

Wisconsin Department of Natural Resources: Natural Resources Board taking more steps to protect drinking water

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MADISON, Wis. – The Wisconsin Natural Resources Board Wednesday unanimously voted for the Wisconsin Department of Natural Resources to move forward with the rulemaking process for PFAS levels in groundwater, surface water and public drinking water in order to protect public health.

In August, [Governor Evers requested](#) the DNR address PFAS contamination in drinking water, groundwater and surface water. As part of that announcement, the governor directed the DNR to pursue rulemaking, using science-based recommendations from the Department of Health Services (DHS). That rulemaking includes making changes to the following rules:

- NR 809 (Wis. Admin. Code), Safe Drinking Water Standards for public water supplies – To reduce certain PFAS substances in drinking water.
- NR 140 (Wis. Admin. Code), Groundwater Quality Standards – To reduce PFAS contamination in the state's primary source of drinking water, the state's groundwater.
- NR 105 (Wis. Admin. Code), Surface Water Quality Standards – To reduce PFAS contamination in the state's surface waters by establishing discharge limitations for certain PFAS substances.

PFAS are a group of human-made chemicals used for decades in numerous products, including non-stick cookware, fast food wrappers, stain-resistant sprays

and certain types of firefighting foam. These legacy contaminants have made their way into the environment through spills of PFAS-containing materials, discharges of PFAS-containing wastewater to treatment plants and certain types of firefighting foams.

PFAS can persist in the environment and the human body for long periods of time. Recent scientific findings indicate that exposure to certain PFAS may have harmful health effects in people. According to the U.S. Environmental Protection Agency (EPA), exposure to some PFAS substances above certain levels may increase the risk of adverse health effects, such as thyroid disease, low birthweights and cancer.

“This is nasty stuff,” said NRB Chairman Dr. Frederick Prehn. “The state is trying to get ahead of the eight ball because in other cases where we haven’t, it’s been devastating. I think it’s important for the state to have standards.”

Initial rulemaking steps included developing draft scope statements on the rule changes, which the DNR completed this fall. Scoping statements explain the background behind the changes, how the rulemaking process will proceed, and what kinds of public participation will occur.

The Legislature’s Joint Committee on Review of Administrative Rules (JCRAR) requested that the Department hold preliminary hearings on these three rules prior to beginning the permanent rulemaking process. Today, the Natural Resources Board approved the DNR to hold a preliminary hearing on all 3 scope statements on November 12, 2019, at 1:00 p.m. in Madison, Green Bay and Eau Claire. Public participation is a critical component of agency rulemaking. There are numerous opportunities to participate in the DNR rulemaking process, from participating on the technical advisory committee to testifying at meetings and hearings.

The DNR plans to ask the Natural Resources Board for approval [to begin permanent rulemaking](#) at the January 2020 meeting, after consideration of the comments received. State law requires DNR to complete the entire rulemaking process within 30 months from when it is announced to the public.

“I am happy to work with this board who has continually led on water quality initiatives, and this is no different. These are the most comprehensive recommendations to address drinking water quality,” said Secretary-designee Preston D. Cole. “We are looking for a fair and balance approach, and this is another step to get standards in place.”

Wednesday's vote falls on [Imagine A Day Without Water](#), a nationwide day of education and advocacy about the value of water launched by the U.S Water Alliance. It also follows the board's action in September directing the DNR [to expand public input](#) regarding the department's process in developing rules relating to the state's water quality standards as it relates to nitrate. That effort is intended to decrease nitrate pollution in areas of the state with highly permeable soils susceptible to groundwater contamination.

Earlier this month, Gov. Evers endorsed the water quality recommendations from the DNR, Department of Agriculture, Trade, and Consumer Protection, and the Department of Health Services.

"Folks should be able to trust the water coming from their tap," said Gov. Evers. "I'm proud that my administration is taking a lead on the issue of water quality in the Year of Clean Drinking Water, and I'm hopeful that the Speaker's Task Force on Water Quality will take up these recommendations to ensure clean water is a reality across our state."