

2001 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB452)

Received: 03/07/2002

Received By: traderc

Wanted: Today

Identical to LRB:

For: Richard Grobschmidt (608) 266-7505

By/Representing: John Sumi

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Submit via email: YES

Requester's email: Sen.Grobschmidt@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt specific substances and limit exemption to displacement zone

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 03/07/2002			_____			
/P1			pgreensl 03/07/2002	_____	lrb_docadmin 03/07/2002	lrb_docadmin 03/07/2002	
				_____	lrb_docadmin		
				_____	03/07/2002		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 03/11/2002	hhagen 03/11/2002	pgreensl 03/11/2002	_____	lrb_docadmin 03/11/2002	lrb_docadmin 03/11/2002	

FE Sent For:

<END>

2001 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB452)

Received: **03/07/2002**

Received By: **traderc**

Wanted: **Today**

Identical to LRB:

For: **Richard Grobschmidt (608) 266-7505**

By/Representing: **John Sumi**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Grobschmidt@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt specific substances and limit exemption to displacement zone

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 03/07/2002	<i>1. kah 3/11/02</i>		<i>3/11</i>			
/P1			pgreensl 03/07/2002	<i>3/11</i>	lrb_docadmin 03/07/2002	lrb_docadmin 03/07/2002	
			<i>3/11</i>		lrb_docadmin 03/07/2002		
			<i>08</i>				

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

2001 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB452)

Received: 03/07/2002

Received By: traderc

Wanted: Today

Identical to LRB:

For: Richard Grobschmidt (608) 266-7505

By/Representing: John Sumi

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Submit via email: YES

Requester's email: Sen.Grobschmidt@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt specific substances and limit exemption to displacement zone

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc		3/7 KDF	3/7 PST			

FE Sent For:

<END>

2001 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB452)

*New number
50370*

Received: 03/07/2002

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Richard Grobschmidt (608) 266-7505

By/Representing: John Sumi

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Cancelled

Submit via email: YES

Requester's email: Sen.Grobschmidt@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt specific substances and limit exemption to displacement zone

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc	<i>PI hmk 3/7/02</i>	<i>JS 3/7</i>	---	---		

FE Sent For:

<END>

Tradewell, Becky

From: Sumi, John
Sent: Thursday, March 07, 2002 9:29 AM
To: Tradewell, Becky
Subject: substitute amendment for SB 452

We would like to request a new substitute for SB 452.

As a result of discussions with Sen. Baumgart and the DNR we would like a substitute amendment that works off of LRBs0348/2. We will need a new sub because that substitute has been introduced and adopted by action of the Senate Committee on Environmental Resources.

The new sub would create the exemption for all of the substances listed in LRBs0348/2 except for the substance Bromate. There is not a groundwater standard on Bromate and therefore we agree that an exemption is not necessary.

Also, the exemption will only apply to an area that will be called the "displacement zone". The displacement zone is circle with a radius of 1200 feet from the ASR well. This is a concept sought by the DNR and they are relating it to a concept they use in what they called their wellhead protection rules. Either Jill Jonas (7-7545) or Lee Boushon (6-0857) at the DNR will be available to discuss how this should be drafted. Mark Patronsky (6-9280) also took part in the discussion and may be contacted if you have questions about our request.

Then, the substitute should also include a requirement that a utility using ASR submit a report to the DNR five years after establishing an ASR system that explains the utilities experience with ASR. This is something the DNR Secretary wants in the bill. Our intent is to keep the reporting requirement simple and based upon information the utility gains through the operation of the system, and not a report that would require them to initiate and independent evaluation. Again, DNR might be able to share their idea of what the reporting requirement will entail.

If you have any questions, please do not hesitate to contact me.

John

Tradewell, Becky

From: Patronsky, Mark
Sent: Thursday, March 07, 2002 12:42 PM
To: Tradewell, Becky
Subject: substitute amendment for SB 452

Becky---

I think the Point of Standards Application approach will work. Consider the following redraft of LRBs0348/2:

Delete the definitions of "ASR system" and "municipal water system."

Delete all the material from p. 2 line 12 to the end of the draft.

Add a provision to create a PSA for an ASR well, as follows: "Notwithstanding s. 160.21 (2) (a), the point of standards application for a specified substance is 1200 feet from an ASR well if the source of the specified substance is an ASR well." [I'm not sure exactly where to put this.]

I think this leaves an issue for ASR systems in s. 160.19 (2) (a), because that requirement is not connected to the PSA. However, DNR can address this issue with the statement in s. 160.10 (2) (b), which they have done in the ASR rule submittal (amendments to ch. NR 811) that has just gone through the Leg Council Rules Clearinghouse.

All of the other regulatory requirements are based on the PSA.

Give me a call if you need to talk about this.

Mark Patronsky
6-9280

Today, if possible (not for floor today)

**SENATE SUBSTITUTE AMENDMENT ,
TO 2001 SENATE BILL 452**

regenerate
↓

1 **AN ACT to create** 160.257 of the statutes; **relating to:** the groundwater law and
2 regulation of aquifer storage recovery systems.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 160.257 of the statutes is created to read:

4 **160.257 Exceptions for aquifer storage and recovery systems.** (1) In
5 this section:

6 (a) "Aquifer storage and recovery system" means all of the aquifer storage and
7 recovery wells and related appurtenances that are part of a municipal water system.

8 (b) "Aquifer storage and recovery well" means a well through which treated
9 drinking water is placed underground for the purpose of storing and later recovering
10 the water through the same well for use as drinking water.

11 (c) "Municipal water system" means a community water system, as defined in
12 s. 281.62 (1) (a), that is owned by a city, village, town, county, town sanitary district,

1 utility district, public inland lake protection and rehabilitation district, or municipal
2 water district, or by a privately owned water utility serving any of the foregoing.

3 (d) "Specified substance" means one of the following:

- 4 1. Chloroform.
- 5 2. Bromodichloromethane.
- 6 3. Dibromochloromethane.
- 7 4. Bromoform.

8 ~~5. Bromate~~

9 (e) "Treated drinking water" means potable water that has been treated so that
10 it complies with the primary drinking water standards promulgated under ss. 280.11
11 and 281.17 (8).

12 (2) Notwithstanding s. 160.19 (1), ^{and} (2), ~~and (4) (b)~~, the department is not
13 required to promulgate or amend rules that define design or management criteria
14 for aquifer storage and recovery systems to minimize the amount of a specified
15 substance in groundwater or to maintain compliance with the preventive action limit
16 for a specified substance, however, the department shall promulgate rules that
17 define design or management criteria for aquifer storage and recovery systems to
18 maintain compliance with drinking water standards promulgated under ss. 280.11
19 and 281.17 (8).

20 ~~(3) Notwithstanding s. 160.19 (3), the department may promulgate rules that~~
21 ~~define design or management criteria for aquifer storage and recovery systems that~~
22 ~~permit the enforcement standard for a specified substance to be attained or exceeded~~
23 ~~at the point of standards application.~~

24 (4) Notwithstanding s. 160.21, the department is not required to promulgate
25 rules that set forth responses that the department may take, or require to be taken,

1 when the preventive action limit or enforcement standard for a specified substance
2 is attained or exceeded at the point of standards application if the source of the
3 specified substance is an aquifer storage and recovery system.

4 (5) Notwithstanding ss. 160.23 and 160.25, the department is not required to
5 take any responses for a specific site at which the preventive action limit or
6 enforcement standard for a specified substance is attained or exceeded at the point
7 of standards application if the source of the specified substance is an aquifer storage
8 and recovery system.

9 ~~(END)~~



(3) Notwithstanding s. 160.21(2), the point of standards application for an aquifer storage and recovery well with respect to a specified substance is 1,200 feet from the aquifer storage and recovery well.

Section #: CR; 280.25

280.25 Report on aquifer recovery system. (1) In this section:

(a) "Aquifer storage and recovery system" has the meaning given in s. 160.257(1).

(b) "Municipal water system" has the meaning given in s. 160.257(1)(c).

(2) The operator of a municipal water system that uses an aquifer storage and recovery system shall submit a report to the department, no later than the first day of the 60th month after beginning to

operate the aquifer storage and recovery systems,
describing the experience that the operator
has had with using the aquifer
storage and recovery system.

(End)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBs0370/P1

RCT:hmh:kjf

1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE SUBSTITUTE AMENDMENT,
TO 2001 SENATE BILL 452

5-05
3-11-02

1 AN ACT *to create* 160.257 and 280.25 of the statutes; **relating to:** the
2 groundwater law and regulation of aquifer storage recovery systems.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 160.257 of the statutes is created to read:

4 **160.257 Exceptions for aquifer storage and recovery systems.** (1) In
5 this section:

6 (a) "Aquifer storage and recovery system" means all of the aquifer storage and
7 recovery wells and related appurtenances that are part of a municipal water system.

8 (b) "Aquifer storage and recovery well" means a well through which treated
9 drinking water is placed underground for the purpose of storing and later recovering
10 the water through the same well for use as drinking water.

1 (c) "Municipal water system" means a community water system, as defined in
2 s. 281.62 (1) (a), that is owned by a city, village, town, county, town sanitary district,
3 utility district, public inland lake protection and rehabilitation district, or municipal
4 water district, or by a privately owned water utility serving any of the foregoing.

5 (d) "Specified substance" means one of the following:

- 6 1. Chloroform.
- 7 2. Bromodichloromethane.
- 8 3. Dibromochloromethane.
- 9 4. Bromoform.

10 (e) "Treated drinking water" means potable water that has been treated so that
11 it complies with the primary drinking water standards promulgated under ss. 280.11
12 and 281.17 (8).

13 (2) Notwithstanding s. 160.19 (1) and (2), the department is not required to
14 promulgate or amend rules that define design or management criteria for aquifer
15 storage and recovery systems to minimize the amount of a specified substance in
16 groundwater or to maintain compliance with the preventive action limit for a
17 specified substance, however, the department shall promulgate rules that define
18 design or management criteria for aquifer storage and recovery systems to maintain
19 compliance with drinking water standards promulgated under ss. 280.11 and 281.17
20 (8).

21 (3) Notwithstanding s. 160.21 (2), the point of standards application for an
22 aquifer storage and recovery well with respect to a specified substance is 1,200 feet
23 from the aquifer storage and recovery well.

24 **SECTION 2.** 280.25 of the statutes is created to read:

25 **280.25 Report on aquifer recovery system. (1)** In this section:

