

By Greg Roanhouse WDNR

**COUNTY DELEGATION, LEVEL 3
EXISTING PRIVATE SYSTEMS
AND INSPECTION &
AUTHORITY ON LEVELS 1,3,5**

Overview and Items Covered in this talk

- Level 3 County Delegation overview, per NR845.05(3) (under revision) and NR812
- Clarification on duties and Authority Associated with being a Level 1,3,5 Delegated County

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WHAT IS LEVEL 3 DELEGATION, NR845.05(3)

Level 3 Inspections on **EXISTING** Private Well Systems Include:

- Following up on initial reports of total coliform bacteria in private water systems.
- Conducting a well inspection when requested by a property owner or lending institution.
- Conducting a private water system inspection and evaluation whenever a water sample is taken and collected as part of a complaint or problem follow up.

Follow up on an Initial Report of Coliform Bacteria in a Well

- The initial follow up shall consist of a telephone contact or form letter
- The county shall advise the property owner to disinfect resample the well
- Counties may conduct on-site inspections of wells with multiple coliform samples, and have the option to require correction of any non-compliance associated with the well.

Complete Property Transfer Inspections on Existing Private Water Systems NR845.06(3)(c)

- Complete a VISUAL inspection on the existing private water system per NR 812.44, a fee for the inspection is acceptable
- Only a Licensed Well Driller, Pump Installer or Level 3 delegated county employee NR812.44 (d) can inspect private water systems through a property transfer

Inspections on Existing Wells

- Counties with Level 3 delegation shall inspect wells and pump installs at the request of property owners.
- Inspections shall evaluate sanitary condition and any noncompliance on an inspection form approved by the department.

Forms required through inspection

- Complete the Wisconsin Well and Pressure System Inspection Form (Form 3300-221)
- If non-compliance is observed, delegated county staff has the option to follow up with an enforcement letter

Inspections on non-potable wells?

- Complete inspection on existing non-potable wells, where municipal water is the primary water source (typically every five year, depends on the ordinance within the municipality)
- Has the option to require compliance or filling and sealing on all non-complying wells
- Take a bacteria sample on the existing well, and follow up on unsafe results

Respond to complaints, and follow up on private water issues

NR845.06(3)(a)

- Follow up on bacteriologically unsafe sample results within the county that the county is informed of for private water systems.
- Problems with private water systems which require action beyond the authorized delegated level of the county shall be referred to the DNR (ex. technical support, code interpretation, variances, SWDCA)

Upgrades on Non-Complying Private Wells, NR812.06(3)(e)

- ⦿ (Level 3 employee's) Have the option to require upgrades of all private well systems that are not in compliance with the minimum well location and pump installation standards of ch. NR 812
- ⦿ **DNR DOES NOT REQUIRED** pump installers and well drillers to bring a non-complying well into compliance through a property transfer well inspection.

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**COUNTY DELEGATION
JURISDICTION/AUTHORITY
LEVELS 1,5**

Level 1 – Issuing Permits on New Wells

- County Ordinance Required
- County Fees are Allowed
- County-issued permits applied to new and replacement wells, drilled, driven point, dug, bored or jetted wells, or Reconstruction/ Rehabilitation of existing wells

Level 1 Delegation Includes:

- Permits
- Inspections
- Inspections & Setbacks
- Inspection & Well Casing Height/Depth
- Inspections & Well Cap/Seal
- Enforcement Action
- Filling and Sealing Wells

Level 1-Permit Denials

- ⦿ Setbacks are not met
- ⦿ Casing Height
- ⦿ Located in a basement
- ⦿ Proper drilling specifications for a well within a SWDCA

Level 1-Topics Not Included in County Authority

- ① WDNR PRIVATE WATER AUTHORIZES
 1. Springs
 2. High Capacity Wells
 3. Schools Wells
 4. Community Water Systems

Level 1- Most Common Questions Not Included in County Authority

- Counties **DO NOT** authorize variances.
- WDNR Private Water completes a comprehensive evaluation of the water system to determine if a variance is feasible, is there a complying location on the property?
- Contact WDNR Private water Staff for:
 - Variances
 - Questions & Code interpretation

Level 1 Does Not Complete

Property Transfer Well Inspection

- **NR812.44- Property Transfer Inspections** are codified to allow the buyer and sellers of the property with a well to determine code compliance of the well before the property is transferred.
- NOT TO BE CONFUSED WITH AN LEVEL 1 INSPECTION/APPROVAL INTENDED TO SITE OR PERMIT A WELL.
- Property Transfer Inspections Apply to Level 3 counties (Not Level 1 Counties)
- Lenders may have more stringent setbacks requirements than DNR

Level 1- Compliance Options vs Well Fill and Seal

- NR845.05(d) Gives the option to require upgrades of all inspected private wells that are not in compliance with the minimum private well distances in Ch. NR812
- However, there are occasions where wells can't be brought into compliance and the well must be filled and sealed or a variance applied for.

Level 5 Delegation Authority Includes

- The abandonment of wells in accordance with standards in NR812.26
- A County with Level 5 may also require abandonment to a well with water exceeding a primary drinking water standard
- ARPA Well grants can be available

Level 5, Examples where abandonment authority can be used

- A well not meeting the setback requirements of NR812.08
- A well with samples over drinking water standards listed in NR809

Questions/Comments