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June 10, 2021

Department of Natural Resources  
Attn: Bruce Rheineck – DG/5  
101 S. Webster Street Madison, WI 53703

Via Email - [BruceD.Rheineck@wisconsin.gov](mailto:BruceD.Rheineck@wisconsin.gov) and [DNRAdministrativeRulesComments@wisconsin.gov](mailto:DNRAdministrativeRulesComments@wisconsin.gov)

Mr. Rheineck:

The League of Wisconsin Municipalities welcomes the opportunity to submit comments related to the Statement of Scope (SS-029-21) on the revision to ch. NR 140 related to numerical standards for 16 new per and polyfluoroalkyl substances (PFAS) including 4 combined standards. The League is a nonprofit and nonpartisan association of 594 cities and villages, nearly all of which operate wastewater treatment plants that would be affected by these proposed rules.

The League supports following sound science, sampling, and monitoring to produce technologically and financially feasible regulations for PFAS compounds. We encourage the department to follow the lead of the federal government with regard to numeric standards for this emerging group of contaminants. After studying the available data regarding wastewater discharges from facilities that manufacture PFAS, EPA published an advance notice of proposed rulemaking (ANPRM) on March 17, 2021, to solicit data and information regarding manufacturers of PFAS and the presence and treatment of PFAS in discharges from this industrial category. While municipal wastewater facilities are not a manufacturer of PFAS, they will be impacted by numeric effluent standards. EPA is still gathering the scientific information necessary to develop PFAS standards. Wisconsin should avoid getting ahead of the EPA when setting standards.

In addition, because research, sampling and analysis at the federal and state level is ongoing, it would be difficult for DNR to determine with any certainty whether the economic impact of the development of PFAS numeric criteria is moderate and limited to up to \$5 million per year. The League believes that there will be significant costs beyond existing RP sites, including potential land spreading and soil contamination implications, increased remediation and redevelopment costs, and significant disposal costs due to the lack of disposal options currently available. It is premature to indicate that the economic impact would be moderate.

We look forward to continuing the dialogue with the department on this important issue. The League is supportive of regulating these emerging compounds in a scientifically supported and financially feasible manner.

Kind Regards,

*Toni R Herkert*

Toni Herkert, Government Affairs Director  
Wisconsin League of Municipalities

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