NR 140
Administrative Rules Public Hearing

Ann Hirekatur – Public Hearing Officer
Bill Phelps – Hydrogeologist, Groundwater Section
Attendees Using Zoom

Update your Participant name to include your full name:

1. Click Participants
2. Click your name. Click More> Rename to update.

(2.) Click Name > More > Rename to include your full name.
Hearing Logistics (Zoom)

3. If you have trouble seeing the slides or are having other technical problems, please also let us know using the chat window at the bottom of the screen so our staff can try to help you resolve them.

(3.)
PUBLIC COMMENT SLIDE

- At today’s public hearing
- By email: DNR140GroundwaterQualityStandards@Wisconsin.gov
  - or DNRAdministrativeRulesComments@wisconsin.gov
- By US Mail: C/O DG/5
  - P.O. Box 7921, 101 S. Webster St.
  - Madison, WI 53707-7921

Deadline to submit comments is January 11, 2022
Overview of Cycle 10 Standard Setting

Bill Phelps – Hydrogeologist, Groundwater Section
Proposed Standards

- “Cycle 10”: proposed new/revised public health standards in NR 140 Table 1 for 27 substances

- New groundwater quality standards for 16 substances:
  - 11 pesticides, 2 metals, 1 bacteria, 2 PFAS (PFOA & PFOS)

- Revised groundwater quality standards for 11 substances:
  - 5 metals, 5 solvents, 1 bacteria
## Proposed Standards

<table>
<thead>
<tr>
<th>Substance</th>
<th>New or existing</th>
<th>Enforcement Standard Recommended Value</th>
<th>Preventive Action Limit Recommended Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,1-Dichloroethane</td>
<td>Existing</td>
<td>No change</td>
<td>850 μg/L</td>
</tr>
<tr>
<td>1,2,3-Trichloropropene</td>
<td>Existing</td>
<td>↓ - 0.3 ng/L</td>
<td>0.03 ng/L</td>
</tr>
<tr>
<td>1,4-Dioxane</td>
<td>Existing</td>
<td>↓ - 0.35 μg/L</td>
<td>0.035 μg/L</td>
</tr>
<tr>
<td>Aluminum</td>
<td>Existing</td>
<td>No change</td>
<td>200 μg/L</td>
</tr>
<tr>
<td>Bacteria (Total coliform)</td>
<td>Existing</td>
<td>No change</td>
<td>0</td>
</tr>
<tr>
<td>Bacteria (<em>E. coli</em>)</td>
<td>New</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td>Barium</td>
<td>Existing</td>
<td>No change</td>
<td>2 mg/L</td>
</tr>
<tr>
<td>Boron</td>
<td>Existing</td>
<td>↑ - 2,000 μg/L</td>
<td>400 μg/L</td>
</tr>
<tr>
<td>Clothianidin</td>
<td>New</td>
<td>n/a</td>
<td>1,000 μg/L</td>
</tr>
<tr>
<td>Cobalt</td>
<td>Existing</td>
<td>No change</td>
<td>40 μg/L</td>
</tr>
<tr>
<td>Dacthal MTP and TPA degradates</td>
<td>New</td>
<td>Combine with dacthal</td>
<td>70 μg/L</td>
</tr>
<tr>
<td>Glyphosate</td>
<td>New</td>
<td>n/a</td>
<td>10 mg/L</td>
</tr>
<tr>
<td>Glyphosate AMPA degradate</td>
<td>New</td>
<td>n/a</td>
<td>10 mg/L</td>
</tr>
<tr>
<td>Hexavalent chromium</td>
<td>New</td>
<td>n/a</td>
<td>70 μg/L</td>
</tr>
<tr>
<td>Imidacloprid</td>
<td>New</td>
<td>n/a</td>
<td>0.2 μg/L</td>
</tr>
<tr>
<td>Isoxafutole &amp; Isoxaflutole Diketonitrile (DKN)</td>
<td>New</td>
<td>n/a</td>
<td>3 μg/L</td>
</tr>
<tr>
<td>Isoxaflutole Benzoic Acid (BA)</td>
<td>New</td>
<td>n/a</td>
<td>800 μg/L</td>
</tr>
<tr>
<td>Molybdenum</td>
<td>Existing</td>
<td>No change</td>
<td>40 μg/L</td>
</tr>
<tr>
<td>PFOA &amp; PFOS</td>
<td>New</td>
<td>n/a</td>
<td>20 ng/L</td>
</tr>
<tr>
<td>Strontium</td>
<td>New</td>
<td>n/a</td>
<td>1,500 μg/L</td>
</tr>
<tr>
<td>Sulfentrazone</td>
<td>New</td>
<td>n/a</td>
<td>1,000 μg/L</td>
</tr>
<tr>
<td>Tetrachloroethylene (PCE)</td>
<td>Existing</td>
<td>↑ - 20 μg/L</td>
<td>2 μg/L</td>
</tr>
<tr>
<td>Thiamethoxam</td>
<td>New</td>
<td>n/a</td>
<td>100 μg/L</td>
</tr>
<tr>
<td>Thiencarbazone-methyl</td>
<td>New</td>
<td>n/a</td>
<td>10 mg/L</td>
</tr>
<tr>
<td>Trichloroethylene (TCE)</td>
<td>Existing</td>
<td>↓ - 0.5 μg/L</td>
<td>0.05 μg/L</td>
</tr>
</tbody>
</table>
Rulemaking process and timeline

2019
- Scope statement approved by Governor
- Preliminary public hearings
- NRB approves scope

All year
- Rule drafting begins
- Advisory groups meet

2020
- Winter
- Preparation of proposed rule
- Solicitation of info for EIA
- Draft EIA

2021
- Summer
- Public hearings on proposed rule

2022
- Winter
- NRB meeting for rule adoption
- Rule approved by Governor

- Spring
- Legislative review
- Rule signed by DNR secretary

- Summer
- Rule becomes effective
Stakeholder Input

- November, 2019 – Public hearing on scope statement
- February, 2020 – Stakeholder meeting
- March, 2020 - Stakeholder meeting (PFAS)
- June, 2020 - Stakeholder meeting (Metals and Metalloids)
- July, 2020 - Stakeholder meeting (VOCs)
- August, 2020 - Stakeholder meeting (Pesticides)
- October, 2020 - Stakeholder meeting (Bacteria)
- May/June, 2021 – Solicitation of comments on draft economic assessment
- January, 2022 – Public hearing on rule

- Comments at multiple Natural Resources Board Meetings
Economic Impact Assessment

- May/June, 2021 - Draft EIA for public comment
- December, 2021 – Final EIA

Estimated average compliance cost per year

<table>
<thead>
<tr>
<th>Categories</th>
<th>Average Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PFAS</strong></td>
<td></td>
</tr>
<tr>
<td>Industrial and Municipals Wastewater and Industrial solids</td>
<td>$1,009,278</td>
</tr>
<tr>
<td>Municipal Biosolids</td>
<td>$1,577,533</td>
</tr>
<tr>
<td><strong>VOC’s</strong></td>
<td></td>
</tr>
<tr>
<td>TCE</td>
<td>$560,080</td>
</tr>
<tr>
<td>1,4 dioxane</td>
<td>$137,280</td>
</tr>
<tr>
<td><strong>Total Annual cost (In Any Year Average Cost)</strong></td>
<td>$3,284,171</td>
</tr>
</tbody>
</table>
Next Steps

Winter 2021
- Public hearing on proposed rule [PDF] - Jan. 6, 2022
- Public comment period - Dec. 6, 2021 - Jan. 11, 2022
- View the Draft Rule [PDF]

Spring 2022
- NRB meeting for adoption
- Rule approved by governor
- Legislative review/hearings

Summer/Fall 2022
- Rule signed by DNR Secretary
- Rule published and effective
Hearing Logistics (Zoom)

If you would like to submit a verbal comment:
1. Click “Participants”
2. Click “Raise Hand”
Hearing Logistics (Zoom)

3. When your name is called, the Meeting Host will unmute you.
Hearing Logistics (Zoom)

4. You should receive a pop-up “The host would like you to unmute”: Click

Unmute
Hearing Logistics (Zoom)

5. When you’ve finished speaking, the Host will re-mute you
Hearing Logistics (Zoom)

6. For technical assistance, please use the chat feature and our staff will do their best to help you out.
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