

Meeting Minutes
Drinking Water and Groundwater Study Group Meeting
April 5, 2018 9:30 a.m.
Natural Resources Building - GEF 2 Room G09 - 101 S Webster St, Madison

Attendees:

Chris Groh – Wisconsin Rural Water Association *	Samantha Pegelow - JOFC
David Webb – Wisconsin State Laboratory of Hygiene *	Meg Domroese – JOFC
Jeff Kramer – Wisconsin Water Well Association *	Janine Foggia – JOFC
Lawrie Kobza – Municipal Environmental Group *	Jeff Beiriger – WWSWA
Paul Junio – Northern Lake Service (Waukesha) *	Tony Steffen – Fond du Lac Water Utility
Rick Wietersen – WAHLDAB *	Steve Elmore – DNR
Susan Hedman – Clean Wisconsin *	Kyle Burton – DNR
John Richmond – Marshfield Utilities	Liesa Lehmann – DNR
Sarah Yang – Department of Health Services	Adam Freihoefer - DNR
Mike Sullivan – Oak Creek Water	Adam DeWeese – DNR
James Wedekind – TRC	Cathy Wunderlich - DNR
Alyssa Beck – WSLH	Bruce Rheineck - DNR
Laura Olah - CSWAB	Carlyn Brown – DNR

*Drinking Water and Groundwater Study Group member (DGSG)

The [agenda and presentation can be found on the DGSG website](#)

Meeting called to order at 9:35 a.m.

Welcome and introductions led by DG Program Director Steve Elmore

NR 140 Updates

Rheineck and Yang updated members on the NR 140 revisions. NR 140 regulations protect groundwater resources.

DHS is currently reviewing the letter and will send a list of recommendations back to DNR. Once the recommendations are received, DNR will go into the rule making process.

Junio recommended that DNR consult with labs and the DNR lab certification program.

Act 10 Guidance

Freihoefer gave an update on the Act 10 guidance. Wietersen asked if the changes apply to all wells on a high capacity property. Freihoefer clarified that fire protection wells and residential wells are exempt.

Water Use Viewer

Freihoefer gave an overview of the water use viewer which is a hub of information for users to search for high capacity wells, surface water withdrawal sources, and water quantity monitoring data from wells, lakes, streams, and springs.

Link to Water use data and maps webpage
<https://dnr.wi.gov/topic/WaterUse/data.html>

Lead and Copper Comments to USEPA

Elmore went over comments that were submitted from DNR and Association of Safe Drinking Water Administrators (ASDWA).

ASDWA comment - https://asdwa.files.wordpress.com/2018/03/final-lt_lcr-federal-consultation-asdwa-comments_appendices.pdf

DNR comments are attached to the meeting notes.

Discussion on lead and copper

Systems are monitoring sites with lead service lines and copper pipes.

Funding to replace lead service lines is available through the safe drinking loan program

Where there are samples of lead concern, utilities should inform the homeowner so the homeowner can make their own decisions. Across the nation, states are struggling with homeowners that don't want to replace their portion of lead lines or faucets.

Homeowners need to be education on the long term and short-term issues of lead.

Internal updates

Burton updated members on new hires and program initiatives.

Hedman asked if DG is seeing a decline in our full-time employee workforce. Yes, our core work has increased but our number of full-time positions has decreased. With a robust data system, technical assistance contract with Wisconsin Rural Water Association and partnerships with local health departments, the DG program has been able to accomplish core work activities with limited resources.

NR 812 Revisions

Lehmann gave an update on the NR 812 revisions. DNR is on target to complete the code revisions by 2020.

Wietersen asked what have we learned arsenic and nitrate since code regulations have been in effect. The study group will be discussing this topic at a future meeting.

Hot topics

DG continues to work with DNR's Remediation and Redevelopment program on the PFOS/PFOA groundwater contamination in Marinette county.

PFOS letters were sent to the Governors of each state

Long term revision lead and copper rule

Racine diversion public comment period ends April 6, 2018.

DNR has a standard protocol for providing emergency bottled water to homeowners when private wells are contaminated from ag runoff incidents.

The [agenda and presentation can be found on the DGSG website](#) - Meeting minutes recorded by Carlyn Brown, DNR



March 8, 2018

Iliriana Mushkolaj
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Subject: State consultation on the federal Lead and Copper Rule revisions

Dear Ms. Mushkolaj,

Wisconsin Department of Natural Resources (WDNR) maintains primacy for implementation of the Safe Drinking Water Act (SDWA), including the Lead and Copper Rule (LCR), in the state of Wisconsin. WDNR is hereby submitting these comments during the LCR federal consultation period, 1/8/18-3/8/18.

Lead Service Line Replacement (LSLR):

The experience in Wisconsin shows LSLR works best as a voluntary effort by public water systems that is carried out over several years. One of the challenges with LSLR is ensuring that the privately owned portion of lead service line is replaced at the same time as public-owned portion. WDNR provided incentives for private lead service line replacement with existing Safe Drinking Water Loan funds, outside of the LCR requirements. WDNR will provide over \$22 million to fund private-side LSLR (in coordination with the public-side LSLR) to at least 38 communities in Wisconsin. This funding has helped disadvantaged communities to provide incentives for private side LSLR to further reduce lead exposure, particularly at schools and daycares currently served by lead service lines. EPA should consider providing additional means for states to use loan funds and principal forgiveness as LSLR incentives. WDNR encourages EPA to explore these and other incentives to encourage long-term plans by public water systems to remove lead service lines.

Any public water system plan for LSLR would rely on an inventory of service line materials in the distribution system. The inventory should be updated by public water systems regularly when new information is obtained and LSLR proceeds. Also, a requirement for the public water system to conduct a general inventory of home plumbing materials (i.e. home construction age) would help the system maintain a compliant LCR monitoring site plan.

Corrosion Control Treatment:

Public water systems required to provide corrosion control treatment should be required to regularly look at the effectiveness of the treatment. States should have the authority to collect water quality parameters and to address compliance issues if treatment is not being adequately maintained.

Wastewater discharge issues are a concern when orthophosphates are added as a corrosion inhibitor since the excess phosphorus that passes through the system is discharged to the wastewater treatment facility. Any prescribed orthophosphate level in the LCR would present a challenge for WDNR and permittees to meet phosphorus discharge standards. While orthophosphate addition has proven to be effective at reducing the lead

concentrations in drinking water, we encourage consideration of optimizing orthophosphate addition and include an allowance for other alternatives, such as complete LSLR.

Transparency and Public Education:

Public education requirements that apply to public water systems should include a requirement for ongoing, targeted education for residences with lead service lines. The transient nature of lead releases to drinking water where lead service lines exist necessitates education regularly delivered by the public water system, not only when a lead action level is exceeded in the community.

Monitoring for lead in schools and daycares that are not classified as a public water system should be left to health and education departments. WDNR does not have authority over these facilities, unless they are a public water system.

Tap Sampling:

Although WDNR never has allowed pre-stagnation flushing, the current lead and copper rule needs to be revised to clearly state that pre-stagnation flushing prior to sampling is not allowed. Pre-stagnation flushing may temporarily reduce the lead concentrations, which would result in an underreporting of the potential lead exposure from drinking water.

Public water systems should not be allowed to take additional lead and copper samples in a monitoring period to “sample out” of an action level exceedance. Under the current rule, PWSs are required to select the required number of sampling sites based on rule criteria. However, the rule allows PWSs to continue sampling during the compliance monitoring period to essentially sample their way out of exceeding the 90th percentile value. In some cases, public water systems may circumvent the rule requirements by re-sampling at locations that have historically exhibited lower concentrations in order to lower the calculated 90th percentile value. In other words, if a public water system is required to take 20 samples in a monitoring period, WDNR would like only the 20 highest samples be used to calculate their 90th percentile compliance value. Any additional samples could be labeled as investigative and used to inform operators and homeowners regarding potential lead exposure and corrosion control effectiveness.

Monitoring site plans should be regularly updated by the public water system to account for replaced lead service lines, new information about water quality, and plumbing renovations.

Copper:

Copper monitoring sites should be separated from those used to monitor for lead. Homes with new copper plumbing have the highest probability of exposing consumers to elevated copper levels and should be a part of the public water system LCR monitoring site plan.

I look forward to continued engagement in the development of a revised Lead and Copper Rule. Please contact me (steve.elmore@wisconsin.gov, 608-264-9246) if you have questions or would like to discuss these comments.

Sincerely,



Steven Elmore, Program Director
Bureau of Drinking Water and Groundwater