

Notice of Hearing

The Department of Natural Resources announces that it will hold a public hearing on a permanent rule to revise chapter NR 140 relating to setting numerical standards to minimize the concentration of polluting substances in groundwater, Board Order DG-15-19. In accordance with s. 227.17, Wis. Stats., the DNR is seeking public comment and feedback on Board Order DG-15-19 at the time and virtual location shown below.

Hearing Information

Date: January 6, 2022

Time: 1:00 p.m.

Virtual Location Link:

- Join Zoom Meeting: <https://us02web.zoom.us/j/81616516539>
- Join By Phone: +1 312 626 6799
- Meeting ID: 816 1651 6539
- Find your local number: <https://us02web.zoom.us/u/kdXEaMIyFJ>

Rule Information

The objective of the proposed rule is to set numerical standards for consistent use in state regulatory programs to minimize the concentration of polluting substances in groundwater [ss. 160.001 and 160.07(5), Stats.]. The standards apply to facilities and activities such as; spills and remediations sites, solid and hazardous waste management, land application of wastewater and sludges, mining operations, and pesticide applications. The standards also apply to water bottled in Wisconsin and the well compensation grant program.

Amendments are being proposed to ch. NR 140, Wis. Adm. Code, Groundwater Quality, to establish new state groundwater quality standards for substances presently without a numeric standard, having been detected in or having a reasonable probability of entering, the groundwater resources of the state. Proposed new groundwater quality standards are based on recommendations developed by the WI Department of Health Services (DHS).

Amendments are also being proposed to ch. NR 140, Wis. Adm. Code, to revise existing state groundwater quality standards in cases where established federal numbers or health based reference doses for substances have changed, or where significant technical information, not considered when federal numbers or reference doses were established, justifies revision. Proposed revisions to existing groundwater quality standards are based on recommendations developed by the DHS.

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. To register and join the hearing online or by phone, use the information provided above. Pre-registration is also available and is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above or download and complete the fillable [Hearing Appearance form](#) and send it to DNR140GroundwaterQualityStandards@Wisconsin.gov.

Comments on the proposed rule must be received on or before January 11, 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 rules should be submitted to:**

Bruce Rheineck
Department of Natural Resources
101 S. Webster Street
PO Box 7921
Madison, WI 53707
DNR140GroundwaterQualityStandards@Wisconsin.gov or
DNRAdministrativeRulesComments@wisconsin.gov

The rule may be viewed at: <https://dnr.wisconsin.gov/news/input/ProposedPermanent.html>

The rule may be reviewed, and comments made at: <http://docs.legis.wisconsin.gov/code/chr/hearings>

Initial Regulatory Flexibility Analysis

Amending and adding enforcement standards and preventive action limits to ch. NR 140, Wis. Adm. Code does not create costs; economic impact results only from the regulatory programs codified in other areas of administrative code and statute that use and enforce these standards. Although no cost is directly associated with the promulgation of this rule, the department estimates that the regulatory programs in state regulatory agencies that use ch. NR 140 groundwater standards may impact small business, particularly groundwater quality standards for Volatile Organic Compounds (VOCs), trichloroethylene (TCE), tetrachloroethylene (PCE).

Agency Small Business Regulatory Coordinator:

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