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Gov. Evers: Proposes more than $106 million plan to address PFAS contamination statewide

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MADISON — During his 2023 State of the State address, Gov. Tony Evers announced his plan to address contamination caused by per- and polyfluoroalkyl substances (PFAS) statewide. As part of his proposal, the governor will be recommending more than $106 million in initiatives in his 2023-25 biennial budget proposal to support municipalities in responding to local PFAS contamination, bolster staff and resources at the Wisconsin Department of Natural Resources (DNR), and increase PFAS testing, sampling, and monitoring.

In his 2023 State of the State address delivered tonight, Gov. Evers highlighted the importance of Wisconsin's natural resources to the state's economy and way of life. The governor implored the Wisconsin State Legislature to take action by making meaningful investments to address PFAS and other contaminants to ensure Wisconsinites have access to clean, safe water:

"…I've also spent four years trying to get some of the people in this room to believe PFAS are a pressing threat to our state's economy, our health and well-being, and our way of life. I created the state's PFAS Action Council to prepare the state's first-ever PFAS Action Plan. We set enforceable PFAS drinking and surface water standards for the first time ever. Attorney General Kaul and I have filed a lawsuit against more than a dozen defendants who we believe contributed to PFAS contamination and to make sure Wisconsinites won't have to foot the bill for cleaning it up. And I also directed $10 million that will help get PFAS, nitrates, and other harmful contaminants out of about 1,000 private wells across Wisconsin.

"While clean drinking water has been a priority for my administration from Day One, we've also proposed efforts, resources, and ideas to make headway on PFAS and other contaminants that have been obstructed, delayed, or outright rejected.

"So, tonight, I implore you, again, to join me in this fight. The work we must do to address PFAS and other contaminants grows harder and more expensive with each day of delay. Partisan politics cannot keep getting in the way of this work while Wisconsinites worry about the water coming from their tap. Clean water must be a top priority for us, from PFAS to lead to nitrates, folks—and it will be in my executive budget I'll announce next month.

"I'm proposing to invest more than $100 million to take a three-pronged approach to confront PFAS across our state. We're going to increase PFAS testing, sampling, and monitoring statewide so we can find these contaminants and get them out of our water. We're going to make more resources available to on-the-ground partners to respond to PFAS contamination when it happens. And we're going to work to increase awareness about the dangers of PFAS so folks can take steps to keep themselves and their loved ones safe…"

Since taking office, identifying and remediating PFAS contamination in ground, surface, and drinking water has been a top priority for Gov. Evers and the Evers Administration.

Gov. Evers declared 2019 the Year of Clean Drinking Water and created the PFAS Action Council to develop a statewide PFAS Action Plan. Under Gov. Evers and the Evers Administration, Wisconsin now has enforceable standards for PFAS in surface and drinking water for the first time, meaning all municipal water utilities have already or will begin sampling for PFAS quarterly, ensuring any contaminated systems can be identified and remedied. Additionally, through funding provided by the 2021-23 biennial budget signed by Gov. Evers, the DNR has collected over 13,000 gallons of PFAS-containing firefighting foam for disposal, protecting the health and well-being of firefighters, first responders, and local communities in 22 counties. Last year, Gov. Evers and Wisconsin Attorney General Josh Kaul also filed a lawsuit against three Wisconsin manufacturers and 15 other defendants for "wrongful, deceptive, and tortious conduct" that led directly to PFAS

contamination of Wisconsin's water, property, and natural resources.

In August last year, Gov. Evers announced a new $10 million grant program to support the replacement, reconstruction, treatment, or abandonment of contaminated private wells. Based on the state's Well Compensation Grant Program, the program includes expanded eligibility beyond the current Well Compensation Program to support more private well owners and increase access to clean drinking water. It is estimated the program could help well owners address PFAS, nitrates, and other harmful contaminants in approximately 1,036 additional wells. In November, Gov. Evers announced that the first of these grants were awarded to improve drinking water quality in Marathon, Portage, and Winnebago counties, including two well compensation grants totaling $30,791 and three well abandonment grants totaling $4,144.

Gov. Evers' 2023-25 executive budget will build upon the governor's and the Evers Administration's work to ensure Wisconsinites can trust the water coming from their taps now and into the future. A full list of the governor's more than $106 million in proposed investments is provided below:

- Provides $100 million for a municipal grant program designed to support local units of government in responding to PFAS contamination. Eligible activities include PFAS investigation and sampling, provision of alternative water, and long-term removal of PFAS from water supplies;
- Provides an additional $1 million for the continued collection, disposal, and replacement of PFAS-containing firefighting foam to continue the popular foam collection and disposal program proposed and passed in the governor's 2021-23 budget, ensuring more firefighters and first responders are protected from this historical source of PFAS contamination;
- Ensures the DNR has the resources needed to address PFAS by adding staff and investments as follows:
    - Providing $285,600 over the biennium and 2.0 full-time employees (FTE) to develop and prioritize a list of sources that may be emitting PFAS compounds into the air;
    - Providing $466,100 over the biennium and 3.0 FTE to monitor PFAS in drinking water and groundwater;
    - Providing $290,000 over the biennium and 2.0 FTE to develop soil testing standards and redevelopment procedures related to PFAS;
    - Providing $145,100 over the biennium and 1.0 FTE to develop standards

for the disposal of PFAS and PFAS-contaminated materials so that this waste can be safely disposed of; and
    - Providing $290,000 over the biennium and 2.0 FTE to develop water quality guidelines and standards related to PFAS, particularly for wastewater treatment facilities.
- Increases PFAS testing, sampling, and monitoring capacity in the state by:
    - Providing $1.5 million annually to support testing for and mitigating PFAS contamination at locations where a responsible party cannot be identified or does not have the financial means to remedy the contamination;
    - Providing $25,000 annually for the sampling of high-priority wastewater treatment facilities;
    - Providing $145,000 over the biennium and 1.0 FTE to develop sampling methodologies and perform sampling in cases where wildlife is suspected of having been contaminated by PFAS;
    - Providing $55,000 annually for PFAS monitoring at 44 large rivers across the state to analyze and track trends in water quality; and
    - Providing $750,000 to sample approximately 250 public water supply wells deemed most susceptible to PFAS contamination.
- Ensures the state has adequate resources to educate impacted Wisconsinites about PFAS contamination and the risks contamination presents by providing $100,000 annually for PFAS messaging and outreach, particularly to vulnerable communities; and
- Enacts multiple important regulatory action steps regarding PFAS, including:
    - Requiring the DNR to establish, by rule, acceptable levels and standards for PFAS;
    - Requiring the DNR to set criteria for certifying laboratories to test for PFAS and to certify laboratories that meet these criteria;
    - Allowing the DNR to require that before a person may possess PFAS, proof of financial responsibility for remediation and long-term care to address potential PFAS contamination and environmental pollution; and
    - Requiring a person who generates solid or hazardous waste at a site or facility under investigation by the DNR to provide the DNR with access to information relating to any transportation to or treatment, storage, or disposal at another site, facility, or location.

The governor’s full 2023-25 biennial budget proposal will be announced following his 2023-25 Biennial Budget Message to the Legislature on Wed., Feb. 15, 2023, at 7 p.m.

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