



Wisconsin **PFAS Action Plan**

Progress Report

Wisconsin PFAS Action Council (WisPAC)

Department of Natural Resources
Department of Safety and
Professional Services
Department of Administration
Department of Transportation
Department of Agriculture, Trade
and Consumer Protection

Department of Veterans Affairs
Department of Corrections
Department of Public Affairs
Department of Health Services
Public Service Commission
Department of Justice
University of Wisconsin System

Department of Military Affairs
Wisconsin Economic Development
Corporation
Department of Public Instruction
Wisconsin State Lab of Hygiene
Department of Revenue

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WisPAC and the PFAS Action Plan

Governor Tony Evers created the Wisconsin PFAS Action Council (WisPAC) when he issued Executive Order No. 40 in 2019, which directed the Department of Natural Resources (DNR) to lead a council in coordinating the state's response to per- and polyfluoroalkyl substances (PFAS). Members of WisPAC include designees from nearly 20 state agencies and the University of Wisconsin system.

WisPAC developed the [PFAS Action Plan](#) to serve as a roadmap for the state in its efforts to address PFAS contamination. It was built in collaboration with state agencies and entities across Wisconsin with extensive input from the public, and the action items laid out in the plan reflect this participation. This report details the accomplishments made to date and the implementation of ongoing action items.

PFAS Action Plan Guiding Principles

The development of WisPAC's PFAS Action Plan was driven by a set of four guiding principles: environmental justice, health equity, innovation and pollution prevention. These principles were distilled from public input as well as feedback from advisory groups and state agencies, and will inform the state's overall approach to addressing PFAS contamination in communities throughout Wisconsin.

- **Environmental Justice:** Access to natural resources – including clean air, land and water – is an inherent right which must be protected and upheld by the state.
- **Health Equity:** Everyone is entitled to the opportunity to achieve their full health potential, and no socially determined circumstances should preclude them from doing so.
- **Innovation:** Collaborate to educate and encourage state agencies, businesses, manufacturers, consumers and other stakeholder to minimize the PFAS burden in Wisconsin.
- **Pollution Prevention:** Limit the amount of PFAS discharged into the environment while working to clean up existing PFAS contamination.

Federal Actions on PFAS

In April 2021, the U.S. Environmental Protection Agency (EPA) established the EPA Council on PFAS. This council, which is comprised of senior technical and policy leaders from across the EPA, worked to develop agency-wide policy to address health and environmental impacts from PFAS. In October 2021, EPA Administrator Michael S. Regan announced the EPA's [PFAS Strategic Roadmap](#), which was developed by the EPA Council. The PFAS Strategic Roadmap describes the EPA's plan for addressing PFAS contamination and sets timelines for the federal government to deliver results. More information about the work underway to implement the federal Roadmap can be found on the [EPA's website](#).

In November 2021, President Biden signed the Infrastructure Investment and Jobs Act into law as the [Bipartisan Infrastructure Law](#). This "once-in-a-generation" legislation includes \$10 billion to address PFAS throughout the United States. Wisconsin expects the Bipartisan Infrastructure Law will support PFAS Action Plan implementation efforts over the next several years. As the EPA works toward Maximum Contaminant Levels (MCLs) for certain PFAS compounds, they released Health Advisory Levels (HALs) in June 2022 for four PFAS compounds which recognize their toxicity and the importance of reducing exposure.



Action Plan Accomplishments

Below are the eight themes identified in the PFAS Action Plan and the overall goal of that theme. Accomplishments made towards each goal are also identified. Members of WisPAC met throughout 2021 to review the recommendations identified in the PFAS Action Plan and progress towards these goals.

1. Standard Setting



Goal: Wisconsin can take science-based actions on PFAS

Establish science-based PFAS standards for a variety of environmental media; develop recommendations for the management of PFAS-containing landfill leachate in order to limit discharges to the environment.

Accomplishments

- Developed and implemented administrative rules for new standards regulating PFOA and PFOS in surface water and drinking water. These rules went into effect on Aug. 1, 2022.
- Implemented a [hazard index](#) approach for evaluating potable well sampling results using the Dept. of Health Services' (DHS) recommended groundwater standards.
- Released Best Management Practices (BMPs) and resources for disposal of waste containing PFAS and biosolids management.

2. Sampling



Goal: Wisconsinites know where PFAS exists in the state

Develop an interactive map and geodatabase to identify locations where PFAS have been found in the environment, including the air, land, water, soil, wildlife and fish; facilitate more timely collection of samples for PFAS analysis through legislation, rulemaking and/or additional funding; develop standardized sampling protocol; and collect samples from public drinking water systems.

Accomplishments

- Continued development of a public-facing map that will merge multiple PFAS datasets into a single interactive tool. This map is expected to be published in fall 2022.
- Collected and analyzed more than 100 wastewater samples for PFAS.
- The DNR and the DHS worked with the EPA to fund, develop and deploy a voluntary municipal drinking water system sampling program, in which more than 125 systems participated.
- Initiated a statewide voluntary sampling project of 450 private wells to assess the prevalence and distribution of PFAS in shallow groundwater across Wisconsin, also in coordination with the EPA.
- Sampled water bodies and fish throughout Wisconsin to allow for a better understanding of the distribution and impact of PFAS contamination.



3. Pollution Prevention



Goal: PFAS contamination is avoided

Partner with the firefighting community to minimize discharges of and exposure to PFAS-containing firefighting foam; work with stakeholders to develop and apply Best Management Practices for proper handling of a variety of PFAS-containing wastes; identify and minimize PFAS discharges to wastewater treatment plants through sampling, collaboration and pollution prevention.

Accomplishments

- Launched the [PFAS External Advisory Group](#), which includes both the Wisconsin State Fire Chiefs Association (WSFCA) and Wisconsin Airport Management Association (WAMA).
- Worked in partnership with the firefighting community to develop a [Best Management Practice \(BMP\) resource](#) about firefighting foam.
- Implemented permanent administrative rules that limited the [use of PFAS-containing firefighting foam](#) and set standards for PFAS compounds in [surface water](#), including regulation of PFAS discharges in wastewater permits. Both of these rules became effective on Aug. 1, 2022.
- Worked with partners to explore opportunities within Green Tier to support stakeholders working towards pollution prevention.
- Developed an interim strategy for handling PFAS-impacted biosolids.

4. Engagement, Education and Communication



Goal: Wisconsinites have access to the information they need about PFAS

Develop PFAS risk communication infrastructure including a website, resources and enhanced public engagement, listening sessions and public comment periods; incorporate environmental justice and health equity into public engagement efforts; establish and build partnerships with a variety of stakeholders, including public sector employees, within and outside of Wisconsin to increase awareness of and reduce PFAS exposure; enhance collaboration with federal agencies to address PFAS contamination at military installations.

Accomplishments

- Expanded information about PFAS on the [DNR](#) and [DHS](#) websites to ensure information is current, relevant and accessible to the general public.
- Partnered with and supported local governmental units impacted by PFAS to assist with communications and provide technical assistance. These efforts included information specific to each community and examples of community engagement the local government could use as templates for their communication planning.
- Created the [PFAS External Advisory Group](#) and the [PFAS Technical Group](#) to enhance the conversation about PFAS initiatives with stakeholders.
- Established the [Office of Environmental Justice](#) to ensure meaningful representation by all people and communities during environmental policymaking and equitable implementation and enforcement.



5. Research and Knowledge



Goal: Wisconsin maximizes our understanding of PFAS

Coordinate and collaborate across agencies and with stakeholders on PFAS-related research activities; collect samples for PFAS analysis from a variety of environmental media; collect and disseminate data on drinking water treatments and associated costs to inform budget-related decisions.

Accomplishments

- Provided support to and collaboration with academic researchers at UW-Madison, UW-Milwaukee and UW-Green Bay for research on PFAS in environmental media such as air, water, soil and sediment, as well as PFAS within the consumer product waste stream.
- Coordinated among state agencies, including the DNR and the State Lab of Hygiene, and academic researchers to share knowledge acquired during ongoing PFAS research to ensure efficiency and a broader understanding among partners.
- Multiple WisPAC member agencies worked with UW Sea Grant to host a [PFAS Workshop](#) to coordinate a research agenda for Wisconsin. During this two-day event, 65 people representing eight universities, four state agencies, UW Survey of the Health of Wisconsin and UW Extension collaborated to identify gaps in PFAS research and develop research goals to address those gaps.
- Continued coordination with and expansion of ambient monitoring in air, surface water, soil and fish.
- Collaborated among the DNR, DHS and other stakeholders to research and develop resources for communities and individuals to navigate treatment and [filtration systems](#) for safer water.
- Reviewed the EPA's [Interim Health Advisory Levels](#) for two PFAS compounds in drinking water to inform DHS' ongoing evaluation of state-level HALs.

6. Phase Out



Goal: Products used in Wisconsin no longer contain PFAS

Develop and promote product stewardship to reduce PFAS use through a variety of mechanisms such as education, laws and grants; minimize the state's purchase of PFAS-containing products.

Accomplishments

- Shared knowledge with the firefighting community to allow fire departments to take steps to minimize occupational risk of PFAS exposure and learn about alternatives to PFAS-containing firefighting foams.
- Added an advisory to avoid products containing PFAS in Dept. of Administration's procurement policy, which applies to all state agencies.



7. Future Investments



Goal: Unsafe conditions can be addressed in all communities and sectors in Wisconsin

Support veterans, their families and others close to military sites who have elevated PFAS levels in blood and potential PFAS-related health issues; launch a state-sponsored fluorinated foam collection and disposal program; provide financial tools for local governments to address drinking water impacts or conduct site investigation and remediation.

Accomplishments

- The DNR and Dept. of Agriculture, Trade and Consumer Protection worked with the firefighting community to develop and implement a \$1 million firefighting foam waste collection and disposal program. Based on input from the firefighting community, approximately 25,000 gallons of foam waste will be collected through this program starting in late 2022.
- Ongoing coordination and collaboration across multiple state agencies, including the DNR, DHS, Dept. of Military Affairs, and Dept. of Veterans Affairs. The Dept. of Military Affairs sought and secured additional financial resources for PFAS remediation at military sites in Wisconsin.
- Collaborated with communities to develop and expand programs to administer the unprecedented funding available to address PFAS contamination through the Bipartisan Infrastructure Law.

8. Identify and Address Historic Discharges



Goal: PFAS discharges from the past are found and mitigated

Streamline processes associated with the delivery of safe drinking water supplies for communities impacted by PFAS contamination and develop new tools to address PFAS contamination, such as requiring responsible parties to establish financial assurance; creating a PFAS-specific natural resources damage claims provision; creating a DNR PFAS action fund for settlements of PFAS contamination cases.

Accomplishments

- Implementation of a streamlined construction authorization application process for utility work to address PFAS.
- The State of Wisconsin, through the Dept. of Justice, has initiated a legal action against 18 major chemical companies for causing widespread PFAS contamination of Wisconsin's natural resources.
- Provided technical assistance and support to communities impacted by PFAS contamination.