

PFAS External Advisory Group

August 20, 2021

Agenda

- Welcome and Introductions
- WisPAC Updates
- Military PFAS Updates
- DNR, State and Federal PFAS Updates
- Biosolids
- Public Comment

Welcome

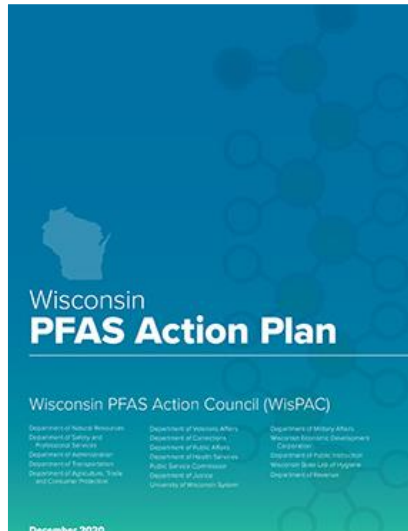


Roll Call

External Advisory Group Members		
Jason Culotta, Midwest Food Products Association	George Klaetsch, Wisconsin State Fire Chiefs Association	Doug Oitzinger, Marinette Citizen
Brian Grefe, Wisconsin Airport Managers Association	Lawrie Kobza, Municipal Environmental Group – Water Division	Laura Olah, Citizens for Safe Water Around Badger
Joe Grande, American Water Works Association – Wisconsin Section and Madison Water Utility	Scott Laeser, Clean Wisconsin	John Osborne, GZA GeoEnvironmental, Inc.
Chris Groh, Wisconsin Rural Water Association	Rob Lee, Midwest Environmental Advocates	John Robinson, Wisconsin’s Green Fire
Toni Herkert, League of Municipalities	Scott Manley, Wisconsin Manufacturers and Commerce	Pat Stevens, Wisconsin Paper Council
David Johnson, North Shore Environmental Construction, Inc.	Sharon Mertens, Milwaukee Metropolitan Sewerage District	Mark Thimke, Foley & Lardner LLP
Meleesa Johnson, Marathon County Solid Waste Department and Wisconsin Solid Waste PFAS Group	Lynn Morgan, Waste Management	Ned Witte, Godfrey & Kahn S.C.
Paul Kent, Stafford Rosenbaum LLP		

Action Items

- 25 recommendations for action



Guiding Principles

- Environmental Justice, Health Equity, Innovation & Pollution Prevention

Action Plan Themes

- Standard Setting, Sampling, Pollution Prevention, Engagement, Education & Communication, Research & Knowledge, Phase Out, Future Investments, Identify & Address Historic Discharges



PFAS ACTION PLAN

The PFAS Action Plan is a comprehensive roadmap for how state agencies will address PFAS in Wisconsin.

[READ MORE](#)



Wisconsin PFAS Action Plan

Wisconsin PFAS Action Council (WisPAC)

- | | | |
|--|--------------------------------|--|
| Department of Natural Resources | Department of Veterans Affairs | Department of Military Affairs |
| Department of Safety and Professional Services | Department of Corrections | Wisconsin Economic Development Corporation |
| Department of Administration | Department of Public Affairs | Department of Public Instruction |
| Department of Transportation | Department of Health Services | Wisconsin State Lab of Hygiene |
| Department of Agriculture, Trade and Consumer Protection | Public Service Commission | Department of Revenue |
| | Department of Justice | |
| | University of Wisconsin System | |

December 2020

Wisconsin PFAS Action Council (WisPAC) Updates

Department Of Defense Sites in Wisconsin

August 20, 2021

Judy Fassbender, WI Dept of Natural Resources

Michael Hinman, WI Air National Guard

DNR & DOD

Memorandum of Agreement: DSMOA

Progress at Wisconsin Sites

CERCLA & SPILL LAW

Future Efforts

Darsi Foss, Environmental Management Division Administrator
WI Dept of Natural Resources

DNR Updates



SAFE WATER FOR ALL *Water in Wisconsin*



How Safe is Wisconsin's Water?

o Nitrates

- Approximately **10% of well owners** have their well water tested for any contaminant.
- Greater than **10% of wells** exceed the maximum contaminant levels for nitrates.
- Approximately **300 public water systems** exceed the health standard for nitrates.
- Private well owners have spent greater than **\$9 million** to replace wells with elevated nitrate levels.

o Lead

- Wisconsin public water systems have over **200,000** lead service lines.

o PFAS

- Approximately **50** known PFAS contaminated sites in Wisconsin.
- **5 of 91** municipal water systems sampled exceed state recommended health levels for PFAS.
- **17** PFAS fish consumption advisories issued after DNR sampling.



Drinking Water in Wisconsin

- o **3 in 4** Wisconsinites get water from public water systems and **1 in 4** get their water from private wells.
- o Wisconsin has **11,451** public water systems - the most of any state in the US.



Laws Protecting Wisconsin's Water



o Federal Protections

- **Clean Water Act:** Protects national waterways.
- **Safe Drinking Water Act:** Establishes safe drinking water protections.
- **Superfund:** Requires cleanup of over 40 contaminated sites.

o Wisconsin Protections:

- **Groundwater Law,** nationally recognized as it protects and restores groundwater.
- **Spills Law,** a comprehensive cleanup law that restores our state waters, land and air.
 - Over **27,000** cleanups have been completed and approved.
 - Over **41,000** spills have been reported and addressed.

DNR Updates



State and Federal Updates

State Activity

- [CLEAR Act 2.0](#)
- [Municipal Grant Program](#)
- [2021-2023 Budget: PFAS](#)
Firefighting Foam Collection
and Disposal Program



Federal Activity



- Congress
 - [PFAS Action Act](#)
 - [Filthy Fifty Act](#)
 - [Clean Water for Military Families](#)
 - [No PFAS in Cosmetics Act](#)
 - [Infrastructure Bill](#)
- EPA
- FDA
- CDC

BREAK
Resume at 1pm

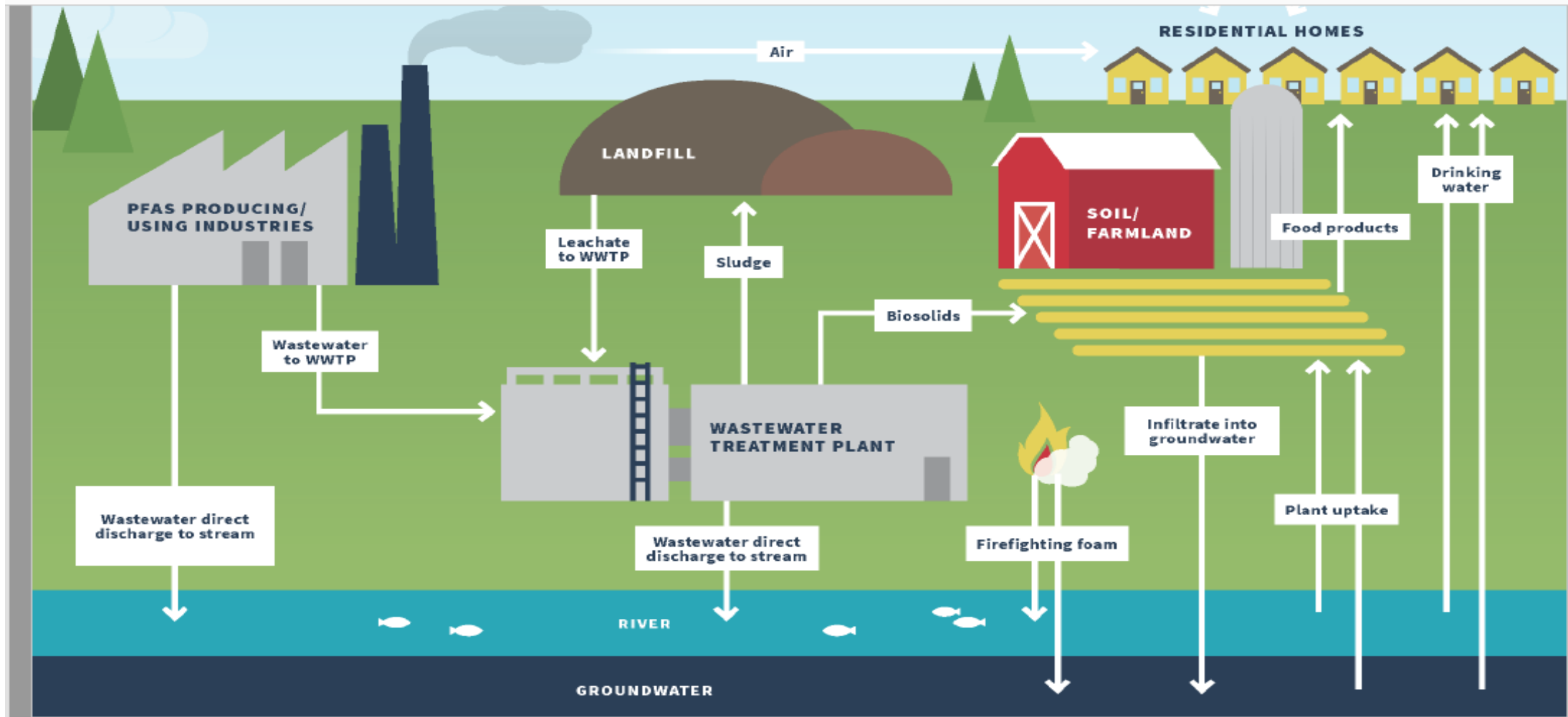
WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PFAS & Biosolids

March 9, 2021 | DNR.WI.GOV



PFAS Fate & Transport



PFAS in Municipal Wastewater & Biosolid

- PFAS first identified in Wastewater & Biosolids in early 2000s
- PFOS & PFOA (long-chain) are commonly found
- Data suggests that short-chain PFAS are more likely to be discharged through the effluent while longer chain PFAS compounds are more likely to accumulate in the sludge
 - Based on existing data, this is largely likely to be a legacy issue.

Regulation of Biosolids in WI

- Federally Delegated Program from EPA
- Subject to 40 CFR Part 503 Requirements
- Chapters 283, Wis. Stats. and NR 204, Wis. Adm. Code.

WI Efforts on PFAS & Biosolids

- 2019 – Gather research, monitor EPA and state activity
- 2020 – Work closely with Great Lakes states, especially MI
 - Evaluate various models for use
- 2021 – Continue coordination with EPA & Other States
 - Develop Interim Strategy Approach

Draft Interim Strategy

Approach

Goal of Interim Strategy

- Provide municipal operators an approach for handling and disposing PFAS-impacted biosolids in the interim
- SOURCE REDUCTION, SOURCE REDUCTION, SOURCE REDUCTION!!!
- Interim step or approach while we gather more data and EPA to conclude their efforts
- Supporting and waiting on EPA to conclude risk assessment

Draft Interim Strategy Approach

- PFAS Source Reduction Strategies – will be developing more content and sharing in the near term
- Farmer and Landowner Communication – draft messaging developed and reviewing internally; will share externally in the near term
- Additional internal review ongoing and looking to engage with external stakeholders on a final approach prior to implementation.

Tiered Approach

- Tiers – Note tiers are approximate values
 - Below 50 micrograms per kilograms ($\mu\text{g}/\text{kg}$) of sum of PFOA/PFOS concentrations
 - 20 $\mu\text{g}/\text{kg}$ concentration (was 16)
 - 50 $\mu\text{g}/\text{kg}$ – 149 $\mu\text{g}/\text{kg}$ of sum of PFOA/PFOS concentrations
 - Above 150 $\mu\text{g}/\text{kg}$ of sum of PFOA/PFOS concentrations

Below 50 $\mu\text{g}/\text{kg}$

- If over 20 $\mu\text{g}/\text{kg}$, implement PFAS source investigation and reduction. If below, no further action necessary prior to land application but still consider source evaluation.
- Provide PFAS analytical results to the landowner prior to application (DNR to provide template language)
- Track application rates

50 $\mu\text{g}/\text{kg}$ – 149 $\mu\text{g}/\text{kg}$

- Immediately notify DNR Staff
- Investigate potential sources to develop a source reduction program
- Reduce any future land application rates to no more than 1.5 dry tons per acre
- Provide PFAS analytical results to the landowner prior to application. (DNR to provide template language)
- Track application rates
- WWTF operators may decide to arrange for alternative disposal options.

Above 150 $\mu\text{g}/\text{kg}$

- Biosolids are considered industrially impacted by PFAS. Biosolids should not be land applied. Future WPDES permits likely to include language prohibiting land application above this level.
- Immediately notify DNR Staff
- Investigate potential sources to develop a source reduction program
- Arrange alternative disposal of biosolids (e.g., incineration or appropriate landfill)

Identify & Reduce PFAS Sources

- Numerous potential industrial sources as discussed earlier
- Commercial sources can occasionally be a source of PFAS
- Reach out to your DNR contact to discuss a source identification and reduction plan.

Next Steps

- Discuss Interim Strategy internally and externally prior to implementation. This is key!
- Continue to partner with all WWTFs on PFAS efforts with an emphasis on PFAS source identification and reduction.
- Work with other states and EPA on PFAS efforts
- Review new information as it becomes available and revise strategy as appropriate.
- Keep an open dialogue!

Open Forum External Advisory Group Members

Wrap-up and Next Steps



Public Comment

- Submit questions or comments via the chat function in Zoom (please indicate if you'd like to read aloud)

OR

- “Raise Hand” and you’ll be unmuted to provide your comment
- We will attempt to address comments and requests to speak in the order that they are received
- Please keep comments to 3 minutes

CONNECT WITH US

Mimi Johnson
melanie.l.johnson@wi.gov

Jason Lowery
jason.lowery@wi.gov



/WIDNR



@WIDNR



@WI_DNR



/WIDNRTV



"WILD WISCONSIN:
OFF THE RECORD"