

Rule Update:

Ch. NR 809, Wis. Adm. Code

related to control of lead and copper in drinking water

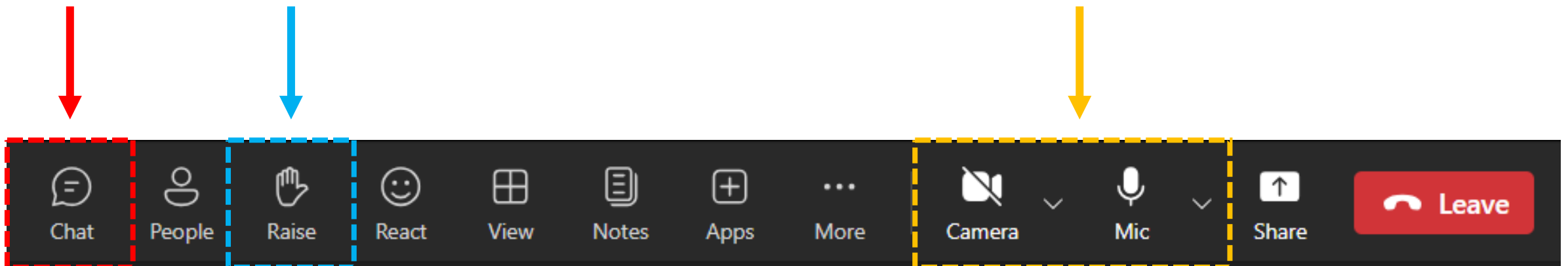


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DRINKING WATER & GROUNDWATER PROGRAM

Meeting Participation

- **Online Participation**

- Questions and comments
 - Use “Raise Hand” option to alert speaker or use the “chat.”
- Keep microphone muted when not speaking
- Leaving camera on is recommended



Stakeholder Feedback

Rule Area	Feedback
Corrosion control treatment (CCT)	Include “tests using conditioned metal pipes or test pieces” as a CCT that public water systems will evaluate.
Distribution system and site assessments (DSSA)	Concern if the DNR limits what can be done at a site to rectify a problem and how prescriptive it will be. Concern that there are enough options available to the property owner to address their problem.
Point-of-use treatment devices	Ensure the proposed rule clarifies what “maintained” means so that schools or child care facilities properly maintain them.
Service line replacements	Suggest that the proposed language prioritize replacements first and then testing to ensure levels are safe.

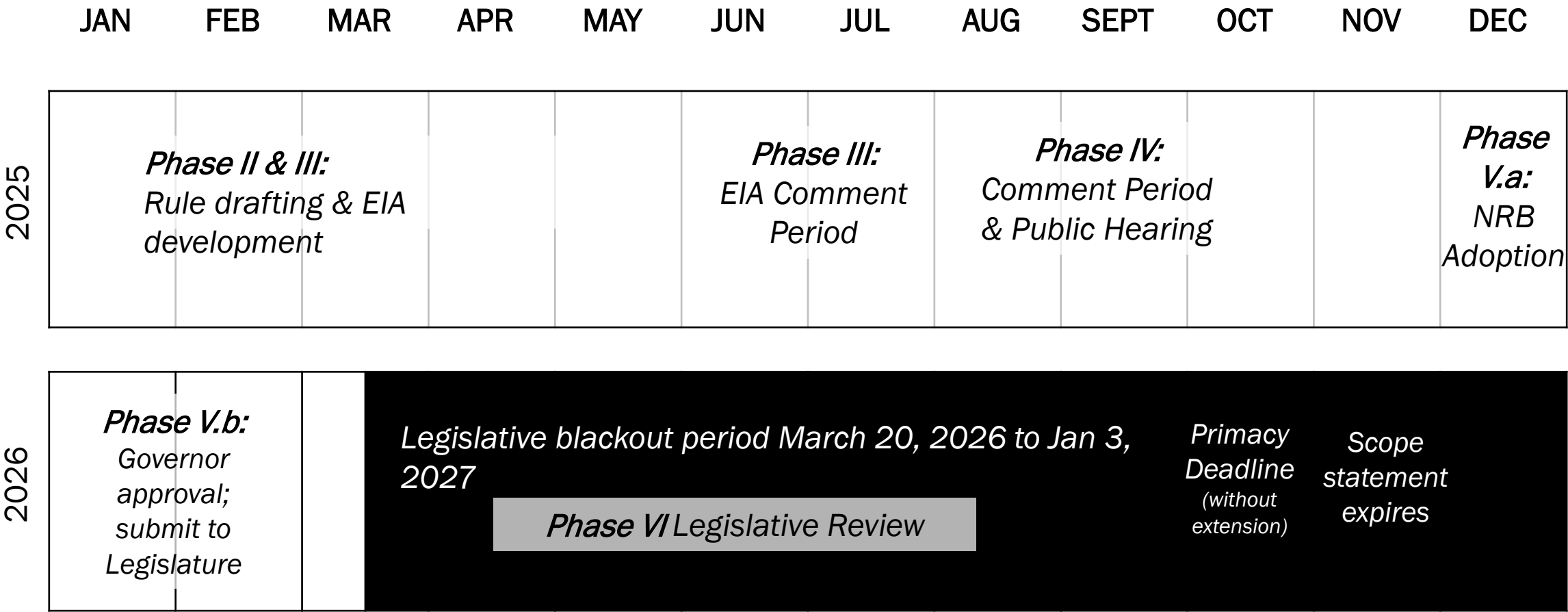
Stakeholder Feedback

Rule Area	Feedback
Sampling (1st and 5th liter)	Concern with bottle waste if sampler receives 5 bottles but disposes of 3. Concern with potential confusion caused by sampler receiving only 3 bottles and whether there will be clear instruction to refill the middle bottle.
Sampling (results)	Concern with how to handle extra data if system needs less copper testing than lead, as Wisconsin labs typically test for both regardless.
Sampling (aerators/flushing)	Concern with whether the DNR should advise samplers not clean the aerators within a certain amount of time before testing. Concern with how to handle situations where water is flushed (e.g. maintenance) before samples are collected.

Stakeholder Feedback

Rule Area	Feedback
Schools & child care facilities (sampling)	Provide clarity on why schools/child care facilities have a different sampling procedure (250-mL vs. 1 L).
	Suggest requiring public water systems to prioritize which elementary schools/child care facilities are sampled first.
	Concern that secondary schools are not treated the same as elementary schools and to consider requiring these be treated the same for sampling requirements.
	Suggest requiring community water systems to make a “reasonable effort” to reach non-responsive schools and child care facilities by reaching out 4x rather than 2x.
Child care definition	Update definition to include “certified child care facilities” as Wisconsin uses the term “certified” to mean “licensed”.

General Timeline



Status of Federal Rule

- Congressional resolution disapproving rule
 - *Currently no progress since resolution was introduced on 1/13/25. Track current status here:*
<https://www.congress.gov/bill/119th-congress/house-joint-resolution/18?loclr=cga-bill>
- American Waterworks Association Lawsuit challenging the LCRI
 - *On April 21, 2025 EPA requested a second, 60-day extension, saying it needs additional time to review the rule.*

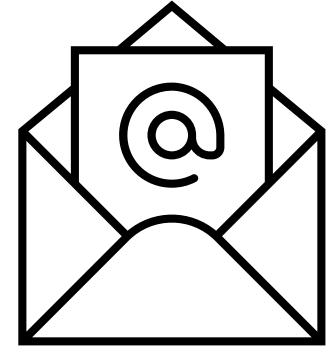
What's Next?



- Implementation of proposed rule
 - Potential for stakeholder meetings to reconvene if interest from members.
 - Determine how to best implement changes in Wisconsin.
 - Discuss how to engage impacted entities including public water systems, schools, child care facilities, communities, and more.

More information to come as rule undergoes the promulgation process!

Stay in Touch!



Interested in updates on the proposed rule and EIA?

- Sign up [here](#) to receive emails through the *Drinking Water and Groundwater Study Group GovDelivery* list.
- Check the [Proposed Permanent Administrative Rules | Wisconsin DNR](#) webpage for updates.



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**Thank you for
your
participation!**



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Questions?

Ann Hirekatur, Lead & Copper Section Manager

Ann.Hirekatur@wisconsin.gov, 608-419-2452

Briana Harter: Lead & Copper Rule Coordinator

Briana.Harter@wisconsin.gov, 608-893-0709

Jesse Jensen: Drinking Water & Groundwater Southeast Region Field Supervisor

Jesse.Jensen@wisconsin.gov, 414-319-9909

Natalia Hernández, Drinking Water & Groundwater Outreach Specialist

Natalia.Hernandez@wisconsin.gov, 262-838-1567



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