contained in ch. NR 140, or other advisory levels identified by the department may be designated by the department as contaminated.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; correction made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465.

NR 812.07 Definitions. The following terms are defined as follows:

(1) "Adequate water supply" means a water supply which has a well yield and the pump capacity to provide the quantity and quality, where obtainable, according to s. NR 812.06, of water necessary for human or sanitary use, or for the preparation of food products and other purposes for which the water is intended to be used.

(1h) “Agricultural crop field” means land where there is evidence that agricultural crops were or are being grown.

(1p) “Air–gap” means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank or plumbing fixture and the flood level rim or spill level of the receptacle.

(1r) “Alcove” means a pit that shares a wall with a basement and is accessible from the basement.

Note: In prior versions of ch. NR 812, an alcove was also sometimes referred to as a “subsurface pumproom.”

(1t) “Animal barn” means a covered, paved or unpaved area in which animals are kept. This includes an area where an individual animal is kept, but does not include a single pet house or single pet kennel housing 5 or fewer adult pets on a residential lot.

(2) “Animal barn pen” means a covered, enclosed concrete area where animals are kept.

(3) “Animal yard” means an uncovered, paved or unpaved area in which animals are kept. This includes an area where an individual animal is kept, but does not include a single pet kennel enclosing 5 or fewer adult pets on a residential lot. An animal yard includes any fenced area where animals are kept or have access including pastures, feed lots, pens, calf hutches, lanes, and riding corrals.

(4) “Animal shelter” means a covered, paved or unpaved area in which animals are kept. This includes an area where an individual animal is kept, but does not include a single pet house or single pet kennel housing 5 or fewer adult pets on a residential lot.

(5) “Annular space” means the space between 2 concentric cylinders or circular objects, such as the space between an upper enlarged drillhole and a well casing pipe.

(6) “API” means the American Petroleum Institute.

Note: The API address is 1220 L Street NW, Washington DC 20005–4070.

(7) “Approval” means the prior approval of the department.

(8) “Approved” means approved by the department.

(9) “ASSE” means American society of sanitary engineering.

(10) “ASTM” or “ASTM International” means the international technical standards organization originally known as the American Society for Testing and Materials.

Note: The ASTM International headquarters address is 100 Barr Harbor Drive, PO Box C700, West Conshohocken, Pennsylvania 19148–2959.

(11) “Aquifer” means a geological layer of either unconsolidated material, usually sand or gravel or both, or bedrock lying below the ground surface, that is all or partially saturated with water and permeable enough to allow water to be extracted as from a well.

(12) “Artesian pressure” means water pressure in an aquifer sufficient enough to cause the groundwater level in a well to rise above the level at which it was encountered in the well whether or not the water flows at the ground surface.

(14) “AWWA” means American water works association.

(15) “AWS” means American welding society.

(16) “Bail–down method” means a method for setting a screen whereby the screen is fitted with an open pipe sleeve or a bail–down shoe at its lower end and sediment is removed from below the screen to allow the screen to settle into place.

(17) “Basement” means a subsurface structure or part of a structure in which the floor is entirely below grade.

(17m) “Batch chlorination” means the process of disinfecting a well by injecting, in one continuous pour, a chlorine solution that equals or exceeds the volume of standing water in the well and by using a process that recirculates the solution through the pump and pump discharge piping system back into the well.

(18) “Bedrock” means any naturally formed consolidated or coherent material of the earth’s crust, composed of one or more minerals, rock fragments or organic material that underlies any soil or other unconsolidated surficial material or is exposed at the surface. Bedrock includes, but is not limited to limestone (dolo-

mite), sandstone, shale and igneous and metamorphic crystalline rock, including granite, rhyolite, quartzite, gabbro, basalt, gneiss, schist, diorite and greenstone.

(19m) “Chemical conditioning” means using department–approved chemicals or products to restore a well to its original capacity, production capability or water quality.

(20) “Cistern” means a tank in which rainwater is stored or collected.

(22) “Clay slurry” means a fluid mixture of water, clean native clay, and drill cuttings or sand.

(23) “Clear water” has the meaning specified in s. SPS 381.01 (56).

Note: Section SPS 381.01 (56) defines “clear water” as wastewater other than storm water, having no impurities or where impurities are below a minimum concentration considered harmful by the department, including but not limited to noncontact cooling water and condensate drainage from refrigeration compressors and air conditioning equipment, drainage of water used for equipment chilling purposes and cooled condensate from steam heating systems or other equipment.

(24) “Community water system” has the meaning specified in s. NR 810.02 (6).

Note: Section NR 810.02 (6) defines “community water system” as a public water system which serves at least 15 service connections used by year–round residents or regularly serves at least 25 year–round residents. Any water system serving 7 or more homes, 10 or more mobile homes, 10 or more apartment units, 10 or more duplex units, or 10 or more condominium units shall be considered a community water system unless information is provided by the owners indicating that 25 year–round residents will not be served.

(24m) “Comparable protection” means to substitute alternative protective measures to provide similar or equal sanitary protection to that provided by this chapter including the well location requirements of s. NR 812.08.

(25) “Conduit” means piping or tubing used to protect discharge or suction piping or electrical wires.

(26) “Confining bed” means a geological layer of either unconsolidated material, usually clay or hardpan, or bedrock, usually shale, that is all or partially saturated with water and having permeability low enough relative to the aquifer to give the water in the aquifer artesian head.

(27) “Contaminant” means any physical, chemical, biological or radiological substance or matter in water.

(27m) “Crawl space” means the space below a building having no basement; the space being at ground grade, in a depression or in an excavation.

(27t) “Cross connection” has the meaning specified in s. NR 810.02 (9).

Note: Section NR 810.02 (9) defines “cross connection” as a connection or potential connection between any part of a water supply system and another environment containing substances in a manner that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

(28) “DHS” means the department of health services.

(30) “Department” means the department of natural resources.

(30f) “Detention basin” means an excavation into soils having low permeability or installed with a liner having low permeability, not having a permanent pool of water, designed and constructed to temporarily hold storm water to reduce peak discharges of storm water for flood control and to allow for the physical settling of pollutants.

(30m) “Detention pond” means an impoundment that has a permanent pool of water and is designed to have the capacity to temporarily store storm water runoff to provide flood control and to allow for the physical settling of pollutants.

(30t) “Ditch” means a long narrow excavation dug in the earth for the drainage of surface water.

(31) “Drawdown” means the extent to which the water level or hydraulic head in and near a well is lowered when water is pumped or flows from the well.

(32) “Drilled well” means a well constructed by boring, drilling, jetting, driving or similar methods. “Drilled well” includes a well constructed by driving a point in combination with

a process to remove material below the 10-foot depth, or by a combination of jetting and driving.

(33) “Drillhole” means an excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for any purpose other than to obtain groundwater.

(34) “Drilling mud” means a fluid mixture of water, sodium bentonite, drill cuttings and any approved additives.

(35) “Driven point well” means a well constructed by joining a drive point with lengths of pipe, and driving the assembly into the ground with percussion equipment or by hand, but without first removing material below the 10-foot depth. “Driven point well” does not include a well constructed by driving a point in combination with a process to remove material below the 10-foot depth or by a combination of jetting and driving.

Note: A “driven point well” is also known as a point well or sand point well.

(35g) “DSPS” means the department of safety and professional services.

(35m) “Dug well” means a well consisting of a large diameter hole, deeper than it is wide, constructed into the ground, usually by hand, but if by mechanical means, by methods other than drilling, jetting or boring; and within which the side walls are supported by a curbing.

(36) “Entry point” has the meaning specified in s. NR 809.04 (29).

Note: Section NR 809.04 (29) defines “entry point” as a location in the public water system after treatment or chemical addition, if any, but prior to the distribution system. A sample collected in the distribution system may be considered an entry point sample if the department has determined it is more representative of the water sources.

(37) “Established ground surface” means the permanent elevation of the surface of the site of a well.

(38) “Existing” when referring to an installation, well, water system, reservoir, spring, pit or alcove means an installation, well, water system, reservoir, spring, pit or alcove that was constructed, reconstructed or installed before July 1, 2020.

(40) “FDA” means U.S. food and drug administration.

(41) “Feature” means any well construction or pump installation item for which there is a specification in this chapter.

(41m) “Filling and sealing” means to fill a well, drillhole, pit or reservoir with a material or materials so the well, drillhole, pit or reservoir will not act as a vertical conduit to contaminate another well, groundwater or an aquifer.

Note: The term “filling and sealing” replaces the term “abandonment,” previously used in this chapter.

(43) “Floodfringe” has the meaning specified in s. NR 116.03 (14).

Note: Section NR 116.03 (14) defines “floodfringe” as that portion of the floodplain outside of the floodway, which is covered by flood water during the regional flood. The term “floodfringe” is generally associated with standing water rather than flowing water.

(44) “Floodplain” has the meaning specified in s. NR 116.03 (16).

Note: Section NR 116.03 (16) defines “floodplain” as that land which has been or may be covered by flood water during the regional flood. The floodplain includes the floodway, floodfringe, shallow depth flooding, flood storage and coastal floodplain areas.

(45) “Floodway” has the meaning specified in s. NR 116.03 (22).

Note: Section NR 116.03 (22) defines “floodway” as the channel of a river or stream, and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

(46) “Flowing well” means a well from which groundwater flows above the ground surface without pumping.

(47) “Flushing” means causing a rapid intermittent flow of water from a well by pumping, bailing or similar operation.

(48) “Grease interceptor” or “grease trap” has the meaning specified in s. NR 113.03 (21).

Note: Section NR 113.03 (21) defines “grease interceptor” as a water tight receptacle designed to intercept and retain grease or fatty substances contained in kitchen and other food wastes. Grease interceptor and grease trap mean the same thing.

(49) “Groundwater” means any of the waters of the state, as defined in s. 281.01 (18), Stats., occurring in a saturated subsurface geological formation of rock or soil.

Note: Section 281.01 (18), Stats., defines “waters of the state” to include those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.

(50) “Hazardous waste treatment facility” means “treatment facility” as defined in s. 291.01 (22), Stats.

Note: Section 291.01 (22), Stats., defines “treatment facility” as a facility at which hazardous waste is subjected to treatment and may include a facility where hazardous waste is generated. This term does not include a wastewater treatment facility whose discharges are regulated under ch. 283, Stats., unless the facility is required to be permitted as a hazardous waste treatment facility under the resource conservation and recovery act.

(50b) “Heat exchange driller” means an individual who performs heat exchange drilling.

(50d) “Heat exchange drillhole” has the meaning specified in s. 280.01 (2b), Stats.

Note: Section 280.01 (2b), Stats., defines “heat exchange drillhole” as an excavation or opening in the ground that is deeper than it is wide, that extends more than 25 feet below the ground surface, and that is made for the purpose of installing a geothermal closed-loop heat exchange system.

(50e) “Heat exchange drilling” has the meaning specified in s. 280.01 (2c), Stats.

Note: Section 280.01 (2c), Stats., defines “heat exchange drilling” as the industry and procedure employed in making heat exchange drillholes.

(51) “High capacity property” means one property on which a high capacity well system exists or is to be constructed.

(52) “High capacity well” has the meaning specified in s. 281.34 (1) (b), Stats.

Note: Section 281.34 (1) (b), Stats., defines “high capacity well” as a well, except for a residential well or fire protection well, that, together with all other wells on the same property, except for residential wells and fire protection wells, has a capacity of more than 100,000 gallons per day.

(53) “High capacity well system” means one or more wells, drillholes, or mine shafts used or to be used to withdraw water for any purpose on one property, if the total pumping or flowing capacity of all wells, drillholes, or mine shafts on one property is 70 or more gallons per minute based on the pump curve at the lowest system pressure setting, or based on the highest flow rate from a flowing well or wells.

(54) “Holding tank” has the meaning specified in s. SPS 381.01 (121).

Note: Section SPS 381.01 (121) defines “holding tank” as a watertight receptacle for the collection and holding of wastewater.

(54r) “Hung well casing pipe” means a casing pipe that is smaller in diameter than the enlarged drillhole into which it is placed and installed in a manner so it does not extend all the way to the bottom of the enlarged drillhole.

(55c) “Infiltration basin” means an excavation into permeable soils designed and constructed to temporarily store surface water runoff and allow it to infiltrate so as to provide flood control, groundwater recharge and to allow for the settling of pollutants.

(55s) “Land disposal system” has the meaning specified in s. NR 140.05 (11).

Note: Section NR 140.05 (11) defines “land disposal system” as a facility for disposing of liquid wastes consisting of: (a) absorption or seepage pond system, (b) ridge and furrow system, (c) spray irrigation system, (d) overland flow system, (e) subsurface field absorption system, (f) land spreading system, or (g) any other land area receiving liquid waste discharges.

(56) “Landfill” has the meaning specified in s. NR 500.03 (120) or 660.10 (68). “Landfill” includes existing, proposed, and abandoned landfills, open dumps, one-time disposal landfills as defined in ch. NR 500, small and intermediate size construction and demolition waste landfills as defined in ch. NR 500, mining waste disposal sites as defined in ch. NR 182 and hazardous waste disposal facilities as defined in chs. NR 660 to 670.

Note: Section NR 500.03 (120) defines “landfill” as a land disposal facility, not classified as a landspreading facility or surface impoundment facility, where solid waste is disposed on land by utilizing the principles of engineering to confine the solid waste to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth or other approved material as required. Section NR 660.10 (68) defines “landfill” as a disposal facility or part of a facility where haz-

ardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, an underground mine, a cave or a corrective action management unit.

(57k) “Licensed heat exchange driller” has the meaning specified in s. NR 146.02 (4h).

Note: Section NR 146.02 (4h) defines “licensed heat exchange driller” as an individual who has obtained a license pursuant to s. 280.15 (2m), Stats., and s. NR 146.04, as a heat exchange driller and has paid the annual license fee under s. 280.15 (2m) (c) 1., Stats.

(57m) “Licensed pump installer” has the meaning specified in s. NR 146.02 (4j).

Note: Section NR 146.02 (4j) defines “licensed pump installer” as any individual who has obtained a license under s. 280.15 (2m), Stats., and s. NR 146.04, as a pump installer and has paid the annual license fee under s. 280.15 (2m) (c) 2., Stats.

(57s) “Licensed water well driller” has the meaning specified in s. NR 146.02 (4k).

Note: Section NR 146.02 (4k) defines “licensed water well driller” as any individual who has obtained a license under s. 280.15 (2m), Stats., and s. NR 146.04, as a water well driller and has paid the annual license fee under s. 280.15 (2m) (c) 1., Stats.

(57t) “Lift station” means a wastewater collection and pumping structure that collects wastewater from collector sewers and pumps it through force main sewers.

(57w) “Limits of filling” for a landfill has the meaning specified in s. NR 500.03 (127).

Note: Section NR 500.03 (127) defines “limits of filling” as the outermost limit at which waste from a facility has been disposed of, or approved or proposed for disposal.

(58) “Liner pipe” means:

(a) Protective well casing pipe installed subsequent to initial construction to seal off a zone of contamination; or

(b) Well casing pipe installed during or subsequent to the initial well construction to seal off a caving or sloughing formation or to eliminate turbidity.

(60e) “Living unit” has the meaning specified in s. NR 810.02 (26).

Note: Section NR 810.02 (26) defines “living unit” as a residence, apartment unit, condominium unit, duplex unit, manufactured home or other domicile.

(60m) “Low capacity well” means a well that is not a high capacity well, as defined in sub. (52).

(60s) “Lower drillhole” means that part of a drillhole below the well casing pipe.

(61) “Manure hopper or reception tank” means a liquid-tight concrete, steel or otherwise fabricated vessel primarily for the purpose of facilitating conveyance of liquid or solid manure from one point to another in an animal waste handling system.

(61g) “Manure loading area” means an area where manure is transferred from an animal shelter unloader or a barn unloader onto a pad or into a receptacle.

(61m) “Manure stack” means solid manure stacked for more than 120 days on the ground surface or on a paved surface.

(61q) “Manure storage structure, earthen” means an impoundment made by excavation or mounding of soil for treatment or temporary storage of liquid or solid animal wastes. This term includes structures lined with clay, bentonite or synthetic film materials and structures consisting of slats or drainage openings (“picket dams”) used to store solid or semi-solid animal waste material from which runoff occurs. This term also includes fabricated manure storage structures that are not watertight situated above, at or below ground grade.

(61u) “Manure storage structure, fabricated” means a concrete, steel or otherwise fabricated structure used for treatment or temporary storage of liquid or solid animal waste.

(62) “Materials recovery facility” has the meaning specified in s. 287.27 (1), Stats.

Note: Section 287.27 (1), Stats., defines “materials recovery facility” as a facility where the materials specified in s. 287.07 (3) or (4) or 287.27 (4) (b), Stats., not mixed with other solid waste, are processed for reuse or recycling by conversion into a consumer product or a product which is used as a raw material in a commercial or industrial process. “Materials recovery facility” does not include a facility operated by a pulp or paper mill which utilizes fiber or paper that has been separated from waste for use as a raw material in a commercial product.

(64) “Non-community water system” has the meaning specified in s. NR 809.04 (57).

Note: Section NR 809.04 (57) defines “non-community water system” as a public water system that is not a community water system. A non-community water system is either a non-transient non-community water system or a transient non-community water system.

(65) “Nominal diameter” means the inside pipe diameter for pipe sizes 1-inch diameter through 12-inch diameter and means the outside pipe diameter for pipe sizes greater than 12-inch diameter.

(66) “Nonpotable” means water supplied for purposes other than human consumption, sanitary use or the preparation of food or pharmaceutical products.

(67) “NSF” or “NSF International” means the public health standards and certification organization formerly known as the National Sanitation Foundation.

Note: The NSF International headquarters address is PO Box 130140, 789 N. Dixboro Road, Ann Arbor, Michigan 48113-0140.

(68) “One property” means all contiguous land controlled by one owner, lessee, or any other person having a possessory interest. Lands under single ownership bisected by highways or railroad right-of-ways are considered contiguous.

(69) “Outcrop” means bedrock exposed at the ground surface, including roadcuts.

(69m) “Packer” means a solid or inflatable seal lowered into a well or drillhole or attached to a casing string to seal off a specific interval within the well or drillhole.

(71) “Permit” means a well location or pump installation permit issued by a county authorized to administer ch. NR 812 under ch. NR 845.

(72) “Person” means an individual, firm, business, corporation, limited liability corporation, company, association, cooperative, trust institution, partnership, state, public utility, municipality, or federal, state, or interstate agency.

(73) “Pit” means any structure that is completely or partially below the ground surface or below a building floor used for the housing of wells, off-set pumps, pressure tanks or valves. Alcoves are pits.

(74) “Pitless adapter or unit” means a mechanical device attached to the well casing pipe, usually below the frost level, for underground conveyance of water from the well.

(a) “Weld-on pitless adapter” means a pitless adapter attached to a cut opening in the well casing pipe by a weld applied at the well site.

(b) “Pitless unit” means a pitless adapter device assembled and pressure tested for leakage at a factory and designed to be attached, in the field, to the top of the cut-off portion of the well casing pipe.

(c) “Clamp-on or bolt-on pitless adapter” is a pump installation discharge equipment device having a saddle designed to be attached to cover the outside of an opening that has been cut through the well casing pipe, to allow the saddle to be connected with nuts to the ends of a threaded U-bolt or U-strap that will surround the well casing pipe.

(d) “Bolt-through pitless adapter” is a pitless device that includes two gasketed metal segments that are to be attached with a threaded coupling and designed to extend through and plug a hole that has been cut through the polyvinyl chloride or ABS thermoplastic well casing pipe.

(e) “Pitless receiver tank” means a pitless unit having a permanently attached steel pressure tank surrounding the casing pipe as an integral part of the unit and installed, as a unit, at a factory.

(75) “Potable” or “potable water” means water supplied for human consumption, sanitary use or for the washing or preparation of food or pharmaceutical products.

Note: The term “water for human consumption” is used interchangeably with the term “potable water.”

(75g) “POWTS” means a private onsite wastewater treatment system.

Note: A “POWTS” may include, but is not limited to, a substitute for a septic tank or soil absorption field or a substitute for a holding tank.

(75L) “POWTS component” has the meaning specified in s. SPS 381.01 (183).

Note: Section SPS 381.01 (183) defines “POWTS component” as any subsystem, subassembly or other system designed for use in or as part of a private onsite wastewater treatment system which may include treatment, dispersal or holding and related piping.

(75p) “POWTS dispersal component” has the meaning specified in s. SPS 381.01 (184).

Note: Section SPS 381.01 (184) defines “POWTS dispersal component” as a device or method that is intended to promote the assimilation of treated wastewater by the environment. The terms “absorption field” and “sewage disposal unit” and “POWTS dispersal unit” have been used in previous versions of this rule to describe these types of units.

(75t) “POWTS holding component” has the meaning specified in s. SPS 381.01 (185).

Note: Section SPS 381.01 (185) defines “POWTS holding component” as any receptacle intended to collect wastewater for a period of time, including holding and dosing tanks.

(75x) “POWTS treatment component” has the meaning specified in s. SPS 381.01 (186).

Note: Section SPS 381.01 (186) defines “POWTS treatment component” as a device or method that is intended to reduce the contaminant load of wastewater.

(76) “Preparation of food products” means washing, cooling, cooking, pasteurizing, bottling, canning or otherwise preparing food for human consumption and includes the washing of utensils and equipment used in the production or preparation of food.

(77) “Pressure or box elbow” means a special concentric pipe fitting used to raise the horizontal pressurized concentric piping arrangement between a well and an off-set pump vertically to the specified elevation above the floor.

(77m) “Private on-site wastewater treatment system” has the meaning specified in s. 145.01 (12), Stats.

Note: Section 145.01 (12), Stats., defines “private on-site wastewater treatment system” as a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private on-site wastewater treatment system may be owned by the property owner or by a special purpose district.

(78) “Private water system” means any water system supplying water that is not a public water system.

(79) “Privy” means a pit privy as defined in s. SPS 391.03 (6), or a vault privy as defined in s. SPS 391.03 (9).

Note: Section SPS 391.03 (6) defines “pit privy” as an enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber that is not watertight. Section SPS 391.03 (9) defines “vault privy” as an enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber that is watertight.

(79e) “Pressure system” means that portion of a pump installation that is upstream of a building control valve or upstream of a pressure tank, including the pressure tank.

(79m) “Proposed landfill” means a landfill for which actual notice of the intention to develop the facility has been given to the owners of property located within 1,200 feet of the proposed facility or for which a request has been made under s. 289.22 (1m), Stats., provided that a feasibility report under s. 289.23, Stats., is submitted to the department within 2 years after the applicable notice or request. Proposed landfill does not include a facility the department has determined to be not feasible under s. 289.23, Stats., or a facility for which the department has determined that an approval for the facility is not being pursued with reasonable diligence.

(79p) “Property transfer well inspection” means an inspection, for compensation, for the purpose of locating or evaluating wells that need to be filled and sealed and water supply wells or pressure systems on real property in contemplation of a transfer of the real property.

(79t) “Property transfer well inspector” means an individual authorized under s. NR 812.44 (1) to conduct a property transfer well inspection.

(79x) “Psi” means pressure expressed in pounds of force per square inch of area.

(80) “Public water system” has the meaning specified in s. NR 809.04 (67).

Note: Section NR 809.04 (67) defines “public water system” as a system for the provision to the public of piped water for human consumption through pipes or other constructed conveyances, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A public water system is either a “community water system” or a “non-community water system.” A public water system: (a) includes any collection, treatment, storage and distribution facilities under control of the water supplier for the public water system and used primarily in connection with the system; (b) includes any collection or pretreatment storage facilities not under the control of the water supplier for the public water system, which are used primarily in connection with the system; (c) does not include any “special irrigation district.”

(80m) “Pump installation” means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, 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 the 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.

(81) “Pump installer” means an individual who performs pump installing.

(82) “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 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 also 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.

Note: Section 280.01 (5), Stats., defines “Pump installing” to mean 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.

(83) “Pumping water level” means the elevation of the surface of the water in a well after a period of pumping at a given rate.

(84) “Quarry” means an open or surface working in bedrock for the extraction of nonmetallic materials, usually construction stone, including those no longer in operation.

(85) “Reconstruction” means modifying the original construction of a well. Reconstruction includes, but is not limited to deepening, lining, installing or replacing a screen, underreaming, hydrofracturing and blasting.

(86) “Regional flood” has the meaning specified in s. NR 116.03 (41).

Note: Section NR 116.03 (41) defines “regional flood” as a flood determined to be representative of large floods known to have occurred in Wisconsin or which may be expected to occur on a particular lake, river or stream once in every 100 years.

(87) “Reservoir” means a closed structure for storage of water constructed entirely above or partially below the ground surface, including a constructed tank or manufactured water storage vessel.

(89) “Salvage yard” or “junkyard” means a site or facility used for storing, processing, wrecking, dismantling, demolition, buying or selling of salvageable materials, scrap, automobile bodies or parts. This term does not include litter or debris scattered along or on a roadway, temporary outdoor storage of junk for limited duration, or smaller accumulations of junk on residential lots for personal use.

(90) “Sanitary building drain” has the meaning specified for “building drain, sanitary” in s. SPS 381.01 (41).

Note: Section SPS 381.01 (41) defines “building drain, sanitary” as a building drain which conveys wastewater consisting in part of domestic wastewater.

(91) “Sanitary building sewer” has the meaning specified for “building sewer, sanitary” in s. SPS 381.01 (45).

Note: Section SPS 381.01 (45) defines “building sewer, sanitary” as a building sewer which conveys wastewater consisting in part of domestic wastewater.

(92) “Sanitary collector sewer” means a sanitary sewer serving 2 or more sanitary building sewers.

(93) “Sanitary condition” means, when referring to a well, reservoir, or spring:

(a) That the construction of the well, reservoir or spring and the installation of the pumping equipment are such that the well, reservoir or spring is effectively protected against entrance of surface contamination, and

(b) That the location and the surrounding area are free from debris or filth of any character and not subject to flooding.

(94) “School” has the meaning specified in 42 USC 300j–21 (6). “School” does not include athletic fields, school forests, environmental centers, home–based schools, and Sunday schools.

Note: 42 USC 300j–21 (6) defines “school” as any elementary school or secondary school as defined in section 7801 of Title 20 and any kindergarten or day care facility.

(94b) “School well” means a well serving a school.

(94g) “Scrap metal processing facility” means a facility at which machinery or equipment, or both, are used for the processing and manufacturing of iron, steel or nonferrous metallic scrap into prepared grades and whose principal product is scrap iron, scrap steel or nonferrous scrap for sale for remelting purposes.

(94r) “Septage” has the meaning specified in s. NR 113.03 (55).

Note: Section NR 113.03 (55) defines “septage” as the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.

(95) “Septic tank” has the meaning specified in s. NR 113.03 (56).

Note: Section NR 113.03 (56) defines “septic tank” as a tank which receives and partially treats sewage through processes of sedimentation, oxidation, flotation and bacterial action so as to separate solids from the liquid in the sewage and discharges the liquid to a soil absorption system.

(96g) “Sludge” has the meaning in s. NR 500.03 (212).

Note: Section NR 500.03 (212) defines “sludge” as any solid, semi–solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility.

(96m) “Sodium bentonite” means a clay formed from the decomposition and recrystallization of volcanic ash and is largely composed of the clay mineral montmorillonite ($\text{Na}_{.33}(\text{Al}_{1.67}\text{Mg}_{.33})\text{Si}_4\text{O}_{10}(\text{OH})_2$), commonly referred to as “western” or “Wyoming” bentonite, and has extensive ability to absorb water and swell to many times its original volume.

(97) “Soil absorption unit” means an absorption field, dry well, seepage bed, seepage pit, seepage mound or seepage trench designed for the disposal of wastewater effluent or clear water

wastes by soil absorption. Soil absorption unit includes units both regulated and not regulated by ch. SPS 383 and units abandoned within 3 years.

(97m) “Solid waste processing facility” has the meaning specified for “processing facility” in s. NR 500.03 (181).

Note: Section NR 500.03 (181) defines “processing facility” as a solid waste facility at which solid waste is baled, shredded, pulverized, composted, classified, separated, combusted or otherwise treated or altered by some means to facilitate further transfer, processing, utilization or disposal. Processing facilities do not include operations conducted by scrap metal, paper, fiber or plastic processors which are excluded from the definition of “solid waste facilities” in this section.

(97r) “Solid waste storage facility” has the meaning specified for “storage facility” in s. NR 500.03 (224).

Note: Section NR 500.03 (224) defines “storage facility” as a solid waste facility for the storage of solid waste, on a temporary basis in such a manner as not to constitute ultimate disposal of solid waste.

(98) “Solid waste transfer facility” has the meaning specified for “transfer facility” in s. NR 500.03 (238).

Note: Section NR 500.03 (238) defines “transfer facility” as a solid waste facility at which transferring of solid waste from one vehicle or container to another, generally of larger capacity, occurs prior to transporting to the point of processing or disposal.

(99) “Special well casing depth area” means an area established by the department requiring greater depth of well casing pipe, sampling or other stringent well or drillhole construction methods because of contamination.

Note: A list of established special well casing depth areas is available on the department’s website at dnr.wi.gov.

(101) “Spring” means a place where groundwater flows naturally from rock or soil onto the land surface or into a body of water.

(102) “Standard dimension ratio” means the ratio of average outside pipe diameter to minimum pipe wall thickness.

(103) “Static water level” means the level of the surface of the water in a well or water pressure at the top of a well, when no water flows or is being pumped. For flowing wells with a positive water pressure at the top of the well, the static water elevation is determined either by a stilling pipe or pressure gauge. Water levels are referenced to the elevation of the top of the well or the established ground surface at the well.

(106) “Storm sewer” means a buried pipe designed or used for collecting or conveying storm water.

(107) “Subsoil drain” means that part of a drain system that conveys groundwater to a point of discharge or dispersal.

(108) “Sump” means a tank or pit that receives wastewater that must be emptied by mechanical means.

(108r) “Surface water” means all water which is open to the atmosphere and subject to surface runoff.

(109) “Surge tank” means a tank into which overflow from a flowing well, spring or other water source is discharged and is pumped to a pressure tank or the water system.

(110) “Telescoping method” means a method for setting a well screen where the well casing pipe is driven to the proposed screen setting depth and the well casing pipe is then pulled back to expose the screen. A packer is used to seal the annulus between the top of the screen and the bottom of the well casing pipe.

(110m) “Temporary manure stack” means solid manure only, piled for no more than 120 days within any one year period.

(110s) “Temporary outer casing” means a string of casing pipe that is driven, turned or placed from the ground surface into the surficial geological formation or formations as part of the process of constructing an upper enlarged drillhole and which is not intended to be left in place as a permanent well casing pipe.

(111) “Top of bedrock” means the top of firm rock as determined by a change in the action of the drilling machine or a change in the type and size of the drill cuttings. The presence of bedrock shall be indicated when a majority of the drill cuttings consist of either angular rock fragments, as in the case of crystalline bedrock, or rock fragments composed of individual grains or rock

particles that are cemented together to form an aggregate, as opposed to single sediment particles, such as in sand.

(111m) “Treatment pond” means a structure that is used for the treatment or storage of liquid waste. Treatment pond includes absorption, retention, storage and treatment ponds or lagoons.

(112g) “Unconsolidated formation” means geological materials composed of clay, silt, sand, gravel, or cobbles that are not bedrock, and includes alluvium, glacial drift, glacial outwash, glacial till, lacustrine deposits, loess, and saprolite.

(112k) “Upper enlarged drillhole” means a drillhole larger in diameter than the well casing pipe.

(112m) “Upstream” means, with respect to the pump installation discharge and pressure system, in a direction back towards the well.

Note: In previous versions of this rule the term “prior to” was used in lieu of the term “upstream.”

(112p) “Valve pit” means a pit that contains only piping and valves. Valve pits do not contain pressure tanks.

(112q) “Variance” means a department approval to construct or install a water system or a portion of a water system in a manner not in strict compliance with the requirements of this chapter.

(112v) “Vegetated treatment area,” formerly known as “filter strip,” means a component of an agricultural waste management system that is an area or strip of herbaceous vegetation designed and constructed to Natural Resources Conservation Service (NRCS) Standard 635 specifications, located adjacent to an animal barn, animal barn pen, animal shelter, animal yard or a manure storage facility and which is intended to improve water quality by reducing pollutants associated with animal manure and other agricultural wastewater runoff.

(114) “Walkout basement” means a basement with the floor at ground grade level on at least one side of the structure.

(115) “Wastewater” means any water carrying wastes created in and conducted away from residences, industrial establishments and public buildings with ground or surface water which may be present including any liquid wastes except clear water wastes.

(116) “Wastewater treatment plant” has the meaning specified in s. NR 114.52 (22).

Note: Section NR 114.52 (22) defines “wastewater treatment plant” as a facility that provides for the treatment of sanitary or industrial wastewater or both.

(116m) “Wastewater treatment plant well” means a well serving a wastewater treatment plant.

(117) “Water supply” means the sources, wells, pumps and intake and storage structures from which water is supplied for any purpose.

(118) “Water system” means the water supply, storage, treatment facilities and all structures and piping by which water is provided for any purpose.

(119) “Well” has the meaning specified in s. 281.34 (1) (h), Stats.

Note: Section 281.34 (1) (h), Stats., defines “well” as any drillhole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface and is constructed for the purpose of obtaining groundwater.

(119g) “Well and pressure system” means the water supply and pump installation upstream of a building control valve or pressure tank and including any pressure tank.

(120) “Well cap or seal” means an approved apparatus or device used to cover the top of a well casing pipe.

(121) “Well casing pipe” means pipe meeting standards specified in s. NR 812.11.

(122) “Well constructor” means any person that constructs a well which is not required to be constructed by a licensed individual water well driller or a registered water well drilling business.

(123) “Well driller” means an individual who performs well drilling.

(124) “Well drilling” has the meaning specified in s. 280.01 (8), Stats., and includes any activity that requires the use of a well

drilling rig or similar equipment, or any activity conducted using a well drilling rig or similar equipment with the exception of the driving of points having pipe or casing smaller than three inches in diameter. Well drilling also includes constructing a well or performing any activity that changes the characteristics of a drilled well including constructing, reconstructing or deepening a well, sealing the annular space of a well, joining or welding together lengths of well casing pipe or liner pipe, installation of a liner, installing or replacing a screen, well rehabilitation, hydrofracturing, blasting, and chemical conditioning. Attaching well casing pipe to the upper portion of a well to extend the well out of a pit is not considered well drilling.

Note: Section 280.01 (8), Stats., defines “Well drilling” to mean the industry and procedure employed in obtaining groundwater from a well by digging, boring, drilling, driving or other methods but not including the driving of points for the purpose of obtaining ground water. It shall also include all construction work and installation of well casings in said well involved therein for the protection of such well water against pollution.

(124m) “Well notification” means a notice provided to the department in accordance with s. 281.34 (3), Stats.

(126) “Well vent” means a screened opening in a well seal to allow atmospheric pressure to be maintained in the well.

(127) “Well yield” means the quantity of water which may flow or be pumped from the well per unit of time.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (3), (4), (48), (61m), (74) (b), (79), (81), (82), (107) and (119), cr. (27m) (30f), (30m), (30), (30x), (72m), (79m), (97m) and (110m), renum. (36) and (39) to be (61q) and (61u) and am. Register, September, 1994, No. 465, eff. 10–1–94; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; correction in (29), (30) and (79m) made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, September, 1996, No. 489; corrections in (50), (81), (97), (123) and (124) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1998, No. 516; correction in (71) made under s. 13.93 (2m) (b) 7., Stats., Register July 2002 No. 559; CR 05–020: cr. (24m) and (57w) Register January 2006 No. 601, eff. 2–1–06; corrections in (28) and (56) made under s. 13.92 (4) (b) 6. and 7., Stats., Register July 2010 No. 655; correction in (29), (97) made under s. 13.92 (4) (b) 6., 7., Stats., and (29) renumbered to (35g) under s. 13.92 (4) (b) 1., Stats., Register December 2011 No. 672; CR 13–096: am. (33) (a), cr. (50e), CR 13–099: cr. (1d), (1h), (1p), (1t), am. (3), (4), (6), (10), cr. (10m), (17m), (19m), am. (23), (24), cr. (27t), (29m), am. (35), cr. (35e), am. (38), cr. (41m), (47m), am. (49), renum. (51) to (50), (52) to (51), am. (53), (54), cr. (54g), (54r), (55m), am. (57m), cr. (57s), am. (60), cr. (61g), am. (64), (67), (72), (74) (b), cr. (74) (c) to (e), (75c), (75g), (75L), (75p), (75t), (75x), (79e), (79p), (79t), am. (80), cr. (80m), r. and recr. (82), am. (84), cr. (85m), am. (86), (90), (91), (93) (intro.), (a), (94), cr. (94g), (94r), (96g), am. (104) to (108), cr. (108r), (110s), renum. (112g) to (111m), cr. (112m), (112v), (119g), am. (122), r. and recr. (124), cr. (124m) Register September 2014 No. 705, eff. 10–1–14; correction in (67) made under s. 35.17, Stats., Register September 2014 No. 705; CR 18–095: r. (1d), cr. (1r), am. (10), r. (10m), (13), (19), (21), am. (22), r. and recr. (23), (24), (27t), r. (29m), (30x), am. (31), (32), (33), r. (33) (a) to (c), am. (35), r. (35e), cr. (36), r. and recr. (38), r. (42), r. and recr. (43), (44), (45), r. (47m), r. and recr. (48), am. (49), (50), cr. (50b), (50d), r. and recr. (50e), r. (50m), r. and recr. (52), (54), r. (54g), (55), (55e), (55m), cr. (55s), am. (56), r. (57), cr. (57k), r. and recr. (57m), (57s), (57w), r. (59), (60), cr. (60e), (60m), (60s), r. and recr. (62), r. (63), r. and recr. (64), am. (67), cr. (69m), r. (70), (72m), am. (73), (75), r. (75c), r. and recr. (75L), (75p), (75t), (75x), cr. (77m), r. and recr. (79), am. (79m), (79t), renum. (80) (intro.) to (80) and am., r. (80) (a), (b), r. and recr. (81), r. (85m), r. and recr. (86), am. (87), r. (88), r. and recr. (89), (90), (91), (94), cr. (94b), r. and recr. (94r), (95), r. (96), r. and recr. (96g), (97m), cr. (97r), r. and recr. (98), am. (99), r. (100), (104), (105), am. (106), (111), r. (112), cr. (112g), (112k), (112p), am. (112q), (112v), r. (113), am. (114), (116), cr. 116m, r. and recr. (119), am. (121), r. and recr. (123), am. (124), am. (124m), (124m), r. (125), (128) Register June 2020 No. 774, eff. 7–1–20; corrections in (56) made under s. 13.92 (4) (b) 7. and 35.17, Stats., and correction in (22), (91) made under s. 35.17, Stats., Register June 2020 No. 774; correction in (23) made under s. 13.92 (4) (b) 7., Stats., Register January 2021 No. 781; **CR 21–070: cr. (79x) Register July 2022 No. 799, eff. 8–1–22.**

NR 812.08 Water well, reservoir and spring location.

(1) GENERAL. Any potable or nonpotable well, reservoir, or spring shall be located:

(a) So the well and its surroundings can be kept in a sanitary condition.

(b) So that the well, reservoir or spring is protected from surface water flow and flooding, and located at the highest point on the property consistent with the general layout and surroundings if reasonably possible.

(c) As far away from any known or possible contaminant source as the general layout of the premises and the surroundings allow.

Note: Section PSC 114.234 (6) requires that a horizontal clearance of at least 3/4 of the vertical clearance of the conductors, including overhead power lines to the ground required by Rule 232 shall be maintained between open conductors and wells. Persons installing wells must comply with this requirement.

(d) Such that any potential contaminant source, not identified in this section or in Table A, is a minimum of 8 feet from the well, reservoir, or spring.

(e) So that it is reasonably accessible with proper equipment for cleaning, treatment, repair, testing, inspection and any other maintenance that may be necessary.

(f) In a manner to meet the additional location and construction specifications of s. NR 812.12 (3) and (4).

(g) Such that the location of a spring meets the requirements under s. NR 812.25.

(1m) GENERAL PROHIBITIONS. No person may locate a well, reservoir, spring, or a contaminant source in a manner that fails to comply with any requirements established in this section.

(2) RELATION TO BUILDINGS. In relation to buildings, all of the following apply to the location of any potable or nonpotable well:

(a) No well may be located directly in line with a rainwater downspout outlet or other clear water discharge.

(b) When a structure is built over a drilled well, the structure shall have an easily removable access hatch, or provide other practicable access to allow for pulling and servicing the pump. The well casing pipe shall extend at least 12 inches above the ground–grade or above the ground–grade floor of the building and shall be sealed watertight at the point where it extends through the floor.

(c) No well may be located, nor a building constructed, such that the well casing pipe will terminate in a basement or extend through the basement of any building or terminate under the floor of a building having no basement. A well may not terminate in or extend through a crawl space.

(d) The top of a well casing pipe may terminate in a walkout basement if all of the following conditions are met:

1. It is possible to walk directly outside from the walkout basement without walking upstairs or upslope.
2. The surface of the ground around the outside exit door of the walkout basement slopes down away from the door.
3. The well and pump installation are accessible for repair and removal.
4. The well produces water free from contaminant levels in excess of the standards specified in s. NR 812.06.

5. The well casing pipe depth meets the requirements of ss. NR 812.13 (2) and 812.14 (2).

6. The well and pump installation are in compliance with all other requirements of this chapter.

7. The walkout basement is not subject to flooding.

8. The walkout basement is not in a floodway or floodplain.

(e) A well may not terminate in or extend through a crawl space having a below grade depression or excavation.

(f) If a well must be located in a driveway, parking area, walkway, or other high traffic area due to lot size or to meet minimum required separation distances between the well and contaminant sources, the well may be contained within a driveway ramp structure without department approval providing the driveway ramp meets the specifications of s. NR 812.36. A driveway ramp may not be constructed or located in a floodway or floodplain.

(g) A yard hydrant may not be installed within or on a well.

(3) RELATION TO FLOODPLAINS. (a) A well may be constructed, reconstructed or replaced in a floodfringe provided that the top of the well is terminated at least 2 feet above the regional flood elevation for the well site. The regional flood elevation is determined by the city, village, or county floodplain zoning ordinance.

(b) A well may be reconstructed or replaced in a floodway provided that the top of the well is terminated at least 2 feet above the regional flood elevation for the well site.

(c) A new well may not be constructed in a floodway unless allowed by s. NR 116.12 (1) (f) and city, village, or county ordinance.

(4) RELATION TO CONTAMINATION SOURCES. A well driller or well constructor may not construct or reconstruct a well, install a reservoir, or develop a spring that is less than the minimum separation distance from a possible contaminant source as specified in Table A. The minimum separation distances of this subsection do not apply to dewatering wells approved under s. NR 812.09 (4) (a). Greater separation distances may be required for wells requiring plan approval under s. NR 812.09. Separation distance requirements to possible contaminant sources may not be waived because of property lines. Separation distances shall be measured from the edge of the well, reservoir or spring, to the nearest edge of the contaminant source or as specified in Table A.

**TABLE A
MINIMUM SEPARATION DISTANCE REQUIREMENTS BETWEEN POTABLE OR NONPOTABLE WELLS,
RESERVOIRS, SPRINGS AND POSSIBLE CONTAMINATION SOURCES**

Source	Distance in Feet
Animal Barn or Animal Barn Pen (measured to the nearest outside edge of the building or structure)	50
Animal Shelter (not including pet shelter or pet kennel housing 5 or fewer pets)	50
Animal Yard—Includes Calf Hutch (not including pet shelter or pet kennel housing 5 or fewer pets)	50
Cemetery Grave Sites	50
Cistern	8
Coal Storage (greater than 500 tons)	1,200
Culvert, stormwater	8
Ditch—Edge of	8
Drain—Sanitary building	8
Drillhole used for the underground placement of any waste, surface water, or any substance as defined in s. 160.01 (8), Stats.	100
Fertilizer or Pesticide Storage Tank (any size, surface or buried) (Nonpotable wells)	8
Fertilizer or Pesticide Storage Tank (any size, surface or buried) (Potable wells)	100
Fertilizer or Pesticide (Dry) Storage Structure (storing more than 100 pounds in bags or bulk)	100
Fuel Oil Tank >1,500 gallons on surface or any size buried (including associated buried piping)	100

Source	Distance in Feet
Fuel Oil Tank \leq 1,500 gallons on surface or any size buried if serving single family residence (including associated piping)	25
Gasoline or Other Petroleum or Liquid Product Tank — Buried (Does not apply to separation distance between Liquid Propane tanks and wells serving single family residence) (Including any associated piping)	100
Gasoline or Other Petroleum or Liquid Product Tank — Surface ($<$ 1,500 gallons, including any associated buried piping)	25
Gasoline or Other Petroleum or Liquid Product Tank — Surface (\geq 1,500 gallons, including any associated piping)	100
Glass Lined Feed Storage Facility (harvester-type silos)	50
Grease Interceptor (buried trap)	25
Hazardous Waste Treatment Facility regulated by the department	1,200
Heat Exchange Drillhole	10
Landfill (active, proposed or closed) (distance is measured to nearest fill area of closed landfill, if known; otherwise the distance is measured to the property line)	1,200
Lift Station (does not apply to residential lift stations, see Sanitary Building Sewer)	100
Liquid Propane (L.P.) gas tank (buried) and associated buried gas lines serving a single family residence	8
Liquid Waste Disposal System	250
Manure Hopper or Reception Tank—Liquid-Tight ¹	50
Manure Loading Area	50
Manure Stack—Temporary	150
Manure Storage Structure – earthen, excavated or non-liquid tight	250
Manure Storage Structure – fabricated, liquid-tight	100
Materials recovery facility that requires self-certification under NR 500 series	100
Milk house drain outlet	50
Nonpotable Well	8
Pet animal shelter or kennel housing not more than 5 pets	8
Pet animal shelter or kennel housing more than 5 pets	50
Pet Waste Pit Disposal Unit	50
Pit or alcove—Noncomplying	8
POWTS dispersal component (also known as Soil Absorption Unit or Mound) $<$ 12,000 gal/day (except for school wells) ²	50
POWTS dispersal component (also known as Soil Absorption Unit or Mound) $<$ 12,000 gal/day (school wells) ²	200
POWTS dispersal component (also known as Soil Absorption Unit or Mound) \geq 12,000 gal/day ²	250
POWTS holding component (also known as a Holding Tank (Wastewater))	25
POWTS treatment component (Includes septic tanks, aerobic treatment units or filters)	25
Privy – pit privy (not watertight)	50
Privy – vault privy (watertight)	25
Quarry ³	500
Reservoir—Noncomplying	8
Salt or Deicing Material Storage Area, including structure and area surrounding where material is transferred to vehicles ⁴	250
Salvage yard or junkyard	250
Scrap Metal Processing Facility	100
SEWERS (Buried)	
—Manure Sewer	25
—Manure Sewer ($>$ 6 inches in diameter)	50
—Sanitary Building Sewer	8
—Sanitary Collector Sewer	25
—Storm Sewer	8
Shoreline—Lake or Pond (measured to the regional high-water elevation), River or Stream (measured to the edge of the floodway) ⁵	25
Silage Storage, Earthen Trench or Pit	250
Silage Storage Structure (Fabricated liquid-tight) (In-ground or surface)	100
Silage Storage—Surface, Uncovered	100
Silage Storage in a Transfer Tube (Plastic)	50
Silo (Not including dry grain storage structures)	50

Source	Distance in Feet
Single application landspreading of petroleum-contaminated soil	250
Sludge Drying Bed, Liquid-tight	100
Sludge Drying Bed, Not Liquid-tight	250
Solid waste processing facility (including incinerators, air curtain destructors, woodburning facilities, composting facilities, and municipal solid waste combustors), solid waste storage facility or solid waste transfer facility that requires a license or approval under NR 500 series	250
Stormwater Detention Basin (measured to the edge)	25
Stormwater Infiltration basin or system, single- or two-family residential location, includes rain gardens, infiltration trenches and similar structures	8
Stormwater Infiltration basin or system, commercial, multifamily residential (> 2 family units) or industrial	100
Sump—Wastewater (watertight)	8
Sump—Wastewater (not watertight)	25
Swimming Pool (above or below ground) (measured from edge of water)	8
Vegetated Treatment Area (previously known as a filter strip)	50
Wastewater Treatment Plant Effluent Pipe	50
Wastewater Treatment Plant Structure, Conveyance or Treatment Unit	100

- 1) Separation distances to manure and manure containment structures are also defined in Natural Resource Conservation (NRCS) technical standards and chs. NR 151, 243 and 812. The separation distances in each may be different. When installing a well on a farm, especially an AFO (animal feeding operation) consult with the owner, the technical standards, and all applicable administrative code provisions to identify other well separation distances that may exist.
- 2) The separation distance from a POWTS dispersal component does not apply if the component has been abandoned in accordance with s. SPS 383.33.
- 3) See s. NR 812.12 (4) for well construction requirements for wells to be constructed within 500 feet of a quarry.
- 4) This category includes sand and salt mixtures if the salt content of the mixture is 5% or more.
- 5) The separation distance requirements for pond shorelines do not apply to synthetically lined decorative yard ponds located on residential lots.

(5) HEAT EXCHANGE DRILLHOLE SEPARATION DISTANCES. Minimum separation distances between any heat exchange drillhole, water supply wells, and existing sources of contamination; or between new sources of contamination and existing heat exchange drillholes shall be maintained as described in this subsection. Separation distance requirements to possible sources of contamination will not be waived because of property lines. Minimum separating distances are ten feet between a heat exchange drillhole and each of the following:

- (a) Non-municipal water supply well.
- (b) Onsite waste disposal system.
- (c) Buried fuel storage tank.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1) (b) 1., (2) (a) to (c), (4) (a) 5., 9., 12. and 13., (b) 1., 5., 7., 11. and 13., (c) 10. to 13., (d) 1. to 3., (f) 6. to 8., (g) 1. and Table A, cr. (1) (e), (4) (a) 14. and 15., (b) 14. and 15., (c) 14. and 15., (d) 4. to 9. and (ee), r. (4) (b) 8., Register, September, 1994, No. 465, eff. 10–1–94; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; correction in (4) (d) 1. made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1996, No. 489; cr. (4) (f) 11., am. Table A, Register, December, 1998, No. 516, eff. 1–1–99; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1998, No. 516; CR 05–020: am. (4) (g) 1. Register January 2006 No. 601, eff. 2–1–06; CR 09–123: am. (4) (b) 11. Register July 2010 No. 655, eff. 8–1–10; correction in (4) (a) 1., 2., 4., (b) 4., 5., (c) 7., 10. b., 14., (d) 1., Table A made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13–096: am. (title), (4) (intro.), cr. (5), CR 13–099: am. (1) (intro.), (b) (intro.), r. (1) (b) 1., 2., cr. (1) (f), am. (2) (a) to (c), cr. (2) (d) to (g), am. (4) (intro.), (a) 1., 2., r. (4) (a) 3. to 6., 8., am. (4) (a) 11., r. (4) (a) 13., am. (4) (a) 14., 15., cr. (4) (a) 16. to 18., am. (4) (b) 2. to 4., 7., r. (4) (b) 9., 10., am. (4) (b) 12., r. (4) (b) 13., am. (4) (b) 15., cr. (4) (b) 16., am. (4) (c) 1., 2., 4., renum. (4) (c) 10. (intro.) to 10. and am., r. (4) (c) 10. a., b., cr. (4) (c) 16. to 20., am. (4) (d) 1., 4., 6., cr. (4) (d) 10. to 12., am. (4) (f) 2., 7., 8., cr. (4) (fm), am. Table A Register September 2014 No. 705, eff. 10–1–14; correction in (4) made under s. 35.17, Stats., Register September 2014 No. 705; 2015 Wis. Act 197 s. 43 Register April 2016 No. 724; CR 18–095: am. (1) (title), (b), (c), (e), (f), cr. (1) (g), (1m), r. and recr. (2), am. (3) (a), (c), r. (3) (d), r. and recr. (4), Table A Register June 2020 No. 774, eff. 7–1–20; correction in (2) (d) 5. made under s. 13.92 (4) (b) 7., Stats., and corrections in (4), Table A made under s. 35.17, Stats., Register June 2020 No. 774; republished to correct an error in transcription in Table A Register July 2020 No. 775.

NR 812.09 Department approvals. (1) REVIEW PERIOD. Unless another time period is specified by law, the department shall complete its review and make a determination on all applications for licenses or approvals within 65 business days after receipt of a complete application. Incomplete applications will be returned. The start of the 65 day review period will not begin until

a complete application is received by the department. All requests for approval shall be in writing, except for situations that require an immediate response, in which case an approval may be requested verbally and a verbal approval may be granted by the department to be followed up with a written confirmation.

(2) APPROVAL APPLICATION AND SUBMISSION. The property owner or lessee shall obtain a written approval from the department. When an application is submitted by someone other than the owner of the subject property, the owner or authorized agent shall sign the application. Application information, outlines or forms may be obtained from the department. Applications shall provide information regarding the name, address and firm name of both the owner and operator, if applicable, and any other information requested by the department, including descriptions or sketches of well construction, geology, pump installation, plumbing, possible contamination sources, property boundary, water use and water sample results, depending on the type of application.

(3) PLANS AND SPECIFICATION PREPARATION. Plans and specifications for a school water system or wastewater treatment plant water system shall be submitted by a registered professional engineer or licensed water well driller for wells, and by a registered professional engineer or licensed pump installer for pumps, discharge piping, storage tanks and controls.

(4) APPROVALS REQUIRED. Prior department approval is required for the activities described in this subsection. When deemed necessary and appropriate for the protection of public safety, safe drinking water and the groundwater resource, the department may specify more stringent well and heat exchange drillhole locations, well and heat exchange drillhole construction or pump installation specifications for existing and proposed high capacity, school or wastewater treatment plant water systems and other activities requiring approval by this subsection. Approval by the department does not relieve any person of any liability that may result from injury or damage suffered by any other person. In addition, failure to comply with any condition of an approval or the construction, reconstruction or operation of any well or water system in violation of any statute, rule or department order

shall void the approval. Approval is required for all of the following:

(a) The construction, reconstruction, or operation of a high capacity well or high capacity well system, including dewatering wells, school wells, and wastewater treatment plant wells, except those actions specified in s. 281.34 (2g), Stats. An application for a high capacity well or high capacity well system approval shall include, for every well, the location, construction or reconstruction features, pump installation features, the proposed rate of operation and the distance to nearby public utility wells, as defined in s. 196.01, Stats. A high capacity well or high capacity well system approval is subject to all of the following:

1. The department may deny approval, grant a limited approval or modify an approval under which the location, depth, pumping capacity or rate of flow and ultimate use is restricted so that the supply of water for any public utility, as defined by s. 196.01, Stats., will not be impaired. Reduced availability of groundwater to a public utility well may be indicated when calculated drawdown, using estimated values for aquifer characteristics, results in a reduction of 10% or greater in the public utility's saturated thickness based on pumping from the proposed high capacity well or well system. The department may also deny approval or condition an approval if the proposed or actual well location, water quality, well construction or pump installation features or the use of the well does not meet, at the time of application, the specifications of this chapter for new well construction and pump installation or water use.

2. When an owner transfers the land on which a high capacity well or high capacity well system is located, the owner shall provide notice to the department as specified in s. 281.34 (2g) (c), Stats.

3. The owner or operator of a high capacity well or well system shall submit pumpage and well water level reports to the department on department forms at the time periods indicated by the department.

4. Emergency approval for a high capacity well or high capacity well system may be granted when fire hazard, imminent crop damage or other similar emergency requires expedited approval, if the owner submits the request in writing with a justification of the emergency, and if the department determines that the high capacity well or high capacity well system meets the requirements of s. 281.34 (5), Stats.

5. High capacity test drillholes or up to 2 geothermal heat exchange drillholes may be constructed without approval to test for aquifer yield to determine if a high capacity well, heat exchange drillhole or high capacity well system is feasible. The well casing pipe for such test drillholes shall not exceed 6 inches in diameter unless the well driller notifies the department. High capacity test drillholes may not be converted to permanent high capacity wells unless approved by the department prior to construction. High capacity test drillholes may be test pumped at a rate of 70 gallons per minute or more without department notification or approval under this section if the test does not last more than a total of 72 hours. After testing, the drillhole shall be filled and sealed according to the requirements of s. NR 812.26 or shall be converted, within 90 days following approval, to a high capacity well, heat exchange drillhole or high capacity well system that meets the requirements of this chapter or ch. NR 811 and of any approved plans and specifications.

Note: *State v. Michels Pipeline Construction, Inc.*, 63 Wis.2d 278, 217 N.W.2d 339 (1974) established that the doctrine of reasonable use applies to property rights in groundwater. Persons adversely affected by the operation of a high capacity well or well system may take action against the operator or owner of the high capacity well or well system.

6. The department may allow a high capacity well with a pumping capacity less than 70 gallons per minute to be constructed and to be installed with a pump according to low capacity standards if aquifer characteristics warrant less stringent construction requirements.

(b) The construction or reconstruction of a low capacity school well or low capacity wastewater treatment plant well.

(c) Installation of water treatment devices or chemical addition to a well or water system as specified in s. NR 812.37.

(d) A variance under s. NR 812.43 from any provision of this chapter.

(f) The construction or reconstruction of a well located in designated special well casing depth areas.

Note: A list of established special well casing depth areas is available on the department's website at dnr.wi.gov.

(i) The development of a spring for use as a potable water supply as provided in s. NR 812.25.

(j) The construction or reconstruction of a pit as provided in s. NR 812.36 or in s. NR 812.42 (2).

(m) The construction or reconstruction of a dug well as provided in s. NR 812.24.

(p) The installation of a pressure tank with a volume greater than 1,000 gallons.

(q) The installation of a cathodic protection drillhole.

(s) The development of surface water for use as a potable water supply.

(u) The reconstruction of a well that does not comply with the location requirements of s. NR 812.08 or the construction requirements of subch. II, except those actions specified in s. 281.34 (2g), Stats.

(v) The use of a nonpressure storage vessel other than a surge tank as part of a potable water supply.

(w) The construction, reconstruction, or replacement of a well or heat exchange drillhole on a property identified by the department as having residual contamination and continuing obligations under s. 292.12, Stats., except those actions specified in s. 281.34 (2g), Stats.

Note: Properties that are identified by the department as having residual contamination and continuing obligations can be found by searching the Wisconsin Remediation and Redevelopment Database which is available on the department's website at dnr.wi.gov, search "WRRD."

(x) The construction of 10 or more heat exchange drillholes, or where the sum of the depths of all heat exchange drillholes is greater than 4000 feet, for a single drilling site.

(y) Any heat exchange drillhole greater than 400 feet in depth.

(z) Any heat exchange drillhole within 400 feet of a municipal water supply well.

(4g) ADVANCE NOTIFICATION. The property owner or authorized agent shall notify the department at least one working day prior to starting construction under any approval issued under this section. Notification shall be made in a manner specified by the department in the approval.

(4r) APPROVAL EXPIRATION. If an approval is issued under this section, but construction or installation for which the approval was required has not commenced within 2 years of the approval date, the approval is void.

(5) APPROVAL VERIFICATION. A well or heat exchange driller, well constructor, pump installer or contractor shall obtain a copy of the approval for any activity identified in sub. (4) prior to the initiation of any work on a well, heat exchange drillhole, pump installation or water system, and shall have a copy of the approval available on-site during construction or installation. When the department grants a verbal approval, the well or heat exchange driller, pump installer or contractor may initiate an activity before obtaining a written confirmation, provided that person complies with the conditions of the approval.

(6) PERMIT VERIFICATION. A well driller, well constructor, pump installer or contractor shall obtain required permits from counties authorized to administer this chapter under ch. NR 845.

(7) APPROVAL MODIFICATION. If circumstances require modification of the original proposed project after the department grants an approval under this section, including modified location, drilling method, drilling depth, change in well casing depth,

or number of heat exchange drillholes, the property owner or authorized agent shall obtain written approval of the modified plans from the department prior to starting construction.

(8) DENIAL OF OPERATION. The department may deny or rescind approval for operation of an existing well requiring approval under sub. (4) if the well does not meet the construction requirements of subch. II.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (4) (intro.), (a) 1., (4) (l), (5) and (6); cr. (4) (u) and (v), Register, September, 1994, No. 465, eff. 10–1–94; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; r. (4) (u), Register, September, 1996, No. 489, eff. 10–1–96; CR 00–111: cr. (4) (w), Register October 2001 No. 550, eff. 11–1–01; correction to (6) made under s. 13.93 (2m) (b) 7., Stats., July 2002 No. 559; CR 13–096: am. (4) (intro.), (a) 5., (q), cr. (4) (x), (y), (z), am. (5), CR 13–099: am. (4) (a) 5., (L), (r) Register September 2014 No. 705, eff. 10–1–14; 2015 Wis. Act 197 s. 44 Register April 2016 No. 724; CR 18–095: am. (1) to (3), (4) (intro.), (a) (intro.), 1., 2., 4., 5., cr. (4) (a) 6., am. (4) (b), (d), r. (4) (e), am. (4) (f), r. (4) (g), (h), (k), (L) (n), (o), (r), (t), cr. (4) (u), am. (4) (v), r. and recr. (4) (w), cr. (4g), (4r), am. (5), cr. (7), (8) Register June 2020 No. 774, eff. 7–1–20; correction in (4) (a) 1. made under s. 35.17, Stats., Register June 2020 No. 774.

NR 812.091 Product and component approvals.

(1) USE OF PRODUCT OR COMPONENT. No person may use a product or component for work conducted under this chapter that does not meet the requirements of this section.

(2) APPLICABILITY. The following products or components used for work conducted under this chapter shall meet the standards specified in sub. (3) or be authorized under an approval issued by the department under sub. (4) prior to use:

- (a) Drilling aids and additives.
- (b) Grout and sealing materials.
- (c) Filling and sealing materials.
- (d) Well rehabilitation materials.
- (e) Chemicals placed in a well or drillhole.
- (f) Well head components including well caps and well seals.
- (g) Pitless adapters, pitless units, above ground discharge units, and any treatment equipment to be installed directly in or on a well.

(3) NO PRIOR APPROVAL REQUIRED. The following products or components may be used for work conducted under this chapter without prior department approval, provided the manufacturer's instructions are consistent with all of the following requirements:

(a) Drinking water treatment chemicals, including miscellaneous water supply products, that are certified for compliance with NSF/ANSI Standard 60, provided all of the following additional requirements are met:

1. The manufacturer submits a copy of the NSF certification to the department.
2. The instructions for use on the product container are consistent with the conditions of the certification.
3. The product is not intended to be left in the water system longer than 48 hours.
4. The manufacturer notifies the department if the certification is updated or rescinded.

(b) Drinking water system components in contact with potable water that are certified for compliance with NSF/ANSI Standard 61.

(c) Water treatment devices installed in a water system that have a plumbing product approval in accordance with chs. SPS 382 and 384.

(4) DEPARTMENT APPROVAL REQUIRED. If a product or component does not meet the requirements under par. (3), a manufacturer is required to obtain the department's approval of the product or component before a well driller, heat exchange driller or pump installer may use the product or component for work conducted under this chapter.

(5) APPLICATION FOR APPROVAL. For any product or component not authorized under sub. (3), the manufacturer shall apply for and obtain a written approval from the department. The manu-

facturer shall apply on a form or in a manner specified by the department. Applications shall include information regarding the manufacturer's name, address, and contact person for the product or component, and a description of the product or component and the manufacturer's instructions. The department may request all information necessary to evaluate the chemical makeup and impacts to drinking water, groundwater and public health and safety.

(6) CRITERIA FOR DEPARTMENT APPROVAL. The department shall ensure the protection of public safety, safe drinking water, and groundwater in review and approval of each application submitted under sub. (5). When deemed necessary and appropriate for the protection of public safety, safe drinking water, and the groundwater resource, the department may impose more stringent conditions on the use of a product or component than the manufacturer's instructions. In addition, the department shall apply the following criteria:

(a) Well construction materials, including drill bits, tremie pipe, well casing pipe, shoes, screens, gravel packs, grouting and sealing materials, and drilling aids, shall meet the requirements specified in s. NR 812.11.

(b) Pump installation materials, including supply pipe, well caps and seals, pitless adapters and pitless units, pumps, water storage vessels, sample faucets, and yard hydrants, shall meet the requirements specified in subch. III.

(c) Well caps and seals shall be weather- and vermin-proof compression type components. Department approvals for well caps and seals shall also be based on materials of construction, method of venting, effectiveness of gasket, ease of removal for inspection of the inside of the well, and method of attachment to the well casing pipe. Nuts and bolts shall be made of materials that minimize corrosion.

(d) Department approval of pitless adapters and pitless units shall be based on materials of construction, thickness of pipe or tubing, thickness of other component parts, method of fabrication, method of connection, and the integrity of the seal to the well casing pipe. The department may require additional standards and tests, including minimum pressure test performance, that the department deems necessary to demonstrate the sanitary integrity of any adapter or unit submitted for department approval.

(7) LIST OF APPROVED PRODUCTS AND COMPONENTS. The department shall maintain lists of all products and components approved under this section.

Note: Lists of approved products and components are available on the department's website at <https://dnr.wi.gov/topic/Wells/drillerPumpInstall.html>.

(8) PROHIBITION. The department may prohibit the use of any product or component if the department finds there is substantial evidence that the product poses a significant hazard to safe drinking water or groundwater. The department shall state its decision and conclusions in writing to the manufacturer, and notify industry representatives including the Wisconsin Water Well Association and the Wisconsin Pump and Well Suppliers Association. The department's decision shall specify the effective date of the prohibition, not to exceed 12 months after the date of the decision.

(9) CERTIFICATION. If a product or component is certified for compliance with the applicable NSF/ANSI standard and meets the requirements specified in sub. (3) after department approval is granted under sub. (4), the approval shall no longer be required.

(10) MODIFICATION. If a product or component is modified after approval is granted under this section, including a change in materials, chemical makeup, or intended use, the approval is void and the manufacturer shall submit a new request for approval from the department.

(11) LIABILITY. Approval by the department does not relieve any person of any liability that may result from injury or damage suffered by any other person due to sale or use of an approved product or component. In addition, failure to comply with any condition of a department approval shall void the approval.

Note: Copies of NSF/ANSI Standards 60 and 61 may be obtained directly from NSF's website at <http://www.nsf.org/regulatory/regulator-nsf-standards>. Copies are also on file at the offices of the department and the legislative reference bureau.

History: CR 18–095; cr. Register June 2020 No. 774, eff. 7–1–20.

Subchapter II — New Water Well and Heat Exchange Drillhole Construction and Reconstruction and Filling and Sealing of Wells and Drillholes

NR 812.10 Well driller and well constructor requirements. A well driller or well constructor is responsible for constructing a well according to all of the following requirements:

(1) **LICENSE REQUIREMENT.** An individual who constructs a well shall be a licensed water well driller except that a license is not required for any of the following individuals provided all other requirements of this subchapter are met:

(a) An individual performing well drilling on real estate owned or leased by that individual.

(b) An individual employed by a licensed water well driller or a person registered as a business to perform well drilling.

(c) An individual constructing a driven point well as defined in s. NR 812.07 (35).

(d) An individual constructing a nonpotable water supply well.

(2) **WELL OR DRILLHOLE LOCATION.** A well driller or well constructor shall be responsible for properly locating a well. Wells shall be located to meet the minimum requirements specified in s. NR 812.08.

(3) **EQUIPMENT AND MATERIALS.** A well driller or well constructor shall use the proper equipment and materials to enable compliance with the requirements of this subchapter.

(4) **CONSTRUCTION METHODS.** A well driller or well constructor shall comply with this chapter for the construction and reconstruction of all wells. A well driller or well constructor shall provide adequate protection for the top of the drillhole and the top of the well casing pipe to prevent surface contamination from entering the well during the drilling operation and when the driller is not at the drilling site.

(5) **APPROVALS.** A well driller or well constructor shall either obtain, or verify that the well owner has obtained, a department issued approval before the well construction operation is started on any well that requires an approval under s. NR 812.09 (4). A well driller or well constructor shall comply with any requirements of an approval issued by the department under s. NR 812.09 (4).

(6) **CONSULTATION WITH THE DEPARTMENT PRIOR TO DRILLING.** A well driller or well constructor shall consult with the department prior to drilling in areas where the driller has been notified or determines that there are contaminated formations or groundwater contamination levels in excess of the standards specified in s. NR 812.06, or prior to drilling a well on a property identified by the department as having residual contamination and continuing obligations requiring listing on the department's database under s. 292.12 (3), Stats.

Note: Properties that are identified by the department as having residual contamination and continuing obligations can be found by searching the Wisconsin Remediation and Redevelopment Database which is available on the department's website at dnr.wi.gov, search "WRRD."

(7) **NONCOMPLYING WELLS.** When a well driller or well constructor has constructed a water well not initially located or constructed in compliance with this chapter, the well driller or well constructor shall pay all costs for bringing the well into compliance with this chapter. These costs include the cost of filling and sealing the noncomplying well, if necessary, but do not include the costs that would have been charged for an initial complying well construction.

(8) **WELL NOTIFICATION REPORT VERIFICATION.** A well driller or well constructor shall either obtain a well notification or verify that the well owner has obtained a department well notification

including the notification number, by obtaining a copy of the notification report, before the well construction operation is started.

(9) **PERMIT VERIFICATION.** A well driller, well constructor, or drilling contractor shall obtain required permits from counties authorized to administer this chapter under ch. NR 845. If the property is located within the area served by a municipally owned water system, the well driller or well constructor shall verify that the well owner has obtained a well operational permit from the municipality in accordance with the municipality's private well ordinance.

(10) **WATER SAMPLE COLLECTION, ANALYSIS AND REPORTING.** The well driller or the well constructor shall collect water samples, submit them to a certified laboratory for analysis, and provide the test results in compliance with s. NR 812.46.

(11) **WELL CONSTRUCTION REPORT.** (a) The well driller or well constructor shall submit a well construction report, on a form prescribed by the department, within 30 days following the date of completion of any of the following activities:

1. Well construction.

2. Well reconstruction.

3. The construction of a dry drillhole or unsuccessful well that is not immediately filled and sealed.

4. Driving or replacing a driven well point.

5. Well screen replacement if the screen is set more than 5 feet above or below the original screen depth setting.

(b) The well driller or well constructor shall submit a complete and accurate well construction report to the department and to the well owner. The well driller or well constructor shall submit the well construction report to the department electronically beginning on January 1, 2023.

(c) When constructing a replacement well, a well driller or well constructor shall report any well he or she removes from service on the property.

(d) If the department returns a well construction report to the well driller or well constructor because the well construction report is not complete or because compliance with the construction requirements of this chapter is not clear, the well driller or well constructor shall resubmit the original well construction report to the department with corrections and completion no later than 15 days after receipt of the returned report.

(12) **BACTERIA POSITIVE WELLS.** A well driller or well constructor shall return to the well site to diagnose and attempt to correct a problem when an initial sample from a potable well is positive for total coliform bacteria. Corrective action shall begin no later than 10 days after a well driller or well constructor is informed of a total coliform bacteria-positive result or prior to the well being placed into service, whichever is later. After corrective action, the well shall be disinfected and flushed in accordance with s. NR 812.12 (17) and sampled in accordance with s. NR 812.46 (1).

(13) **PROBLEM WELLS.** (a) A well driller or well constructor shall return to the well site to attempt to diagnose and correct problems if a problem is reported to them, no later than 90 days after a well is completed or no later than 30 days after the well is placed in service, whichever is later. The well driller or well constructor shall return to the well site to attempt to diagnose and correct problems when any of the following occurs:

1. The well produces sandy or turbid water.

2. The well fails due to a caving or sloughing formation.

3. Water starts flowing up the outside of the casing of a flowing well.

(b) If a well driller or well constructor installs a liner to correct problems identified under this subsection, the liner shall meet the requirements specified in s. NR 812.21.

(c) A well driller or well constructor may seal a drillhole with neat cement, sand cement grout, or concrete grout and subse-

quently drill through the hardened grout to reconstruct a well for non–health–related water quality problems or for turbidity problems. A well driller or well constructor shall report any well reconstructed in this manner in accordance with the requirements specified in sub. (15).

(d) When a problem well has been identified by the department, the department may test or contract to test the well for damage or leaks by pressure testing or by a comparable testing procedure. If pressure tested, the well shall be proven watertight under a pressure of not less than 14 psi, and the pressure shall be maintained for at least 30 minutes.

(14) NOTIFICATION OF THE NEED TO FILL AND SEAL A WELL. A well driller or well constructor who removes a well from service or constructs a replacement well on a property shall inform the property owner that the department requires that any well replaced or removed from service shall be filled and sealed according to the requirements of this section no later than 90 days after the well was removed from service or 90 days after the completion of the replacement well, whichever is later.

(15) WELL CASING PIPE DEPTH VERIFICATION REPORT. (a) When required to measure well casing pipe depth by this chapter or at the request of the department, the well driller or well constructor shall enter the well details on a form specified by the department and submit the form to the well owner and the department no later than 30 days after performing the verification.

(b) All of the following information shall be included on the form:

1. The well location.
2. The well owner information.
3. The casing material.
4. The casing diameter.
5. The well casing pipe depth.
6. The total well depth.
7. The depth to water.
8. The distances to possible contaminant sources.

(16) DISINFECTION OF EQUIPMENT. A well driller or well constructor shall disinfect any equipment used to measure or diagnose a problem in a well prior to placing the equipment in a well.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (5), (9) and (11), Register, September, 1994, No. 465, eff. 10–1–94; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; CR 00–111: am. (2), Register October 2001 No. 550, eff. 11–1–01; CR 13–096: am. (title), (1) to (8), cr. (11m), CR 13–099: am. (2), (8), r. and recr. (11), cr. (12), (13) Register September 2014 No. 705, eff. 10–1–14; correction in numbering in (11m) made under s. 13.92 (4) (b) 1., Stats., Register September 2014 No. 705; 2015 Wis. Act 197 s. 45 Register April 2016 No. 724; CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20; correction in (12) (title) made under s. 35.17, Stats., Register June 2020 No. 775; **CR 21–070: cr. (13) (d) Register July 2022 No. 799, eff. 8–1–22.**

NR 812.11 Well construction equipment and materials. All materials permanently installed in a well by a well driller or well constructor shall be new, unused, and approved under s. NR 812.091. A well driller or well constructor shall use equipment and materials that meet all of the following requirements:

(1) DRILL BITS. The diameter of a drill bit shall be within 1/4 inch of the diameter of any drillhole to be constructed.

(2) TREMIE PIPES. Tremie pipe used for the placement of grouting or sealing material shall be one of the following:

- (a) Metal pipe.
- (b) Rubber–covered hose reinforced with braided fiber or steel and rated for at least 300 psi.
- (c) Thermoplastic pipe rated for at least 160 psi including:
 1. Polyvinyl chloride (PVC).
 2. Chlorinated polyvinyl chloride (CPVC).
 3. Polyethylene (PE).
 4. Polybutylene (PB).
 5. Acrylonitrile butadiene styrene (ABS).

(3) MUD BALANCES. A well driller or well constructor shall use a mud balance to measure the density of grouting or sealing materials to meet the requirements of this section.

(4) LEAD PROHIBITED. A well driller or well constructor is prohibited from the use of lead compounds or lead components to lubricate and seal drill stem joints or any equipment that enters a well. All material permanently installed in a well by a well driller or well constructor must be lead–free as defined by the Safe Drinking Water Act.

Note: The Safe Drinking Water Act defines “lead–free” as a weighted average of 0.25% lead calculated across the wetted surfaces of a pipe, pipe fitting, plumbing fitting, and fixture and 0.2% lead for solder and flux.

(5) DIAMETER UNIFORMITY. Within any string of well casing pipe, all lengths of pipe used shall be of the same diameter.

(6) STEEL WELL CASING PIPE. Steel well casing pipe and liner pipe shall be new, unused, and nonreclaimed pipe. The pipe shall meet ASTM or API standards and shall also meet all of the following requirements:

(a) *Specifications.* Except as provided in par. (b), well casing pipe shall have the dimensions and weights specified in Table B. Well casing pipe used in initial well construction or liner pipe used for reconstruction of a well with water containing contaminant levels in excess of the standards specified in s. NR 812.06 shall be new steel pipe meeting any of the following standards:

1. ASTM A 53.
2. ASTM A 106.
3. ASTM A 589—Type I, Grade A or B—Type II, Grade A, Type III—driven well pipe.
4. API 5L.

(b) *Nonpotable well pipe exception.* Pipe for nonpotable wells greater than 12–inch diameter shall have a minimum wall thickness of at least 0.250 inches and be able to withstand the structural stress imposed by construction conditions.

(c) *Defective pipe.* Defective pipe may not be used in water well construction. The well driller or well constructor shall inspect steel well casing pipe for defects prior to use. Defective pipe includes all of the following:

1. Pipe with girth welded joints.
2. Pipe with welded patches.
3. Pipe not conforming to the marking requirements specified in par. (d).
4. Pipe with defects, such as cracks, open welds, partial or incomplete welds, open seams, laminations in pipe wall that exceed 12.5% of wall thickness, or slivers that exceed 12.5% of wall thickness.
5. Pipe with coatings containing contaminants on the inside of the pipe.
6. Pipe with heavy coatings of paint on the outside of the pipe.
7. Any length of pipe composed of multiple pieces that is not straight and squarely aligned, or is incorrectly mated and welded in accordance with the requirements specified in par. (f).

(d) *Marking requirements.* Each length of well casing pipe 2 inches or larger in diameter shall meet the requirements in Table B and shall be legibly marked in conformance with the ASTM or API marking specifications including color identification in the form of bands. Except as identified in this paragraph, each length of pipe shall show all of the following:

1. The manufacturer’s name or trademark.
2. ASTM marking or API monogram.
3. Specification number and grade.
4. Diameter in inches.
5. Wall thickness or weight in pounds per foot.
6. Whether seamless or welded and type of weld and the heat number.

(e) *Mill certification.* When the department determines that the water well casing pipe or the pipe markings are of questionable condition, the department may request that the well driller or well

constructor provide the mill certification papers obtained directly from the manufacturer that list the pipe specifications and match the heat numbers on the pipe.

(f) *Assembly and installation.* A well driller or well constructor shall assemble and install steel well casing in accordance with all of the following:

1. When steel well casing pipe is driven or installed it shall be accomplished in a manner such that damage to the well casing pipe does not result.
2. Steel well casing pipe shall be assembled watertight by cor-

rectly mated, recessed type couplings having the weights and diameters as listed in Table B or by means of welded joints.

3. Two-inch diameter or smaller well casing pipe couplings shall have at least 11–1/2 threads per inch. Larger diameter couplings shall have at least 8 threads per inch.

4. Steel well casing pipe to be assembled with welded joints shall have beveled ends and the bevels shall be properly aligned and clean and free of burs prior to welding. The casing shall be welded using the procedures of s. NR 812.18 and the weld shall fill the bevel.

**TABLE B
MINIMUM STEEL WELL CASING PIPE AND COUPLING WEIGHTS AND DIMENSIONS**

WELL CASING PIPE							REAMED & DRIFTED COUPLINGS			
Size	Weight in Pounds per Foot				Thickness in Inches		Diameter in Inches		Diameter & Length	
Diameter in Inches	Threaded & Coupled		Plain End		Low Caps	Potable High Cap, School & WWTP	External	Internal	External Diameter in Inches	Length in Inches
	Low Caps	Potable High Cap, School & WWTP	Low Caps	Potable High Cap, School & WWTP						
1	1.7		1.68		0.133		1.315	1.049	1.576	2–5/8
1–1/4	2.3		2.27		0.140		1.660	1.380	1.900	2–3/4
1–1/2	2.75		2.72		0.145		1.900	1.610	2.200	2–3/4
2	3.75		3.65		0.154		2.375	2.067	2.750	2–3/4
2–1/2	5.90		5.79		0.203		2.875	2.469	3.250	2–7/8
3	7.70		7.58		0.216		3.500	3.068	4.000	3–15/16
3–1/2	9.25		9.11		0.226		4.000	3.548	4.625	4–1/16
4	11.00		10.79		0.237		4.500	4.026	5.200	4–3/16
5	15.00		14.62		0.258		5.563	5.047	6.296	4–5/16
6	19.45		18.97		0.280		6.625	6.065	7.390	4–1/2
6–5/8 OD	20.00		19.49		0.288		6.625	6.049	7.390	4–11/16
7 OD	23.00		22.63		0.317		7.000	6.366	7.657	4–11/16
8	25.55	29.35	24.70	28.55	0.277	0.322	8.625	8.071	9.625	4–11/16
10	35.75	41.85	34.25	40.48	0.307	0.365	10.750	10.136	11.750	5–1/16
12	45.45	51.15	43.77	49.56	0.330	0.375	12.750	12.090	14.000	5–9/16
14 OD	57.00		54.57		0.375		14.000	13.250	15.000	5–15/16
16 OD	65.30		62.58		0.375		16.000	15.250	17.000	6–3/8
18 OD	73.00		70.59		0.375		18.000	17.250	19.000	6–3/4
20 OD	81.00		78.60		0.375		20.000	19.250	21.000	7–1/8
22 OD			114.81		0.500		22.000	21.000		7–5/8
24 OD			125.49		0.500		24.000	23.000		

Note: The weight of threaded and coupled well casing pipe includes the weight of the coupling.

(7) **THERMOPLASTIC WELL CASING PIPE.** Thermoplastic well casing pipe and couplings used in the construction of wells shall be new and unused and shall meet all of the following requirements:

(a) *Specifications.* Thermoplastic well casing pipe and couplings shall be polyvinyl chloride (PVC) or acrylonitrile butadiene styrene (ABS) material produced to and meeting the ASTM F480 specification as well as all of the following requirements:

1. Styrene–rubber thermoplastic well casing pipe, including ASTM F 480 may not be used.
2. Thermoplastic well casing shall have a standard dimension ratio of 21, 17, or 13.5.
3. Well casing pipe, pipe couplings, cement, primer, and other components used shall meet the requirements of NSF Standard 14 as it relates to well casing pipe, or an approved equivalent organization.
4. Thermoplastic well casing that terminates above ground shall be of the type with inhibitors recommended for use in direct sunlight, be painted with a light colored acrylic or latex paint, or shall be contained in a pumphouse or in an oversized steel pipe extending from below the frost depth to the top of the thermoplastic pipe.

(b) *Defective pipe.* Thermoplastic well casing pipe shall be inspected for defects by the well driller or well constructor prior to use. Pipe with defects may not be used by a well driller or well constructor for permanent well casing pipe.

(c) *Marking requirements.* The well casing pipe shall have certification markings from the manufacturer in accordance with the ASTM F 480 specification and this section. The pipe shall be marked at least every 5 feet showing all of the following:

1. The nominal size.
2. Standard dimension ratio or schedule number.
3. Type of material.
4. The wording “well casing” followed by impact classification.
5. Designation “ASTM F 480” including year of issue of the standard with which the well casing pipe complies.
6. Manufacturer’s name or trademark.
7. Manufacturer’s code for resin manufacture, lot number, and date of manufacture.
8. The NSF–WC designation or other approved laboratory’s seal or mark.

(d) *Assembly and installation.* Thermoplastic well casing pipe shall be assembled by the well driller or well constructor in a manner according to the specifications in ASTM F 480 using any of the following joining methods:

1. Flush-threaded joints.
2. Integral-bell, solvent-cemented joints.
3. Non-metallic restrained joints.
4. One-piece solvent cemented couplings.

(8) TEMPORARY CASING. Temporary casing pipe for all wells and heat exchange drillholes, or well casing pipe greater than 12-inch diameter used for nonpotable wells, may be a lighter weight steel pipe than specified for a given diameter in Table B.

(9) PIPE FOR LINERS. Liner pipe shall meet the requirements of s. NR 812.21 (2).

(10) DRIVE SHOES AND CASING SHOES. Drive shoes and casing shoes shall meet all of the following requirements:

(a) Drive shoes shall be factory manufactured and constructed of steel or iron with a hardened, beveled cutting edge.

(b) Drive shoes shall have an inside diameter equal to the inside diameter of the casing pipe and an outside diameter that is larger than the outside diameter of the well casing.

(c) Casing shoes shall be factory manufactured and constructed of steel or iron with carbide studs.

(d) Casing shoes shall have an inside diameter equal to the inside diameter of the casing wall.

(e) Pipe couplings may not be used as drive shoes.

(11) SCREENS. Well screens shall meet all of the following requirements:

(a) For potable low capacity wells, a continuous-slot screen composed of stainless steel, brass, or polyvinyl chloride (PVC), or a non-continuous slot screen approved under s. NR 812.091 shall be used.

(b) Screen selection for driven point wells is optional, except that screens having any lead content may not be used.

(c) For nonpotable high capacity wells, not including dewatering wells, a continuous-slot screen meeting the requirements of par. (a) or a low carbon steel or galvanized steel, continuous-slot screen shall be used.

(d) For nonpotable low capacity wells and dewatering wells, screens are not required; if used, screens may not have any lead content.

(12) GRAVEL PACKS. Gravel or coarse sand to be used for a gravel pack shall be uniformly graded, well rounded, washed, and sterilized silica-based rock gravel or coarse sand, shall be free from other material, and shall comply with the requirements of AWWA A100. The size of the gravel pack shall be based on a sieve analysis of the aquifer material. The 70% retained size of the gravel pack shall be 4 to 6 times greater than the 70% retained size of the aquifer sample.

(13) PACKERS. Packers used to retain grout or reduce water flow shall be made of durable, nontoxic material. Lead and burlap packers may not be used.

(14) DRILLING WATER. Water used in the construction, reconstruction, or redevelopment of wells shall be clear water obtained from an uncontaminated source. The water shall be disinfected with chlorine with a residual of 100 mg/L (parts per million). The chlorine concentration may be mixed according to Table D in s. NR 812.12. The drilling fluid shall be maintained with a free-chlorine residual of 10 mg/L (parts per million) during drilling.

(15) GROUTING AND SEALING MATERIALS. All grouting and sealing materials shall be approved for use under s. NR 812.091. Water used for mixing grouting or sealing material shall be clear water obtained from an uncontaminated source. When allowed in ss. NR 812.13, 812.14, 812.151, 812.152 and 812.26, a well

driller or well constructor may use any of the following material to grout an annular space or fill and seal a well or borehole:

(b) *Neat cement.* Neat cement grout shall consist of a mixture of cement and water in the following proportion: one 94-pound bag of Portland cement, ASTM C 150, Type I or API-10A, Class A; and 5 to 6 gallons of water. Ingredients, to increase fluidity, control shrinkage or time of set may be used only with a variance. Neat cement shall have a density of 15.0 to 15.8 pounds per gallon. Neat cement shall have a uniform consistency with no lumps and any commercially prepared grout shall be screened by the well driller or well constructor prior to pumping. Grout densities for neat cement mixes are provided in Table C.

(c) *Cement-bentonite.* Cement-bentonite grout shall consist of a mixture of powdered bentonite, cement and water and shall meet the following requirements.

1. Powdered bentonite may be added to the mixture described in par. (b) up to a ratio of 5 pounds per 94-pound bag of cement.

2. An additional 0.65 gallons of water per bag of cement may be added to the mix.

3. Cement-bentonite grout shall have a minimum density of 13.8 pounds per gallon. Grout densities for cement-bentonite mixes are provided in Table C.

(d) *Sand-cement.* Sand-cement grout shall consist of a mixture of cement, sand and water in the proportion of one 94-pound bag of Portland cement, ASTM C 150, Type I or API-10A, Class A; a cubic foot of dry sand and 5 to 6 gallons of water. The sand shall meet the specifications for use in Portland cement concrete.

(e) *Concrete.* Concrete shall consist of a mixture of cement, water, sand, and gravel in the following proportion: one 94-pound bag of Portland cement (ASTM C 150, Type I or API-10A, Class A); an equal measure of sand and an equal measure of gravel, by weight or by volume; and not more than 6 gallons of water. As an alternative, a commercially prepared mix may be used if the mix has at least 6 bags of cement per cubic yard and the gravel size does not exceed 1/3 of the inside diameter of the tremie pipe used for filling and sealing the well or drillhole.

(f) *Sodium bentonite.* Sodium bentonite grout shall be a mixture of sodium bentonite and water that results in a grout containing 20 percent solids, or greater, by weight and shall be mixed according to the manufacturer's specifications.

(g) *Drilling mud and cuttings.* Drilling mud and cuttings is a mixture of native clay slurry or bentonite drilling mud mixed with drill cuttings. When allowed as an annular space seal, the mixture of drilling mud and cuttings shall have a mud weight of at least 11 pounds per gallon.

(h) *Sodium bentonite-sand.* Sodium bentonite-sand grout shall consist of a mixture of sodium bentonite mixed with clean silica sand up to a ratio of a 5 to 1 mixture of clean silica sand to bentonite grout. The clean silica sand used for this mix shall consist of silica sand with 80 percent or more of the sand smaller than 0.0117 inch (passing U.S. Sieve #50) in size.

(i) *Bentonite chips.* Bentonite chips shall be commercially prepared and packaged angular fragments of 85% sodium montmorillonite.

(j) *Bentonite pellets.* Bentonite pellets shall be a commercially prepared and packaged pelletized bentonite product that is coated to delay hydration.

(k) *Bentonite granules.* Bentonite granules shall be a commercially prepared and packaged bentonite product consisting of 8 mesh pure bentonite, without additives.

(L) *Carbon-bentonite.* Carbon-bentonite grout shall be a carbon-bentonite premix product that is mixed and used following the manufacturer's specifications. Carbon-bentonite grout shall only be used as a sealing material for heat exchange or anode drillholes.

Gallons of Water per 94–pound Sack of Cement	Pounds of Bentonite per Sack of Cement	Cubic Feet of Grout per Sack of Cement	Final Grout Density (pounds per gallon)
5.0	0	1.15	15.8
5.3	0	1.19	15.6
5.5	0	1.22	15.4
5.9	0	1.27	15.2
6.0	0	1.28	15.0
6.2	1	1.32	14.8
6.5	2	1.36	14.7
7.2	3	1.46	14.4
7.8	4	1.55	14.1
8.5	5	1.64	13.8

Note: Table C is based on Halliburton Cementing Tables.

(16) DRILLING AIDS. A well driller or well constructor may not use a drilling aid for well and heat exchange drillhole construction and reconstruction unless the drilling aid is approved for use under s. NR 812.091.

Note: A list of approved drilling aids is available on the department's website at <https://dnr.wi.gov/topic/Wells/drillerPumpInstall.html>.

Note: Copies of ASTM standards may be obtained directly from ASTM's website at <https://www.astm.org/Standard/standards-and-publications.html>. Copies of API standards may be obtained directly from API's website at <https://www.api.org/products-and-services/standards>. Copies of AWWA standards may be obtained directly from AWWA's website at <https://www.awwa.org/publications/standards.aspx>. Copies are also on file at the offices of the department and the legislative reference bureau.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20; correction in (6) (c) 4., (15) (i) made under s. 35.17, Stats., Register June 2020 No. 774.

NR 812.12 General drilled type well construction requirements. (1) PLANNING. A well driller or well constructor shall plan and construct each well to comply with all of the following requirements:

(a) The well shall be adapted to the geologic and groundwater conditions of the proposed well site to ensure full utilization of every natural protection against contamination of the water bearing formation or formations and to exclude possible sources of contamination.

(b) The well shall provide an adequate and contaminant free water supply, where the natural geologic and groundwater conditions allow.

(c) The well shall conserve groundwater.

(d) The well shall allow reconstruction or rehabilitation.

(2) MATERIALS AND DESIGN. A well driller or well constructor shall construct each drilled well to comply with all of the following:

(a) The general and specific requirements outlined in ss. NR 812.13 to 812.16.

(b) The equipment and material requirements specified in s. NR 812.11.

(c) The requirements specified in s. NR 812.152 for potable high capacity, potable school, and wastewater treatment plant wells.

(d) The requirements of any approval issued by the department under s. NR 812.09.

(3) SPECIAL WELL CASING DEPTH AREAS. A well driller or well constructor shall provide for greater depth of well casing pipe in special well casing depth areas designated by the department where well histories show contamination extends to a greater depth. In some of these areas department approval shall be obtained for each well prior to construction.

(4) QUARRIES. A variance to the setback requirement specified in s. NR 812.08 is not required when the bottom of the quarry is or will be at an elevation higher than the elevation of the ground surface at the well site or if the quarry is no longer used and is per-

manently filled with water. A well driller or well constructor may construct a well within 500 feet of a quarry if the well is constructed in accordance with all of the following requirements:

(a) The well casing pipe and upper enlarged drillhole depth requirements shall be referenced from the permitted bottom of the quarry.

(b) An additional 20 feet of upper enlarged drillhole and well casing pipe shall be installed over the amount required for the bedrock formation that the well is completed in.

(c) The annular space shall be grouted with neat cement.

(5) DRIVING OR ADVANCING CASING. A well driller or well constructor may only drive or mechanically advance steel well casing. When a well driller or well constructor drives or advances casing, it shall be done in accordance with all of the following requirements:

(a) A drive shoe or casing shoe meeting the requirements specified in s. NR 812.11 (10) shall be welded or threaded to the bottom of the casing string.

(b) A drive shoe or casing shoe is not required for any thermoplastic or temporary outer casing.

(c) For a well constructed with thermoplastic casing, the casing may be held down mechanically within an upper-enlarged borehole during grouting to prevent the casing from floating.

(6) PLUMBNESS AND ALIGNMENT. Well plumbness and alignment shall conform to the requirements specified in s. NR 812.19.

(7) UPPER ENLARGED DRILLHOLES. A well driller or well constructor shall ensure that any upper enlarged drillhole constructed by the driller is maintained at full diameter during casing setting and grouting.

(8) STARTER DRILLHOLES. When a well driller or well constructor constructs a starter drillhole less than or equal to 10 feet deep, the starter drillhole does not need to meet the minimum requirements for upper enlarged drillholes.

(9) LINERS. The installation of liners shall meet the requirements specified in s. NR 812.21.

(10) GROUTING AND SEALING. A well driller or well constructor shall complete all grouting and sealing requirements using the materials and mixtures specified in s. NR 812.11 and the methods specified in s. NR 812.20.

(11) GEOLOGIC SAMPLES. (a) Geologic samples shall be collected by a well driller or well constructor from all of the following:

1. All potable school wells.
2. High capacity potable and nonpotable wells when required by an approval issued by the department.

(b) Cuttings samples shall be collected at 5-foot depth intervals and at each change in geological formation and shall be submitted, along with a copy of the well construction report or a form

specified by the department, to the Wisconsin Geological and Natural History Survey no later than 90 days following the completion of the well for the preparation of a geologic log of the well.

(12) FINAL CASING HEIGHT. The well driller or well constructor shall complete the well construction such that the well casing pipe extends at least 12 inches above the final ground grade, above a pumphouse or building floor or above any concrete or asphalt platform installed at or above the established ground surface. In addition, for wells in floodplains, the top of the well casing pipe shall terminate at least 2 feet above the regional flood elevation.

(13) FLOWING WELLS. A well driller or well constructor shall construct any flowing well in accordance with the requirements specified in s. NR 812.15.

(14) NONPOTABLE WELLS. The construction of nonpotable wells shall meet the requirements for low capacity potable wells. The drilling mud requirements and the sodium bentonite annular space sealing requirements during well drilling do not apply to nonpotable high capacity wells constructed with reverse rotary methods.

(15) WELL DEVELOPMENT. A well driller or well constructor shall develop a new well until the water is practicably clear and free of sand by any one of, or a combination or modification of, the following methods:

(a) *Mechanical surging.* A valved or solid plunger surge block may be used to create a surging action in the well. Accumulated material shall be removed periodically. A bailer may be used as the surge block.

(b) *Air surging.* An air compressor and piping may be used to create the surging and jetting action in the well. Water in the well shall be alternately brought to the surface by air lift pumping and allowed to drop back down the well to static condition by shutting the air off. This may be performed with an air–rotary drilling rig and drill stem.

(c) *Overpumping.* Continuous overpumping at a rate of at least 1 1/2 times the design capacity of the well or interrupted overpumping in conjunction with water line drain back to the well in 5–minute cycles may be used. Overpumping alone without a

drain back provision or other surging method may not be used to develop screened wells.

(d) *Hydraulic jetting.* A nozzled jetting tool may be used to deliver water at high pressure and velocity to the zone being developed in conjunction with pumping the well.

(e) *Air–jetting.* A well driller or well constructor may use the same technique as hydraulic jetting described in par. (d), except with the use of air rather than water.

(16) WELL PUMP TEST. The well driller or well constructor shall conduct a pump test using the well driller’s, the well constructor’s, or the well owner’s pump for each new or reconstructed well to determine the stable yield in gallons per minute, and the water level drawdown. A pump test may be conducted using air–rotary equipment. For flowing wells, the flow rate may be measured using an orifice plate with a manometer or equivalent.

Note: A stable pumping water level may not be possible in wells completed in crystalline bedrock.

(17) WELL DISINFECTION AND FLUSHING. (a) *Disinfection.* A well driller or well constructor shall thoroughly disinfect wells following completion of construction or reconstruction using a chlorine solution such as a sodium or calcium hypochlorite solution. Chlorine compounds having special additives may not be used. A well driller or well constructor shall disinfect wells in accordance with the following requirements:

1. A chlorine solution with a minimum of 100 mg/L of chlorine shall be used to disinfect wells and well drilling equipment and the disinfectant shall be prepared according to Table D.

2. The disinfectant shall be dispersed throughout the entire water column in the well. The disinfectant shall also be brought into contact with the inside of the well casing pipe above the static water level.

3. The disinfectant shall remain in the well for at least 2 hours except for emergency situations, when water is needed without delay. A contact time of at least 30 minutes shall be provided for emergency situations.

(b) *Flushing.* A well driller or well constructor shall thoroughly flush wells to remove the chlorine solution after disinfection.

TABLE D
Disinfection of Wells

Desired Chlorine Concentration (mg/L)	Quarts of Liquid Sodium Hypochlorite Household Bleach per 100 Gallons of Water (approximately 5% available chlorine ‘regular strength’)	Quarts of Liquid Sodium Hypochlorite Household Bleach per 100 Gallons of Water (approximately 8% available chlorine ‘extra strength’)	Pounds of Dry Calcium Hypochlorite Tablets per 100 Gallons of Water (Approximately 70% available chlorine)
100	0.7	0.4	0.14 (about 3 oz.)
200	1.4	1.0	0.30 (about 5 oz.)
300	2.2	1.5	0.40 (about 7 oz.)
400	2.9	2.0	0.50 (about 8 oz.)
500	3.6	2.4	0.60 (about 10 oz.)

Note: mg/L = milligrams per liter (parts per million)

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20; CR 21–070: am. (5) (b), cr. (5) (c) Register July 2022 No. 799, eff. 8–1–22.

NR 812.13 Drilled wells terminating in unconsolidated formations. A well driller or well constructor shall construct wells terminating in unconsolidated material according to the requirements specified in s. NR 812.12 and all of the following:

(1) MINIMUM DIAMETER. The minimum diameter for all drilled wells in unconsolidated formations, based on nominal size of well casing pipe, is 2 inches.

(2) CASING DEPTH. Minimum casing depths shall be measured from the ground surface. The minimum well casing pipe depth for all drilled wells in unconsolidated formations, not including any screen, is 25 feet or 10 feet below the static water

level when the static water level is greater than 15 feet below ground surface.

(3) CASING MATERIAL AND INSTALLATION. (a) Steel or thermoplastic well casing pipe, as specified in s. NR 812.11 (6) or (7), shall be used for low capacity wells and nonpotable high capacity wells.

(b) Thermoplastic casing may only be placed in an upper enlarged drillhole and may not be driven or jetted into place.

(c) Drilling tools such as drill bits or stabilizers may not be placed in the thermoplastic well casing pipe nor may any drilling or reconstruction occur after placement of the well casing pipe in the well. This restriction does not prohibit the installation or

replacement of screens, or the insertion of equipment for the development and cleaning of wells with screens.

(4) **SCREENS.** A well driller or well constructor shall install an adequate screen when necessary to prevent sand pumping conditions. Screens installed in a well shall meet the requirements of s. NR 812.11 (11). A well driller or well constructor shall install screens according to the following requirements:

(a) Screen installation shall be accomplished in a manner that prevents damage to the screen or casing and prevents material from bypassing the well screen.

(b) A packer or shale trap may be used to provide a sand seal between the bottom of a well casing pipe and the top of a screen. Packers and shale traps shall meet the requirements of s. NR 812.11 (13).

(c) A riser pipe may be installed to extend upward from the top of the screen. The riser pipe material shall be thermoplastic or metal provided the metal does not have a lead content in excess of 0.25%.

(5) **GRAVEL PACKS.** The construction of a gravel pack well shall comply with the additional requirements specified in s. NR 812.16.

(6) **DRIVING OR ADVANCING STEEL WELL CASING.** A well driller or well constructor shall drive or advance casing according to the following requirements:

(a) The casing shall be equipped with a drive shoe or casing shoe meeting the requirements specified in s. NR 812.11 (10).

(b) Clay slurry, sodium bentonite slurry, or granular bentonite shall be maintained around the casing during advancement using any of the following methods:

1. When casing is driven or advanced from the ground surface, excavating a funnel-shaped depression around the casing to create a reservoir, which shall be kept filled with dry granular bentonite. The granular bentonite shall be kept dry at the surface during advancement.

2. Filling a starter drillhole or temporary outer casing with clay slurry or sodium bentonite slurry and drill cuttings having a mud weight of at least 11 pounds per gallon, or with dry granular bentonite, which shall be maintained around the outside of the casing.

3. Constructing an upper enlarged drillhole in accordance with sub. (7). The upper enlarged drillhole shall be kept filled to within 10 feet of the ground surface with clay slurry or sodium bentonite slurry and drill cuttings having a mud weight of at least 11 pounds per gallon, or with dry granular bentonite.

(7) **UPPER ENLARGED DRILLHOLE.** When an upper enlarged drillhole is constructed for any reason, it shall be completed in accordance with all of the following requirements:

(a) *Minimum depth.* The minimum depth of an upper enlarged drillhole shall be one of the following:

1. To the final depth that the well casing is set.

2. To the bottom of any clay formation, or 20 feet, whichever is less when the casing is driven or mechanically advanced as specified in sub. (6) (b) 3.

(b) *Minimum diameter.* The minimum diameter of an upper enlarged drillhole shall meet the following requirements:

1. Four inches greater than the nominal diameter of the casing or couplings.

2. A well driller or well constructor may reduce the diameter of an upper enlarged drillhole to 3 inches greater than the nominal diameter of the casing when flush-threaded thermoplastic casing is used and the required sealing material, according to sub. (8), is placed in the annular space using a pressure grouting method according to the requirements of s. NR 812.20.

3. A well driller or well constructor may reduce the upper enlarged drillhole to 2 inches greater than the nominal diameter of the casing when welded steel casing is used and the required seal-

ing material, according to sub. (8), is placed in the annular space using a pressure grouting method according to the requirements of s. NR 812.20.

(c) *Method of keeping hole open.* A well driller or well constructor shall maintain an upper enlarged drillhole at full diameter during drilling by any of the following methods:

1. Keeping the drillhole filled up to within 10 feet of the ground surface with drilling mud.

2. Circulating bentonite drilling mud.

3. Setting a temporary outer casing.

(d) *Grouting.* A well driller or well constructor shall grout an upper enlarged drillhole according to the requirements specified in sub. (8).

(8) **GROUTING MATERIAL AND METHODS.** (a) Grouting material shall meet the requirements of s. NR 812.11 (15) and shall be placed in an annular space in accordance with the requirements specified in s. NR 812.20. A flowing well shall be grouted using the materials specified in s. NR 812.15. A potable high capacity well shall be grouted using the materials specified in s. NR 812.152.

(b) For a potable low capacity or nonpotable high capacity well with steel casing, a well driller or well constructor shall use one of the following materials:

1. Clay slurry or bentonite drilling mud and cuttings when the upper enlarged drillhole is less than or equal to 20 feet in depth.

2. Neat cement.

3. Sand–cement.

4. Sodium bentonite.

5. Sodium bentonite–sand.

(d) For a potable low capacity or nonpotable high capacity well with thermoplastic casing, a well driller or well constructor shall use one of the following materials:

1. Sodium bentonite.

2. Sodium bentonite–sand.

3. Neat cement.

4. Sand–cement.

(9) **DUAL AQUIFER PROHIBITION.** A well driller or well constructor may not construct a well that is open to both an unconsolidated formation and a bedrock formation.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20; correction in (1), (4) (intro.), (8) (b) (intro.), (d) (intro.) made under s. 35.17, Stats., and cr. (7) (a) (title), (b) (title) under s. 13.92 (4) (b) 2., Stats., Register June 2020 No. 774; CR 21–070: am. (3) (c), (4) (b), (8) (a), cr. (8) (d) 3., 4. Register July 2022 No. 799, eff. 8–1–22.

NR 812.14 Drilled wells in bedrock formations. A well driller or well constructor shall construct wells terminating in bedrock formations according to the requirements of s. NR 812.12 and the construction of wells in bedrock shall be completed to meet all of the following requirements:

(1) **MINIMUM DIAMETER.** The minimum diameter for bedrock wells is 6 inches.

(2) **CASING DEPTH.** Minimum casing depth shall be measured from the ground surface. The following requirements apply to the minimum casing depth in bedrock formations:

(a) *Sandstone.* Wells completed in sandstone bedrock shall have a minimum of 30 feet of casing.

(b) *Crystalline bedrock.* Wells completed in crystalline igneous or metamorphic bedrock shall have a minimum of 40 feet of casing.

(c) *Limestone or dolomite.* Wells completed in limestone or dolomite bedrock shall have a minimum casing depth as follows:

1. Forty feet when the depth to the top of limestone or dolomite is equal to or greater than 20 feet below the ground surface.

2. Sixty feet when the depth to the top of limestone or dolomite is less than 20 feet below the ground surface.

(3) CASING MATERIAL AND INSTALLATION. (a) *Material.* Either steel or thermoplastic well casing pipe meeting the requirements of s. NR 812.11 (6) or (7) may be used as permanent casing for bedrock wells.

(b) *Centering.* When well casing is set within an upper enlarged drillhole, it shall be centered within the drillhole to ensure an even annular space around the casing. When casing is placed in an upper enlarged drillhole that extends more than 80 feet below ground surface, a drive shoe or casing shoe shall be welded to the bottom of the casing and the casing shall be driven to a firm seat. The department may require, as a condition of an approval or in a special well casing area, that the well casing pipe be centered in the drillhole using any of the following methods:

1. A set of at least 3 centering guides provided at every pipe joint within the bedrock to ensure an even annular space around the well casing pipe. A minimum of 2 sets of 3 centering guides shall be provided, one near the top of the bedrock and one at the bottom of the string of well casing pipe.

2. A drive shoe or casing shoe welded or threaded onto the bottom of the string of well casing pipe and, if the well casing pipe extends more than 63 feet into the bedrock, at least one set of 3 centering guides provided on the casing pipe within the bedrock. If only one set of guides is provided, it shall be installed within 5 feet of the top of the bedrock.

(c) *Hung casing pipe prohibition.* Casing shall be set to the bottom of an upper enlarged drillhole unless the casing is installed in compliance with the requirements of par. (d).

(d) *Screens.* Screens may be installed in loosely cemented sandstone wells. The requirements for screen materials and installation of the screen specified in s. NR 812.13 (4) and the requirements for gravel packs specified in s. NR 812.16 apply to drilled wells in bedrock formations.

(e) *Thermoplastic casing use restricted.* Thermoplastic casing may only be placed in an upper enlarged drillhole and may not terminate in crystalline bedrock or be driven or jetted into place.

(f) *Damaged or deformed thermoplastic casing.* A well using thermoplastic casing terminating in bedrock shall be free of cracks and free of deformation and the inside diameter shall remain within manufacturer's specifications after construction or reconstruction. A failed well constructed with thermoplastic casing shall have the casing removed or drilled out prior to filling and sealing.

(g) *Drilling tool use restricted.* Drilling tools such as drill bits or stabilizers may not be placed in the thermoplastic well casing pipe nor may any drilling or reconstruction occur after placement of the well casing pipe in the well. This restriction does not prohibit the insertion of equipment for the development and cleaning of wells.

(4) DRIVING OR ADVANCING CASING. A well driller or well constructor may drive or mechanically advance steel casing from the ground surface to the top of bedrock when the depth to the top of bedrock is equal to the minimum casing depths under sub. (3) or deeper. When steel casing is driven or mechanically advanced to the top of bedrock, it shall be completed in accordance with all of the following:

(a) *Drive shoe.* The casing shall be equipped with a drive shoe or casing shoe meeting the requirements specified in s. NR 812.11 (10).

(b) *Annular space sealing.* Clay slurry, sodium bentonite slurry, or granular bentonite shall be maintained around steel casing during advancement using any of the following methods:

1. When casing is driven or advanced from the ground surface, excavating a funnel-shaped depression around the casing to create a reservoir, which shall be kept filled with dry granular bentonite. The granular bentonite shall be kept dry at the surface during advancement.

2. Filling a starter drillhole or temporary outer casing with clay slurry or sodium bentonite slurry and drill cuttings having a mud weight of at least 11 pounds per gallon, or with dry granular bentonite, which shall be maintained around the outside of the casing.

3. Constructing an upper enlarged drillhole in accordance with sub. (5). The upper enlarged drillhole shall be kept filled to within 10 feet of the ground surface with clay slurry or sodium bentonite slurry and drill cuttings having a mud weight of at least 11 pounds per gallon, or with dry granular bentonite which shall be maintained around the outside of the casing.

(c) *Driving to a firm seat.* Steel casing shall be driven or advanced to a firm seat into the top of bedrock.

(d) *Mechanically holding down thermoplastic casing.* For a well constructed with thermoplastic casing, the casing may not be driven to a firm seat. However, the casing may be held down mechanically within an upper enlarged borehole during grouting to prevent the casing from floating.

(5) UPPER ENLARGED DRILLHOLE. When a well is constructed with casing that extends 5 feet or more below the top of bedrock, an upper enlarged drillhole shall be constructed to the depth the casing is set. When a well driller or well constructor constructs an upper enlarged drillhole for any reason, it shall be constructed in accordance with all of the following:

(a) *Minimum diameter.* The minimum diameter of an upper enlarged drillhole shall meet the following requirements:

1. The upper enlarged drillhole shall be 4 inches greater than the nominal diameter of the casing when coupled joints are used.

2. A well driller or well constructor may reduce the diameter of an upper enlarged drillhole to 2 inches greater than the nominal diameter of the casing when welded steel casing is used and the required sealing material, according to the requirements of sub. (7), is placed in the annular space between the upper enlarged drillhole and the well casing pipe using a pressure grouting method according to the requirements of s. NR 812.20.

(b) *Method of keeping hole open.* A well driller or well constructor shall maintain an upper enlarged drillhole at full diameter during drilling by any of the following methods:

1. Keeping the drillhole filled up to within 10 feet of the ground surface with drilling mud.

2. Circulating bentonite drilling mud.

3. Setting a temporary outer casing to the top of bedrock.

4. Circulating air, air and water, or drilling foam when the drillhole is constructed through non-caving clay, silt, or hardpan.

(c) *Minimum depth.* The minimum depth of an upper enlarged drillhole shall be one of the following:

1. To the final depth that the well casing is set.

2. To the bottom of any clay formation, or 20 feet, whichever is less, when the casing is driven or advanced to the top of bedrock in accordance with sub. (4) (b) 3.

3. For a well constructed using thermoplastic casing, to a depth not more than 5 feet into the top of firm limestone, dolomite, or shale.

(d) *Grouting.* A well driller or well constructor shall grout an upper enlarged drillhole according to the requirements specified in sub. (7).

(6) LOWER DRILLHOLE. A well driller or well constructor shall complete the drilling of a lower drillhole in accordance with all of the following:

(a) The lower drillhole may not be constructed prior to grouting an annular space unless the casing is first driven to a firm seat in bedrock.

(b) Drill cuttings may not fill an open annular space during the drilling of a lower drillhole, except when casing is driven or advanced to the top of bedrock in accordance with sub. (4) (b) 3.

(c) Cement grout shall set for a minimum of 12 hours prior to drilling a lower drillhole.

(7) GROUTING AND SEALING. A well driller or well constructor shall seal annular spaces using one of the pressure grouting methods specified in s. NR 812.20. Grouting material shall meet the requirements specified in s. NR 812.11 (15). A flowing well shall be grouted using the materials specified in s. NR 812.15. Potable high capacity wells shall be grouted using the materials specified in s. NR 812.152. A well driller or well constructor shall seal annular spaces with any of the following materials:

(a) Sodium bentonite, sodium bentonite-sand, or a mixture of clay slurry or bentonite drilling mud and cuttings when the upper enlarged drillhole is less than or equal to 20 feet in depth.

(b) Sodium bentonite, sodium bentonite-sand, neat cement or bentonite-cement when the upper enlarged drillhole extends less than 5 feet into the top of bedrock.

(c) Neat cement or bentonite-cement when the upper enlarged drillhole extends 5 feet or more into the top of bedrock.

(8) BENTONITE CHIPS IN FRACTURED FORMATIONS. A well driller or well constructor may use bentonite chips in an annular space when fractures, voids, or caverns are encountered that prevent the flow of grout at the surface. When bentonite chips are used by a well driller or well constructor to seal fractures in an annular space, the chips shall be placed in accordance with all of the following:

(a) The upper enlarged drillhole shall be a minimum of 4 inches larger than the nominal diameter of the permanent casing and shall extend to the depth of any fractures, voids or caverns encountered greater than 20 feet below the ground surface.

(b) The upper enlarged drillhole shall be free of drilling mud or cuttings.

(c) Any bentonite chips placed below the water table shall be screened and poured in a manner that prevents bridging.

(d) Any bentonite chips placed above the water table shall be hydrated using water meeting the requirements specified in s. NR 812.11 (14).

(e) The volume of bentonite chips used shall be limited to the minimum needed to resume grouting according to the requirements specified in s. NR 812.20.

(f) The number of bags or volume of chips used, the depth they were placed, and the reason they were needed shall be noted on the well construction report.

(9) DUAL AQUIFER PROHIBITION. Wells may not be constructed open to both an unconsolidated formation and a bedrock formation.

(10) WELLS CONSTRUCTED INTO THE MAQUOKETA SHALE. Wells constructed or reconstructed to withdraw water from any of the aquifers beneath the Maquoketa Shale and the Niagara formations in the eastern part of the state shall be cased and grouted into the Maquoketa Shale formation except in areas designated by the department as special well casing pipe depth areas. If a liner is used to case off the Niagara formation, the Maquoketa Shale formation or both, it shall be installed and grouted in place in accordance with s. NR 812.21.

History: CR 18-095: r. and recr., Register June 2020 No. 774, eff. 7-1-20; correction in (3) (b) 1., 2. made under s. 35.17, Stats., Register June 2020 No. 774; CR 21-070: am. (3) (a), cr. (3) (e) to (g), am. (4) (intro.), (b) (intro.), (c), cr. (4) (d), (5) (c) 3. Register July 2022 No. 799, eff. 8-1-22.

NR 812.15 Flowing wells. (1) CONTROL OF FLOW. When a well driller or well constructor constructs a flowing well, the flow shall be confined to the interior of the well casing. When the flow of water is not contained to the interior of the well casing using planned construction methods, the well driller or well constructor shall notify the department of the location of the flowing well immediately, and take one of the following actions:

(a) Reconstruct the well to contain the flow to the interior of the casing.

(b) Fill and seal the well according to one of the methods specified in s. NR 812.26 (6) (i).

(2) GENERAL REQUIREMENTS. A flowing well constructed with an upper enlarged drillhole shall be grouted in accordance with par. (c). When a new well is constructed to replace a well with uncontrolled flow, the well shall be constructed to meet all of the following requirements:

(a) *Upper enlarged drillhole requirement.* An upper enlarged drillhole shall be constructed in accordance with the requirements specified in subs. (3) or (4).

(b) *Driving or advancing casing.* Steel well casing shall be driven or advanced only through the bottom of an upper enlarged drillhole constructed in accordance with the requirements specified in subs. (3) or (4). The upper enlarged drillhole shall be kept filled with drilling mud with a mud weight of at least 9 pounds per gallon or with dry granular bentonite, which shall be maintained around the outside of the casing. Approved drilling additives may be added to the drilling mud to increase the mud weight.

(c) *Grouting requirement.* The annular space of a flowing well shall be grouted with neat cement using the methods specified in s. NR 812.20.

(3) CONSTRUCTION REQUIREMENTS IN UNCONSOLIDATED FORMATIONS. In addition to the general requirements of this section and the requirements specified in ss. NR 812.10 to NR 812.13, a well driller or well constructor shall construct or reconstruct a flowing well in unconsolidated formations according to all of the following requirements:

(a) *Upper enlarged drillhole.* An upper enlarged drillhole shall be constructed to at least 25 feet or halfway through any known confining bed, whichever is deeper, except when the well is double cased in accordance with par. (e).

(b) *Minimum diameter.* The upper enlarged drillhole shall be a minimum of 4 inches larger than the nominal diameter of any casing to be grouted, except as allowed under par. (e).

(c) *Method of keeping the hole open.* The upper enlarged drillhole shall be kept open during construction using any of the following methods:

1. Driving temporary casing to the depth specified in par. (a).

2. Circulating drilling mud with a weight of at least 9 pounds per gallon. Additives approved under s. NR 812.091 may be added to the drilling mud to increase the mud weight.

(d) *Screens.* A well screen may be placed according to the requirements specified in s. NR 812.13 (4) prior to grouting.

(e) *Double cased wells.* When a well is double cased, it shall be constructed in accordance with all of the following requirements:

1. The nominal casing diameter of the outer casing may be reduced to a minimum of 2 inches in diameter greater than the nominal diameter of the inner casing when welded steel or flush-threaded thermoplastic casing is used for an inner casing.

2. An upper enlarged drillhole shall be constructed into the confining bed in accordance with par. (c).

3. The outer casing shall be placed in the upper enlarged drillhole and grouted in place according to the requirements specified in sub. (2). The grout shall be allowed to set for a minimum of 24 hours before drilling continues.

4. A second upper enlarged drillhole shall be constructed to at least the minimum casing depth for the formation encountered and in accordance with par. (c).

5. The inner casing shall be placed in the upper enlarged drillhole and grouted in place according to the requirements specified in sub. (2). The grout shall be allowed to set for a minimum of 24 hours before drilling continues.

(4) CONSTRUCTION REQUIREMENTS IN BEDROCK FORMATIONS. In addition to the general requirements of this section and the requirements specified in ss. NR 812.10 to 812.14, a well driller

or well constructor shall construct or reconstruct a flowing well in bedrock formations according to all of the following requirements:

(a) *Upper enlarged drillhole*. 1. An upper enlarged drillhole shall be constructed to the minimum casing depth for the bedrock formation encountered or halfway through any known confining bed, whichever is deeper, except when the well is double cased in accordance with par. (e).

2. When the depth to the top of bedrock is more than the minimum casing depth for the bedrock formation encountered, the upper enlarged drillhole depth may be reduced to 25 feet below ground surface when steel casing is driven or advanced according to the requirements of sub. (2) (b).

(b) *Minimum diameter*. The upper enlarged drillhole shall be a minimum of 4 inches larger than the nominal diameter of any casing to be grouted, except when the well is double cased in accordance with par. (e).

(c) *Method of keeping the hole open*. The upper enlarged drillhole shall be kept open during construction using any of the following methods:

1. Driving temporary casing to the depth of casing setting or to the top of bedrock.

2. Circulating drilling mud with a weight of at least 9 pounds per gallon. Approved additives may be added to the drilling mud to increase the mud weight.

(d) *Seating casing*. Any casing set into an upper enlarged drillhole constructed more than 5 feet into bedrock shall be driven to a firm seat prior to grouting the annular space.

(e) *Double cased wells*. When a well is double cased in bedrock, it shall be constructed in accordance with all of the following requirements:

1. The outer casing may be reduced to a minimum of 2 inches in diameter greater than the nominal diameter of the inner casing when welded steel casing is used as an inner casing. The minimum diameter of an inner casing is 6 inches.

2. An upper enlarged drillhole shall be constructed into the confining bed in accordance with par. (c).

3. The outer casing shall be placed in the upper enlarged drillhole and grouted in place according to the requirements specified in sub. (2). The grout shall be allowed to set for a minimum of 24 hours before drilling continues.

4. A second upper enlarged drillhole shall be constructed to at least the minimum casing depth for the formation encountered and in accordance with par. (c).

5. The inner casing shall be placed in the upper enlarged drillhole and grouted in place according to the requirements specified in sub. (2). The grout shall be allowed to set for a minimum of 24 hours before drilling continues.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20; correction in (4) (intro.) made under s. 35.17, Stats., Register June 2020 No. 774; CR 21–070: am. (2) (c) Register July 2022 No. 799, eff. 8–1–22.

NR 812.151 Heat exchange drillhole location and construction requirements. A heat exchange driller is responsible for constructing all heat exchange drillholes in accordance with the requirements specified in ss. NR 812.10 to 812.12 and all of the following requirements:

(1) **LICENSE REQUIREMENT.** An individual who performs heat exchange drilling is required to be a licensed heat exchange driller except that a license is not required to perform heat exchange drilling if an individual is employed by a licensed heat exchange driller or a person registered as a business to perform heat exchange drilling and all other requirements under this section and ss. NR 812.10 to 812.12 are met.

(2) **APPROVALS.** A heat exchange driller shall obtain any approvals required in compliance with s. NR 812.09 (4) (w), (x), (y), or (z) prior to starting drilling and shall follow any conditions required by an approval.

(3) **NOTIFICATION OF DRILLING.** A heat exchange driller shall obtain a well notification permit from the department at least 24 hours prior to the start of drilling.

(4) **LOCATION.** (a) A heat exchange driller shall ensure that heat exchange drillholes are separated from potential contamination sources. A distance of 10 feet shall be maintained between a heat exchange drillhole and any of the following:

1. A non–municipal water supply well.
2. An on–site waste disposal system.
3. A buried fuel storage tank.

(b) Prior department approval is required for any heat exchange drillhole located within 400 feet of a municipal water supply well.

(5) **TEMPORARY CASING.** A heat exchange driller may use any of the following materials for temporary casing for heat exchange drillholes:

(a) Steel casing meeting the requirements specified in s. NR 812.11 (6).

(b) Thermoplastic casing meeting the requirements specified in s. NR 812.11 (7), but only in caving sand formations.

(6) **PRESSURE TESTING.** Vertical heat exchange loop piping shall be pressure tested with potable water or an approved fluid in the loop, according to manufacturer’s specifications.

(7) **DRILLING FLUIDS.** Drilling fluid shall be less dense than the grout to facilitate proper sealing of heat exchange drillholes.

(8) **SURFACE PROTECTION.** A heat exchange driller shall protect heat exchange drillholes to prevent surface contamination from entering the drillhole during the drilling operation and when the driller is not at the drilling site. Drillholes may not remain open and ungrouted for more than 24 hours after completion.

(9) **GROUTING.** All materials used to grout a heat exchange drillhole shall be approved for use under s. NR 812.091 and shall meet the requirements specified in s. NR 812.11. A heat exchange driller shall use one of the following materials to grout heat exchange drillholes:

(a) Neat cement, if potable water or an approved fluid is continuously circulated in the loop pipe to prevent potential loop pipe deformation.

(b) A cement–bentonite mix.

(c) Sodium bentonite.

(d) Sodium bentonite–sand grout.

(e) Carbon–bentonite grout.

(10) **GROUTING METHOD.** A heat exchange driller shall use the following method to grout heat exchange drillholes:

(a) Grout shall be placed in one continuous operation, if possible.

(b) For drillholes 25 feet in depth or more, grout shall be pumped through a tremie pipe under pressure according to the following requirements:

1. The pipe shall be placed to the bottom of the drillhole and the grout shall be placed from the bottom up.

2. The tremie pipe shall be kept submerged in the grout at all times during grouting.

3. The tremie pipe may be pulled back during grouting as long as the end of the tremie pipe remains submerged in the grout.

(c) For drillholes less than 25 feet in depth, grout may be placed using a gravity method as specified in s. NR 812.20 (4).

(11) **FUSION WELDING.** Fusion welding connection for vertical heat exchange piping shall be done using socket fusion, saddle fusion or butt fusion type, in accordance with pipe manufacturer’s instructions or as referenced in ASTM D 2610, D 2683 and D 2657. Joint surfaces shall be clean and moisture free.

(12) **REPORTING.** A heat exchange driller shall submit a report of the heat exchange drillhole project, on a form prescribed by the department, within 30 days following the date of completion of the project.

(13) **HEAT EXCHANGE FLUIDS.** Only department approved heat exchange fluids may be used in the piping placed in heat exchange drillholes.

(14) **FILLING AND SEALING.** Unused heat exchange loops and drillholes shall be filled and sealed using the materials and methods specified in s. NR 812.26.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.152 Construction requirements for potable high capacity wells, potable school wells, and wastewater treatment plant wells. Potable high capacity wells, potable school wells, and wastewater treatment plant wells shall be planned and constructed according to the location, approval, and general requirements specified in ss. NR 812.08 to NR 812.12, and according to all of the following requirements:

(1) **MINIMUM DIAMETER.** The minimum casing and lower drillhole diameter for potable high capacity wells, potable school wells and wastewater treatment plant shall meet the following requirements:

(a) Four inches for wells completed in unconsolidated formations.

(b) Six inches for wells completed in bedrock formations.

(2) **CASING MATERIAL.** Only steel well casing pipe meeting the requirements of s. NR 812.11 (6) may be used.

(3) **UPPER ENLARGED DRILLHOLE.** An upper enlarged drillhole is required for all wells. An upper enlarged drillhole shall be constructed according to the following requirements:

(a) An upper enlarged drillhole shall be a minimum of 3 inches larger than the outside diameter of welded casing pipe, or 3 inches larger than the diameter of the casing couplings, when couplings are used.

(b) The upper enlarged drillhole shall be constructed to at least the minimum casing depth requirements specified in sub. (4).

(c) The upper enlarged drillhole shall be maintained at full diameter for the entire depth by any of the following methods:

1. Circulating bentonite drilling mud.

2. Setting a temporary casing to the bottom of the drillhole, or to the top of bedrock.

(4) **CASING DEPTH.** Minimum casing depths are measured from the ground surface. All wells shall be constructed with casing that extends to the minimum depth for the geologic formation they are completed in according to the all of the following requirements:

(a) *Wells completed in unconsolidated formations.* 1. Sixty feet or 20 feet below the static water level when the static water level is greater than 40 feet.

2. One hundred feet, or 20 feet below the static water level when the static water level is greater than 80 feet, when the well is to supply water for a wastewater treatment plant and there is a treatment pond or lagoon or sludge beds on the property.

(b) *Wells completed in bedrock.* 1. Sixty feet or to the depth of bedrock when the top of bedrock is more than 60 feet below ground surface.

2. One hundred feet when the well is to supply water for a wastewater treatment plant and there is a treatment pond or lagoon or sludge beds on the property.

(5) **GROUTING.** The grouting of an annular space shall be accomplished according to all of the following requirements:

(a) Only neat cement grout meeting the specification under s. NR 812.11 (15) (b) shall be used.

(b) Grout shall be placed using an approved pressure grouting method as specified in s. NR 812.20 (3), except that the grout shall be allowed to set for a minimum of 24 hours before drilling is resumed.

(c) Any temporary casing used during the construction of the upper enlarged drillhole shall be removed.

(6) **DRIVING OR ADVANCING CASING.** Casing may be placed to the bottom of an upper enlarged drillhole meeting the requirements specified in sub. (3) and driven or advanced through unconsolidated material to the final casing depth or to the top of bedrock.

(7) **SCREENS.** Screens shall meet all of the following requirements:

(a) Screens shall be continuous–slot screen, v–shaped or wire–wrap on a rod base type and composed of stainless steel or lead–free brass.

(b) Screens may be permanently attached to the casing or riser pipe, or the screen may be placed using the bail–down method or by pushing the screen to the bottom of the casing and pulling it back to expose the screen.

(8) **GRAVEL PACKS.** Gravel packs shall be placed according to the requirements specified in s. NR 812.16.

(9) **GEOLOGIC SAMPLES.** Geologic samples shall be collected and submitted according to the requirements specified in s. NR 812.12 (11) (b) from all of the following:

(a) All potable school wells.

(b) High capacity potable wells when required by an approval issued by the department.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.16 Gravel packs. (1) **CONDITIONS.** A well driller or a well constructor may construct a screened well with a gravel pack under any of the following conditions:

(a) In an unconsolidated formation well when the natural formation comprising the aquifer is very fine grained or when the aquifer formation is highly variable in size.

(b) In loosely cemented sandstone aquifers that require screening to prevent sand pumping conditions.

(c) In badly fractured or decomposed crystalline bedrock formations.

(2) **MATERIAL.** The gravel or sand used to construct a gravel pack shall meet the requirements specified in s. NR 812.11 (12).

(3) **SCREENS.** Screens to be placed in gravel pack wells shall have a set of centering guides on the top and bottom of the screen to ensure an even gravel pack. The screen slot openings shall be sized to retain 90% of the gravel pack. Screen types and materials shall meet the requirements specified in s. NR 812.11 (11). The screen may either be permanently welded or threaded onto the bottom of the well casing pipe or may be installed by pushing the screen to the bottom of the casing pipe and then pulling back the casing pipe to expose the screen.

(4) **PLACEMENT.** Gravel packs shall be placed in accordance with all of the following requirements:

(a) The gravel pack shall be placed through a tremie pipe placed in the annular space.

(b) The gravel pack shall surround the entire screen and shall extend at least 2 feet above the top of the screen.

(c) At least a 2–foot sand seal shall be placed upon the top of the gravel pack to prevent the required annular space sealing material from entering the gravel pack.

(d) For potable wells, the gravel pack may not extend closer to the ground surface than the minimum depth for the upper enlarged drillhole specified in s. NR 812.152 (3).

(e) For nonpotable high capacity wells, the gravel pack may not extend more than 20 feet above the top of the screen.

(5) **THICKNESS.** The diameter of the upper enlarged drillhole shall be sized to accommodate the thickness of the gravel pack. The gravel pack shall be at least 2 inches greater than the nominal radius of the screen.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.18 Welding procedures. Plain end well casing pipe shall be welded watertight using welding procedures for plain end well casing pipe in accordance with the specifications in the American Welding Society manual AWS D10.12, “Guide

for Welding Mild Steel Pipe.” Well casing pipe to be welded shall conform to the specifications in s. NR 812.11 (6). Pitless adapter connections to well casing pipe shall be made watertight in accordance with welding procedures in the American Welding Society manual AWS D1.1, “Structural Welding Code–Steel.”

Note: Copies of AWS manuals may be obtained directly from the American Welding Society’s website at www.aws.org. Copies are also on file at the offices of the department and the legislative reference bureau.

History: CR 18–095: r. and recr., Register June 2020 No. 774, eff. 7–1–20.

NR 812.19 Well plumbness and alignment. A well driller or well constructor shall construct a well to meet all of the following requirements:

(1) **PLUMBNESS.** The deviation per 100 feet of well depth from plumb of the center line of the well may not exceed 75% of the well diameter for any well with casing that is 10 inches in diameter or larger.

(2) **ALIGNMENT.** (a) The well shall allow the free passage of the pump to be permanently installed in the well to the depth of pump setting plus 25% of that depth.

(b) The well shall be aligned so that it does not cause damage to the bearings of a lineshaft turbine pump.

History: CR 18–095: r. and recr., Register June 2020 No. 774, eff. 7–1–20.

NR 812.20 Grouting and sealing. A well driller or well constructor shall complete the grouting or sealing of annular spaces and drillholes using all of the following methods and materials as are applicable:

(1) **GROUTING AND SEALING MATERIAL.** Materials used for grouting and sealing shall meet the requirements specified in s. NR 812.11.

(2) **GENERAL REQUIREMENTS.** (a) *Tremie pipes.* All of the following general requirements apply to the use of tremie pipes during grouting:

1. The tremie pipe shall be placed to the bottom of the upper enlarged drillhole.

2. When a tremie pipe is placed on the outside of a casing string, it may not be permanently attached to the casing during setting.

3. The tremie pipe shall move freely in the annulus prior to the start of grouting.

4. If the tremie pipe is pulled back during grouting, the bottom of the tremie pipe shall remain submerged in grout.

5. The tremie pipe shall be removed after grouting. If the entire length of tremie pipe cannot be removed after grouting, the driller shall note the reason that the tremie pipe could not be fully removed on the well construction report for the well.

(b) *Grouting and sealing.* All of the following general requirements apply to the grouting and sealing of wells:

1. Grout shall be placed from the bottom of the annular space to the ground surface.

2. The density of the grout flowing from the annular space at the ground surface shall be the same as the density of the grout being placed.

3. Grout shall be placed in one operation. When grout fails to come to the ground surface in fractured bedrock formations after pumping more than the calculated amount of grout to fill the annulus, the grouting operation may be interrupted to allow the grout to set, or bentonite chips may be used as allowed under s. NR 812.14 (8), and grouting shall continue as soon as possible. If circumstances prevent completing the grouting work in one operation, the well driller or well constructor shall report the reason on the well construction report.

4. Any settling of the grout more than 6 feet below the ground surface shall be made up by adding grout until it comes back up to the ground surface.

5. Cement grouts shall be allowed to set for a minimum of 12 hours before drilling operations continue.

(c) *Temporary casing removal.* When a temporary outer casing is used to construct the upper enlarged drillhole, a well driller or well constructor shall make an attempt to remove the temporary outer casing during or after the grouting process. If possible, the temporary outer casing shall be removed. The grout level shall remain above the bottom of the casing during removal of the casing.

(3) **PRESSURE GROUT PLACEMENT METHODS.** A well driller or well constructor shall complete the pressure grouting of wells using any of the following methods:

(a) *Tremie pipe–pumped.* The grout material shall be placed by a pump through a tremie pipe into the annular space between the well casing pipe and the upper enlarged drillhole wall or inside surface of the temporary outer casing.

(b) *Grout shoe–continuous injection.* The grout shoe–continuous injection method of grouting shall be completed in accordance with all of the following:

1. The bottom of the well casing pipe shall be fitted with a grout shoe equipped with a check valve.

2. A tremie pipe or drill stem shall be connected to the grout shoe and shall extend up through the well casing pipe to a grout pump at the ground surface.

3. The well casing pipe shall be suspended a short distance above the bottom of the upper enlarged drillhole.

4. Grout material shall be pumped through the tremie pipe and the grout shoe until the entire annular space is filled with grout.

5. The tremie pipe or drill stem shall be removed and the well casing pipe shall be set to the bottom of the upper enlarged drillhole.

(d) *Braden–head method.* All of the following requirements apply to the use of the Braden–head method of grouting:

1. The well casing pipe shall be suspended a short distance above the bottom of the upper enlarged drillhole.

2. The well casing pipe and annulus shall be filled with water, drilling mud, or bentonite slurry. A tremie pipe shall be set inside the well casing pipe to the bottom and shall extend watertight through a sanitary well seal installed securely in the top of the well casing pipe. A packer may be installed inside the well casing pipe, at depth, as an alternative to using a well seal at the top.

3. The grout shall be pumped down the tremie pipe and up the annular space.

4. Immediately following grout flow at the surface, the well casing pipe shall be set to the bottom of the upper enlarged drillhole of an unconsolidated formation well or driven to a firm seat in bedrock.

(e) *Grout displacement method.* The grout displacement method may only be used for wells when the upper enlarged drillhole is less than or equal to 200 feet deep or when drilling mud or bentonite slurry has been circulated in the upper enlarged drillhole from the bottom up to the ground surface prior to the grouting. All of the following requirements apply to the use of the grout displacement method:

1. The well driller or well constructor shall place a measured volume of grout that is equal to the volume of the annular space plus at least 15% into the upper enlarged drillhole through a tremie pipe.

2. The well casing pipe shall be fitted with centering guides and a drillable plug at the bottom and shall be lowered through the grout to the bottom of the upper enlarged drillhole allowing the grout to be forced up into the annular space.

3. If necessary, pressure shall be applied and maintained on the top of the well casing pipe to hold it in place for at least 12 hours or until the grout sets, whichever is longer. Water may be added to the well casing pipe to provide extra weight.

4. If the grout does not flow at the ground surface, the remainder of the annular space shall be filled with grout placed through a tremie pipe that shall be at the drill site.

(4) **NON-PRESSURE GROUTING.** The tremie pipe–gravity method of non–pressure grouting may be used when the upper enlarged drillhole is less than 100 feet deep and is at least 4 inches larger in diameter than the nominal diameter of the well casing pipe. Grout material may flow by gravity through a funnel or hopper connected to a tremie pipe that extends to the bottom of the upper enlarged drillhole.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.21 Liners. A well driller or well constructor shall install a liner in accordance with all of the following requirements:

(1) **LINERS INSTALLED TO CORRECT CONTAMINATION.** Any liner installed to address a water supply with contaminant levels in excess of the standards specified in s. NR 812.06 or to prevent cross–migration between aquifers shall be grouted in place using the procedures under sub. (5).

(2) **PIPE MATERIAL.** Pipe used to line a well shall meet the requirements specified in s. NR 812.11 (6) or (7). UngROUTED steel liner pipe may have a lesser wall thickness than is required in Table B for the diameter of well casing pipe but shall have a wall thickness of at least 0.216 inches.

(3) **DIAMETER OF PIPE.** Liner pipe shall be the largest practical diameter allowing installation in the well. When a liner is grouted in place, it shall have a nominal diameter at least 2 inches smaller than the nominal diameter of the permanent well casing pipe or the diameter of the drillhole.

(4) **LINER INSTALLATION.** Liner pipe shall extend at least 10 feet above the static water level or packers shall be installed far enough above and below the caving zone to prevent further entrance of material into the well. When the liner pipe does not extend to the bottom of the well, the liner pipe shall be supported on the bottom and top with a pipe flange or packer installed between the outside of the liner and the inside of the drillhole.

(5) **GROUTING PROCEDURES.** A well driller or well constructor shall grout a liner to meet all of the following requirements:

(a) The liner pipe shall be centered within the drillhole and casing during grouting.

(b) When the liner pipe does not extend to the bottom of the well, a flange or approved packer shall be provided at the bottom of the liner between the outside of the liner and the inside of the drillhole or the inside of the well casing pipe, or the liner shall rest on backfill material to be later drilled or bailed out.

(c) The liner pipe shall extend to the ground surface or shall extend at least to the bottom of the pitless adapter when one is used.

(d) The liner pipe shall be completely sealed in place from the bottom of the liner to the top of the liner with neat cement grout using a pressure grouting method according to the grouting requirements specified in s. NR 812.20. The liner shall be supported until the grout has set.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.22 Well rehabilitation and batch chlorination. (1) **REHABILITATION.** All of the following requirements apply to the rehabilitation of a well by a well driller or well constructor:

(a) **Redevelopment.** The methods described for development under s. NR 812.12 (15) may be used to redevelop a well.

(b) **Chemical conditioning.** 1. Noncontinuous chemical treatment of a well, except for batch chlorination, shall be conducted under the supervision of a licensed water well driller or a Wisconsin registered professional engineer. Acidation of a well shall be done with materials approved for use under s. NR 812.091 and in a manner to prevent damage to the well or pump and to prevent

any hazard to humans or property. The acid shall be inhibited and shall be neutralized upon removal from the well.

2. Noncontinuous chemical treatment of pumps or pump intake screens shall be conducted under the supervision of a licensed pump installer or a Wisconsin registered professional engineer. Acidation of a pump or pump intake screen shall be done in a manner described under subd. 1.

(c) **Physical conditioning.** Wells may be physically conditioned using any of the following methods:

1. ‘Blasting.’ When using explosives to increase or recover the yield of a well, the explosive charge shall be set at least 10 feet below the bottom of the well casing pipe, which shall be filled with water or sand. A licensed water well driller shall supervise blasting work, which shall be performed by a blaster certified by the department of safety and professional services according to the requirements specified in ch. SPS 307. The well driller shall submit a report of results of the blasting within 30 days following the work on a well construction report form.

2. ‘Hydrofracturing or hydroflushing.’ Hydrofracturing or hydroflushing of an aquifer by injecting potable chlorinated water into a crystalline bedrock formation well under high pressure is allowed. Clean washed inert, nontoxic material such as sand may be added to the water for the purpose of holding the joints and fractures open after the pressure is reduced. Hydrofracturing or hydroflushing may only be performed under the supervision of a licensed water well driller. The upper packer may not extend up into the bottom of the well casing pipe nor higher than 40 feet below the ground surface. Hydrofracturing or hydroflushing in limestone or dolomite formations may be undertaken only after prior department notification. The well driller shall submit a report of the results of the hydrofracturing or hydroflushing no later than 30 days after completion of the work on a form specified by the department.

3. ‘Mechanical brushing.’ A well may be mechanically brushed to loosen material attached to the inside of a casing, screen, or open drillhole.

(2) **BATCH CHLORINATION.** All of the following requirements apply to the batch chlorination of a water system by a well driller or well constructor:

(a) The entire water system shall be thoroughly disinfected with a chlorine solution having a concentration of at least 100 mg/L, prepared according to Table D.

(b) The volume of chlorine solution shall be equal to or greater than the volume of water standing in the well.

(c) The chlorine solution shall be brought into contact with the entire inside of the well casing pipe by continuous circulation from the water system.

(d) A contact time of at least 12 hours shall be provided for the disinfectant.

(e) The well and water system shall be thoroughly flushed.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.23 Driven point wells. Driven point wells are typically constructed in sandy soil areas with a high water table and groundwater in these areas is very susceptible to contamination. If a driven point well is constructed, the well driller or well constructor shall ensure that all of the following requirements are met:

(1) **LOCATION.** A driven point well shall be constructed to meet the location requirements and minimum separation distances specified in s. NR 812.08, and may not be constructed in a floodway.

(2) **MATERIAL.** Well casing pipe and screens used for driven point wells shall meet the requirements specified in s. NR 812.11 (6) and (11).

(3) **FINAL CASING HEIGHT.** The final height of a driven point well shall comply with s. NR 812.12 (12).

(4) **MINIMUM DIAMETER.** The minimum diameter of a driven point well is 1–1/4 inches.

(5) **DEPTH OF CASING.** The well drive pipe, not including the screen, of a driven point well shall extend to a depth of 25 feet or to a depth 10 feet below the static water level in the well, whichever is greater.

(6) **FROST PROTECTION.** Driven point wells, when protected against freezing, may be installed with a protective outer sleeve below frost depth. When installed in this manner, the top of the annular space between the well and the protective sleeve shall be sealed watertight with a sanitary well seal.

(7) **PUMP INSTALLATION.** Pump installations for driven point wells shall be completed according to s. NR 812.32.

(8) **SCREEN REPLACEMENT.** Screen replacement is considered new well construction and shall meet all the requirements of this chapter. Screens may not be replaced on driven point wells that do not comply with the location requirements of this chapter.

(10) **STARTER DRILLHOLES.** Starter drillholes not exceeding 10 feet deep may be constructed to facilitate driving the pipe. If a starter drillhole is constructed, the annular space shall be sealed using the materials and methods specified in s. NR 812.13 (8) following completion. The temporary outer casing shall be removed if possible.

(11) **FLOWING WELLS.** The construction of a flowing driven point well shall meet the requirements specified in s. NR 812.15 (1).

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.24 Dug type well design and construction.

The department discourages the use of dug wells because they often pose a safety hazard and a threat to groundwater quality. Dug wells may only be constructed with the written approval of the department. A well driller or well constructor shall ensure that a dug well is constructed to meet the requirements of the approval and all of the following requirements:

(1) **CURBING WALL.** (a) *Depth.* The curbing wall of a dug well shall be watertight to a depth of 25 feet below the established ground surface, or 10 feet below the top of the water table when the water table is encountered more than 15 feet below the ground surface. The curbing wall through the intake area shall be constructed to withstand any external pressure to which it may be subjected and shall be seated firmly enough to prevent settling.

(b) *Concrete curbing wall.* A concrete curbing wall shall be circular and at least 6 inches thick with concrete placed so as to be free from voids. The concrete mixture shall conform to the requirements of s. NR 812.20 (1). The curbing wall shall be reinforced vertically and horizontally with 3/8–inch metal rods on 12–inch centers. Rods shall overlap by 12 inches and be staggered, but the overlap may not occur at construction joints. The curbing wall shall be poured in one operation. There may not be a construction joint within 10 feet of the ground surface. Construction joints shall be left rough and shall be washed and brushed with neat cement grout before pouring of concrete is continued, if possible.

(c) *Steel curbing wall.* A steel curbing wall shall have a thickness of at least 1/4 inch and be assembled with welded joints.

(d) *Curbing wall installation.* The curbing wall shall be constructed at the surface and carried down by excavating from the interior. If wood forms are used on the exterior of a concrete curbing wall, they shall be removed before the curbing is lowered. Exterior wood forms may not be used below the ground surface. Metal forms may be left in place.

(e) *Annular opening.* The opening between the face of the excavation and the curbing wall shall be filled with clean clay slurry.

(f) *Upper terminal.* The curbing wall shall extend at least 12 inches above the established ground surface. The ground shall be graded up around the curbing wall to a height of at least 6 inches

above the ground surface so surface water will flow away from the well.

(2) **DUG WELL COVER.** The cover of the well curbing shall be made of reinforced watertight concrete at least 5 inches thick and of a diameter large enough to overlap the curbing wall by at least 2 inches. A drip groove shall be provided within one inch of the outer edge of the underside of the cover. The cover shall be free from joints. A pump installation access sleeve comprising a section of steel well casing pipe conforming to s. NR 812.11 (6) shall be installed in the cover at the time of pouring the concrete to fabricate the cover and shall terminate at least 12 inches above the top of the cover. The top of the cover shall be sloped to drain away from the access sleeve. A manhole, if installed, shall be provided with a 4–inch high metal curb equipped with an overlapping metal cover, the sides of which extend downward at least 1 1/2 inches. A tight joint shall be provided between the top of the curbing and the cover using a nontoxic plastic sealing compound. The manhole cover shall be locked or bolted in place to prevent entrance of water and to be safe from vandalism and accidents.

(3) **EQUIPMENT LOCATION.** All pump piping, including the pump discharge or suction pipe, shall extend watertight through an access sleeve in the dug well cover.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.25 Springs. The use of a spring as a source of potable water shall comply with all of the following requirements:

(1) The placement or driving of a casing pipe into an undeveloped spring in a location easily accessible to the public regardless of the intended use of the spring water is prohibited.

(2) The unprotected nature of springs subjects them to wide fluctuations in water quality. The department discourages their use as a source of potable water. Springs vary from the standpoint of sources, locations, surrounding land uses, and elevation. Each spring considered for use as a source of potable water shall be evaluated by the department prior to use as a potable source. Development of a spring as a source of potable water may be approved only after a department evaluation and approval under s. NR 812.09 (4) (i) and sub. (3).

(3) The department may approve using a spring as a source of potable water only if the spring meets all of the following requirements:

(a) *Location.* 1. The area surrounding the spring to a distance of at least 100 feet laterally and 50 feet downgrade and the area immediately upslope from the spring to a point beyond the crest of the slope or to a distance of at least 200 feet upslope from the spring is not used for any activity, including human habitation, that may contaminate the spring.

2. The spring outlet is at least 2 feet above the regional flood water level.

3. The spring water flows from an underground source having enough overburden so that a horizontal plane extending back into the slope of the hill 100 feet will be at least 25 feet below the ground surface.

4. The spring meets the minimum separation distance requirements from potential contamination sources specified in s. NR 812.08.

(b) *Construction.* The spring outlet shall be completely protected against the entrance of surface water runoff, insects, rodents, and contaminants and shall be constructed to meet all of the following requirements:

1. A poured concrete box structure reinforced with 3/8–inch metal bars each way shall be constructed to house the spring outlet. This spring box shall meet all of the following minimum construction requirements:

a. Five–inch thick walls and roof with no cracks or holes, except for the overflow pipe in the wall and the access openings in the roof.

b. A width of 4 feet, with a 24–square foot cross section.

c. A 20–inch diameter round, or a 20–inch square access opening in the roof with a 4–inch thick concrete curbing wall that extends 8 inches above the roof.

d. An overlapping, tight–fitting, shoebox–type cover with 4–inch high skirted sides, constructed from welded sheet steel, to cover the access opening.

e. A 4–inch diameter or larger steel pipe sleeve, comprising a section of well casing pipe conforming to s. NR 812.11 (6) extending through the roof to a point at least 12 inches above the roof for the passage of the pump suction and discharge pipe or a service pipe from a pressure tank. The steel pipe sleeve shall be provided with a one–piece top plate sanitary well seal.

f. An overflow pipe with a screened outlet that terminates at least 2 pipe diameters above the maximum water level at its discharge point.

2. Buried discharge pipe from the spring, from a pump or any service pipes from a pressure tank shall be maintained under positive gauge pressure at all times.

3. When the pump, pressure tank, or both, are installed above the spring outlet box, an insulated housing shall be provided for frost protection.

(c) *Water quality.* The spring shall be capable of producing water that is continuously free from coliform bacteria and free of contaminant levels in excess of the standards specified in s. NR 812.06.

History: CR 18–095: r. and recr. Register June 2020 No. 774, eff. 7–1–20.

NR 812.26 Well and drillhole filling and sealing.

(1) **APPLICABILITY.** The requirements of this section apply to all wells and drillholes not regulated under ch. NR 132 or s. NR 141.25. An individual who fills and seals a well or drillhole shall complete the work in accordance with all of the requirements of this section.

(2) **PROTECTION OF GROUNDWATER QUALITY.** The filling and sealing of noncomplying, unused wells or wells with contaminant levels in excess of the standards specified in s. NR 812.06 or drillholes and noncomplying water systems is a crucial step in the protection of the local groundwater quality. Wells or drillholes, especially those with structural defects, may act as conduits for the vertical movement of contamination from or near the ground surface into the groundwater or from one aquifer to another.

(3) **LICENSE REQUIREMENT.** An individual who fills and seals a well shall be a licensed water well driller or licensed pump installer and an individual who fills and seals a heat exchange drillhole shall be a licensed heat exchange driller, except that a license is not required for any of the following individuals provided all other requirements of this section are met:

(a) An individual who is employed by a licensed water well driller, licensed pump installer or a person registered as a business to perform well drilling or pump installing may fill and seal a well.

(b) An individual who is a water system operator certified under s. 281.17 (3), Stats., and the well is within the service area of the local governmental water system for which the individual works may fill and seal a well.

(c) An individual who is employed by a licensed heat exchange driller or a person registered as a business to perform heat exchange drilling may fill and seal a heat exchange drillhole.

(d) An individual who is filling and sealing a drillhole that was not constructed to obtain groundwater or install a heat exchange loop.

(4) **CRITERIA FOR FILLING AND SEALING.** (a) A well or drillhole owner shall hire an individual who meets the license requirements of sub. (3) to fill and seal a well or drillhole in any of the following situations:

1. The well water is contaminated with biological, bacteriological, viral, or parasitic agents and 3 attempts at batch chlorina-

tion by a well driller or pump installer fail to eliminate the problem.

2. The well or drillhole poses a hazard to health or safety, or to groundwater.

3. The well or heat exchange drillhole construction or location does not comply with the minimum standards of this chapter.

4. Except as provided in subd. 5., the well has not been used for any water supply purpose for more than 90 days.

5. The well is a seasonal well or high capacity irrigation well that has not been used for any water supply purpose for more than 3 consecutive years.

6. The heat exchange drillhole will not be used as part of the heat exchange system.

7. The pump installation is not operational, or it does not comply with the requirements of this chapter.

(b) The department may require a well or drillhole owner to fill and seal a well or drillhole in any of the following situations:

1. The well or drillhole is required to be filled and sealed under par. (a).

2. The well water contains contaminant levels in excess of the standards specified in s. NR 812.06.

3. The well or drillhole was not constructed by an individual meeting the license requirements of s. NR 812.10 (1) or 812.151 (1).

(c) A well driller or well constructor shall, no later than 30 days after receiving notice from the department, fill and seal a well that the well driller or well constructor constructed or reconstructed, in any of the following situations:

1. The well construction or location does not comply with the minimum standards of this chapter at the time the well was constructed.

2. The drillhole is an unsuccessful attempt to construct or reconstruct a well.

(d) A heat exchange driller shall, no later than 30 days after receiving notice from the department, fill and seal a heat exchange drillhole that the heat exchange driller constructed, in any of the following situations:

1. The heat exchange drillhole construction or location does not comply with the minimum standards of this chapter at the time it was constructed.

2. The drillhole is an unsuccessful attempt to construct or reconstruct a heat exchange drillhole.

(e) Any person who constructs a drillhole that is not a well or heat exchange drillhole shall fill and seal the drillhole at the completion of drilling and sampling activities.

(f) The department may require any person who has filled and sealed a well or drillhole using a method or material or in a manner not in compliance with this section to take corrective action so that the well or drillhole is filled and sealed in a complying manner.

(5) **GENERAL FILLING AND SEALING REQUIREMENTS.** (a) *Filling and sealing prior to construction or demolition.* Unless exempted under s. NR 123.23, any well or drillhole removed from service shall be filled and sealed prior to any demolition or construction work on the property.

(b) *Removal of obstructions prior to filling and sealing.* All debris, pumps, piping, ungrouted liner pipe, and any other obstruction known to be in the well or drillhole shall be removed if possible before the well or drillhole is filled and sealed. When a pump is stuck within the well, a reasonable attempt shall be made using the best available technology to pull it out. If the pump cannot be pulled, a tremie pipe shall be placed in the well to a depth just above the top of the pump and neat cement grout shall be pumped in to entomb the pump and fill and seal the entire well.

(c) *Circulation of drilling mud in fractured formations.* In a highly fractured or highly permeable geologic formation, sodium

bentonite drilling mud may be circulated in the drillhole or in the well prior to the filling and sealing procedures.

(d) *Use of a tremie pipe.* The sealing material to be used to fill and seal a well or drillhole greater than 3 inches in diameter shall be placed through a tremie pipe or by means of a dump bailer except when bentonite chips or bentonite pellets are used. Tremie pipe shall meet the requirements specified in s. NR 812.11 (2). The bottom end of the tremie pipe shall be submerged in the filling and sealing material as the grouting proceeds.

(e) *Wells or drillholes with inadequate grouting or sealing of the annular space.* Wells or drillholes with inadequate grouting or sealing of the annular space outside the well casing pipe or liner shall be filled and sealed. Techniques are situation dependent and may include reaming a new annular space outside the well casing pipe, use of pressure grouting methods, or perforation of the well casing pipe. When perforation of the well casing or liner pipe is undertaken, it shall be done in accordance with the requirements specified in par. (i).

(f) *Termination of filling and sealing material.* The well casing pipe and filling and sealing material may be terminated as much as 3 feet below the ground surface or to a depth below any future building foundation at the time of the filling and sealing procedure.

(g) *Perforation of casing or liner.* Well casing or liners with ungrouted annular spaces that cannot be removed from the well or drillhole shall be perforated or ripped in place prior to filling and sealing. When an ungrouted casing or liner is perforated or ripped in place prior to filling and sealing, it shall be completed in accordance with all the following procedures:

1. The casing pipe or liner shall be perforated using projectiles fired perpendicular to the length of the string of pipe. The perforations shall extend completely through the casing or liner pipe. As an alternative, the casing pipe or liner may be vertically ripped.
2. Four perforation shots or one rip shall be provided for each 5 feet of casing or liner.
3. Each perforation shot shall be a minimum of 0.4 inches in diameter. Each rip shall have a minimum width of 0.25 inches and a minimum length of 12 inches.
4. The orientation of each successive perforation shot or rip shall be rotated by 90 degrees along the string of pipe.
5. After the well casing or liner has been perforated or ripped, the well shall be filled completely with neat cement from the bottom up to the ground surface. The well shall be filled both inside and outside the string of casing or liner pipe using a pressure grouting method in accordance with the requirements specified in s. NR 812.20.

(h) *Well or drillhole casing pipe.* Except as provided under par. (i), (j), or (k), the well casing pipe or drillhole casing pipe shall be left in place when a well or drillhole is filled and sealed. When the well or drillhole casing pipe is removed under par. (i), (j), or (k), the well or drillhole shall be completely filled and sealed with the sealing material as the well casing pipe is pulled or before it is pulled. Any concrete or neat cement grout that settles in the well or drillhole when the well or drillhole casing pipe is removed shall be replaced.

(i) *Dry drillholes.* Well casing pipe may be removed from a dry drillhole and reinstalled in a well on the same property within 30 days of original drillhole construction.

(j) *Reconstruction ordered by the department.* Well casing pipe may be removed from a well or drillhole as part of reconstruction ordered or requested by the department. The well casing pipe may only be reinstalled on the same property if the reconstruction takes place no later than 120 days after the original construction.

(k) *Dewatering wells or drillholes.* Well casing pipe may be removed from a dewatering well or a drillhole. The removed well casing pipe may only be reused for dewatering wells.

(L) *Gravel packs.* When a well has a gravel pack that extends up to or within 20 feet of the ground surface, at least the top 20 feet of the gravel pack shall be jetted out or removed in some other manner. Once the gravel pack has been removed, the open annular space shall be filled and sealed with neat cement grout or concrete applied with a pressure method injected through a tremie pipe.

(m) *Well pits.* When a well terminating in a pit is filled and sealed, the pit shall also be filled and sealed, except when the pit is an alcove or if the pit will only be used for the purpose of housing valves and the pit complies with s. NR 812.36 (1). The filling of a well pit shall meet all of the following requirements:

1. All water system features shall be removed from the pit prior to filling and sealing.
2. The floor of the pit shall be perforated with several holes.
3. One wall of the pit shall be knocked out or perforated with several holes.
4. The pit shall be filled and sealed with clean native soil less permeable than the soil surrounding the pit.

(n) *Nonpressurized conduits.* When wells having nonpressurized conduits are filled and sealed, the basement end of the conduit shall be permanently sealed with a watertight cap or seal.

(6) FILLING AND SEALING MATERIALS AND METHODS. (a) *General.* Once obstructions have been removed from a well or a drillhole, the well or drillhole shall be filled and sealed, from the bottom up with the use of a tremie pipe, except where the use of a tremie pipe is specifically exempted. As allowed in this section, all materials used to fill and seal wells and drillholes shall meet the specifications of s. NR 812.11 (15).

(b) *Use of bentonite chips or pellets.* Bentonite chips or pellets may be used to fill and seal wells and drillholes, subject to all of the following restrictions:

1. Bentonite chips may not be used for wells and drillholes less than 3 inches in diameter.
2. The total depth may not be deeper than 500 feet and the number of feet of standing water in the well or drillhole may not be more than 350 feet.
3. Bentonite chips or pellets may not be used for any well or drillhole filled with drilling mud or bentonite slurry.
4. Any bentonite chips or pellets placed below the water table shall be screened and poured in a manner that prevents bridging.
5. The depth of bentonite chips or pellets shall be monitored during the filling process, at a minimum of once every calculated 10 bags, to ensure the bentonite chips or pellets are not bridging in the well or drillhole. Any bridge of the bentonite chips or pellets shall be removed.
6. After installing bentonite chips or bentonite pellets, clear water obtained from an uncontaminated source shall be poured into the well to hydrate the bentonite chips. Water shall be introduced until the water level rises to the top of the well casing and the well will not accept any additional water at the time the individual who performs the filling and sealing operation leaves the site.

(c) *Wells completed in unconsolidated formation.* 1. Drilled wells and driven point wells larger than 3 inches in diameter shall be filled and sealed with neat cement grout, sand–cement grout, concrete, bentonite chips, or bentonite pellets.

2. Drilled wells and driven point wells less than or equal to 3 inches in diameter shall be filled and sealed with neat cement grout poured or pumped down the drive pipe or drillhole or by poured bentonite pellets. The use of a tremie pipe is not required.

(d) *Drillholes completed in unconsolidated formations.* 1. Drillholes less than 3 inches in diameter that extend below the water table shall be filled and sealed with bentonite pellets, or neat cement grout.

2. Drillholes less than 3 inches in diameter that do not extend below the water table may be filled and sealed with granular bentonite.

3. Drillholes 3 inches in diameter or greater shall be filled with drilling mud, cuttings, bentonite pellets, or bentonite chips to fill and seal the drillhole up to 10 feet below ground surface. From the existing ground surface to 10 feet below grade, the drillhole shall be filled with bentonite chips or pellets and hydrated with clear water obtained from an uncontaminated source.

4. The top 18 inches near the surface may consist of asphalt, concrete, sand and gravel base coarse, or native soil. Sealing material in drillholes completed in agricultural areas may be terminated 30 inches below the ground surface and clean native soil may be placed on top of the settled sealing material to avoid interference with agricultural activities.

(e) *Wells completed in bedrock formations.* 1. Wells completed in bedrock formations shall be filled completely and sealed from the bottom up with neat cement grout, sand–cement grout, concrete, bentonite chips, or pellets except bentonite chips are not allowed for wells and drillholes less than 3 inches in diameter.

2. Chlorinated sand–free pea gravel may be used to fill and seal an uncontaminated bedrock well deeper than 250 feet. Pea gravel may be poured without the use of a tremie pipe provided the well is sounded at 50–foot intervals to prevent bridging. When using pea gravel, the well shall be filled from the bottom up to 20 feet below the bottom of the casing pipe, or up to the 250–foot depth, whichever is deeper.

3. When a well extends through the Maquoketa Shale formation, a neat cement grout, concrete, or bentonite chip or pellet plug at least 40 feet thick shall be placed and centered at the contact surface between the Maquoketa Shale and adjacent geologic formations, both above and below. When a well extends through the top of the uppermost Cambrian Sandstone formation or the top of the Eau Claire Formation of the Cambrian Sandstone, a neat cement grout, concrete, or bentonite chip or pellet plug at least 40 feet thick shall be placed and centered at the upper formation boundary whenever these layers are present in the open bedrock drillhole.

(f) *Drillholes completed in bedrock formations.* Drillholes completed into bedrock formations shall be filled and sealed from the bottom up with neat cement grout, sand cement grout, bentonite chips, or bentonite pellets except bentonite chips are not allowed for wells and drillholes less than 3 inches in diameter.

(g) *Dug and bored wells.* 1. Dug or bored wells shall have the cover removed and the top five feet of curbing or concrete wall removed. Rock curbing may be caved into the drillhole as the well is being sealed only if done in a manner to prevent bridging. The well shall be filled and sealed using clean clay or silt, clean native soil, bentonite chips or pellets, concrete, sand–cement grout, or neat cement grout if constructed in unconsolidated formations.

2. Dug or bored wells constructed partially or completely into bedrock shall be filled and sealed with neat cement grout, sand–cement grout, concrete, or bentonite chips or pellets to a point at least two feet above the top of the bedrock. The remainder of the well or drillhole may be filled and sealed using any of the materials listed in par. (c) 1.

3. Dug or bored wells 18 inches in diameter and smaller shall be filled and sealed by means of a tremie pipe, except when bentonite chips or pellets are used or when clean clay or silt or clean native soil is used and the dug or bored well is 25 feet deep or less.

(h) *Heat exchange drillholes.* The filling and sealing of heat exchange drillholes shall be completed according to all of the following requirements:

1. If the loops for a heat exchange drillhole have not been grouted in place and can be removed from the drillhole, the loops shall be removed before filling and sealing.

2. If the loop for a heat exchange drillhole has been grouted into the drillhole and cannot be removed, the loop shall be evacuated of all fluids and cement or bentonite grout shall be pumped into the loop. The loops may be left in place after grouting or may be cut off below ground surface.

(i) *Flowing wells.* Materials for filling and sealing a flowing well shall be neat cement or neat cement with approved additives to increase the grout density and shall meet the requirements of s. NR 812.11 (15). The flow of water at the ground surface from a flowing well shall be reduced or stopped prior to filling and sealing using one of the following methods:

1. Centering a tremie pipe in the drillhole or casing within an inflatable packer.

2. Extending the well casing to a height above the piezometric surface.

3. Placing chlorinated sand–free pea gravel in a bedrock well from the bottom of the well to no higher than 40 feet from the bottom of the casing pipe.

4. Pumping water out of a nearby well completed in the same flowing formation.

(7) **WELL AND DRILLHOLE FILLING AND SEALING REPORTS.** (a) A well and drillhole filling and sealing report shall be filed with the department no later than 30 days after the well or drillhole is filled and sealed.

(b) The filling and sealing report shall be filed with the department electronically by the person performing the filling and sealing work and shall include all of the following information:

1. A complete and accurate description of the location of the well or drillhole that was filled and sealed.

2. The materials and method of filling and sealing.

3. The construction of the well or drillhole.

4. The geologic features of the well or drillhole.

5. The Wisconsin Unique Well Number of the well, if known.

6. The presence of any unused wells or drillholes that are not filled and sealed for which they have knowledge.

History: CR 18–095: r. and rec. Register June 2020 No. 774, eff. 7–1–20; correction in (4) (a) (intro.) made under s. 35.17, Stats., and correction in (6) (i) (intro.) made under s. 13.92 (4) (b) 7., Stats., Register June 2020 No. 774.

Subchapter III — Requirements for New Pump Installations and Water Treatment

NR 812.27 Pump installer requirements. A pump installer shall perform pump installing in accordance with all of the following requirements:

(1) **LICENSE REQUIREMENT.** An individual who performs pump installing is required to be a licensed pump installer except that a license is not required for any of the following individuals provided all other requirements of this subchapter are met:

(a) An individual who is employed by a licensed pump installer or a person registered as a business to perform pump installing.

(b) An individual master plumber licensed under ch. 145, Stats., who is installing a pressure tank.

(2) **LOCATION REQUIREMENT.** Except when the reporting requirements of s. NR 812.04 (2) are complied with, a pump may not be installed, replaced or serviced in a well that is not properly located according to the minimum location and separation requirements in effect at the time of construction and:

(a) According to the minimum location requirements in effect at the time of installation of any potential source of contamination, if the source was installed more recently, or

(b) According to the minimum location requirements of s. NR 812.08.

(3) **PITS.** Existing pits and alcoves shall comply with the conditions of a department approval to construct the pit or alcove, or to the minimum standards of s. NR 812.42 (2).

(4) **PITLESS ADAPTERS AND UNITS.** Pump installers or persons installing pumps shall use approved pitless adapters and pitless units to make subsurface connection to wells as specified in s. NR 812.31.

(5) DISINFECTION AND WELL SEALS. The pump installer shall disinfect any potable well and water system according to s. NR 812.41 (1) and (2) upon completion of the original pump installation and thereafter, anytime the well is entered for the purpose of measuring or diagnosing any feature or problem with the well or after the well is entered for rehabilitation, redevelopment, reconditioning or cleaning or if the well is entered for the purpose of installing, replacing or repairing any equipment located within the well. Following disinfection, the disinfectant shall be flushed according to s. NR 812.41 (2). The disinfection and flushing shall be completed before the system is placed into service. The pump installer shall seal or cover the well with a vermin-proof cap or seal approved for use under s. NR 812.091. The pump installer may designate the owner, the property lessee, or any other person to flush the system.

(6) WATER SAMPLE COLLECTION, ANALYSIS AND REPORTING. The pump installer shall collect water samples, submit them to a certified laboratory for analysis, and provide the test results as specified in s. NR 812.46.

(7) NOTIFICATION OF CONTAMINATED WELLS. Pump installers shall notify the well owner as soon as practicable, but no later than 48 hours, after the pump installer is informed that the water from the well contains contaminant levels in excess of the standards specified in s. NR 812.06.

(8) BACTERIA POSITIVE WELLS. Pump installers shall return to the well site to diagnose and attempt to correct a problem when an initial sample from a potable well is positive for coliform bacteria. Corrective action should be taken no later than 10 days after the pump installer is informed of a total coliform bacteria-positive result or prior to the well being placed into service, whichever is later. After corrective action the well shall be disinfected and flushed in accordance with s. NR 812.41 and sampled in accordance with s. NR 812.46 (1).

(9) BACKFLOW PREVENTION. Potable water supplies shall be protected to prevent back-flow, back-siphonage and cross-connections according to the requirements in s. SPS 382.41 and s. NR 812.32 (1) (f).

(10) NONCOMPLIANCE. When a pump installer has performed pump installation work not in compliance with this chapter, the pump installer shall return to bring the system into compliance. The pump installer shall pay all costs for bringing the installation into compliance with this chapter, other than those costs that would have been charged for an initially complying installation.

(11) OPEN ANNULAR SPACE. A pump installer may not install a pump in a well having an open annular space that extends deeper than twice the depth of the pitless adapter or pitless unit. When an annular space is open to a depth greater than this depth, the pump installer shall inform the well driller so that the well driller knows to return to the job site and seal the annular space according to s. NR 812.20. The pump installation shall not be completed until the well driller has resealed the annular space. If the annular space is open to a depth less than or equal to twice the depth of the pitless adapter, the pump installer may seal the open annular space with an approved granular bentonite hydrated with clear water from an uncontaminated source.

(12) WELL CASING PIPE DEPTH MEASUREMENT. (a) When required to measure well casing pipe depth by this chapter or at the request of the department, the pump installer shall document the measurement on a form specified by the department and submit the form to the well owner and the department no later than 30 days after performing the measurement.

(b) The pump installer shall provide complete and accurate information on the form, including well owner information, well location, well casing pipe depth, total well depth, and distances to potential contaminant sources.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (2), (4) to (6), cr. (8) and (9), Register, September, 1994, No. 465, eff. 10–1–94; correction in (9) made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1996, No. 489; correction in (9) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR

13–099; am. (5), r. and recr. (6), am. (8), (9), cr. (10), (11) Register September 2014 No. 705, eff. 10–1–14; CR 18–095; cr. (intro.), r. and recr. (1), am. (3), (5), r. and recr. (6), am. (7), r. and recr. (8), cr. (9) (title), (10) (title), am. (11), cr. (12) Register June 2020 No. 774, eff. 7–1–20; correction in (1) (b) made under s. 35.17, Stats., Register June 2020 No. 775.

NR 812.28 Pump installation equipment and supply pipe. Pump installation products and equipment may not be used unless they are approved for use under s. NR 812.091. Pump discharge and supply piping shall conform to the requirements specified in s. NR 812.11 for steel pipe or shall conform to the requirements in the “Pipe and Tubing for water services and private water mains” table in s. SPS 384.30, except that Type M copper pipe may not be installed underground. Pipe used for year-round installations shall be protected from freezing. Lead-based solder for pipe connections may not be used. Limitations on the use of plastic pipe are found in s. SPS 384.30. Plastic pipe may not be used for buried pipe in soils known to be contaminated with volatile organic chemicals. Plastic pipe may be used as drop pipe installed within a well or for discharge piping between the well and the building served, provided it meets standards specified in s. SPS 384.30 and has a minimum pressure rating of 150 pounds per square inch. When plastic pipe extends through the seal of a well with an above-ground discharge, the portion of the plastic pipe extending above-ground from the well shall be protected from sunlight or the plastic pipe used shall be of the type with inhibitors recommended for use in direct sunlight.

Note: The department recommends the installation of torque arresters on the drop pipe for submersible pumps. The department recommends that galvanized pipe not be used when the water quality is known to be corrosive.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. Register, September, 1994, No. 465, eff. 10–1–94; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; correction made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13–099; am. Register September 2014 No. 705, eff. 10–1–14; CR 18–095; am. Register June 2020 No. 774, eff. 7–1–20.

NR 812.29 Height of finished well. (1) Except as provided in sub. (3), a pump installer shall ensure that the watertight well casing pipe for a well terminates at least 12 inches above the established ground surface, above a pumphouse or building floor or above any concrete or asphalt platform surrounding the well casing.

(2) When a low capacity well is located in an area of traffic or where the well terminus is at risk of contact by vehicles, machinery, equipment or any other hazard that poses a significant threat of damage to the well terminus, the well shall be protected from physical damage by either using rigid metal posts or comparable barriers or by terminating it within a driveway ramp constructed in accordance with s. NR 812.36.

(3) For a well in a floodplain, the top of a well and an overflow outlet from a flowing well shall terminate at least 2 feet above the regional flood elevation. A pit or alcove may not be installed to enclose a well or pump installation.

(5) When a well terminates in a walkout basement meeting the requirements of s. NR 812.08 (2) (d), the top of the well shall terminate a minimum of 12 inches above the basement floor.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; CR 13–099; renum. section to (1), (3), (4) and am., cr. (2), (5) Register September 2014 No. 705, eff. 10–1–14; CR 18–095; am. (1), (3), r. (4), r. and recr. (5) Register June 2020 No. 774, eff. 7–1–20.

NR 812.30 Vermin-proof well caps and seals. (1) **REQUIREMENTS.** A new well shall be sealed or covered with a weather- and vermin-proof compression type well cap or seal approved for use under s. NR 812.091 and installed on or in the top of the well casing pipe.

(2) **WELL SEAL TYPE.** When a sanitary well seal is used to cover the upper well terminal, it shall have a one-piece top plate. A split top plate seal may not be installed unless it is enclosed in a substantial, permanent weather-proof shelter meeting the requirements of s. NR 812.40.

(3) **WELL VENT.** A screened downward facing well vent or other vent may be provided for the well cap or seal for drilled wells. When the well is a flowing well and the well head must be

maintained watertight or when there is concern for air entrained bacteria to enter the well through the vent, the vent opening may be plugged watertight with a threaded plug. Vent pipes extending above the well casing pipe shall terminate in a downward facing bend and shall be screened. Screens shall be made of material not easily corroded and shall be firmly seated in the vent opening. Vent openings incorporated as part of the underside of an approved well cap or seal are allowed.

Note: The department recommends a vent be provided for the well cap or seal of a well that has significant water level drawdowns during normal pump operation. This recommendation does not apply to flowing wells.

(4) **HOLD-DOWN DEVICE.** Well caps or seals may not be used as a hold-down device to prevent submersible pump discharge piping from coming off a pitless adapter or unit. A locking clamp or other similar approved device may be used to hold the submersible pump discharge pipe in place.

(5) **CONDUIT FOR ELECTRICAL WIRING.** Where electrical wiring emerges from an underground installation to supply well pump equipment it shall be protected from physical damage by installing conductors or cables within a nonmetallic or steel raceway. The raceway material shall be: Listed, Schedule 80 sunlight resistant Rigid Polyvinyl Chloride Conduit (Type PVC), Listed, Intermediate Metal Conduit (IMC), or galvanized Rigid Metal Conduit. The conduit shall be threaded tightly into the well cap or shall be secured and sealed in an equivalent manner. Where a direct buried electrical cable supplies the well, the bottom of the conduit providing physical protection shall extend a minimum of 2 feet below grade. The conduit shall be sealed above grade in a watertight manner with a listed fitting, or by use of 100% silicone, urethane, or Butyl caulking. Where the conduit or raceway extends continuously from the well to a building or pump equipment enclosure, both ends of the conduit or raceway shall be sealed in a watertight manner as described in this paragraph.

(6) **PREPARATION OF TOP OF THE WELL CASING PIPE.** Any jagged edges or other significant irregularities in the top of the well casing pipe shall be removed by the well driller or the pump installer before the vermin-cap or seal is installed.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (1), (3) and (5), Register, September, 1994, No. 465, eff. 10-1-94; CR 13-099; am. (3), r. and recr. (5), cr. (6) Register September 2014 No. 705, eff. 10-1-14; CR 18-095; am. (1) Register June 2020 No. 774, eff. 7-1-20; correction in (1) made under s. 35.17, Stats., Register June 2020.

NR 812.31 Pitless adapters and pitless units. Pump installers or persons installing pumps shall use pitless adapters or pitless units approved for use under s. NR 812.091 to make subsurface connections to wells. Nonpressurized conduits may not be used.

(2) **GENERAL REQUIREMENTS.** (a) A pitless subsurface pipe connection to a well casing pipe shall be made with a weld-on, clamp-on, bolt-on or bolt-through pitless adapter or with a pitless unit, except that a bolt-through adapter may only be installed for a well constructed with polyvinyl chloride well casing pipe that has a permanently attached well screen. A weld-on adaptor or pitless unit shall be welded or threaded to the well casing pipe according to sub. (3) or (4). All welding shall be performed in accordance with s. NR 812.18. A pitless adapter or pitless unit shall be installed according to any approval conditions and according to the manufacturer's instructions.

(b) The inside diameter of a pitless unit may not be smaller than the inside diameter of the well casing pipe. No part of a pitless adapter may extend into the inside of the well casing pipe, except that a bolt-through pitless adapter may be installed for a well with polyvinyl chloride well casing pipe having a permanently attached screen.

(c) An above-ground discharge shall be provided for all school and high capacity wells except that a pitless unit or a weld-on pitless adapter may be installed if the welded or threaded joints are pressure tested for leakage using a packer and pressure gauge or by a comparable testing procedure. The adapter or unit joints shall

be tested and proven watertight under a pressure of not less than 14 psi. A soap and water solution shall be applied to welds to identify any leaks, and all leaks shall be repaired with additional welding prior to starting the pressure test. The pressure shall be maintained for at least 30 minutes. The pump installer shall notify the department at least 24 hours before testing, so that a department employee may witness the test.

(d) An above-ground discharge shall be provided for crystalline (granite) bedrock wells approved for installation of 25 or less feet of well casing pipe. When installing the above-ground discharge, the required neat cement grout surrounding the well casing pipe may not be removed.

(3) **PITLESS UNIT CONNECTIONS TO STEEL WELL CASING PIPE.** (a) When a well casing pipe is not terminated at the desired depth for the installation of a factory assembled pitless unit, the well casing pipe shall be cut off at the desired height, and the pitless unit may be welded or threaded and coupled to the top of the well casing pipe by one of the following methods as depicted in Figure 1 of ch. NR 812 Appendix:

1. Cutting off the well casing pipe squarely, providing a bevel for the top of the well casing pipe and welding the beveled end of the unit to the beveled end of the well casing pipe.

2. Cutting threads on the top of the well casing pipe with a pipe die and threading a full-standard recessed coupling watertight to the threaded end of the unit and to the top of the well casing pipe.

3. Welding a pipe nipple, having threads on one end, beveled on the other end and meeting the requirements specified in s. NR 812.11 (6), to the cut off top beveled end of the well casing pipe and threading a full-length standard recessed coupling watertight to the threaded end of the unit and to the nipple. The top of the well casing pipe and the bottom of the pipe nipple to be welded shall both have beveled ends. If the pitless unit has female threads, the unit may be threaded watertight directly to the threaded end of the nipple.

4. Reaming out the threads of a full standard recessed coupling, at least 1/3 the length of the coupling, and welding the coupling to the top of the cut-off well casing pipe with a fillet weld on the inside or the outside contact surface of the coupling.

(b) When installing a factory assembled pitless unit, the following restrictions shall be followed:

1. The threaded lower end of a pitless unit may not be welded to the cut-off end of a well casing pipe.

2. The threaded ends of a short model, factory-assembled pitless unit may not be welded to the top of a cut-off well casing pipe nor to the section of riser pipe extending from the unit to ground grade, except that the unit may be welded to the cut-off well casing pipe and to the riser pipe if the ends of the unit, the well casing pipe, and the riser pipe are cut and beveled according to par. (a) 1.

3. Factory-assembled pitless units, including those fabricated with pitless receiver tanks, may not be connected to the well casing pipe by means of a compressible joint.

(4) **PITLESS UNIT AND PITLESS ADAPTER CONNECTIONS TO THERMOPLASTIC WELL CASING PIPE.** (a) Steel well casing pipe, pitless units or pitless adapters may not be welded after they are attached to thermoplastic well casing pipe. The thermoplastic coupling shall be threaded onto the pitless unit before it is solvent cemented to the top of the thermoplastic well casing pipe. Pitless unit connections for thermoplastic well casing pipe are depicted in Figure 2.

(b) Only approved lubricant specifically intended for use with thermoplastic well casing pipe may be used with threaded couplings used for pitless units and pitless adapters. A threaded joint shall be tightened no more than one full turn using a strap wrench.

(c) Threaded couplings may only be used for installation of pitless units or pitless adapters after placement of the well casing pipe.

(d) The portion of the well casing pipe above a short length pitless unit shall be steel or thermoplastic well casing pipe meeting the requirements specified in s. NR 812.11.

(e) When thermoplastic well casing pipe is extended above the ground surface, the thermoplastic pipe shall be of the type with inhibitors recommended for use in direct sunlight or shall be contained in a pumphouse or in an oversized steel pipe extending from below the frost depth to the top of the thermoplastic pipe.

(f) A permanent tag bearing the message “plastic well casing pipe” shall be attached to the top of the well.

(5) PITLESS RECEIVER TANKS. Pitless receiver units shall be approved for use under s. NR 812.091.

(a) Steel buried tanks that are part of a pitless unit shall have a minimum wall thickness of 1/4-inch and shall have an identifying seal, label, or plate showing the manufacturer’s name and model number.

(b) An approval under s. NR 812.09 shall be obtained for the installation of a buried pitless receiver tank having a gross volume greater than 1,000 gallons.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (intro.), (1), (2) (a), (b) and (d), (3) (a) 3., (5) (a) and Figure 28, cr. (5) (intro.), Register, September, 1994, No. 465, eff. 10–1–94; CR 13–099: am. (2), (4) (e) Register September 2014 No. 705, eff. 10–1–14; CR 18–095: am. (2) (a), (c), (3) (a) (intro.), 3., (b) (intro.), (4) (a), (d), (e), (5) Register June 2020 No. 774, eff. 7–1–20; correction in (1) made under s. 35.17, Stats., Register June 2020 No. 774; **CR 21–070: am. (2) (a) Register July 2022 No. 799, eff. 8–1–22.**

NR 812.32 Pumps. (1) GENERAL PUMP INSTALLATION REQUIREMENTS. (a) Pump installations shall be carried out so the pump installation will be:

1. Installed so it and its surroundings are in a sanitary condition.

2. Properly sized to provide the volume of water necessary, where obtainable, for an adequate water supply.

3. Designed to meet the well characteristics and not exceed the yield of the well except when the available aquifer is low producing.

4. Installed for operation without priming or breaking suction.

5. Installed in such manner as to provide adequate protection against contamination of the water supply from any surface or subsurface sources.

6. Installed in a manner so that it is accessible for maintenance, repair and removal.

(b) Pump motor lubricant or coolant oil shall be USDA or FDA approved food contact grade formulations.

Note: Such formulations are usually based on National Formulary, white food grade mineral oil or inhibited propylene glycol with FDA approved components.

(c) Every pump shall be installed with an above-ground discharge, an approved subsurface pitless adapter or pitless unit, or an approved subsurface well casing pipe connection.

(d) When water is pumped or flows to discharge into a body of water, the end of the discharge pipe shall be extended at least 2 pipe diameters above the highest elevation of the water.

(e) All well pump electrical installations shall conform to the Wisconsin Electrical Code, incorporated by reference in the Wisconsin Electrical Code, ch. SPS 316, and the requirements specified in that chapter. In addition to these requirements, no electrical control box or any other electrical device shall be installed inside a well casing pipe, except where the device is directly incorporated into the manufactured pump assembly.

(f) For water systems with multiple wells interconnected to a common plumbing piping system, the department may require additional equipment to reduce the possibility of back-flow or back-siphonage between wells. This equipment may include a separate pressure tank for each well, additional check valves, air gaps, reduced pressure principle backflow preventers, pressure switches, and electronic pump control devices.

(2) OFF-SET PUMP INSTALLATIONS. (a) *Buried suction pipes.*

1. Buried suction pipes shall be enclosed in a pressurized conduit and the annular space between the 2 pipes shall be maintained under system water pressure at all times provided by a pipe extending from the pump watertight to the conduit.

Note: In areas especially prone to lightning strikes to wells having submersible pumps, the department will grant variances to the prohibition against nonpressurized conduits.

2. When a suction pipe crosses a sewer, the suction pipe shall be laid according to the sewer separation requirements of s. NR 812.32 (4).

Note: A well casing pipe nipple, 1/2 threaded–1/2 beveled may be used in lieu of a full pipe coupling.

3. Pressurized conduits may terminate at the end of a horizontal pipe entering a basement. Any unburied pump suction pipe in the basement not enclosed in a pressurized conduit shall be at least one foot above the basement floor. A pressure or box elbow may be used to extend the pressurized conduit to a point above the basement floor. Pressure or box elbows may be buried.

4. A shallow well pump shall discharge to a seal-cross fitting before being connected to a pressure tank. A control valve may not be installed in the discharge pipe between the pump and the seal-cross fitting.

(b) *Pump height.* The pump impeller or cylinder for off-set pumps shall be located at an elevation at least one foot above the basement, pit, or alcove floor.

(3) PUMP INTAKE SETTING. When a well is constructed in an unconsolidated formation, the pump intake shall be set at least 5 feet above the bottom of the well casing pipe or drive pipe casing or above the top of the screen. When a pump is replaced and set to a greater depth in a well, an attempt shall be made to ascertain the well construction so this requirement can be made. The pump shall provide an adequate quantity of water, where obtainable, for the intended purpose of the well.

Note: The department may grant variances to the 5-foot requirement of this subsection in low permeability, low yielding formations.

(4) BURIED DISCHARGE LINES FROM SUBMERSIBLE PUMPS. (a) *Pressure requirements.* Buried discharge lines from submersible pumps shall meet the requirements of s. NR 812.28 and shall be maintained under system pressure at all times. Check valves may not be placed in the pump discharge pipe beyond a buried section of pipe between a well and a pressure tank. The check valves shall be located at the top of the submersible pump, or in that portion of the discharge pipe before it becomes buried, or on the spool of an approved spool-type pitless unit.

(b) *Separation from sewers.* 1. When a water discharge line crosses a sanitary sewer, the water discharge line piping within 10 feet of the point of crossing shall be installed:

a. At an elevation at least 12 inches above the top of the sewer measured from the bottom of the water line; or

b. At least 18 inches below the bottom of the sewer measured from the top of the water line; or

c. Within a waterproof sleeve made of materials as specified for sanitary building sewers in ch. SPS 384.

2. When a water discharge line extends parallel or roughly parallel with a sewer, the water discharge line shall be separated a minimum distance from the sewer as follows:

a. Water discharge lines 2 1/2 inches in diameter and larger shall be separated at least 8 feet horizontally from a sanitary sewer, measured from center to center of the 2 pipes.

b. Except as provided in subd. 2. c., water discharge lines 2 inches or smaller in diameter shall be separated at least 30 inches horizontally from a sanitary sewer, measured from center to center of the 2 pipes.

c. Water discharge lines 2 inches in diameter and smaller may be installed less than 30 inches horizontally separated from a sanitary sewer if the bottom of the water discharge line is installed at least 12 inches above the sewer, except that portion of the water

discharge line within 5 feet of the point where the line enters the building may be less than 12 inches above the sewer.

d. A water discharge line shall be separated from a storm sewer by at least 6 inches.

(c) *Back-flow and back-siphonage prevention.* When a well is installed with a submersible pump and an above ground discharge, it shall contain an UL approved check valve and an air-vacuum relief valve prior to any buried portion of the discharge pipe. When water is pumped to a pond or other body of water, the end of the pump discharge pipe shall be terminated at least 2 feet above the highest elevation of the water in the pond or other body of water.

(d) *Other locational restrictions.* 1. A water discharge line may not be installed in, under or above sanitary sewer manholes, or under a POWTS treatment, holding or dispersal component, including a septic or holding tank, or any in-ground, at-grade, or mound soil absorption unit.

2. A water discharge line shall be separated at least 10 feet horizontally from a POWTS treatment, holding or dispersal component, including but not limited to a septic or holding tank, or any in-ground, at-grade, or mound soil absorption unit.

(5) **PUMPS LOCATED BESIDE OR OVER THE WELL.** (a) *Shallow-well suction pumps, deep-well piston pumps and deep-well jet pumps.* When the pump unit does not effectively seal the top of the well casing pipe and the well pump suction pipe or jet pump piping emerges from the top, a threaded fitting, or an approved type seal with expandable rubber or neoprene gasket shall be provided between the well casing pipe and the well pump suction pipe or jet pump piping.

(b) *Lineshaft turbine pumps.* 1. 'General sealing requirements.' Lineshaft turbine pumps shall be mounted on the well or over the well casing pipe on a pump platform or well casing pipe flange so as to effectively seal the top of the well. Any opening through the pump discharge head shall be sealed watertight.

2. 'Specific sealing requirements.' The discharge head for a lineshaft turbine pump may be installed over the well casing pipe under the following conditions:

a. A minimum 12 inch high concrete pump platform shall be poured surrounding the well casing pipe. The well casing pipe shall project at least one inch up into the pump discharge head.

b. If the pump discharge head does not have enough recess to extend down over the well casing pipe at least one inch, a cast iron or steel subbase sanitary ring at least one inch thick shall be bolted to the base of the discharge head and installed surrounding the well casing pipe. A compressible neoprene gasket shall be installed between the base of the discharge head and the sanitary ring or subbase unless the metal surfaces are machined. As an alternative a flange may be welded to the top of the well casing pipe.

c. If a concrete pump platform is not to be poured surrounding the well casing pipe, a steel flange shall be welded watertight to the top of the well casing pipe. The base of the discharge head shall be bolted to the casing flange and a compressible neoprene gasket shall be installed between the 2.

d. The well casing pipe may be enlarged above grade to accommodate the pump column flange, by fillet welding or threading a steel flange plate watertight to the top of the well casing pipe. A piece of larger diameter pipe meeting Table B requirements shall then be fillet welded watertight to the top of the flange plate. The pump discharge head shall then be installed as provided in subd. 2. a. to c.

3. 'Lubrication of lineshaft turbine pumps.' a. Water lubricated lineshaft turbine pumps shall be used for potable wells. In water levels deeper than 50 feet, the pump column bearings shall be pre-lubricated prior to pump start up. Lubrication during pump backspin shall be provided if necessary. Water for lubrication of pumps shall be supplied by piping connected to a supplemental pressure system of the potable water supply. Water lubri-

cated lineshaft turbine pumps are recommended for nonpotable wells.

b. Oil lubricated lineshaft turbine pumps may be used for potable wells when the pumping water level is deeper than 250 feet except when the pump operation is expected to lower the water level in the well to a depth less than 5 feet above the bottom of the well casing pipe. Oil lubricated lineshaft turbine pumps may be used for wells provided the lubricants are USDA or FDA approved food contact grade formulations.

Note: Such formulations are usually based on National Formulary white, food grade mineral oil.

Note: The department may allow the installation of oil lubricated lineshaft turbine pumps for potable wells when the pumping water level is less than 250 feet deep when unique circumstances warrant such installation.

(6) **DISCHARGE LINES FROM LINESHAFT TURBINE PUMPS.** (a) *Pressurized.* Discharge lines from lineshaft turbine pumps that are maintained under system pressure at all times shall contain an air-vacuum relief valve preceding a check valve. A well vent shall be installed in the pump base. High capacity well pump installation is depicted in Figure 3 of ch. NR 812 Appendix.

Note: Where backspin may be expected to occur, the department recommends a time delay or backspin ratchet be provided to protect the motor in the event the pump controls are energized before the pump stops backspinning.

(b) *Nonpressurized.* Discharge lines from lineshaft turbine pumps shall contain an UL approved check valve and an air-vacuum relief valve near the pump, and prior to any buried portion of discharge pipe. When water is pumped to a pond or other body of water, the end of the pump discharge pipe shall be extended at least 2 feet above the highest elevation of the water in the pond or other body of water.

(7) **HAND PUMPS.** (a) Hand pump heads shall be designed and fabricated so there are no unprotected openings, other than the spout, to the interior of the pump. The water spout shall turn downward and be closed on top. If a separate watertight port is provided for priming, it shall be sealed watertight when not being used. Unsealed openings may not exist in the pumpbase. If the pump is installed outside, a concrete crack-free watertight pump platform at least 6 feet in diameter shall be provided. The top of this platform may be at ground grade, but in any case the platform shall be mounded so that water does not accumulate around the well. If excess water flow from the pump spout is channelized, it shall be directed to a point at least 8 feet from the well with a drain pipe or watertight channel.

(b) Hand pumps shall be connected firmly to the well casing pipe by threading in small diameter well casing pipe or by bolting the pumpbase flange to a well casing pipe flange with a gasket to seal the top of the casing. Other types of hand pump bases may be used if they meet the approval requirements specified in s. NR 812.091 for vermin-proof caps and seals.

(8) **CASING NOT PART OF PUMP INSTALLATION.** The well casing pipe for any drilled well greater than 2 inches in diameter may not be used as a delivery pipe in the pumping operation, except when the well casing pipe is under continuous pressure as with a packer-jet pump installation.

(9) **PUMP INSTALLATIONS FOR FLOWING WELLS.** (a) *Underground pipe connections.* Underground pipe connections may only be made to a flowing well with an approved pitless adapter.

(b) *Unprotected suction lines.* An off-set shallow well pump may not be connected directly to the buried pipe exiting a pitless adapter or unit of a flowing well or to a pipe extending out of the seal at the top of the well and redirected back into the ground. Buried piping from the flowing well shall discharge to a surge tank having either an overflow pipe or an air-vacuum relief valve installed in the top of the tank. A booster pump shall be connected to the surge tank and discharge into a pressure tank.

(c) *Overflow piping.* 1. When a flowing well is placed in use, the flow from the well shall be regulated by means of a control valve with a screened outlet or with a restricting orifice to prevent

waste of water. The control valve shall be restricted as much as possible and closed if the flow ceases.

2. A controlled overflow pipe or other means shall be installed for a flowing well to prevent damage from overflowing water or to prevent freezing of the top of the well.

3. When necessary, overflow piping shall be installed to prevent flow of water up the outside of the well casing pipe or to prevent freezing of water inside the casing. When installed, the flow of water from the discharge pipe shall be limited to a minimum so as to preserve groundwater and water pressure. The overflow pipe shall be installed to extend through the well cap or seal or shall extend off a surge tank in the basement. The overflow pipe may be attached to the outside wall of the well casing pipe if both the point of exit from the well casing pipe and the terminus of the overflow are at least 12 inches above the ground grade and the connection to the well casing pipe is watertight. The overflow pipe shall terminate at least 2 pipe diameters above any drain inlet at the well site, in a building or in a building basement. If the overflow is installed at the well head, the overflow shall extend at least 2 feet above the regional flood elevation and a free air gap of at least 2 pipe diameters above the drain shall be provided. The receiving drain shall discharge to the ground or to a gravel pocket at a point at least 8 feet from the well. A funnel receptacle shall be installed on the inlet of the drain to accept all of the overflow water, to prevent splashing and prevent ponding of water around the well casing pipe. If a pump is installed in the well and the well stops flowing during pumping, a screen shall be installed on the overflow pipe.

(d) *Complying installations.* Illustrations of complying pump installations for flowing wells are shown in Figures 4 to 6 of ch. NR 812 Appendix.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (2) (a) 1. and 5., (6) (b) and Figure 32, renum. (4) (b), (6) (c), (7) and (8) to be (4) (b) 1., (7) to (9) and am. (7), (9) (c) 2. and 3., cr. (1) (a) 6., (d) and (4) (b) 2., Register, September, 1994, No. 465, eff. 10–1–94; correction in (4) (b) 1. c. made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; correction in (4) (b) 1. c. made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; reprinted to reinsert omitted text in (4) Register January 2012 No. 67; CR 13–099; am. (1) (a) (intro.), cr. (1) (e), (f), am. (2) (b), cr. (4) (c), (d), am. (5) (b) 3. b., (6) (b), (9) (c) 3., cr. (9) (d) Register September 2014 No. 705, eff. 10–1–14; correction in (9) (d) title made under s. 13.92 (4) (b) 2., Stats., Register September 2014 No. 705; CR 18–095; am. (1) (a) 2., (c), (2) (a) 1., 3., r. (2) (a) 5., am. (2) (b), (3), (5) (b) 2. a. to d., (6) (a), (7), (9) (d) Register June 2020 No. 774, eff. 7–1–20; correction in (1) (a) 1. to 4., (c) made under s. 55.17, Stats., Register June 2020 No. 774.

NR 812.33 Water storage vessels. The department recommends that pressure tanks be sufficiently sized to provide the minimum pump run time recommended by the pump manufacturer.

Note: Community water systems regulated under ch. NR 811 are required to have a gross pressure tank volume of 10 times the pump capacity.

(1) **PRESSURE TANKS.** (a) *General.* Tanks relying on expansion of a flexible membrane within a restricting container, rather than on a water to air interface to provide pressure in the water system, may be used. All pressure tanks for storing potable water under pressure, including those having an air space for expansion, shall be identified by seal, label or plate indicating the manufacturer's name and model number and shall meet the following specifications:

1. Pressure tanks to be buried shall be constructed of steel, fiberglass or other comparable non-metallic composite material. Steel tanks with metallic discharge piping, meeting the requirements of s. NR 812.28, shall be used in contaminated soil areas. Steel tanks to be buried shall have a minimum wall thickness of 0.25 inches. Fiberglass or other non-metallic tanks to be buried shall have the structural strength to prevent collapse of the tank. Manufacturer's instructions shall be followed. All buried tanks shall be back-filled in place with sand, compacted in place. Steel pitless receiver tanks, when they are part of approved pitless units attached directly to the well casing pipe, shall also have a minimum wall thickness of 0.25 inches. Any air unloader pipe, tank air valve or any other pipe connection extending up to the ground

surface shall be steel pipe meeting the requirements of s. NR 812.28 and shall terminate at least 12 inches above ground grade.

Note: The department recommends that a surface air check kit be installed for a buried pressure tank to check, maintain and adjust the air pressure pre-charge of the tank. Also, in uncontaminated soil areas, pipe and pipe connections to the tank should be made with flexible pipe and fittings meeting the requirements of s. NR 812.28 to minimize strain or pressure on the tank or the tank fittings.

2. Pressure tanks having a gross volume in excess of 500 gallons, and not having a water to air interface bladder, shall have the following:

a. If the tank is buried, all electrical controls extended to at least above ground grade.

b. Each tank shall have an access manhole, a drain, and pressure gauge, pressure relief valve, water sight glass and pressure or probe operated controls for the pumps.

c. An air compressor or other suitable means to add air to the tank.

d. Any interior protective materials including but not limited to liners, paints, coatings, or sealants shall be certified for potable water use under NSF Standard 61.

Note: The department recommends that the tank have bypass piping to allow operation of the system while the tank is being repaired or painted.

(b) *Pressure tanks larger than 1,000 gallons gross volume.* An approval shall be obtained for pressure tanks having a gross volume greater than 1,000 gallons. The department recommends that pressure tanks having a volume greater than 1,000 gallons be installed above ground. When approved, the tank shall be installed according to the requirements of par. (a). When tanks of this size are approved for burial, the head end of the tank shall be cradled in a basement wall or in the wall of an approved pit to provide access and shall be constructed to the specifications for pits described in s. NR 812.36 (2) to provide access to the head of the tank. The pit shall have other additional support cradles. Pitless receiver tanks having a volume greater than 1,000 gallons may be installed without an access pit.

(2) **NONPRESSURE STORAGE VESSELS.** Nonpressure storage vessels, designed as part of a potable water supply system, may not be installed without approval from the department under s. NR 812.09. Approval is required regardless of whether or not there is a free-air gap in the water inlet line upstream of the vessel. Vessel approval is based on methods of construction and sanitary provisions. The installation of a surge tank is exempt from this approval requirement.

(a) *Surge tanks.* Surge tanks shall meet the requirements for pressure tanks described in s. NR 812.33 (1).

(b) *Reservoirs and elevated storage tanks.* A reservoir may be constructed to store water if it is constructed above the groundwater level and in accordance with this paragraph and Figure 7 of ch. NR 812 Appendix.

1. 'General construction specifications.' a. Gravity supply pipes shall be located entirely above grade and shall be conducted to the reservoir through the roof or through the curbing for the manhole. The overflow pipe described in subd. 1. b. may be installed at such a level to provide a free-air gap. Buried supply pipe shall be maintained under a continuous pressure head which is greater than the ground surface elevation.

Note: The department recommends that trees and shrubs not be planted within 25 feet of a reservoir.

b. An exposed overflow pipe shall be located just under the roof of the reservoir or outside the elevated storage tank and shall extend at least 8 feet away. The overflow pipe shall terminate with a downturned, screened elbow located at least 12 inches above ground grade. The pipe shall discharge onto a splash plate and have sufficient diameter to permit wasting water at a rate in excess of the inflow from the water source.

2. 'Steel construction specifications.' Steel reservoirs or elevated storage tanks shall meet the requirements of AWWA D100–84 for welded construction or AWWA D103–80 for bolted construction.

3. ‘Access.’ Water storage structures shall be designed with convenient access for cleaning and maintenance.

4. ‘Concrete construction specifications.’ Reservoirs constructed of concrete shall meet the following specifications:

a. The supply pipe and overflow pipe shall extend through the structure.

b. An impervious flexible water stop strip for wall construction joint and a reservoir drain facility shall be installed before the concrete is poured.

c. The floor of the reservoir shall be reinforced poured concrete with a thickness of at least 6 inches and shall have a curbing wall 6 inches high and 6 inches thick having a keyway or a flexible water stop strip for a construction joint with the walls.

d. The walls of the reservoir shall be reinforced poured concrete at least 6 inches thick and terminate above the established ground grade.

e. The roof shall be reinforced poured concrete at least 6 inches thick and shall extend at least 12 inches above established ground grade. An access manhole at least 20 inches in diameter or 20 inches square shall be constructed as an integral part of the roof. The manhole shall have a curbing wall extending at least 12 inches above the roof. The department recommends that the manhole shall be constructed entirely of 4–inch thick reinforced poured concrete, but may be fabricated of 1/4–inch steel or cast iron frame with a gasket and bolted cover. The curbing shall be provided with a snug fitting, overlapping cover with a minimum of 3–inch wide skirted sides. The department recommends that the cover be constructed with welded sheet steel, but may be constructed with reinforced poured concrete. Concrete shall be mixed according to the requirements specified in s. NR 812.11 (15) (e).

5. ‘Location requirements.’ A reservoir shall be located according to the requirements of s. NR 812.08, including the minimum separation distance requirements of s. NR 812.08 (4) established for existing or proposed potential sources of contamination.

(3) PAINTING AND CATHODIC PROTECTION. Metal surfaces of reservoirs or elevated storage tanks, to be in contact with potable water, shall be protected by paints, other protective coatings, or by cathodic protection except when documentation is provided to the department that the source water will not be aggressive or corrosive to the metal surfaces. Paint or coating systems shall conform with AWWA standard D102 and shall be NSF approved for use with potable water. When cathodic protection is to be provided, it shall be designed and installed by competent technical personnel. A copy of the AWWA standards are available for inspection at the office of the department of natural resources, the secretary of state’s office and the office of the revisor of statutes, and may be obtained for personal use from AWWA, Inc., 6666 W. Quincy Avenue, Denver, Colorado 80235.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1) (a) (title), 1., (b), (2) (b) 1. a., Register, September, 1994, No. 465, eff. 10–1–94; am. (1) (a) (intro.), 1., Register, September, 1996, No. 489, eff. 10–1–96; correction in (3) under s. 13.92 (4) (b) 6., Stats., Register July 2010 No. 655; CR 13–099; am. (1) (a) 1., cr. (1) (a) 2. d., am. (1) (b), (2) (intro.), cr. (2) (b) 5., am. (3), r. and recr. Figures 36b., 36c. Register September 2014 No. 705, eff. 10–1–14; CR 18–095; am. (1) (b), (2) (intro.), (b) (intro.), 4. e. Register June 2020 No. 774, eff. 7–1–20; (2) (b) 5. (title) created under s. 13.92 (4) (b) 2., Stats., Register June 2020 No. 774.

NR 812.34 Sample faucets. (1) A pump installer shall install a sample faucet in accordance with all of the following requirements:

(a) The sample faucet shall be installed at or upstream of the pressure tank and upstream of any water treatment equipment for collection of water samples directly from the well.

(b) The sample faucet shall be installed at least 12 inches above the floor, have a downturned spout, and be in an accessible location. All sample faucets shall be metal and shall have an inside diameter of at least 1/4 inch. The sample faucet shall have a smooth end. Threaded faucets and threaded drain valves may not be installed in place of a smooth end sample faucet even if the

threads have been filed off. Petcocks may not be used as sample faucets. Any faucet used for recirculation shall be installed with a hose connection vacuum breaker.

(c) Sample faucets shall be installed in the pump discharge piping upstream of the pressure tank entry except in any of the following cases:

1. When a buried pressure tank, a pitless receiver tank or an above ground discharge unit is installed, the sampling faucet shall be installed immediately following the point of entry into the building or building basement.

2. When an approved above ground discharge unit is used and the pressure tank is in the basement, the sampling faucet shall be installed in the service pipe from the tank at least 12 inches above the floor. The sampling faucet may be placed in the pump discharge line if there is no loss of air from the system when the faucet is opened.

(2) An entry point sample faucet shall also be installed for a non–community water system after treatment or chemical addition, if any, but prior to the distribution system for sample collection and compliance with the monitoring requirements of ch. NR 809. The entry point sample faucet shall meet all the requirements specified in sub. (1) (b).

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (intro.), (1), Register, September, 1994, No. 465, eff. 10–1–94; CR 13–099; am. (title), (intro.) Register September 2014 No. 705, eff. 10–1–14; CR 18–095; r. and recr. Register June 2020 No. 774, eff. 7–1–20; correction in (1) (c) 2. made under s. 35.17, Stats., Register June 2020 No. 774.

NR 812.35 Yard hydrants. Yard hydrants may be installed in a water system provided they are not installed in or on a well and have been approved by the department of safety and professional services for this purpose. All backflow prevention devices shall comply with ch. SPS 384 and shall be installed and maintained in accordance with ch. SPS 382.

(1) Yard hydrants having hose threaded outlets shall either:

(a) Have a hose connection vacuum breaker installed on the hose threads.

(b) Have a reduced pressure principle backflow preventer or a backflow preventer with intermediate atmospheric vent installed in the water supply pipe which serves only the yard hydrant or hydrants.

(2) Yard hydrants without hose threaded outlets may be installed without additional backflow protection if the outlet of the yard hydrants complies with the air gap requirements in s. SPS 382.41.

Note: Chapter SPS 384 requires that backflow prevention devices such as hose connection vacuum breakers, backflow preventers with intermediate atmospheric vent and reduced pressure principle backflow preventers must be reviewed by and receive device approval from department of safety and professional services. Chapter SPS 382 requirements do not allow backflow preventers to be buried or installed in a pit. Installation of hose connection vacuum breakers in areas subject to freezing must be of the type that allows draining. Department of safety and professional services plan approval must be received prior to the installation of a reduced pressure principle backflow preventer. Reduced pressure principle backflow preventers must be installed by a plumber licensed under ch. 145, Stats. and listed by department of safety and professional services to do such work. The device must be tested at least once a year by a department of safety and professional services listed backflow prevention device tester.

Note: As the result of an incorrect transcription of the amendment of sub. (2) by CR 13–099, that provision incorrectly read “Yard hydrants *having* hose threaded outlets...” from 10–1–14 to 11–1–16.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; correction in (intro.) made under s. 13.93 (2m) (b) 12., Stats., Register, September, 1996, No. 465; corrections made under s. 13.93 (2m) (b) 4., Stats., Register, September, 1996, No. 489; correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; correction in (intro.), (3) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13–099; am. (intro.), r. (1), renum. (2), (3) to (1), (2) and am. Register September 2014 No. 705, eff. 10–1–14; CR 13–099 transcription error in (2) corrected Register October 2016 No. 730; correction in (1) (a) made under s. 35.17, Stats., Register June 2020 No. 774.

NR 812.36 Pits. (1) **APPROVALS TO CONSTRUCT PITS.** A pit structure that is completely or partially below the ground surface or below a building floor used for the housing of wells, off–set pumps, pressure tanks, or heads of pressure tanks may not be constructed without prior written approval from the department under

s. NR 812.09. Pits used only for the housing of valves are exempt from the requirements of this section except that a pit used for this purpose shall be watertight, may not be connected to a sewer, shall be drained to permeable soil or to the ground surface and may not be subject to flooding.

(2) **SPECIFICATION FOR NEW PITS.** Pits shall conform to Figure 8 of ch. NR 812 Appendix and all of the following minimum specifications:

(a) *Dimensions.* 1. ‘Area.’ Five square feet of free floor area shall be provided for each square foot of area required for any pump installation equipment. The inside area of a pit may not be less than 24 square feet.

2. ‘Width.’ The width of the pit shall be not less than 2/3 of the length.

3. ‘Height.’ The height inside shall be at least 6 feet, but not less than 6 inches higher than any equipment installed in the pit.

4. ‘Walls, floor and roof thicknesses.’ The wall thickness shall be at least 6 inches and waterproof. The floor thickness shall be at least 4 inches when the floor bears on a footing. Floors used as a wall footing shall be at least 6 inches thick from the outside edge of the floor to a point at least one foot inside the wall of the pit. The roof thickness shall be at least 5 inches.

(b) *Construction.* 1. ‘Material.’ The pit shall be constructed of reinforced poured concrete thoroughly puddled in place. The concrete shall be prepared to meet the requirements specified in s. NR 812.11 (15) (e) or by using clear water and washed sand and gravel or crushed rock in the following proportions: 1 part cement, 2 parts sand, and 3 parts gravel. The water–cement ratio may not exceed 6 gallons of water per 94 pounds of cement. A 6–bag concrete mix per cubic yard with a 28–day design strength of at least 3,000 lbs. per foot and a slump test of no more than 3 inches may be used.

2. ‘Watertight juncture.’ The junction of walls, floor and roof shall be made watertight by use of water stops or keyed joints. Conduits or similar connection with the pit shall be watertight.

3. ‘Reinforcement.’ The deck or pit roof and walls of the pit structure shall be reinforced with bars or wire mesh to insure strength and durability.

4. ‘Elevation of pit roof.’ The pit roof, deck or wall top shall be above the ground surface.

(c) *Manhole opening.* 1. ‘Placement.’ The pit shall be provided with a manhole opening. The opening shall be located directly over the well, unless the well casing pipe itself extends through the roof, or if a capped section of well casing pipe at least equal in diameter to the well casing pipe is cast into the pit roof directly over the well.

2. ‘Size.’ The manhole opening shall be at least 20 inches square or 20 inches in diameter and shall be sufficiently large to allow entrance or removal of any unit or equipment to be installed in the pit.

3. ‘Curbing.’ The manhole opening shall be provided with a raised concrete curbing at least 4 inches thick. The curbing shall extend at least 4 inches above the pit roof.

4. ‘Cover.’ A structurally substantial, watertight, overlapping, tight–fitting, cover with skirted sides at least 3 inches high shall be provided for the manhole. The department recommends that a welded sheet steel cover be used, but a cover made out of lumber and covered in turn with sheet metal or tin may be acceptable if waterproof.

5. ‘Exceptions.’ A watertight, cast iron manhole frame and cover with a gasket may be substituted for a curbed manhole. When the pit is an alcove adjoining a basement foundation, a watertight concrete plug may be substituted for a curbed manhole if the roof of the pit terminates in a walkway, breezeway, patio or porch, providing the pit is reasonably accessible.

(d) *Drainage.* 1. ‘Gravity drain.’ The pit shall be drained by a watertight gravity drain discharging to the ground surface at a

point at least 8 feet from the well. The drain shall be constructed of materials conforming to ch. SPS 384 and shall have a minimum diameter of 2 inches with a screened outlet.

2. ‘Alcoves.’ An alcove may be drained to the basement floor if the pit floor slopes toward the basement and if the basement is adequately drained. If the basement is not adequately drained, a gravity drain shall be provided for the pit. The pit floor shall be one foot above the basement floor.

(e) *Termination of well casing pipe.* The well casing pipe shall terminate at least 12 inches above the pit floor and be provided with an approved watertight seal.

(f) *Venting.* 1. ‘Pit.’ A pit should be vented with 2, 2–inch diameter or larger galvanized steel pipes located in opposite corners, one pipe to extend to within one foot of the pit floor and the other to extend only through the pit roof. If used, the upper end of the vent pipes shall terminate with return bends and screened outlets.

2. ‘Well.’ The well vent pipe shall extend to the top of the pit and terminate with a return bend and a screened outlet.

(g) *Pump installation.* The free space in the pit around the well casing pipe shall be maintained so that the top of the well casing pipe is readily accessible for installation, adjustment or removal of an approved well seal and for the installation and removal of the pump or piping.

(3) **DRIVEWAY RAMPS.** If a well must be located in a driveway, parking area, walkway or other high traffic area due to small lot size, accessibility constraints or inability to otherwise meet the minimum separation distance requirements of s. NR 812.08, the well may be contained within a driveway ramp structure without department approval provided the driveway ramp meets the specifications of this subsection.

(a) *Relation to floodplain.* Driveway ramps may not be constructed in a floodway or floodplain.

(b) *Construction specifications.* Driveway ramps shall conform to Figure 9 of ch. NR 812 Appendix and all of the following minimum specifications:

1. ‘Nonpressurized conduit.’ If the well has a nonpressurized conduit, the pump installer shall evaluate the integrity of the nonpressurized conduit and its connection to the well casing pipe by performing a pressure test. If the nonpressurized conduit fails the pressure test, the nonpressurized conduit shall be eliminated and the installation shall be changed to a pitless connection in accordance with s. NR 812.42 (1) (e). Wells with nonpressurized conduits must be vented to the ceiling in the basement and shall have the pump cables enter through a conduit.

2. ‘Construction.’ The top of the well shall be contained within a manhole and frame that is set on a concrete ring. The manhole shall be water–tight with a gasketed seal and shall be bolted securely to the frame. The manhole must be surrounded by concrete or asphalt that is sloped so that surface water does not flow toward or pond on the manhole cover.

3. ‘Height of well.’ The top of the well casing pipe shall terminate a minimum of four inches above the original grade of the driveway, parking lot or sidewalk.

4. ‘Well seal.’ The top of the well shall be sealed watertight with an approved sanitary well seal.

5. ‘Conduit for electrical cable.’ Conduit for electrical wiring shall be protected and sealed to comply with s. NR 812.30 (5). If the conduit extends from the well seal to a basement, the end of the conduit shall be sealed with a watertight, vermin–proof seal.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1), Register, September, 1994, No. 465, eff. 10–1–94; correction in (2) (d) 1. made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; correction in (2) (d) 1. made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13–099; cr. (3), Figures 45A, 45B Register September 2014 No. 705, eff. 10–1–14; CR 18–095; am. (1), (2) (intro.), (b) 1., (c) 5., (d) 2., (3) (b) (intro.), 1., 5., r. (3) (b) 6. Register June 2020 No. 774, eff. 7–1–20; correction in (2) (intro.) made under s. 35.17, Stats., Register February 2021 No. 782.

NR 812.37 Water treatment. (1) SCOPE. This section applies to treatment of water for potable use in a private or non-community water system except for the disinfection, batch chlorination, and acidification prescribed in ss. NR 812.12, 812.22, and 812.41.

(2) GENERAL STANDARDS. (a) Water treatment devices installed in a water system shall have a plumbing product approval in accordance with chs. SPS 382 and 384.

(b) A water supply requiring approval under sub. (3) shall produce water free from coliform bacteria prior to treatment, unless the department determines that a water supply free from coliform bacteria is not available.

(c) Water treatment devices shall be installed in accordance with the manufacturer's printed instructions, chs. SPS 382 and 384, and, if specified, department written installation approval conditions. If there is a conflict between the manufacturer's instructions and the code requirements or approval conditions, the code requirements and approval conditions shall take precedence.

(d) A water treatment device shall be installed by one of the following:

1. A plumber licensed under s. 145.06, Stats., if the device is installed downstream of the pressure tank or building control valve.

2. A licensed pump installer if the device is installed upstream of the pressure tank.

3. A property owner who is exempt from the requirement for a plumbing license under s. 145.06 (4) (a), Stats.

Note: Section 145.06 (4) (a), Stats., provides an exemption from the requirement for a plumbing license for "plumbing work done by a property owner in a one-family building owned and occupied by him or her as his or her home or farm building, except where such license is required by local ordinance."

(e) Treatment for control of regulated contaminants in a non-community water system shall be considered only after the system owner demonstrates that none of the following alternatives are available or feasible:

1. Constructing a new well.
2. Reconstructing an existing well.
3. Connecting to an alternative water supply.

(f) The installation of a water treatment device shall supplement and not replace proper well location, construction and water supply protection.

(g) Unless otherwise stated in the department's installation approval, treatment devices requiring approval under sub. (3) shall be designed and installed to treat all water provided by the water system. The department's installation approval may exclude treatment of water being supplied for certain uses including outside hose bibs, fire protection systems, boilers used for space heating, turf sprinkler systems and non-food process water.

(h) Discharge or disposal of contaminated wastewater, filter media, or gases shall comply with applicable State and Federal regulations.

(i) All chemicals used for addition to a water system shall be approved for use under s. NR 812.091.

(j) All products in contact with potable water shall be certified for compliance with NSF/ANSI Standard 61 or shall be approved for use under s. NR 812.091.

(k) Water treatment devices may not be installed in a private or non-community water system if the department has required the well to be filled and sealed under s. NR 812.26 (4) or has required use of the system to be discontinued.

(3) INSTALLATION APPROVAL REQUIRED. Department installation approval shall be obtained prior to installation if any of the following conditions apply:

(a) The water treatment device is installed for the purpose of controlling bacteria in a non-community water system.

(b) The water treatment device will be installed on or within the well or pressure system, or when water treatment occurs within the well.

(d) The water treatment device or treatment system will control corrosion or will control, remove or prevent contaminant levels in excess of primary drinking water standards as specified under ch. NR 809, health advisories or action levels in a non-community water system.

(g) Fluoride is added to a water system.

(h) The installation of a water treatment plant facility.

(3m) INSPECTION REQUIREMENTS. Inspection of the existing well and pressure system for compliance with the construction and location requirements of this chapter is required prior to installation of a water treatment device for the purpose of controlling bacteria in a private water system. No person may install a water treatment device for the purpose of controlling bacteria in a private water system unless an inspection has been conducted that meets all of the following requirements:

(a) The inspection shall be conducted by a licensed water well driller or licensed pump installer.

(b) The inspection shall include a comprehensive visual inspection of the well and pressure system and a diligent search for the well construction report.

(c) The inspector shall report the results of the compliance inspection on the form specified by the department. The form shall be completed in full according to department instructions and shall be accurate. The inspector shall identify any corrective measures that would reduce the potential for bacteria to enter the well and pressure system.

(d) The inspector shall provide a completed inspection report and well construction report, if found, to the private water system owner. Use of the department form does not imply department approval of the well and pressure system.

(4) APPLICATION AND APPROVAL CONDITIONS. (a) In addition to the information required under s. NR 812.09 (2), the department may require the applicant to describe the proposed water treatment device; provide a sketch of the proposed installation; include results of an analysis of coliform bacteria of a water sample taken from the water supply within 6 weeks of application; include results of an analysis of contaminants to be controlled by the water treatment device of water samples taken from the water supply at specified locations; and describe the proposed water quality monitoring, operating, and maintenance programs. Additional sampling and information may be requested depending on the nature of the contamination and other site specific conditions. Analysis of water samples shall meet the requirements under s. NR 812.46 for private water systems and s. NR 809.76 for non-community water systems.

(b) The department may require operational procedures including installation of a sample faucet and an entry point sample faucet at specific locations, periodic sampling and analysis, device maintenance, and inspection provisions in its installation approval of a water treatment device.

(d) The department may require the water system owner or operator to shut off, bypass or disconnect a water treatment device installed upstream of the first sampling faucet after the well for a period of up to two weeks to obtain a sample of untreated water to analyze for coliform bacteria or other contaminants.

(e) At a minimum, fluoride treatment installations or corrosion control treatment system installations shall comply with the following standards:

1. The fluoride or the corrosion control chemical is added with a positive displacement-type feed pump.

2. A spring loaded check valve is installed between the positive displacement-type feed pump and the point of injection to prevent backflow of untreated water into the solution tank.

3. A spring loaded check valve is installed to prevent the siphoning of fluoride or corrosion control chemical into the water.

4. The feed pump and the well pump are electrically wired in interlock with a flow switch connected in series from the feed pump into the well pump and there are no water outlets upstream of the point of fluoride or corrosion control chemical injection.

5. The feed pump has a metering device for measuring fluoride or corrosion control chemical flow rates.

6. The chemical storage tank is covered and installed at an elevation lower than the feed pump.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (3) (d), (4) (e) (intro.), 1., 3. to 6., cr. (2) (i), (3) (h), Register, September, 1994, No. 465, eff. 10–1–94; corrections in (2) (a) and (c) made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; correction in (2) (a), (c), (d) 1., 3. made under s. 13.92 (4) (b) 6., 7., Stats., Register December 2011 No. 672; CR 13–099: am. (4) (a) Register September 2014 No. 705, eff. 10–1–14; CR 18–095: am. (1), (2) (b), (d), r. and recr. (2) (e), am. (2) (g), (i), cr. (2) (j), (k), am. (3) (a), (b), r. (3) (c), am. (3) (d), r. (3) (e), (f), am. (3) (g), cr. (3m), am. (4) (a), (b), r. (4) (c), am. (4) (d), (e) 5. Register June 2020 No. 774, eff. 7–1–20.; correction in (2) (k), (3) (g), (4) (e) 1. to 4. made under s. 35.17, Stats., Register June 2020 No. 774.

NR 812.38 Injection of fertilizers or pesticides for agricultural purposes. (1) POTABLE WATER SUPPLIES OR SYSTEMS. Chemical addition to a potable well or water system may only be undertaken according to the requirements of s. NR 812.37. The injection of fertilizers or pesticides into a potable well or water system is prohibited. No person may inject fertilizers or pesticides into a potable well or water system. Fertilizers or pesticides may be used with potable water systems by repumping from a tank or a pond. The discharge from the well pump into a reservoir or pond shall have a free fall from a point at least 2 feet above the established reservoir or pond overflow elevation.

(2) NONPOTABLE WATER SUPPLIES. (a) *Injection of fertilizers.* 1. The injection of fertilizers into a nonpotable well, well pump suction pipe, or pump column is prohibited. No person may inject fertilizers into a nonpotable well, well pump suction pipe, or pump column.

2. Fertilizer may be injected in the discharge pipe of a booster pump delivering water from a tank or sealed pond into which the well pump discharges through an air gap from a point at least 2 discharge pipe diameters above the overflow level of the tank or pond.

3. Fertilizer may be injected into the well pump discharge pipe of a nonpotable water system if it is injected with a positive displacement type chemical feed pump or other approved equipment at a point downstream of a reduced pressure principle backflow preventer which complies with ch. SPS 384 and is installed in accordance with ch. SPS 382 or downstream of an UL approved check valve installed in the well pump discharge pipe at the well site. The chemical feed pump shall be shut off at least 10 minutes prior to shutting off of the well pump so as to purge the chemical from the water system.

4. Fertilizer may be introduced into the well pump discharge pipe of a nonpotable water system if it is aspirated into the well pump discharge pipe with a venturi-type aspirator and the injection point is downstream of a barometric pipe loop extending at least 35 feet above the highest part of the downstream discharge piping.

(b) *Injection of pesticides.* 1. The injection of pesticides into a nonpotable well, well pump suction pipe, or pump column is prohibited. No person may inject pesticides into a nonpotable well, well pump suction pipe, or pump column.

2. Pesticide may be injected in the discharge pipe of a booster pump delivering water from a tank or pond into which the well pump discharges through an air gap from a point at least 2 discharge pipe diameters above the overflow level of the tank or pond.

3. Pesticide may be injected into the well pump discharge pipe of a nonpotable water system if it is injected with a positive displacement type chemical feed pump or other approved equipment at a point downstream of a reduced pressure principle backflow

preventer, which complies with ch. SPS 384 and is installed in the well pump discharge pipe at the well site but subject to the following conditions:

a. The department shall be notified by the owner of the non-potable water system of when and where a reduced pressure principle backflow preventer is installed in a system and when it is removed,

b. The reduced pressure principle backflow preventer shall be installed and maintained in accordance with ch. SPS 382,

c. The reduced pressure principle backflow preventer shall be installed above the regional flood level and the location shall be accessible for testing, inspection and maintenance,

d. The reduced pressure principle backflow preventer may not be bypassed or made inoperative nor removed from an irrigation system in which pesticides continue to be injected into the well pump discharge pipe,

e. Annual testing of the reduced pressure principle backflow preventer shall be conducted with a differential pressure gauge in accordance with the ASSE Standard 1013 testing method for reduced pressure principle backflow preventers by a DSPS listed backflow prevention device tester, and the owner of the system shall send a report of the test results to DSPS at least once each year, and

f. Pesticide application and use in compliance with this section shall conform to ch. ATCP 29.

Note: Lists of DSPS approved reduced principle backflow preventers are available from DSPS. Listing as a tester of reduced pressure principle backflow preventers may be obtained following successful completion of a training course accepted by DSPS. Lists of testers willing to perform the required testing are available from DSPS.

4. Pesticide may be introduced into the well pump discharge pipe of a nonpotable water system if it is aspirated into the well pump discharge pipe with a venturi-type aspirator and the injection point is downstream of a barometric pipe loop extending at least 35 feet above the highest part of the downstream discharge piping.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; correction in (2) (b) 3. f. made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1994, No. 465; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1996, No. 489; correction in (2) (b) 3. made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; correction in (2) (a) 3., (b) 3. (intro.), b., e. made under s. 13.92 (4) (b) 6., 7., Stats., Register December 2011 No. 672; CR 18–095: am. (1), r. and recr. (2) (a) 1., (b) 1. Register June 2020 No. 774, eff. 7–1–20.

NR 812.39 High capacity well water level and water usage measurement. (1) WELL WATER LEVEL MEASUREMENT.

The department may require the installation and calibration of means for the measurement of static and pumping well water levels for any high capacity well and may require the operator of the well to submit monthly reports of this information. Installation shall be made in a manner as to prevent entrance of contaminants to the water system and in compliance with approval conditions and as depicted in Figure 3 of ch. NR 812 Appendix.

(a) When an air line with altitude gauge is installed in a well, the equipment and installation shall meet the following requirements:

1. When the top of the well is not housed in a pumphouse or other structure, that portion of the air line extending above the pump discharge head or well seal, and to a depth of at least 3 feet into the well, shall be metal or shall be fiber or wire-braided reinforced tubing. An “air quick-disconnect” fitting shall be installed for the top of the air line such that the altitude or pressure gauge may be easily removed and stored in a dry place when water levels are not being measured. The “air quick-disconnect” fitting shall be installed to point downward or shall be capped such that contaminants cannot enter the air line.

2. A silicone rubber sealant or a watertight threaded metal fitting shall be used to seal the opening in the pump discharge head or the well seal through which the air line extends.

(b) When an electrical water level sensing device, a steel tape or similar means for use in measuring water levels is used in lieu

of an air line with altitude gauge, the opening in the pump discharge head or well seal used for the measurements shall be sealed watertight when water levels are not being measured.

(2) **RECORDING TOTAL WATER USAGE.** The department may require the installation and calibration of means for the recording of total water usage from a high capacity well and shall require the operator of the well to submit monthly reports of this information.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; CR 18–095: am. (1), (2) Register June 2020 No. 774, eff. 7–1–20.

NR 812.40 Above ground pumphouses. When a structure is constructed to house a well, pump, pressure tank, other appurtenances or any combination thereof, the structure shall be weather– and frost–proof, if needed. Above ground pumphouses shall be constructed with the following minimum features:

(1) When a poured–concrete floor is provided, the top of the floor shall be at least 4 inches above the established ground grade and sloped toward the drain or door, or away from the well. A watertight bond shall be provided between the well casing pipe and the concrete;

(2) A door opening outward when the structure is large enough, or a trapped floor drain discharging to the ground surface at least 8 feet from the well when a door is not installed;

(3) Protection from freezing for the well, pressure tank and piping, if needed;

(4) Hinged roof or removable hatch over the well or some provision for pulling the pump; and

(5) The structure may not be used for storage of materials that could contaminate the well.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (intro.), Register, September, 1994, No. 465, eff. 10–1–94; CR 18–095: am. (5) Register June 2020 No. 774, eff. 7–1–20.

NR 812.41 Disinfection, flushing and sampling.

(1) **DISINFECTATION.** When a potable well is entered for the purpose of installing, replacing or repairing equipment located within the well, the well and discharge piping shall be thoroughly disinfected by the pump installer or by the person who installed the pump using sodium hypochlorite or calcium hypochlorite. Chlorine compounds having additives may not be used.

(a) The disinfectant shall be dispersed throughout the entire water column and in the water system.

(b) A chlorine solution with a minimum of 100 mg/l of chlorine shall be used to disinfect wells and water systems.

(c) The disinfectant solution shall be prepared according to Table D and shall remain in the system at least 8 hours, except for emergency situations when water is needed without delay. A contact time of at least 30 minutes shall be provided for emergency situations.

(2) **FLUSHING.** The pump installer or his or her agent shall thoroughly flush the system of chlorine after disinfecting and before the pump is placed in normal service.

(3) **WATER SAMPLE COLLECTION, ANALYSIS, AND REPORTING.** The pump installer shall collect water samples, submit them to a certified laboratory for analysis, and provide the test results in compliance with s. NR 812.46.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1) (intro.), (3) (a), (c), Register, September, 1994, No. 465, eff. 10–1–94; CR 13–099: r. and recr. (3), cr. (4) Register September 2014 No. 705, eff. 10–1–14; CR 18–095: am. (1) (c), r. and recr. (3), r. (4) Register June 2020 No. 774, eff. 7–1–20.

Subchapter IV — Standards for Existing Installations

NR 812.42 Criteria for evaluation. Each existing water system shall be viewed as an individual unit and its acceptability for use as a source of water shall be determined on the basis of its location, construction, installation, pump discharge piping arrangement, water quality, and sanitary condition. The owner shall provide written documentation verifying the date of construction or installation or both. Existing installations shall meet all of the following requirements:

(1) **LOCATION, WELL CONSTRUCTION AND WATER QUALITY.** (a) *Location.* The well location shall comply with the requirements in effect at the time the well was constructed as shown in Table E, or to the location requirements of s. NR 812.08, whichever is less restrictive. However, if a contamination source was installed after the well was constructed, the well location shall conform to the requirements in effect at the time of installation of the contamination source.

(b) *Well construction.* 1. The well construction shall comply with the construction requirements in effect at the time the well was constructed or shall be in compliance with any standards or approval issued under ss. NR 812.09 to 812.25, except if the well was constructed prior to April 10, 1953, in which case the well construction shall be in compliance with the standards adopted on April 10, 1953.

2. The well casing pipe shall meet the minimum wall thickness requirements of s. NR 812.11 Table B for its diameter and may not be in a deteriorated condition.

3. For wells in basements or walkout basements, the well casing pipe depth shall be measured from the floor of the basement.

4. Wells completed in unconsolidated formations, including both drilled and driven point wells, shall have minimum well casing pipe depth settings of at least 25 feet below the ground surface, not including the screen; or, if the static water level is deeper than 15 feet, shall have the minimum well casing pipe depth setting at least 10 feet below the static water level.

5. Wells completed in sandstone shall have minimum well casing pipe depth settings below the ground surface as follows:

a. Twenty–five feet for wells constructed before February 1, 1991.

b. Thirty feet for wells constructed on or after February 1, 1991.

6. Wells terminating in limestone or dolomite shall have minimum well casing pipe depth settings below the ground surface as follows:

a. Forty feet for wells constructed before July 1, 2020.

b. Sixty feet when the depth to bedrock is less than 10 feet below the ground surface and the well was constructed between February 1, 1991 and July 1, 2020.

c. Sixty feet when the depth to bedrock is less than 20 feet below the ground surface and the well was constructed after July 1, 2020.

7. Wells terminating in bedrock other than sandstone, limestone, or dolomite shall have a minimum of 40 feet of casing pipe below the ground surface.

(c) *Water quality.* A well shall produce water free from coliform bacteria and free from contaminant levels in excess of the standards of s. NR 812.06. If the standards of s. NR 812.06 are exceeded, the department may require the water system to be upgraded to meet the requirements of this chapter or may require the well to be filled and sealed according to the criteria and requirements of s. NR 812.26.

TABLE E

HISTORIC MINIMUM SEPARATION DISTANCE REQUIREMENTS BETWEEN EXISTING POTABLE OR NON-POTABLE WELLS, RESERVOIRS, AND SPRINGS AND POSSIBLE SOURCES OF CONTAMINATION

Source	Prior to Oct. 1, 1975	Oct. 1, 1975 to Sept. 30, 1981	Oct. 1, 1981 to Jan 31, 1991	Feb. 1, 1991 to Sept. 30, 1994	Oct. 1, 1994 to Sept. 30, 2014	Oct. 1, 2014 to June 30, 2020
Absorption Unit (field), soil [See Soil Absorption Unit] (Also known as a POWTS dispersal component)	50'	50'	50'	50'	50'	50'
Agricultural crop field Note: Not a requirement—only a recommendation	None	None	None	None	None	25' recommended
Air shaft—heating/air conditioning (Vertical, Below grade)	None	None	None	None	25'	25'
Animal Barn	—	—	—	—	—	50'
Animal Barn Pen	None	25'	25'	25'	25'	—
Animal Shelter (not including small residential pet shelter or pet kennel housing 5 or fewer adult pets)	None	50'	50'	50'	50'	50'
Animal Yard—Includes Calf Hutch (but not including residential lot dog kennel enclosing 5 or fewer adult pets)	None	50'	50'	50'	50'	50'
Barn, Animal	—	—	—	—	—	50'
Barn Gutter	None	25'	25'	25'	25'	50'
Building Overhang (from centerline of well)	2'	2'	2'	2'	2'	None
Cemetery Grave Sites	None	100'	100'	50'	50'	50'
Cistern	10'	10'	10'	8'	8'	8'
Coal Storage (greater than 500 tons)	None	None	None	1,200'	1,200'	1,200'
Composting Site (See Solid Waste Processing Facility)	None	None	None	None	250'	250'
Culvert, stormwater	None	None	None	None	None	8'
Discharge to ground from a Water Treatment Device	None	None	None	25'	25'	None
Ditch—Edge of	None	None	None	None	25'	8'
Doghouse or kennel housing 5 or fewer adult pets on residential lot	None	None	None	50'	8'	8'
Downspout Outlet (Rainwater, including the discharge therefrom)	10'	10'	10'	8'	8'	None
Drain – Sanitary building (having pipe conforming to ch. SPS 384) (Buried)	10'	8'	8'	8'	8'	8'
Drain – Sanitary building (not having pipe conforming to ch. SPS 384) (Buried)	10'	25'	25'	25'	25'	25'
DRAIN (any material) (Buried)						
— Clear Water Drain	10'	10'	10'	8'	8'	None
— Building—Foundation Drain	10'	10'	10'	8'	8'	None
— Building—Foundation Drain—Sewer Connected	15'	15'	15'	8'	8'	None
Drillhole used for the underground placement of any waste, surface water or any substance as defined in s. 160.01 (8), Stats.	None	None	None	None	100'	100'
Fertilizer or Pesticide Storage Tank (any size, surface or buried) (This distance applies only for nonpotable wells)	None	None	None	8'	8'	8'
Fertilizer or Pesticide, any size Buried Storage Tank	None	None	None	100'	100'	100'
Surface tank >1,500 gal (This distance applies only for potable wells)						
Filter Strip	None	None	None	50'	50'	50'
Fuel Oil Tank—Buried	None	100'	100'	100'	100'	100'
		(25' Allowed for Private Res. Lots Only)	(25' Allowed for Private Res. Lots Only)	(Including any associated buried piping) (25' allowed for tanks serving single family residences)	(Including any associated buried piping) (25' allowed for tanks serving single family residences)	(Including any associated buried piping) (25' allowed for tanks serving single family residences)
Fuel Oil Tank Serving a Single –Family Residence	None	25' Allowed for Private Res. Lots Only	25' Allowed for Private Res. Lots Only	25'	25'	25' (Including any associated piping)
Fuel Oil Tank—Surface (>1,500 gallons) (including any associated piping)	None	None	None	100'	100'	100' (Including any associated piping)
Fuel Oil Tank—Surface (<1,500 gallons)	None	None	None	None	None	25'
Fertilizer or Pesticide (Dry) Storage Area or Building (more than 100 pounds)	None	None	None	None	100'	100'

Source	Prior to Oct. 1, 1975	Oct. 1, 1975 to Sept. 30, 1981	Oct. 1, 1981 to Jan 31, 1991	Feb. 1, 1991 to Sept. 30, 1994	Oct. 1, 1994 to Sept. 30, 2014	Oct. 1, 2014 to June 30, 2020
Gasoline or Other Petroleum or Liquid Product Tank — Buried (Does not apply to separation distance between Liquid Propane tanks and wells serving single family residences)	None	100'	100'	100' (Including any associated buried piping)	100' (Including any associated buried piping)	100' (Including any associated piping)
Gasoline or Other Petroleum or Liquid Product Tank—Surface (< 1,500 gallons, including any associated buried piping)	None	None	None	None	None	25'
Gasoline or Other Petroleum or Liquid Product Tank—Surface (> 1,500 gallons, including any associated buried piping)	None	None	None	100'	100'	100'
Glass Lined Feed Storage Facility (Harvester-Type Silos)	None	25'	25'	50'	50'	50'
Grease Interceptor (Trap) (Buried)	25'	25'	25'	25'	25'	25'
Hazardous Waste Treatment Facility Regulated by the department	None	None	None	1,200'	1,200'	1,200'
Heat exchange drillhole	None	None	None	None	None	None
Holding Tank (Wastewater)	None	25'	25'	25'	25'	25'
(Also known as a POWTS holding component)						
Infiltration basin or system, Stormwater	None	None	None	None	100'	100'
Junkyard or Scrap Yard	None	None	None	250'	250'	250'
Kennel on residential lot enclosing 5 or fewer adult pets	None	None	None	50'	8'	8'
Kennel, other than above	None	None	None	50'	50'	50'
Lagoon, Treatment (See liquid waste disposal system)	—	—	—	—	—	—
Lake Shoreline (Measured to the edge of the floodway)	None	25'	25' (60' For Schools and High Cap. Wells)	25'	25'	25'
Landfills (existing, proposed or abandoned) (Distance to Nearest Fill Area of abandoned landfills if Known; Otherwise to the Property Line)	None	400 yards	400 yards	1,200'	1,200'	1,200'
Lift Station	—	—	—	—	100'	100'
Liquid Propane (L.P.) gas tank (buried) (Applies only to wells serving a single-family residence. For other wells see s. NR 812.04 (4) (d) 1.)	None	None	None	None	None	8'
Liquid Waste Disposal System	None	250'	250'–300'	250'	250'	250'
Manure Hopper or Reception Tank—Liquid—Tight	None	75'	75'–150'	50'	50'	50'
Manure Loading Area	None	None	None	None	50'	50'
Manure Stack –Temporary	None	100'	100'	250'	150'	150'
Manure—Storage Structure (Earthen, Excavated or Non-liquid tight)	None	250'	250'–300'	250'	250'	250'
Manure Storage Structure (Fabricated, Liquid-Tight)	None	100'	100'–175'	100'	100'	100'
Manure—Storage Basin—Liquid—Tight Concrete Floor with an Acceptable Drainage Facility	None	100'	150'–300'	Now in category of Manure Storage Structure	Now in category of Manure Storage Structure	Now in category of Manure Storage Structure
Milk house drain outlet	None	None	None	None	None	50'
Mound System (Measured to the toe of the mound) (Also known as POWTS dispersal component.)	50'	50'	50'	50'	50'	50'
Nonpotable Well	None	None	None	8'	8'	8'
Pesticide or Fertilizer (Dry) Storage Area or Building (More than 100 Pounds)	None	None	None	None	100'	100'
Pesticide or Fertilizer Storage Tank (not buried)—less than 1,500 gallons (this distance applies only for non-potable wells)	None	None	None	8'	8'	8'
Pesticide or Fertilizer Storage Tank—Buried tank, any size, or any surface tank > 1,500 gal (this distance applies only for potable wells)	None	None	None	100'	100'	100'
Pet Waste Pit Disposal Unit	None	50'	50'	50'	50'	50'
Pet animal shelter or kennel on residential lot and housing not more than 5 adult pets.	None	None	None	50'	8'	8'
Pet animal shelter or kennel housing more than 5 adult pets or not on residential lot.	None	None	None	50'	50'	50'
Petroleum Product Tank—Surface – less than 1,500 gallons capacity	None	None	None	None	None	25'
Petroleum Product Tank—Surface – greater than or equal to 1,500 gallons capacity	None	None	None	None	None	100'

Source	Prior to Oct. 1, 1975	Oct. 1, 1975 to Sept. 30, 1981	Oct. 1, 1981 to Jan 31, 1991	Feb. 1, 1991 to Sept. 30, 1994	Oct. 1, 1994 to Sept. 30, 2014	Oct. 1, 2014 to June 30, 2020
Pits—Noncomplying	None	10'	10' (20' For Schools, WWTPs, and High Capacity—Including Approved Pits)	8'	8'	8'
Plastic Silage Storage and Transfer Tube	None	None	None	8'	8'	50'
Pond (Measured to nearest high-water edge)	None	None	None	None	None	25'
Pond, Stormwater detention (Edge of)	None	None	None	None	25'	25'
Pond, synthetically-lined decorative yard pond on a residential lot	—	—	—	—	—	None
Pond, treatment (See liquid waste disposal system)	—	—	—	—	—	—
POWTS holding component (Also known as a holding tank.)	25'	25'	25'	25'	25'	25'
POWTS treatment component (Includes septic tanks, aerobic treatment units or filters)	25'	25'	25'	25'	25'	25'
POWTS dispersal component (Also known as a soil absorption unit or mound.)	50'	50'	50' (200' for schools)	50' (200' for schools)	50' (200' for schools)	50' (200' for schools)
Privy (Also known as pit privy)	50' (Sewage Disposal Units)	50'	50'	50'	50'	50'
Quarry (See s. NR 812.12 (4) for well casing depth well construction requirements for wells to be constructed within 500 feet of a quarry or within 1,200 prior to October 1, 2014)	—	—	—	1200'	1200'	500'
Recycling Facility	None	None	None	None	None	100'
Reservoir—Noncomplying (Cistern)	10'	10'	10'	8'	8'	8'
Ridge and Furrow System (See liquid waste disposal system)						
River or Stream Edge (Measured to the edge of the floodway)	None	25'	25' (60' For Schools and High Cap. Wells)	25'	25'	25'
Salt or Deicing Material Storage Area (Including structure and area surrounding where material is transferred to vehicles) (This category includes sand & salt mixtures if salt content of mixture is 5% or more)	None	None	None	250'	250'	250'
Salvage Yard	None	None	None	250'	250'	250'
Scrap Metal Processing Facility	None	None	None	None	None	100'
Septage Landspreading Area	None	None	None	None	None	25'
Note: Not a requirement—only a recommendation						recommended
Septic Tank (Also known as a POWTS treatment component)	25'	25'	25'	25'	25'	25'
SEWER (ch. SPS 384 Materials) (Buried)						
—Manure/Gravity sewer	8'	8'	8'	25'	25'	25'
—Manure/Pressurized sewer	8'	8'	25'	25'	25'	25'
—Sanitary Building/Gravity sewer	8'	8'	8'	8'	8'	8'
—Sanitary Building/Pressurized sewer	8'	25'	25'	25'	25'	25'
—Sanitary Collector sewer (Serving ≤ 4 living units or ≤ 6" diameter)	8'	50'	50'	50'	25'	25'
—Sanitary Collector sewer (Serving > 4 living units or > 6" diameter)	8'	50'	50'	50'	50'	50'
—Influent sewer	50'	50'	50'	50'	50'	50'
—Storm Collector sewer (≤6" diameter)	8'	50'	50'	50'	25'	8'
—Storm Collector sewer (> 6" diameter)	8'	50'	50'	50'	50'	8'
SEWER (not ch. SPS 384 Materials) (Buried)						
—Manure/Gravity sewer	25'	25'	25'	25'	25'	25'
—Manure/Pressurized sewer	25'	50'	50'	50'	50'	50'
—Sanitary Building/gravity sewer	25'	25'	25'	25'	25'	25'
—Sanitary Building/Pressurized sewer	25'	25'	25'	25'	50'	50'
—Storm Building sewer	25'	25'	25'	25'	8'	None
—Sanitary Collector sewer	25'	50'	50'	50'	50'	50'
—Storm Collector sewer	25'	50'	50'	50'	50'	8'
—Influent sewer	50'	50'	50'	50'	50'	50'

Source	Prior to Oct. 1, 1975	Oct. 1, 1975 to Sept. 30, 1981	Oct. 1, 1981 to Jan 31, 1991	Feb. 1, 1991 to Sept. 30, 1994	Oct. 1, 1994 to Sept. 30, 2014	Oct. 1, 2014 to June 30, 2020
Shoreline—Lake, River or Stream [Measured as indicated in subd. (4) (b) 7.]	None	25'	25' (60' For Schools and High Capacity Wells)	25'	25'	25'
Silage Storage, Earthen Trench or Pit	None	100'	100'– 175'	250'	250'	250'
Silage Storage Structure (Fabricated liquid-tight) (In-ground or surface)	None	None	None	None	100'	100'
Silage Storage—Surface, Uncovered	None	None	None	None	100'	100'
Silage Storage Tube (Plastic)	None	None	None	8'	8'	50'
Silo With Pit	None	50'	50'	50'	50'	50'
Silo Without Pit But With Concrete Floor and Drain	None	25'	25'	50'	50'	50'
Single application landspreading of petroleum-contaminated soil	—	—	—	—	250'	250'
Sludge Drying Bed, Liquid-tight	None	None	None	None	None	100'
Sludge Landspreading or Drying Area Note: Not a requirement—only a recommendation	None	200'	200'	250'	250'	25' recommended
Soil Absorption Unit (≤12,000 gal/day, includes alternate unit) (Also known as POWTS dispersal component)	50'	50'	50' (200' for schools as of 1978)	50' (200' for schools)	50' (200' for schools)	50' (200' for schools)
Soil Absorption Unit (≥12,000 gal/day, existing or abandoned) (Also known as POWTS dispersal component)	50'	50'	50' (200' for schools as of 1978)	250'	250'	250'
Solid Waste Processing Facility (Including composting facilities)	None	None	None	None	250'	250'
Solid Waste Site (Distance to Nearest Fill Area or Proposed Fill Area If Known; Otherwise to the Property Line) (See Landfill)	None	400 yards	400 yards	1,200'	1,200'	1,200'
Solid Waste Transfer Facility	None	None	None	None	250'	250'
Spray Irrigation Waste Disposal Site (See liquid waste disposal system)						
Stormwater detention pond or basin	None	None	None	None	25'	25'
Stormwater infiltration basin or system	None	None	None	None	100'	100'
Sump Clear water	None	None	None	8'	8'	None
Sump—Wastewater (Watertight) (formerly cast-iron equivalent)	None	8'	8'	25'	25'	8'
Sump—Wastewater (not watertight or equivalent to cast iron)	None	25'	25'	25'	25'	25'
Swimming Pool (from edge of water)	None	25' (Below ground)	25' (Below ground)	25' (Below ground)	8' (above or below ground)	8' (above or below ground)
Temporary Manure Stack	None	100'	100'	250'	150'	150'
Vegetated Treatment Area (Previously known as a Filter Strip)	None	None	None	50'	50'	50'
Waste Disposal Site (See Landfill)						
Wastewater Treatment Plant Effluent Pipe	None	None	None	50'	50'	50'
Wastewater Treatment Plant Structure, Conveyance or Treatment Unit	None	None	150'	100'	100'	100'
Well or drillhole used for underground placement of any waste, surface water or any substance as defined in s. 160.01, Stats.	None	None	None	None	100'	100'
Yard Hydrant	None	10'	10'	8'	8'	None, but not allowed to be installed in or on well.

(2) PITS AND ALCOVES. Existing well or pressure tank pits and alcoves constructed after April 10, 1953 shall comply with the minimum requirements specified in s. NR 812.36 (2). When a well in a pit is filled and sealed, the pit shall be filled in accordance with s. NR 812.26 (5) (m) unless the pit is a complying valve pit. If a building is constructed over a well pit or alcove, the well shall meet the requirements of a basement well as specified in s. NR 812.42 (9). Pits and alcoves constructed on or before April 10, 1953 shall meet the following minimum requirements:

(a) *Construction.* The entire pit or alcove, including the roof, shall be constructed of reinforced watertight poured concrete. If the pit or alcove has a history of being continuously dry, walls of concrete block, brick, or stone with mortared joints are allowed. The walls, floor and roof shall be crack-free and watertight. The junction of walls and floors and all openings in the structure shall be sealed watertight. The roof or deck shall be at or above the ground surface. Requirements for existing pits are shown in Fig-

ure 10 of ch. NR 812 Appendix. Requirements for existing alcoves are shown in Figure 11 of ch. NR 812 Appendix.

(b) *Access.* The pit or alcove shall be provided with a manhole opening, having a raised curbing edge at least 4 inches higher than the pit or alcove roof. A structurally substantial, waterproof, overlapping, tight-fitting cover with skirted sides shall be provided for the manhole. A watertight, cast-iron manhole frame and cover bolted in place with a gasket may be substituted for a curbed manhole. An alcove adjoining a basement or a pit not having the manhole centered over the well may have a section of well casing pipe installed directly above the well. This pipe shall be equal in size or larger than the well casing pipe and it shall be sealed with an approved well seal or cap.

(c) *Drainage.* An alcove adjoining a basement where the basement is subject to flooding shall be discontinued for use as a well pit and the well shall be filled and sealed according to s. NR 812.26. The alcove need not be filled and sealed. A pit or alcove drain or sump pump discharge pipe may not be directly connected to a sewer or other plumbing system. If the alcove drain discharge pipe is discharging to the ground surface, the end of the discharge pipe shall be screened.

(d) *Casing height.* The well casing pipe shall terminate at least 6 inches above the floor of a pit or alcove and shall be provided with a one-piece sanitary well seal approved for use under s. NR 812.091.

1. If the well casing pipe does not extend at least 6 inches above the floor, the pit or alcove may remain in service only if all of the following apply:

a. The well location meets the minimum standards of sub. (1) (a).

b. The well construction meets the minimum standards of sub. (1) (b), verified by measuring the well casing pipe depth in accordance with sub. (7) (c) 3., if no confirmable well construction report can be found for the well. Well details, including location, well casing pipe depth, total well depth, distances to possible contaminant sources and well owner information shall be entered on a form and submitted to the department in accordance with s. NR 812.10 (15).

c. The pit or alcove structure meets the requirements of this section.

d. The well casing pipe is extended up and out of the pit or alcove to 12 inches above the outside grade in accordance with sub. (12). For situations where the well would create an obstruction, including in a stoop, sidewalk, breezeway, driveway, garage or patio, making it impractical to raise the well casing pipe up and out of the alcove, the well casing pipe may be raised to a height just below the ceiling of the alcove structure in accordance with sub. (12).

2. If the floor of an alcove is lower than the basement floor, the alcove floor shall be raised to a height at least even with the basement floor by pouring concrete.

3. If the raised alcove floor results in the well casing pipe terminating less than 6 inches above the floor, then the well casing pipe shall be extended as specified in sub. (2) (d) 1. d. and in accordance with sub. (12).

(e) *Pit venting.* Well pit vent pipes, if used, shall be located in opposite corners. One pipe shall extend to within one foot of the pit floor and the other extend only down through the pit roof. The upper end of each vent pipe shall extend watertight through the pit roof and terminate with a reverse bend and screened outlet.

(3) NONCOMPLYING PITS AND ALCOVES. (a) *Noncomplying pit structures.* When a pit structure does not meet the minimum construction requirements of sub. (2) or when water gains access to a pit through the floor or walls, the floor and at least one wall of the pit shall be perforated and the pit shall be filled after properly extending the well casing pipe above grade in accordance with sub. (12) or after properly filling and sealing the existing well according to s. NR 812.26. Before the pit is filled, all water system

components, including the pressure tank, pump, discharge piping, electrical wiring and conduit, and any treatment equipment shall be removed from the pit.

(b) *Noncomplying alcoves.* If the pit is an alcove, the alcove does not need to be filled, except when the alcove floor is lower than the basement floor, in which case the floor shall be raised to a height at least even with the basement floor by pouring concrete. To allow for easy removal of the pump for servicing or replacement, this casing extension may be made with the use of a threaded and coupled joint.

(c) *Other modifications to pit or alcove.* Any other modifications to a pit or alcove allowed under this chapter shall meet the requirements of s. NR 812.36.

(3m) VALVE PITS AND ALCOVES. Existing pits and alcoves used only for the housing of valves are exempt from the requirements of this section except that a pit or alcove used for this purpose shall be watertight, may not be connected to a sewer, shall be drained to permeable soil or to the ground surface, and may not be subject to flooding.

(4) RESERVOIRS. (a) An existing reservoir shall be constructed of steel or reinforced concrete. If constructed with concrete, the roof shall be watertight, reinforced, poured concrete having a thickness of at least 5 inches. The walls and floor of the reservoir shall be watertight and constructed of reinforced, poured concrete or equivalent watertight construction.

(b) The manhole curbing shall extend at least 12 inches above the established ground grade. If the reservoir roof terminates above the established ground grade, the curbing shall terminate at least 6 inches above the reservoir roof. The manhole shall be provided with a waterproof, tight-fitting, overlapping metal cover with skirted sides.

(c) A reservoir overflow pipe shall be installed watertight just under the roof of the reservoir and entirely above the established ground grade. It shall terminate at a point at least 12 inches above the established ground grade with a screened, downturned elbow. If an existing overflow pipe is totally buried between the reservoir and its outlet, it shall be eliminated by properly sealing the pipe with concrete at the reservoir.

(d) A gravity discharge pipe to the reservoir shall extend entirely above established ground grade and through the roof of the reservoir or manhole curbing. Service pipe connections shall be sealed watertight. A pressurized service pipe may be connected to the reservoir below ground grade provided it is under a continuous pressure which is greater than the ground surface elevation.

(e) The reservoir shall meet the location requirements in effect at the time of its construction.

(f) When a below ground-grade reservoir or a buried pressure tank pit is to be abandoned, it shall be permanently filled and sealed when the well or drillhole is filled and sealed. The reservoir shall be filled according to the filling and sealing requirements specified in s. NR 812.26 (5) (m) for well pits.

(g) The owner shall permanently fill and seal a reservoir if any of the following apply:

1. The location or construction of the reservoir does not meet the requirements of this chapter.

2. It poses a hazard to health or safety.

3. It has been taken out of service or has not been used for 2 or more years.

(h) A reservoir shall be maintained in a clean and sanitary condition and provide water free from coliform bacteria and free from contaminant levels in excess of the standards specified in s. NR 812.06.

(5) DUG WELLS. An existing dug well may be continued in service only if it produces water free from coliform bacteria and free from contaminant levels in excess of the standards specified in s. NR 812.06. Use of dug wells is not recommended by the depart-

ment. A dug well may not be reconstructed without approval under s. NR 812.09 (4) (m). Existing dug wells shall meet the following minimum construction requirements:

(a) *Curbing.* The curbing of every dug well shall be of watertight reinforced poured concrete or at least 3/16 inch thick steel curbing with watertight joints. Fieldstone curbing may not be used. The curbing shall extend above grade at least 8 inches and be protected from flooding. An open annular space may not exist around the dug well curbing.

(b) *Depth.* If the well was dug after June, 1975, the watertight curbing shall extend to a depth of at least 25 feet below ground surface and the well shall produce water free from coliform bacteria. If the well was dug prior to June, 1975, the watertight curbing shall extend to at least the 15-foot depth and the well shall produce water free from coliform bacteria.

(c) *Cover.* The dug well cover shall be of watertight, reinforced concrete at least 5 inches thick and wide enough to overlap the curbing by at least 2 inches. It shall provide a tight seal and be free of joints. A steel well casing pipe sleeve meeting the requirement for potable well casing pipe specified in s. NR 812.11 (6) shall extend watertight through the cover to provide access for installing the pump. The steel well casing pipe sleeve shall extend at least 8 inches above the cover and have an approved well cap or a one-piece well seal.

(d) *Equipment location.* Pumping equipment or attachments may not be installed for a dug well so that access to the interior of the well will be required for maintenance or repair.

(6) PUMP AND PUMP DISCHARGE INSTALLATIONS. Pump installations installed prior to February 1, 1991 shall conform to the following requirements:

(a) *Residential up to three families.* Installations for water supplies serving a maximum total of 3 families in residential units shall meet the following requirements:

1. The subsurface connection to the well casing pipe may be made with an approved weld-on pitless adapter or with an approved pitless unit provided the adapter or unit is installed according to the requirements of s. NR 812.31.

2. a. Any buried suction pipe shall be contained in a sealed pressurized conduit or a nonpressurized conduit, if the nonpressurized conduit was installed before February 1, 1991 (Figures 12 and 13 of ch. NR 812 Appendix). The nonpressurized conduit shall meet the pipe requirements of Table B between the connection to the well casing pipe and a basement, or shall be properly connected to the well with an approved pitless adapter or pitless unit designed for and used with a concentric piping arrangement. Unprotected buried suction lines not enclosed in conduit may not be used.

Note: Unprotected buried suction lines have never been allowed by the Wisconsin Well and Pump Code.

b. Nonpressurized conduits shall have been welded watertight or threaded watertight to the well casing pipe and shall be at least 4 inches in diameter and shall enter the basement such that the bottom of the conduit is at least 6 inches above the basement floor.

Note: Nonpressurized conduits to protect buried suction lines were only allowed before February 1, 1991 and then only for installations serving three or fewer homes.

c. A nonpressurized conduit may extend at an angle up through a basement floor, or up through a concrete slab floor of a building having no basement, provided the lowest end of the conduit is at least 6 inches above the floor.

d. The basement end of a nonpressurized conduit shall be sealed with a watertight seal.

3. Buried submersible pump discharge pipes connected to pitless adapters or pitless units shall conform to the requirements specified in s. NR 812.11 (6) for steel pipe or shall conform to the requirements in the "Pipe and Tubing for water services and private water mains" table in ch. SPS 384. This pipe shall be maintained under system pressure at all times. No check valve may be

placed in the pump discharge line between a pitless adapter or unit and a pressure tank or other pressure vessel. The check valve shall be located either at the top of the submersible pump, in that portion of the discharge pipe within the well or on the spool of an approved spool-type pitless unit.

(b) *Residential more than three families.* Installations for non-community water systems and water systems serving more than 3 families in residential units except high capacity and school wells shall meet all of the following requirements:

1. The subsurface connection to the well casing pipe may be made with a factory-assembled pitless unit provided the unit is approved and installed according to the requirements of s. NR 812.31.

2. All suction pipe for off-set pump installations shall be enclosed in a sealed pressurized conduit between the connection to the well casing pipe and a basement, or shall be connected to the well with an approved factory-assembled pitless unit designed for and having a concentric pressurized piping arrangement. Unprotected buried suction lines or suction lines enclosed in nonpressurized conduits may not be used. The pipe for a pressurized conduit shall meet the requirements of Table B and shall enter the basement such that any pump suction pipe in the basement not enclosed in a pressurized conduit shall be at least 6 inches above the basement floor.

3. Buried submersible pump discharge pipes connected to pitless units shall meet the requirements of sub. (6) (a) 3.

4. When an existing off-set pump installation using a nonpressurized conduit has been or will be converted to a submersible pump installation, the nonpressurized conduit shall be completely eliminated by cutting off the well casing pipe below the nonpressurized conduit, extending the well casing pipe to at least 12 inches above grade in accordance with sub. (12) and installing pressurized discharge piping according to the requirements of ss. NR 812.28, 812.31, and 812.32 (4).

(c) *School and high capacity wells.* Pump installations for water supplies serving schools, and high capacity wells shall be provided with an above-ground discharge meeting the minimum requirements of s. NR 812.32.

(d) *Pit pump location.* A pump located in a conforming pit or alcove shall be installed to allow the sealing of the top of the well with an approved one-piece sanitary well seal.

(e) *Hand pumps.* Hand pumps may be continued in service if the pump base flange is bolted watertight to a well casing pipe flange and has a gasket seal; if the pump is firmly threaded to the well casing pipe; or if the structured base of the pump has recesses and is bolted to the top of the well casing pipe.

(f) *Pump connections to reservoirs.* If water is pumped to a reservoir, the piping attachment to the pump shall be made with watertight pipe fittings. The discharge pipe from the pump shall enter the reservoir in a watertight manner through that portion of the structure extending above the ground grade, unless a subsurface reservoir supply pipe is connected to the well by an approved pitless adapter and the supply pipe can be maintained under a continuous pressure head which is greater than the ground surface elevation. In such case the supply pipe shall terminate near the bottom of the reservoir. A float control switch or low and high water level electrical pump-control elements may be provided to control the pump. A check valve may be installed only in the portion of the pump discharge pipe located within the well.

(g) *Pump installations for flowing wells.* Pump installations for flowing wells shall meet the requirements of s. NR 812.32 (9).

(7) CASING HEIGHT. (a) When a well is not terminated in a basement, in a walkout basement, in a pit, or in an alcove, the well casing pipe shall extend above grade as follows:

1. Low capacity wells, except school and wastewater treatment plant wells, constructed before February 1, 1991 shall terminate at least 8 inches above established ground grade,

2. High capacity, school and wastewater treatment plant wells shall terminate at least 12 inches above established ground grade, and

3. All wells constructed on or after February 1, 1991 shall terminate at least 12 inches above established ground grade.

4. All wells located in a floodplain shall extend at least 2 feet above the regional flood elevation for the well site.

(b) When the height of a well casing pipe does not meet the requirements of this section, it shall be extended in accordance with subs. (11) and (12) to a height at least 12 inches above ground grade or above the floor of a pumphouse; or, if applicable, 2 feet above the regional flood elevation.

(c) 1. When a well is terminated in a basement, a below-grade crawl space, in a walkout basement, in a pit or in an alcove, the well casing pipe shall extend 6 inches above the floor of the structure.

2. When the height of a well casing pipe does not meet the requirements of this section, it shall be extended in accordance with sub. (12) to a height at least 12 inches above the floor of the structure, except that for wells extended out of pits and alcoves the well casing pipe shall be extended at least 12 inches above the outside ground grade. When the well would create an obstruction to pedestrian passage, the well casing pipe may be raised to a height just below the ceiling of the alcove structure.

3. The well casing pipe may only be extended if the well meets the well casing pipe depth requirements of sub. (1) (b). If it does not meet the requirements of sub. (1) (b), the well shall be filled and sealed according to the requirements of s. NR 812.26. The well casing pipe depth shall be measured before extending the well casing pipe, if there is no confirmable well construction report for the well. Well details, including location, well casing pipe depth, total well depth, distances to possible contaminant sources, and well owner information shall be entered on a form and submitted to the department in accordance with s. NR 812.10 (15).

(8) EXISTING WELL SEALS AND CAPS. (a) A noncomplying well cap or well seal shall be replaced with an approved well cap or well seal in any of these situations:

1. The existing cap or seal, or the electrical conduit is broken or damaged,

2. The well is entered for the purpose of installing, replacing, or repairing the pump or any other equipment located within the well.

3. The well is entered for the purpose of reconstructing or rehabilitating the well.

(c) Split-plate well seals may only be used when the well is located in a pumphouse or a building.

(d) No open holes, other than an optional screened well vent, may exist in a new replacement well cap or well seal.

(e) Approved well caps or approved well seals shall be installed by licensed water well drillers or registered water well drilling businesses, or licensed pump installers or registered pump installing businesses.

(9) WELLS IN BASEMENTS AND WALKOUT BASEMENTS. (a) *Wells in basements and below-grade crawl spaces, not including wells in alcoves.* 1. Wells constructed after April 10, 1953 terminating in basements or wells constructed after July of 1951 terminating under a building addition shall be permanently filled and sealed according to the requirements of s. NR 812.26.

2. Wells terminating in basements or below-grade crawl spaces shall meet the general requirements of s. NR 812.42 (1).

3. Screens may not be replaced on driven point wells terminating in or extending through basements or below-grade crawl spaces. When a driven point well screen needs replacement, the driven point well shall be permanently filled and sealed according

to the requirements of s. NR 812.26. Any replacement well shall meet the requirements for new wells in this chapter.

4. Wells terminating in basements or below grade crawl spaces may remain in service if all of the following conditions are met:

a. The well was installed before April 10, 1953.

b. If the well is a driven point, the point was never replaced after April 10, 1953.

c. The well produces water free from contaminant levels in excess of the standards of s. NR 812.06.

d. The well casing pipe depth meets the requirements of sub. (1) (b).

e. The well and pump installation are in compliance with all other requirements of this chapter.

(b) *Wells in walkout basements.* Wells terminating in walkout basements may remain in service if all of the following conditions are met:

1. It is possible to walk directly outside from the walkout basement without walking upstairs or upslope.

2. The surface of the ground around the outside exit door of the walkout basement slopes down away from the door.

3. The well and pump installation are accessible for repair and removal.

4. The well produces water free from contaminant levels in excess of the standards of s. NR 812.06.

5. The well casing pipe depth meets the requirements of sub. (1) (b).

6. The well and pump installation are in compliance with all other requirements of this chapter.

7. The walkout basement is not subject to flooding.

8. The walkout basement is not in a floodway or floodplain.

9. The well is sealed watertight where the well casing exits the basement floor.

(10) DRIVEWAY RAMPS. A well may terminate within a driveway ramp if the installation complies with the requirements for driveway ramps in s. NR 812.36 (3).

(11) WORK ON EXISTING INSTALLATIONS. (a) *Pits and alcoves, noncompliant casing height or well deepening.* Before extending any well casing pipe out of a pit or alcove, extending casing when the height is noncompliant, or deepening a well constructed by another individual, the well driller or the pump installer shall measure the well casing pipe depth to verify that the casing depth complies with the rules in effect at the time the well casing was installed including any special well casing depth area requirements or variances, if no confirmable well construction report can be found for the well. Well details, including location, well casing pipe depth, total well depth, distances to possible contaminant sources, and well owner information shall be entered on a form and submitted to the department in accordance with s. NR 812.10 (15).

(am) *Reconstruction.* A well constructed in violation of the requirements in effect at the time of construction or a well constructed to meet the requirements in effect at the time of construction but not according to the construction requirements of ss. NR 812.09 to 812.15 may not be reconstructed.

(b) *Sample Faucet.* When doing any pump work involving replacement of the pressure tank, or work involving the water supply piping inside the basement or building, the pump installer shall install sample faucets that meet the requirements specified in s. NR 812.34 if any are missing. The pump installer shall also replace any sample faucet that does not comply with the requirements of s. NR 812.34, including replacement of any threaded sample faucet with a sample faucet without threads. The pump installer or well owner may not file the threads off a noncomplying sample faucet.

(c) *Casing Height*. 1. When doing any water well work or pump installing work that involves entry into a well located outside a building, the water well driller or pump installer shall extend the well casing pipe to at least:

a. 12 inches above grade for any well that is less than 8 inches above grade and was installed before February 1, 1991.

b. 12 inches above grade for any well that is less than 12 inches above grade and was installed on or after February 1, 1991.

2. When the well casing height above grade does not comply with subd. 1. a. or b., the well driller or the pump installer shall measure the well casing pipe depth to verify that the well casing pipe depth complies with the rules in effect at the time that the well was constructed, if there is no confirmable well construction report available for the well. Well details, including location, well casing pipe depth, total well depth, distances to possible contaminant sources and well owner information shall be entered on a form and submitted to the department in accordance with s. NR 812.10 (15).

3. The extension of the well casing pipe shall be in accordance with sub. (12).

(d) *Well cap or seal*. When doing any water well work or pump installing work that involves entry into a well, the well driller or pump installer shall replace any unapproved well cap or seal with an approved well cap or sanitary well seal.

(e) *Nonpressurized conduit*. When any water well drilling work or pump installing work is performed involving entry into a well that has a nonpressurized conduit and the nonpressurized conduit may continue to be used, the well driller or pump installer shall evaluate the integrity of the nonpressurized conduit and its connection to the well casing pipe by performing a pressure test. The nonpressurized conduit shall be tested and proven watertight under a pressure of not less than 14 psi. The pressure shall be maintained for at least 30 minutes. If the nonpressurized conduit fails the pressure test, the installation shall be changed to a pitless connection. The nonpressurized conduit shall be completely eliminated by cutting off the well casing pipe below the nonpressurized conduit and extending the well casing pipe to at least 12 inches above grade and installing pressurized discharge piping according to the requirements of ss. NR 812.28, 812.31 and 812.32 (4). The extension of the well casing pipe shall be in accordance with sub. (12).

(f) *Corrections*. The features specified in pars. (a) to (e) must be corrected and may not be noted on a noncomplying features form instead of correcting the noncomplying feature or testing the nonpressurized conduit.

(12) WELL CASING HEIGHT EXTENSIONS FOR STEEL WELL CASING PIPE. (a) The well casing pipe in the ground may only be extended up if it has the minimum wall thickness for its diameter according to the requirements of s. NR 812.11 (6) Table B and is not in a deteriorated condition. If it does not meet these requirements, the well shall be filled and sealed according to the requirements of s. NR 812.26. The well casing pipe extension (riser pipe) shall meet the requirements of s. NR 812.11 (6) and shall be attached to the top of the existing casing by any of the following methods:

1. Cutting off the well casing pipe in the ground squarely, providing a bevel for the top of the well casing pipe and making a watertight weld between the beveled end of the well casing pipe and the beveled end of the riser pipe.

2. Cutting threads on the top of the well casing pipe and the bottom of the riser pipe with a pipe die and using a full-standard recessed threaded coupling to provide a watertight connection between the two pipes.

3. Welding a properly-sized, snug-fitting, pipe nipple, beveled on the lower end and having threads on the upper end, and meeting the requirements of s. NR 812.11 (6) to the beveled end of the well casing pipe. The pipe nipple shall be welded on the inside and the outside contact surfaces of the pipe nipple. A

threaded riser pipe shall be screwed onto the top of the welded on pipe nipple.

4. Reaming out the threads of a full standard recessed coupling, at least 1/3 the length of the coupling, and welding the coupling to the top of the cut-off well casing pipe with a fillet weld on the inside and outside contact surfaces of the coupling. The riser pipe shall be threaded into the top of the coupling.

5. The threaded lower end of a riser pipe may not be welded to the cut-off end of a well casing pipe.

6. Riser pipe may not be connected to the well casing pipe by means of a compressible joint.

(13) DISINFECTION, FLUSHING AND SAMPLING. When working on existing water wells or pump installations, the well and water system shall be:

(a) Disinfected and flushed in accordance with s. NR 812.41.

(b) Sampled in accordance with s. NR 812.46.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1) (intro.), (a), (b), (2) (intro.), (a), (d), (5) (b), (6) (a) 2., (b) 2., (e), (7) (intro.) (9) (a) 1., cr. (4) (f), (6) (b) 4., (g), (7) (e), Register, September, 1994, No. 465, eff. 10–1–94; correction in (6) (a) 3. made under s. 13.93 (2m) (b) 7., Stats., Register, May, 2000, No. 533; CR 00–111: am. (1) (b), Register October 2001 No. 550, eff. 11–1–01; correction in (6) (a) 3. made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 13–099: am. (1) (title), (intro.), (a), renum. (1) (b) to (b) 1., cr. (1) (b) 2. to 5., am. (1) (c), (2) (title), (intro.), (a), (c), renum. (d) to (d) 1. to 3. and am., renum. (3) to (3) (a) to (c), am. (4) (f), cr. (4) (g), (h), am. (6) (intro.), renum. (6) (a) 2. to 2. a., b. and am., cr. (6) (a) 2. c., am. (6) (b) 4., r. (7) (a), renum. (7) (intro.) to (7) (a), (7) (b) to (e) to (7) (a) 1. to 4., cr. (7) (b), (c), renum. (8) to (8) (b) to (d) and am., cr. (8) (b), (e), am. (9) (a) (title), 1., renum. (9) (a) 2. to (a) 2., 3. and am., cr. (9) (a) 4., am. (9) (b) (intro.), 2., 3., cr. (9) (b) 5. to 8., cr. (10) to (13) Register September 2014 No. 705, eff. 10–1–14; correction in numbering (11) (c) to (f) made under s. 13.92 (4) (b) 1., Stats., correction in (3) made under s. 13.92 (4) (b) 2., Stats., corrections in (2) (d) 1. b., (11) (c) 2., (f) made under s. 13.92 (4) (b) 7., Stats., September 2014 No. 705; CR 18–095: cr. (intro.), r. (1) (intro.), am. (1) (title), (a), (b) 1 to 4., 5. (intro.), a., b., r. (1) (b) 5. c., d., cr. (1) (b) 6., 7., am. (1) (c), cr. Table E, am. (2) (intro.), (a) to (c), (d) (intro.), 1. b., 2., 3., (3), cr. (3m), am. (4) (e), (f), (g) (intro.), (h), (5) (intro.), (b), (c), (6) (a) 1., 2. a. to c., cr. (6) (a) 2. d., am. (6) (a) 3., (b) (intro.), 1., 2., 4., (c) to (e), (7) (title), (a) (intro.), (b), (c), (8) (a) (intro.), r. (8) (b), am. (8) (c), (d), (e), (9) (a) (title), 2., 3., 4. a. to c., (b) 4., cr. (9) (b) 9., am. (10), (11) (a), cr. (11) (am), am. (11) (b), (c) 2., (d), (e), (f), (12) (a) (intro.), 3., r. and recr. (13), Register June 2020 No. 774, eff. 7–1–20; (6) (a) (title), (b) (title), (c) (title) created under s. 13.92 (4) (b) 2., Stats., correction in (2) (a) made under s. 13.92 (4) (b) 7., Stats., and correction in Table E (title), (6) (b) (intro.), (9) (a) 2. made under s. 35.17, Stats., Register June 2020 No. 774.

Subchapter V — Variances

NR 812.43 Variances. (1) When strict compliance with the requirements of this chapter is not feasible, a variance may be requested. All variance requests shall be in writing, except for situations that may require an immediate response, in which case a variance may be requested verbally from the owner, or the owner's agent, and a verbal variance may be granted by the department to be followed up with a written confirmation. If the verbal request is made by the owner's agent, the agent shall provide confirmation of the owner's concurrence with the request. A variance request shall include the names of the owner or owners and, if known, the well or heat exchange driller, well constructor or pump installer. The reason or reasons compliance with the requirements for this chapter is not feasible shall also be provided. The department may require the owner or the owner's agent to submit additional information necessary for the department to determine if a variance is justified. The owner or owners or the owner's agent shall sign the variance request. The department may condition the issuance of a variance by requiring additional construction or installation features to safeguard the groundwater and water supplied by the installation from contamination. Failure to comply with the conditions of a variance or the applicable requirements of this chapter voids the variance approval.

(a) A variance request to the separation distance specified in s. NR 812.08 Table A for an existing water supply well within 1,200 feet of a proposed landfill or landfill expansion, shall be signed and submitted to the department by the owner of the well or by the owner of the landfill. Both parties shall have the right to appeal the variance approval, pursuant to ch. 227, Stats.

1. If the application for a variance has been submitted by the landfill owner, the application shall include documentation that written notification of the variance request has been provided to

any well owner meeting conditions under the separation distance specified in s. NR 812.08 Table A.

2. In cases where the application for a variance has been submitted by the well owner, the application shall include documentation that written notification of the variance request has been provided to the landfill owner.

(b) A variance request to the separation distance specified in s. NR 812.08 Table A for an existing water supply well within 1,200 feet of a landfill may be granted by the department where conditions warrant, using the concept of comparable protection. Comparable protection may be provided by appropriate measures including a deeper well casing depth setting, specific grouting materials or methods, specific drilling methodology or additional well water sampling results. These measures will be determined by the department for the purpose of safeguarding the groundwater and the water supply from potential sources of contamination.

(c) A variance request to the separation distance specified in s. NR 812.08 Table A for a well to be constructed within 1,200 feet of a landfill not subject to expansion shall be signed and submitted to the department by the owner of the well. If a variance is granted, the department shall notify the landfill owner. If the landfill owner is unknown, the department shall notify the municipality where the landfill is located.

(2) The department may grant a variance to the casing depth construction requirement specified in s. NR 812.14 (2) if the well constructor or well constructor's agent demonstrates, and the department agrees, that adequate water quantity or water quality is not available below the required casing depth. If a variance is granted under this paragraph, the department may require additional conditions in the variance approval, including continuous chlorination or permanent cement grouting to the ground surface.

History: Cr. Register, January, 1991, No. 421, eff. 2–1–91; am. (1), Register, September, 1994, No. 465, eff. 10–1–94; CR 05–020: rn. (1) to be (1) (intro.) and am., cr. (1) (a) to (d) Register January 2006 No. 601, eff. 2–1–06; CR 13–096: am. (1) (intro.), CR 13–099, am. (1) (intro.), r. (1) (d) Register September 2014 No. 705, eff. 10–1–14; 2015 Wis. Act 197 s. 49 Register April 2016 No. 724; CR 18–095: am. (1) (a) (intro.), 1., (b), (c), r. and recr. (2) Register June 2020 No. 774, eff. 7–1–20.

Subchapter VI — Property Transfer Well Inspections

NR 812.44 Property transfer well inspections. This subchapter applies to all water supply wells as defined in s. 280.30, Stats., used for any potable or nonpotable purpose. A well and pressure system inspection is not required at the time of property transfer, though if one is conducted, the inspection shall be in accordance with this chapter and ch. NR 146.

Note: "Water supply well" is defined in s. 280.30, Stats., to mean "an excavation or opening into the ground made by digging, boring, drilling, or other method that supplies water for any purpose."

(1) **LICENSING.** (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 or wells that must be filled and sealed on the real property, unless the individual is a licensed water well driller or a licensed pump installer, or meets the requirements specified in par. (d).

(b) Only licensed individual water well drillers or licensed individual pump installers may conduct an inspection, or make any statement or offer any opinions regarding the existence or nonexistence of wells that need to be filled and sealed; or the location, compliance, condition, capacity or performance of a well and pressure system for compensation, at the time of property transfer.

(c) If the only work to be done is collecting water samples for analysis at time of property transfer and the laboratory test results are reported by the certified laboratory on a laboratory form and no other statements are made or opinions offered by the individual who collected the sample or by the laboratory or by anyone else, regarding the location, compliance, condition, capacity or performance of the well or pressure system or the location or existence or nonexistence of wells that need to be filled and sealed then the

samples may be collected by someone other than a licensed water well driller or licensed pump installer.

(d) A county employee may conduct property transfer well inspections without being a licensed water well driller or licensed pump installer if the county has adopted a Level 3 county delegation program under ch. NR 845, the employee meets the training and examination requirements of s. NR 845.08, and the inspections are conducted as part of the county employee's duties. Property transfer well inspections performed by Level 3 delegated county employees shall be conducted in accordance with the evaluation criteria in this subchapter and using the department form specified for property transfer well inspections.

(2) **EQUIPMENT.** Licensed individuals conducting property transfer well inspections shall be adequately equipped to conduct inspections.

Note: Recommended equipment includes, where applicable, a well casing depth measuring device, GPS unit, computer, internet service, digital camera and magnetic locator.

(3) **FORMS AND INSTRUCTIONS.** The property transfer well inspector, when conducting property transfer well inspections, shall use the department form specified for that purpose. A separate form shall be completed for each well. The form shall be completed in full according to department instructions and shall be true and accurate. The property transfer well inspector shall provide the person who requested the inspection with the completed property transfer well inspection form. The inspector may attach their own forms or letters, provided those forms are not represented to be part of the department form. Use of the department form does not imply department approval of the well and pressure system. The property transfer well and pressure system inspection form shall not be submitted to the department except in the case of a variance request.

(4) **WATER SAMPLE COLLECTION, ANALYSIS AND REPORTING.** The property transfer well inspector shall collect water samples, submit them to a certified laboratory for analysis, and provide the test results in compliance with s. NR 812.46.

(5) **EVALUATION CRITERIA.** (a) A well and pressure system shall be evaluated for compliance with the requirements of this chapter in effect at the time of construction or installation, except that well and pressure systems installed before February 1, 1991 shall comply with the standards of subchapter IV. If a well and pressure system was ever used as a potable water supply, it shall be evaluated for compliance with the ch. NR 812 standards for potable water supplies. The inspection shall include all wells on the property.

(b) The following features of all wells and pressure systems on the property shall be considered during a property transfer well inspection and shall include any corrective measures necessary on the inspection form as follows:

1. The need for a more comprehensive search on the property, a diligent search for wells that need to be filled and sealed, or need for additional research when there are indications that potential violations may exist which are not fully identifiable as part of the basic inspection outlined in this paragraph, to 36. Potential violations include a possible unused well, a well possibly located in a floodway or floodplain, or a well possibly located too close to a potential contamination source, including a landfill. The department shall develop guidance for conducting comprehensive searches that fall outside a basic property transfer well and pressure system inspection.

2. The existence of any unused or noncomplying well that is required to be filled and sealed or the existence of any well that was filled and sealed by an unlicensed individual or unregistered person after June 1, 2008.

3. The existence of any well having either stovepipe or thin-walled well casing pipe.

4. The existence of any unsanitary or noncomplying dug well.

5. The existence of any noncomplying or unprotected buried pump suction line.

6. The existence of any noncomplying well pit or alcove.

7. The existence of any noncomplying non-walkout basement or below-grade crawl space well.

8. Well casing pipe in poor condition including significant corrosion, cracks or other damage.

9. The existence of any potential source of contamination located less than the required minimum separation distance from the well, as provided in ss. NR 812.08 and 812.42 (1) (a).

10. The existence of a well in a floodway or flood fringe.

11. The existence of a low area or drainage swale near or around the well site that places the well at risk from localized flooding.

12. The existence of any visible cross-connection either between the private water piping system and a sewerage piping system or between the well and a community water system.

13. The existence of a driven point well installed on or after February 1, 1991 for which a well construction report is not available or a driven point well of any construction date that has less than 25 feet of well casing pipe, not including the screen.

14. The existence of noncomplying nonpressurized conduit, either horizontal or vertical.

15. The existence of a noncomplying hand pump.

16. The existence of an offset pump or off-set pump piping that is less than 12 inches above a basement floor, if installed on or after October 1, 2014, or that is located less than 6 inches above a basement floor, if installed prior to October 1, 2014.

17. The existence of a noncomplying yard hydrant installed upstream of the pressure tank after October 1, 2014, or the existence of any yard hydrant installed in or on a well.

18. The existence of any visible noncomplying pump suction pipe, discharge pipe, or noncomplying water supply piping.

19. The existence of noncomplying flowing well installation.

20. The existence of a check valve in a noncomplying location.

21. The lack of a complying well seal or well cap.

22. Noncomplying casing height above grade or above a floor.

23. The pump electrical wires at the wellhead are not properly enclosed in conduit.

24. The well and pressure system lacks a sample faucet either on the tee of the pressure tank or upstream of the pressure tank.

25. The sample faucet is noncomplying.

26. The existence of an extreme health or safety hazard not noted elsewhere on the inspection form.

27. The well casing pipe at the ground surface is less than six inches in diameter for wells terminating in limestone, dolomite, shale, quartz, or granite.

(c) The following comments or items of concern shall be noted on the inspection form:

1. The existence of a driven point well installed before February 1, 1991, with a strong likelihood it contains less than 25 feet of casing pipe below the ground surface, not including screen.

2. The inability of the contractor to find a well construction report for the well in department records either because one was never filed, the report had an incorrect geographic location, or the report was misfiled in department records.

3. The existence of a well located in a special well casing depth area.

4. The existence of a two-wire submersible pump, manufactured prior to 1979, in a well.

5. Evidence of some corrosion, but not serious corrosion, on the visible portion of the well casing pipe.

6. The existence of a well having an inaccessible or difficult location with respect to any future well construction or rehabilitation work.

7. The existence of a well having an inaccessible or difficult location with respect to any future pump installation work.

8. The existence of a non-vermin proof well cap or well seal. The cap or seal is required to be replaced with an approved vermin-proof cap or seal whenever any well drilling or pump installing work is done on the well and pressure system which involves removal of the well cap or well seal.

9. The inspector may note any concerns regarding the condition, capacity or performance of the well and pressure system in the inspection, including well or pump yield, though it is not required for a property transfer well inspection.

(d) The property transfer well inspector shall indicate on the inspection form whether the well and pressure system comply with this chapter; comply with this chapter with the exception of needing a more comprehensive search or additional research; or does not comply with this chapter.

History: CR 13–099: cr. Register September 2014 No. 705, eff. 10–1–14; CR 18–095: am. (1) (a), (d), (3), r. and recr. (4), am. (5) (b) 6., 13., 14., 16., (d) Register June 2020 No. 774, eff. 7–1–20.

Subchapter VII — Citations

NR 812.45 Citations. The department may take enforcement action against any person who violates any of the provisions listed in sub. (1). The department shall consider the severity, duration, frequency, and environmental or health risks of the violation. The department will evaluate and address violations in accordance with the department stepped enforcement process. The department shall provide written notice of a violation and provide an opportunity to meet pursuant to s. 280.98 (4), Stats., before issuance of a citation.

(1) Citations may be issued for violations relating to any of the following:

(a) Licensing and registration as provided in this chapter, ch. 280, Stats., or ch. NR 146.

(b) Disinfection requirements, as provided under ss. NR 812.12 (17), 812.27 (5), 812.41 (1), or 812.42 (13).

(c) Sampling and reporting requirements, as provided under ss. NR 812.04 (2), 812.09 (4) (a) 3., 812.10 (10), (11), or (15), 812.26 (7), 812.27 (12), 812.42 (13), 812.44 (3) or (4), or 812.46.

(d) Water systems that were installed before February 1, 1991, as provided under s. NR 812.42.

(e) Well or drillhole filling and sealing, as provided under s. NR 812.09 (4) (a) 5. or 812.26.

(2) Prior to issuing a citation under par. (b), the department shall do all of the following:

(a) Issue a written warning outlining the violation.

(b) Schedule an enforcement conference with the alleged violator. The alleged violator is allowed to bring a representative to the enforcement conference.

(3) If the alleged violator does not attend the enforcement conference or make alternative arrangements to the department's satisfaction, the department shall consider the requirement of s. 280.98, Stats., to be met, and shall base its enforcement decision on all available information.

History: CR 13–099: cr. Register September 2014 No. 705, eff. 10–1–14; correction in numbering made under s. 13.92 (4) (b) 1., Stats., correction in (intro.) made under s. 13.92 (4) (b) 7., Stats., Register September 2014 No. 705; CR 18–095: am. (1) (a) to (c), Register June 2020 No. 774, eff. 7–1–20.

Subchapter VIII — Water sampling, analysis and reporting requirements

NR 812.46 Water sampling, analysis and reporting requirements. (1) SAMPLES REQUIRED FOLLOWING WELL DRILLING, WELL CONSTRUCTION OR PUMP INSTALLING. (a) *Total coliform bacteria*. A well driller, well constructor, or pump

installer shall collect water samples to be analyzed for total coliform bacteria after performing any of the following activities as allowed by his or her license:

1. Pump installing for a new well, unless the pump installer is employed by the same business that drilled or constructed the well or is the same individual who drilled or constructed the well, then only one total coliform bacteria sample is required after the pump installation has been completed, if the pump installation will be completed within 60 days of the well completion.

2. Replacing a pump or pressure tank on an existing water system that does not involve entry into the well.

3. Pump installing involving entry into an existing well where arsenic and nitrate samples have been collected and analyzed following pump installing activities within the past 6 months by the same licensee.

4. Entering a well to: diagnose any feature or problem with the well, including pressure testing a nonpressurized conduit, a pitless adapter, or well casing pipe; measure casing depth or total well depth; clean or bail a well without the use of chemicals; or raise the well casing height.

5. After corrective action following a total coliform bacteria-positive test result as required under s. NR 812.10 (12) or 812.27 (8).

(b) *Total coliform bacteria and nitrate.* A well driller or well constructor shall collect water samples to be analyzed for total coliform bacteria and nitrate after performing any of the following activities:

1. New well construction.
2. Well reconstruction, including deepening, lining or screen replacement.
3. Well redevelopment.
4. Physical conditioning of a well in accordance with s. NR 812.22.

(c) *Total coliform bacteria, nitrate and arsenic.* A well driller, well constructor, or pump installer shall collect water samples to be analyzed for total coliform bacteria, nitrate, and arsenic after performing any of the following activities as allowed by his or her license:

1. Entering an existing well to perform pump installing activities, or to install, replace or repair any equipment related to pump installing, including installing water level measuring devices, except where par. (a) 3. applies.

2. Chemical conditioning of a well in accordance with s. NR 812.22.

(d) *Special well casing depth areas.* A well driller or well constructor shall collect water samples and submit them for analyses as specified by the department when constructing or reconstructing a well located within a special well casing depth area.

(e) *Water samples not required.* 1. Water samples are not required when a well is entered for the sole purpose of taking a water level measurement if the equipment used for measuring the water level has been disinfected between measurements and the equipment and the well cap or seal have been handled in a sanitary manner.

2. Water samples are not required when opening a well cap for the sole purpose of visually inspecting a well or disinfecting a well.

(f) *When to collect water samples.* A well driller, well constructor, or pump installer shall do all of the following:

1. Collect water samples after any activities specified in pars. (a) to (d) are performed and before the water system is placed into service.

2. Collect water samples no later than 30 days following completion of the well drilling, well construction or pump installing. Well drilling or well construction is considered complete when all operations that require the use of drilling, driving or annular space

sealing equipment have been completed. Pump installing is considered complete when the pressure system is capable of providing water to the plumbing system.

(2) **SAMPLE COLLECTION, HANDLING AND SUBMITTAL.** A well driller, well contractor, or pump installer shall meet all of the following requirements:

(a) *Where to collect water samples.* Samples collected after any activity specified in sub. (1) shall be collected at the sample faucet located upstream of the pressure tank or installed on the tee of the pressure tank. If there is no sample faucet or the sample faucet is not accessible, samples shall be collected off the drilling rig, or from a faucet located upstream of any water treatment equipment. Faucets used for sampling shall be cold water taps free of aerators, strainers, hose attachments, mixing type faucets and treatment devices. The location of sample collection shall be noted on the sample form.

(b) *Sample collection and handling.* 1. Deliver samples or make arrangements to have samples delivered to a laboratory no later than 48 hours after the sample was collected.

2. Collect samples for total coliform bacteria analysis in a sample bottle that does not contain thiosulfate.

3. Collect and submit a replacement sample no later than 30 days following notification from the laboratory that a sample was rejected for improper collection, improper handling, or presence of chlorine.

Note: A laboratory may have additional requirements for sample collection and handling.

(c) *Where to submit samples.* 1. Water samples for total coliform bacteria shall be analyzed by a laboratory that has received certification under ch. ATCP 77.

2. Water samples for nitrate shall be analyzed by a laboratory certified by the department under ch. NR 149 to perform nitrate analysis of drinking water, using an approved method listed in s. NR 809.113 Table A.

3. Water samples for arsenic shall be analyzed by a laboratory certified by the department under ch. NR 149 to perform arsenic analysis of drinking water, using an approved method listed in s. NR 809.113, Table A.

4. Water samples for a contaminant specified to be sampled as part of a specific requirement for a special well casing depth area, or otherwise required by the department, shall be analyzed by a laboratory certified for drinking water analyses under ch. NR 149 to analyze drinking water for the presence of that contaminant, to determine if the contaminant is at a level below the primary drinking water standard specified in s. NR 812.06, using an approved method appropriate for the contaminant and listed in s. NR 809.311 Table F, 809.113 Table A, 809.203 Table CM or 809.243 Table E.

(3) **DELEGATION OF SAMPLING RESPONSIBILITIES.** (a) A well driller, well constructor, or pump installer may delegate collection of their water samples following well drilling or pump installing activities to an agent.

(b) The well driller, well constructor, or pump installer shall provide the agent with the correct sample forms and license number.

(c) The well driller, well constructor, or pump installer is responsible for ensuring that the delegated agent follows all the requirements specified in subs. (1) and (2). If a delegated agent fails to meet any of the requirements specified in subs. (1) and (2), the well driller, well constructor, or pump installer is responsible for noncompliance.

(4) **WATER SAMPLE TEST FORMS.** The well driller, well constructor, or pump installer shall use and provide the water sample test forms specified by the department for sampling required under sub. (2). The information entered on the water sample test form by the well driller, well constructor, pump installer or their agent shall be complete, true and accurate and include sample site location, date and time of collection, and name of sampler.

(5) **TEST RESULTS.** The well driller, well constructor, or pump installer shall provide the well owner or the owner's agent with a copy of each laboratory test report no later than 10 days after the well driller's, well constructor's, or pump installer's receipt of the laboratory test report. The well driller, well constructor, or pump installer shall notify the well owner or agent as soon as practicable, but no later than 48 hours after being notified by a laboratory that the well water is total coliform bacteria–positive or contains a contaminant level in excess of a standard in s. NR 812.06.

(6) **SAMPLING FOR PROPERTY TRANSFER WELL INSPECTIONS.** (a) *Potable Wells.* When a property transfer well inspection is conducted, the property transfer well inspector shall collect water samples to be analyzed for total coliform bacteria, nitrate and arsenic for each potable well on the property and submit them for analysis to a laboratory in accordance with sub. (2) (c).

(b) *Nonpotable wells.* When a property transfer well inspection is conducted, the property transfer well inspector shall collect a water sample to be analyzed for total coliform bacteria for each nonpotable well on the property and submit it to a laboratory in accordance with sub. (2) (c).

(c) *Where to collect samples.* Required samples for property transfer well inspections shall be collected as specified in sub. (2) (a). The location of sample collection shall be noted on the inspection form.

(d) *Delegation of sampling responsibilities.* The property transfer well inspector may not delegate water sample collection for a property transfer well inspection to another individual.

(e) *Sample handling.* Sample collection, handling, and submittal shall be in accordance with sub. (2).

(f) *Test results.* The property transfer well inspector shall provide the water sample test results to the party who requested the inspection. Water sample test results for property transfer well inspections shall not be submitted to the department unless requested by the department to evaluate a variance application.

(7) **OTHER REQUIRED SAMPLES.** For any other water samples required by the department under s. NR 812.09 or 812.43, the applicant or designee shall meet the sample collection, handling and submittal requirements of sub. (2) and ch. NR 149.

(8) **LABORATORY RESPONSIBILITIES.** (a) *Invalid sample.* A laboratory shall reject any sample submitted under this section that is received later than 48–hours after sample collection.

(b) *Sample integrity.* The laboratory shall test the sample for the presence of free chlorine before analyzing for total coliform bacteria. If free chlorine is present in the sample above 0.1 mg/L, the laboratory shall reject the sample. Laboratories shall reject samples that are frozen.

(c) *Bacteria analyses.* Samples for total coliform bacteria analysis shall be analyzed within 48 hours of sample collection. If any sample is total coliform bacteria–positive, the laboratory

shall further analyze that total coliform bacteria–positive culture medium to determine if *E. coli* are present.

(d) *Nitrate analyses.* Samples for nitrate analysis may be analyzed without acid preservation if analyzed within 48 hours of sample collection. Samples analyzed more than 48 hours after collection shall be acidified upon receipt, analyzed for nitrate plus nitrite, and reported as total nitrate plus nitrite.

(e) *Arsenic analyses.* Samples for arsenic analysis received at the laboratory shall be acidified upon receipt according to method requirements, and shall be held for at least 16 hours prior to beginning analysis.

(f) *Reporting test results.* Laboratories used for compliance with sub. (1) (a) to (d) shall electronically report the test results to the department no later than 31 days after completion of the analysis. The water sample test results and data entered from the test request form into the department data system shall meet all of the following requirements:

1. Be reported by the laboratory that initially received the samples, even if analysis was subcontracted to another laboratory.

2. Have been analyzed by a laboratory holding the drinking water certification for the analysis performed.

3. Include all total coliform bacteria–positive and *E. coli*–positive test results.

4. Be complete, true, and accurate.

5. Be reported to the department only once per sample analysis.

6. Indicate if a sample is rejected for failure to comply with par. (a) or (b).

(g) *Record retention.* Records of analyses and water sample test forms for samples collected to comply with this section shall be kept by the laboratory for not less than 6 years. The laboratory shall provide sampling records to the department upon request.

(9) **MULTIPLE USES OF TEST RESULTS NOT ALLOWED.**

(a) Water samples collected to meet the sampling requirements for well drilling, well constructing, or pump installing may not be used to meet the sampling requirements for property transfer well inspections.

(b) Water samples collected to meet the sampling requirement for property transfer well inspections may not be used to meet the sampling requirements for well drilling, well constructing, or pump installing.

(c) Water samples collected at a non–community water system to meet the sampling requirements of ch. NR 809 may not be used to meet the sampling requirements of this chapter.

(d) Water samples collected at a non–community water system to meet the sampling requirements of this chapter may not be used to meet the sampling requirements of ch. NR 809.

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