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June 10, 2021

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

Via Email – Adam.DeWeese@wisconsin.gov and DNRAdministrativeRulesComments@wisconsin.gov

Mr. DeWeese:

Please accept the submission of these comments on behalf of the League of Wisconsin Municipalities. The League, a nonprofit and nonpartisan association of 594 cities and villages, welcomes the opportunity to submit comments related to the Statement of Scope (SS-31-20) on the revision to ch. NR 809 related to the promulgation of new drinking water maximum contaminant levels for 12 additional PFAS and combined standards for 4 PFAS compounds. We are submitting these comments on behalf of the municipally owned and operated water systems in the state.

The League supports following sound science, sampling, and monitoring to produce technologically and financially feasible regulations for PFAS compounds. We would like to encourage the department to follow the lead of the federal government with regards to setting maximum contaminant levels for this emerging group of contaminants. On February 22, 2021, EPA reissued final regulatory determinations for contaminants on the fourth Contaminant Candidate List. EPA is making final determinations to regulate two contaminants, PFOA and PFOS, in drinking water. With the final Regulatory Determinations for PFOA and PFOS, EPA will move forward to implement the national primary drinking water regulation development process for these two PFAS contaminants. The EPA also recently proposed the fifth Unregulated Contaminant Monitoring Rule. This action by EPA begins the process for sampling additional PFAS chemical contaminants between 2023 and 2025. This proposed action would provide EPA, states, and communities with scientifically valid data on the occurrence of these contaminants in drinking water. EPA has an established process and Wisconsin should participate in that process.

In addition, the League fully endorses the entirety of the comments submitted by Lawrie Kobza on behalf of the Municipal Environmental Group – Water Division (MEG--Water) on June 3, 2021. We urge you to consider the recommendations submitted by MEG – Water.

Thank you for the opportunity to provide comments on the scope statement for NR 809, 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 manner.

Kind Regards,

Toni R Herkert

Toni Herkert, Government Affairs Director
Wisconsin League of Municipalities

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