

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 452**

March 7, 2002 – Offered by COMMITTEE ON ENVIRONMENTAL RESOURCES.

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), (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,

