



Groundwater Quality Rules

Revisions to NR 140

Drinking Water & Groundwater Bureau
Department of Natural Resources

Navigation bar with icons for back, forward, and a grid of participants. Names visible: Jim Zellmer, fossd, Bruce. A phone icon is also present with the number 14142173342.



Zoom meeting control bar. From left to right: Unmute (muted), Start Video (video off), Invite, Participants (9), Share Screen, Chat (circled in red), Record, Reactions, and Leave Meeting.

Participants list window titled "Participants (9)". It includes a search bar "Find a participant" and a list of attendees with their initials and status icons (mute, video, camera).

Initials	Name	Mute	Video	Camera
AD	Adam DeWeese (Me)	Muted	Off	Off
BJ	Ben Jaster (Host)	Off	On	Off
JZ	Jim Zellmer	Muted	Off	Off
MW	Meghan Williams	Muted	Off	Off
F	fossd	Muted	Off	Off
BS	Bart Sponseller	Muted	Off	Off
B	Bruce	Muted	Off	Off
KM	Kristi Minahan	Muted	Off	Off
	14142173342	Muted	Off	Off

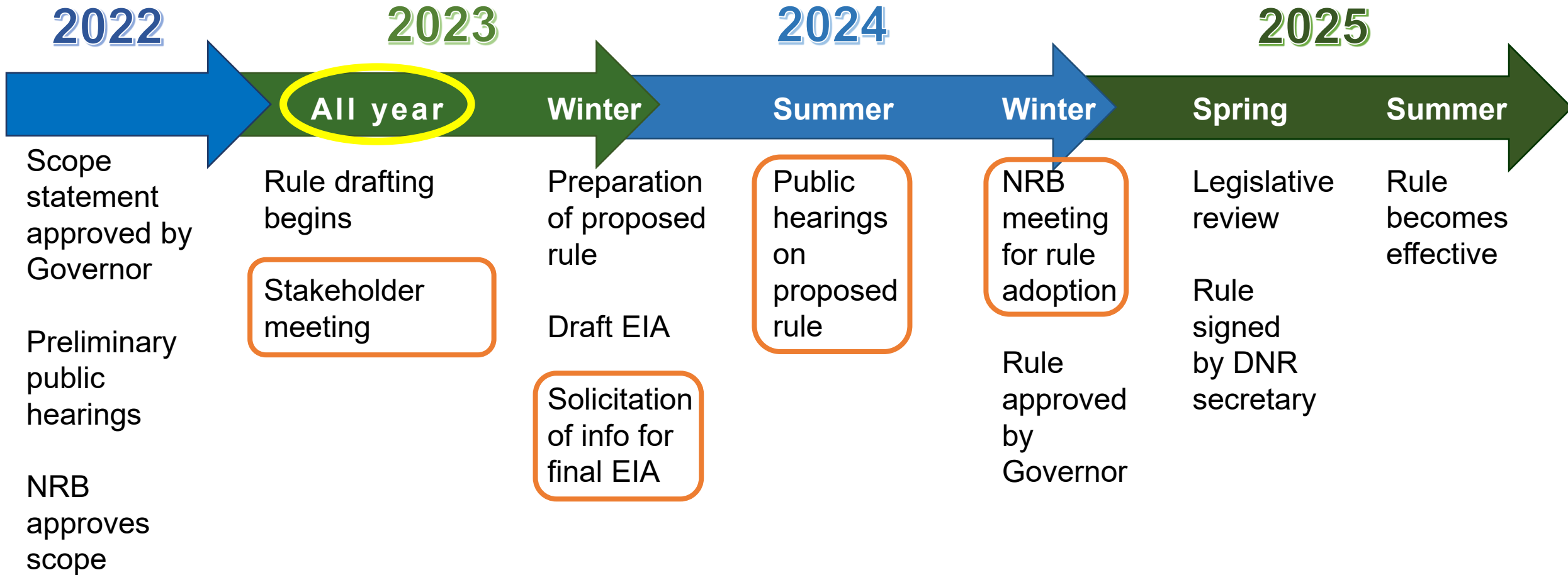
At the bottom of the participants list, there are two buttons: "Unmute Me" and "Raise Hand" (circled in red).



Today's Topics

- Introduction – overview of rulemaking timeline
- PFAS groundwater standards
- Solicit input for Draft Economic Impact Analysis (EIA)
- Questions

Rulemaking process and timeline



NR 140 PFAS groundwater standards

- Current Scope Statement (Dec 2022)

- PFOA
- PFOS
- PFBS
- HFPO-DA

- Department moving forward with

- PFOA and PFOS
- Using existing DHS recommendations (June 2019, 20 ng/L combined)

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Published under s. 35.93, Wis. Stats., by the Legislative Reference Bureau.
DEPARTMENT OF NATURAL RESOURCES

NR 140.01
NR 140.02
NR 140.03
NR 140.04
NR 140.05

Chapter NR 140
GROUNDWATER QUALITY

Subchapter I — General
Subchapter II — Groundwater Quality Standards
Subchapter III — Evaluation and Response Procedures

NR 140.01 Purpose. The purpose of this chapter is to establish groundwater quality standards for substances detected in or having a reasonable probability of entering the groundwater resources of the state; to specify scientifically valid procedures for determining if a numerical standard has been attained or exceeded; to specify procedures for establishing points of standard application, and for evaluating groundwater monitoring data; to establish ranges of responses the department may require for exceedances for facilities, practices and activities which require monitoring; and to provide for the department's monitoring standards.

History: Cr. Register, September, 1983, No. 337, eff. 10-1-83.

NR 140.02 Regulatory framework. (1) This chapter supplements the regulatory authority elsewhere in the statutes and administrative rules. The department will continue to exercise the powers and duties in those regulatory programs, consistent with the enforcement standards and preventive action limits for substances in groundwater and preventive action limits for substances which is established elsewhere in the statutes and administrative rules, and does not create independent regulatory authority.

(2) The department may adopt regulations which establish specific design and management criteria for regulated facilities or activities, if the regulations will ensure that the regulated facilities or activities will not cause the concentration of a substance in groundwater to exceed the enforcement standards and preventive action limits for that substance established by the department under this chapter as a point of standard application. The department may adopt more stringent regulations under authority elsewhere in the statutes based on the best currently available technology for regulated activities and practices which ensure a greater degree of groundwater protection or when necessary to comply with state or federal laws.

(3) Preventive action limits serve to inform the department of potential groundwater contamination problems, establish the level of groundwater contamination at which the department is required to commence efforts to control the contamination and to controlling new releases of contamination as well as to restoring groundwater quality contaminated by past releases of contaminants. Although a preventive action limit is not intended to always require remedial action, activities affecting groundwater must be regulated to maintain the level of substances in groundwater with the preventive action limits unless compliance with the preventive action limits is not technically and economically feasible.

(4) The department may take any actions within the context of regulatory programs established in statutes or rules outside of this chapter, except as provided in s. 205.645 (9).

Note: The groundwater standards in this chapter are intended to protect public health, safety, or welfare. The department may determine that the amendment or promulgation of rules necessary to protect public health, safety, or welfare. The requirements of this chapter are in addition to the requirements of any other statutes and rules, except as provided in s. 205.645 (9).

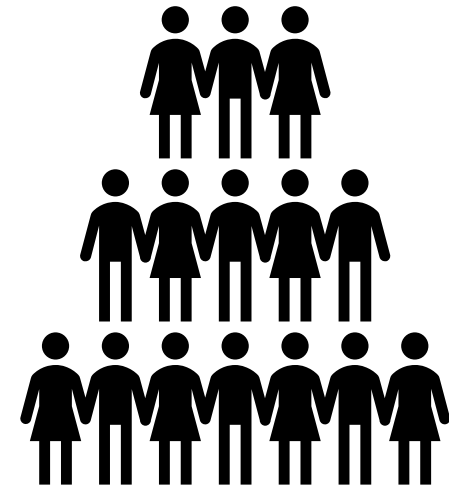
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History: Cr. Register, September, 1983, No. 337, eff. 10-1-83; am. Register, December, 1998, No. 316, eff. 1-1-99; correction made under s. 13.02 (2m) (b) 7.

Register January 2020 No. 709

NR 140

- Information on the rule is on the NR 140 update website.
 - [NR140 rule webpage](#)
- Please submit information to: DNR140GroundwaterQualityStandards@wisconsin.gov for consideration in crafting draft EIA
- Formal comment period for draft rule will occur in 2024



Questions?

- Please submit information to: DNR140GroundwaterQualityStandards@wisconsin.gov for consideration in crafting draft EIA

