

Private Water Supply Operations Handbook  
CHAPTER I – PROGRAM INTRODUCTION

**C. Policy and Code Interpretations (01/05/2016)**

Occasionally code language is unclear, and a consistent department interpretation is needed to implement the code effectively until the lack of clarity can be addressed by a code revision. The following code interpretations will be implemented until revisions to the applicable codes are in effect.

**1. NR 812.08(4), Wis. Adm. Code - Separation distances.**

Separation distances are inconsistent between the code narrative and Table A for six contaminant sources listed in NR 812.08(4). To reconcile the inconsistencies, the separation distances will be implemented as described in the table below.

<b>Code Citation</b>	<b>Separation Distance in NR 812.08 text</b>	<b>Separation Distance in NR 812.08 Table A</b>	<b>Separation Distance to be Implemented</b>
NR 812.08(4)(a)12.	8' from Plastic silage storage and transfer tube	8' from Plastic silage storage and transfer tube and 50' from Silage storage tube (plastic)	50' from either Plastic silage storage and transfer tube or Silage storage tube (plastic)
NR 812.08(4)(a)18.	8' from a buried storm collector sewer or stormwater culvert	8', 25' or 50' from storm collector sewer depending on material and diameter	8' from any buried storm collector sewer
NR 812.08(4)(b)2.	25' from wastewater sump	8' from Sump - Wastewater (Watertight) (formerly cast iron equivalent) and 25' from Sump - Wastewater (not watertight or equivalent to cast iron)	8' from Sump - Wastewater (Watertight) (formerly cast iron equivalent) and 25' from Sump - Wastewater (not watertight or equivalent to cast iron)
NR 812.08(4)(e)	200' between a school well and a soil absorption unit receiving less than 8,000 gallons per day, existing or abandoned	200' from Soil Absorption Unit (<12,000 gal./day) for schools, includes alternate unit	200' between a school well and a soil absorption unit receiving less than 12,000 gallons per day, includes alternate unit
NR 812.08(4)(f)3.	250' from Soil absorption unit receiving more than 8,000 gallons per day, existing, abandoned or alternate	250' from Soil Absorption Unit (> or = 12,000 gal./day, existing or abandoned)	250' from Soil absorption unit receiving 12,000 or more gallons per day, existing or abandoned
NR 812.08(4)(f)4.	250' from a Sludge landspreading or drying Area	25' recommended	25' recommended from a Sludge landspreading or drying area

Disclaimer: This handbook establishes Private Water program implementation protocols, policies, and procedures for DNR staff. This handbook contains some references to and information about state statutes and administrative rules, but does not include all of the details found in the statutes and rules. Users of the handbook must consult the actual language of the statutes and rules in order to answer specific questions regarding compliance with regulatory requirements.

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**2. NR 812, Wis. Adm. Code – Sample handling and analysis.**

Sections NR 812.10(11), NR 812.22(6), NR 812.27(6), NR 812.37(4), NR 812.41(3), and NR 812.44, Wis. Adm. Code, all require that well water samples be analyzed by a laboratory certified for analysis of drinking water. The sample preservation and handling requirements in chapter NR 812 are different than the drinking water requirements for laboratory certification in chapter NR 149, Wis. Adm. Code. Unlike public water system samples collected for compliance with the Safe Drinking Water Act (SDWA), private well samples collected under chapter NR 812 require neither transport on ice nor preservation with acids upon collection, and allow for samples to be received at the laboratory within 48 hours of collection. To reconcile the sampling requirements of chapter NR 812 and the disclaimer requirements of NR 149.46(2), Wis. Adm. Code, the laboratory must include the disclaimer “Not for SDWA compliance” on the laboratory test report for any drinking water sample that did not meet SDWA holding time or preservation requirements, and retain documentation as to why the sample did not meet requirements for audit purposes.

**3. NR 812.13 and NR 812.17, Wis. Adm. Code – Thermoplastic casing.**

NR 812.13(3)(b) was revised to allow thermoplastic casing to be left above ground without steel over-casing or pump house. NR 812.13(2)(b)6. and NR 812.17(3)(a)7. were not revised, and still state that thermoplastic casing is required to have a steel sleeve or be inside a pump house. To reconcile the inconsistencies, the code will be interpreted to allow thermoplastic casing above ground without steel over-casing or pumphouse.

**4. NR 812.26, Wis. Adm. Code – Filling and sealing drillholes.**

Chapter 280.30(2m), Wis. Stats., requires that heat exchange drillholes can only be filled and sealed by individuals who hold a heat exchange drilling license from the department. NR 812.26(2)(a) and (9) refer to a license being required to fill and seal a “drillhole” rather than a “heat exchange drillhole”, which is defined as a broader category of drillholes in NR 812.07(33). To reconcile this inconsistency, the code will be interpreted consistent with the statute, so that the licensing requirement for filling and sealing only applies to wells and heat exchange drillholes.