

Notice of Preliminary Hearing on Statement of Scope

The Department of Natural Resources announces that it will hold a preliminary public hearing on two Statements of Scope that affect ch. NR 809, at the virtual time and place shown below.

- Statement of Scope SS 092-24 (Board Order DG-01-24), related to drinking water standards for PFAS.
- Statement of Scope SS 093-24 (Board Order DG-02-24), to clarify and correct existing language and add federal Consumer Confidence Report requirements.

Hearing Information

Date: October 3, 2024

Time: 10:00 AM to end of agenda

Virtual Location Link:

- Online via Zoom: <https://us02web.zoom.us/j/89306163083>
- Call in: 312-626-6799
- Meeting ID: 893 0616 3083

Rule Information

This preliminary hearing will cover Scope Statements for two proposed rulemaking efforts updating ch. NR 809, Wis. Adm. Code:

- The objective of Board Order DG-01-24 is to establish drinking water standards, referred to as Maximum Contaminant Levels (MCLs), based on the new federal standards for certain per- and polyfluoroalkyl substances (PFAS). The Environmental Protection Agency (EPA) set individual MCLs for five of the PFAS, as well as a Hazard Index approach to protect public health from mixtures of these substances. In establishing standards consistent with federal requirements, this rule would revise the state PFOA and PFOS MCLs to be consistent with (no less stringent than) the new federal MCL standards for PFOA and PFOS, as required under the federal Safe Drinking Water Act (SDWA).
- The objectives of Board Order DG-02-24 are to:
 - Clarify and correct existing requirements to meet the requirements of the EPA and the SDWA.
 - Establish a definition, address redundancies and omissions, clarify to improve understanding and readability, and correct grammatical, spelling, and punctuation errors.
 - Update Consumer Confidence Report requirements to be consistent with new federal regulations under the SDWA.

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 join via Zoom, please register or pre-register using the link above, which will prompt you to enter information required on the Hearing Appearance form. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. For those who plan to phone in, please download and complete the fillable [Hearing Appearance form](#) and send it to jeffrey.flashinski@wisconsin.gov.

Comments on the proposed scope statement must be received on or before October 3, 2024. 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 scope statement should be submitted to:

Department of Natural Resources
Attn: Jeff Flashinski, DG/5
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921

The scope statement may be viewed at:

<https://dnr.wisconsin.gov/news/input/ProposedPermanent.html>

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

Additionally, the scope statement may be reviewed, and comments made at:

https://docs.legis.wisconsin.gov/code/scope_statements/comment.