

Notice of Preliminary Hearing on Statement of Scope

The Department of Natural Resources (DNR) announces that it will hold a preliminary public hearing on Statement of Scope SS 075-22 (Board Order DG-17-22), for proposed revisions to ch. NR 140 related to setting numerical standards to minimize the concentration of polluting substances for certain Per- and Polyfluoroalkyl Substances (PFAS) in groundwater. In accordance with s. 227.136, Wis. Stats., the DNR is seeking public comment and feedback on Statement of Scope SS 075-22 at the time and virtual location shown below.

Hearing Information

Date: November 4, 2022

Time: 1:00 p.m.

Virtual Location:

- Online via Zoom: <https://us02web.zoom.us/j/83756526479>
- Meeting ID: 837 5652 6479
- Join by Telephone: +1 312 626 6799
- Find your local number: <https://us02web.zoom.us/u/kjnd9hBuS>

Rule Information

The objective of the proposed rule is to protect public health, given that groundwater is the primary source of drinking water throughout the state. PFAS breaks down very slowly and can accumulate in people. PFAS may cause reproductive effects such as decreased fertility and pregnancy-induced hypertension, developmental effects or delays in children including birth defects and low birth weight, increased risk of some cancers including prostate, kidney, and testicular cancers, decreased antibody response to vaccines, and increased cholesterol.

The proposed rule will add public health groundwater standards for the four PFAS for which the United States Environmental Protection Agency (EPA) released drinking water health advisories (HAs) on June 15, 2022 in light of newly available science and in accordance with EPA's responsibility to protect public health. EPA issued interim HAs for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS). EPA issued final HAs for perfluorobutane sulfonic acid and its potassium salt (PFBS) and hexafluoropropylene oxide (HFPO-DA) dimer acid and its ammonium salt ("GenX" chemicals). Setting standards will allow for consistent use in state regulatory programs to minimize the concentration of these polluting substances in the groundwater resources of the state.

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, DNR 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 DNR140GroundwaterQualityStandards@Wisconsin.gov.

Comments on the proposed scope statement must be received on or before November 4, 2022. 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 – DG/5
101 S. Webster Street
Madison, WI 53703
DNR140GroundwaterQualityStandards@Wisconsin.gov

Comments may also be submitted to DNRAAdministrativeRulesComments@wisconsin.gov

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