

Notice of Preliminary Hearing on Statement of Scope

The Department of Natural Resources announces that it will hold a preliminary public hearing on Statement of Scope SS 088-23 (Board Order DG-16-23) for proposed revisions to subch. II of ch. NR 809 related to control of lead and copper in public drinking water, to be consistent with revisions to the federal Lead and Copper Rule and the federal Lead and Copper Rule Improvements. In accordance with s. 227.136, Wis. Stats., the DNR is seeking public comment and feedback on the Statement of Scope at the time and virtual location shown below.

Hearing Information

Date: January 9, 2024

Time: 10:00 a.m.

Virtual Location Link:

- Online via Zoom: <https://us02web.zoom.us/j/83383816108>
- Call in: +1 309 205 3325 US
- Meeting ID: 833 8381 6108

Rule Information

The objective of the proposed rule is to update subch. II of ch. NR 809, Wis. Adm. Code, related to control of lead and copper in public drinking water, to be consistent with 2021 revisions to the Federal Lead and Copper Rule, 40 CFR 141.80 to 141.93, and with the anticipated 2024 federal rule revision – Lead and Copper Rule Improvements.

Areas of the rule the department expects to address include:

- General requirements for the control of lead and copper in public drinking water.
- Compliance monitoring, supplemental monitoring, and analytical requirements for lead and copper.
- Descriptions and applicability of corrosion control treatment steps for small, medium and large-size water systems.
- Description of corrosion control treatment requirements.
- Source water monitoring and treatment requirements.
- Lead service line inventory requirements.
- Lead service line replacement requirements.
- Public education and outreach requirements.
- Monitoring requirements and corrective actions for lead and copper in tap water, including individual tap samples.
- Requirements for establishing and maintaining optimal water quality parameters.
- Monitoring requirements for water quality parameters.
- Monitoring requirements for lead and copper in source water.
- Reporting requirements for lead and copper.
- Monitoring and notice requirements for lead in schools and childcare facilities.
- Small water system compliance flexibility.

- Recordkeeping requirements.
- Any other changes necessary for Wisconsin administrative rules to be no less stringent than the requirements of the federal Lead and Copper Rule, including the 2021 Revisions and the Lead and Copper Rule Improvements.

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, the department 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. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above prior to the day of the hearing or download and complete the fillable [hearing appearance form](#) and send it to BruceD.Rheineck@wisconsin.gov

Comments on the proposed scope statement must be received on or before January 9, 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: Bruce Rheineck, Bureau of Drinking and Groundwater - 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>.

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

The scope statement may be reviewed, and comments made at:
https://docs.legis.wisconsin.gov/code/scope_statements/comment.