

Notice of Hearing

The Department of Natural Resources announces that it will hold a public hearing on a permanent rule, Board Order DG-25-19 to revise ch. NR 812 relating to well construction and pump installation. In accordance with s. 227.17, Wis. Stats., the DNR is seeking public comment and feedback on DG-25-19 at the time and virtual location shown below.

Hearing Information

Date: October 7, 2021

Time: 4:00 p.m.

Virtual Location Link:

- Join Zoom Meeting: <https://us02web.zoom.us/j/87005572005>
- Join by telephone: +1 312 626 6799
- Find your local number: <https://us02web.zoom.us/u/kdXvYwq85g>
- Meeting ID: 870 0557 2005

Rule Information

The department is seeking comments on the following three options:

Option 1: Draft Rule Language (Board Order DG-25-19): expand the allowable use of PVC Casing.

General Recommendations:

- Materials - No change
- Joints – No Change
- UV Protection – No change
- Drill-Through Casing – No
- Allowed in Bedrock – Yes
- Depth of Casing into Bedrock - No more than 5’ into “Top of Bedrock”
- Drive Casing – No; allow mechanical push/hold down to address buoyancy and minor sloughing
- Grout – Cement allowed for PVC in bedrock
- Pitless Adapters – Allow non-welded on non-domestic wells
- Packer/Shale Trap Issue - Clarify NR 812.13(4)(b); change “shall” to “may”
- Add Maximum Annular Space Requirements – To address heat of hydration and pressure concerns
- Update Temporary Casing for HEX – PVC allowed

Option 2: Allow the use of PVC casing beyond the current rule with a variance only.

Option 3: No Change to current rule: use of PVC casing allowed for wells terminating in unconsolidated formations only, and cement grout allowed only for flowing wells.

Accessibility

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, DNR will, to the

maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access these resources, please contact the email address or phone number listed below as soon as possible.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. To register and join the hearing online or by phone, use the information provided above. Pre-registration is also available and is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above or download and complete the fillable [Hearing Appearance form](#) and send it to DNRNR812PublicComments@wisconsin.gov.

Comments on the proposed rule must be received on or before October 14, 2021. Written comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. **Written comments and any questions on the proposed rules should be submitted to:**

Frank Fetter – DG/5
Bureau of Drinking Water and Groundwater
Department of Natural Resources,
101 S. Webster Street
Madison, WI 53703
(608) 264-6139
DNRNR812PublicComments@wisconsin.gov or
DNRAdministrativeRulesComments@wisconsin.gov

The rule may be viewed at: <https://dnr.wi.gov/news/input/ProposedPermanent.html>

Comments can be made at: DNRAdministrativeRulesComments@wisconsin.gov

The rule may be reviewed, and comments made at: <http://docs.legis.wisconsin.gov/code/chr/hearings>.

Initial Regulatory Flexibility Analysis:

This rule provides a major net benefit to small businesses impacted by the rule. The department assumed that a majority, if not all, of the entities impacted by this rule are small businesses. Based on this assumption the total economic impact (compliance and implementation) of this rule is expected to be incurred by small business. The total economic impact is estimated to be a one-time compliance cost of \$62,500 (Level 2 Moderate).

Rule revision will recognize modern construction methods and provide more well construction options for businesses and the well owner. The revised rule is anticipated to provide increased potential for cost savings to well owners of an estimated \$893,095 per year for wells constructed using thermoplastic, rather than steel, casing.

Agency Small Business Regulatory Coordinator:

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