

**2001 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB452)**

Received: 03/01/2002

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:

Submit via email: NO

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Limit exemption to specified substances

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**Instructions:**

See Attached

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**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 03/01/2002	hhagen 03/04/2002		_____			
/1			pgreensl 03/04/2002	_____	lrb_docadmin 03/04/2002	lrb_docadmin 03/04/2002	
/2	traderc 03/05/2002	csicilia 03/05/2002	kfollet 03/05/2002	_____	lrb_docadmin 03/06/2002	lrb_docadmin 03/06/2002	

FE Sent For:

<END>

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FE Sent For:			kl 3/5	self 3/5			<END>

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1/?	traderc	1 hmk 3/4/02	3/4 pg	3/4 pg/ks			

FE Sent For:

<END>

## Tradewell, Becky

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**From:** Sumi, John  
**Sent:** Friday, March 01, 2002 2:49 PM  
**To:** Tradewell, Becky  
**Subject:** additional amendment request on SB 452

A second option for an amendment that was discussed at yesterday's hearing was to narrow the groundwater law exemption to the short list of substances that may exceed the groundwater law standards. We would like a second amendment prepared that exempts the 5 substances listed below if they are injected in concentrations that do not exceed the drinking water standard.

A consultant working with the water utilities that are running pilot ASR projects has identified the substances as:

Chloroform  
Bromodichloromethane  
Dibromodichloromethane  
Bromoform

According to the consultant they are regulated under NR 809 (drinking water standards) as a group known as trihalomethanes

In addition, Green Bay and other system are beginning to use ozone to cause inactivation of cryptosporidium which forms bromate as a disinfection byproduct therefore the list should also include:

Bromate

Again according to the consultant, levels of allowable bromate are also set in NR 809.

If you have any questions please give me a call.

2001 - 2002 LEGISLATURE

Wanted Mon (3/4), if possible

5 Sub Am

50348/1  
LRB-4443/1

RCT:hmh:rs

stays

to **2001 SENATE BILL 452**

~~February 20, 2002 - Introduced by Senators GROBSCHMIDT, COWLES and HANSEN, cosponsored by Representatives KRAWCZYK, PLALE, MEYERHOFER, MONTGOMERY, POWERS and RYBA. Referred to 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.

***Analysis by the Legislative Reference Bureau***

Currently, under the groundwater law, a state agency is generally required to take actions necessary to ensure that the activities, practices, and facilities that are regulated by the state agency do not cause groundwater quality standards to be violated. An exemption from the groundwater law provides that a state agency is not required to take actions necessary to ensure that private sewage systems do not cause the groundwater standard for nitrate to be violated. Also, under current law, the department of natural resources (DNR) regulates drinking water systems.

This bill creates an exemption to the groundwater law so that DNR is not required to take actions necessary to ensure that aquifer storage and recovery systems do not cause groundwater standards to be violated. The bill does require DNR to ensure that aquifer recovery systems maintain compliance with drinking water standards. An aquifer recovery system is a system under which a municipal water utility places treated drinking water underground, through a well, for storage and later recovers the water through the well for use as drinking water.

***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:

SENATE BILL 452

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

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

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

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

12           (d) "~~Regulated~~<sup>specified</sup> substance" means ~~a substance for which an enforcement~~<sup>one of the following:</sup>  
13 ~~standard has been established.~~

Insert  
2-13

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

17           (2) Notwithstanding s. 160.19 (1), (2), and (4) (b), the department is not  
18 required to promulgate or amend rules that define design or management criteria  
19 for aquifer storage and recovery systems to minimize the amount of a ~~regulated~~<sup>specified</sup>

20 substance in groundwater or to maintain compliance with the preventive action limit  
21 for a ~~regulated~~<sup>specified</sup> substance, however, the department shall promulgate rules that  
22 define design or management criteria for aquifer storage and recovery systems to  
23 maintain compliance with drinking water standards promulgated under ss. 280.11  
24 and 281.17 (8).



**2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0348/lins  
RCT:.....

**Insert 2-13**

1. Chloroform.
2. Bromodichloromethane.
3. Dibromodichloromethane.
4. Bromoform.
5. Bromate.



## Tradewell, Becky

---

**From:** Sumi, John  
**Sent:** Tuesday, March 05, 2002 3:03 PM  
**To:** Tradewell, Becky  
**Subject:** RE: The subs you requested

Becky,

The list of substances on LRBs0348/1 has incorrectly identified one substance. It was our mistake. On line 6 the substance Dibromodichloromethane should be Dibromochloromethane. The "di" in the middle of the word was incorrect. The consultant who provided the list says in listed it incorrectly in his memo to me. I asked him whether the mistake resulted in a mis-spelling or a different substance. He said it probably created a different substance. Could we have LRBs0348/1 redrafted to make this correction.

Thanks.

-----Original Message-----

**From:** Tradewell, Becky  
**Sent:** Tuesday, March 05, 2002 8:46 AM  
**To:** Sumi, John  
**Subject:** The subs you requested

<< File: 01s0344/1 >> << File: 01s0348/1 >> Here you go.



State of Wisconsin  
2001 - 2002 LEGISLATURE

Wed. a.m.

LRBs0348~~7~~ 2  
RCT:hmh:pg

IMY

SENATE SUBSTITUTE AMENDMENT,  
TO 2001 SENATE BILL 452

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. Dibromodichloromethane.
- 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,

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)