


DATE: May 1, 2024

TO: Remediation and Redevelopment Program Staff

FROM:  Jim Zellmer, Administrator, Environmental Management Division

SUBJECT: PFAS Enforcement Discretion for Farmers

The Wisconsin Department of Natural Resources (DNR) has long recognized the importance of supporting our farmers and agricultural community, and in working together to prevent and reduce the burden of contamination to our land and water.

The U.S. EPA recently released a PFAS Enforcement Discretion Policy under CERCLA, which states that the EPA does not intend to pursue response actions or costs from farmers whose property has been impacted by PFAS because of land spreading.

The DNR also has not and does not intend to pursue farmers who own agricultural land for response actions or costs related to unintentional PFAS contamination resulting from permitted land spreading.

The DNR will continue to work with communities and stakeholders to determine whether and how additional enforcement discretion may be applied.