



1995 SENATE BILL 247

June 6, 1995 - Introduced by Senators BRESKE, RUDE, MOEN, A. LASEE, BUETTNER, ANDREA, HUELSMAN and FARROW, cosponsored by Representatives HANDRICK, POWERS, VANDER LOOP, BRANDEMUEHL, REYNOLDS, DOBYNS, SPRINGER, RYBA, MUSSER, KREIBICH, OURADA, LORGE, ZUKOWSKI, LADWIG, HASENOHRL, HUBER, GRONEMUS, NASS, ZIEGELBAUER and SERATTI. Referred to Committee on Environment and Energy.

- 1 **AN ACT to create** 160.255 of the statutes; **relating to:** groundwater protection
2 standards and private sewage systems.

Analysis by the Legislative Reference Bureau

Currently, under this state's groundwater law, the department of natural resources (DNR) establishes enforcement standards for substances that are detected in groundwater and that are of public health concern or public welfare concern. DNR must also establish a preventive action limit that is equal to a percentage of the enforcement limit. After DNR establishes an enforcement standard for a substance, an agency that regulates a facility, activity or practice that may be the source of that substance in the groundwater is required to promulgate rules, or amend its rules, that define design and management criteria for that facility, activity or practice to minimize the level of the substance in the groundwater and, if technically and economically feasible, maintain compliance with the preventive action limit. A regulatory agency may not promulgate rules defining design and management criteria that permit an enforcement standard to be exceeded. Under the groundwater law, a regulatory agency must implement responses at specific sites at which a facility, action or practice that is regulated by the agency causes the preventive action limit or the enforcement standard for a substance in the groundwater to be exceeded.

Under this bill, a regulatory agency is not required to take the actions otherwise required by the groundwater law to limit discharges of nitrate from private sewage systems or to implement responses at sites at which private sewage systems cause the nitrate preventive action limit or enforcement standard to be exceeded.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

