



WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Environment...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Environment

Clearinghouse Rule 09-073

Relating to safe drinking water design requirements for community water systems, and requirements for the operation and maintenance of public water supply systems.

Submitted by Department of Natural Resources.

May 14, 2010 Referred to Committee on Environment.

June 30, 2010 **PUBLIC HEARING HELD**

Present: (5) Senators Miller, Jauch, Wirsch, Kedzie and Olsen.

Absent: (0) None.

Appearances For

- Lee Boushon, Madison — DNR
- Mark Borchardt, Marshfield — Himself

Appearances Against

- Jim Holperin, Eagle River — Senator, 12th Senate District
- Louis Muench, Cumberland — Louis's Fine Meats, Inc.
- Tom Mysicka, Cumberland — Mayor, Mayor of Cumberland
- Dean Bergstrom, Cumberland — Cumberland Municipal Utility
- Rodney Turk, Baldwin — Village of Hammond
- James Nenohlo, St. Nazianz — Village of St. Nazianz
- Tim Scott, Hammond — Village of Hammond and Star Prairie
- Rick Jari, Barron — City of Barron
- Ronnie Mumm, Bloomington — Village of Bloomington
- James Duncan, Balsam Lake — Village of Balsam Lake
- Al Bannik, Clear Lake — Village of Clear Lake
- Curt Witynski, Madison — League of Wisconsin Municipalities

Appearances for Information Only

- Sarah Nunn, Cumberland — Ayres Associates on behalf of City of Cumberland
- Ken Blomberg, Plover — Wisconsin Rural Water Association

Registrations For

- None.

Registrations Against

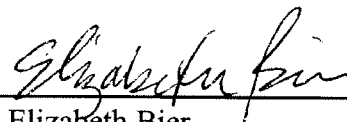
- Ann Hraychuck, Balsam Lake — Representative, 28th Assembly District
- Jane Bond, Hammond — herself
- John Bond, Roberts — Village of Roberts
- Darryl Ince, Balsam Lake — Village of Balsam Lake
- Rose Mumm, Bloomington — Village of Bloomington
- Kenneth Koehler, Wheeler — himself
- Penny Koehler, Wheeler — Village of Wheeler
- Marge Couls, Wheeler — Village of Wheeler
- James McCarter, Wheeler — himself
- Lawrence Lyste, Barron — City of Barron
- Dale Kawgas, White Lake — White Lake Board
- Scott Poprka, White Lake — himself
- Andrew Marrier, Star Prairie — Village of Star Prairie
- Yvonne Kaelin, St. Nazianz — Village of St. Nazianz
- Steve Peterson, Hammond — Village of Hammond

Registrations for Information Only

- None.

July 13, 2010

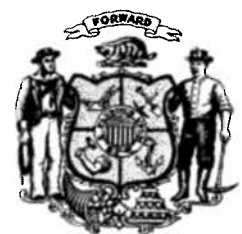
No action taken.



Elizabeth Bier
Committee Clerk



WISCONSIN STATE LEGISLATURE



**Hearing Notes
June 30, 2010**

Call Public Hearing to Order and ask Clerk to call the roll

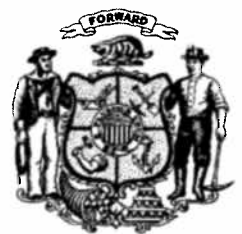
- **ROLL CALL**

CR 09-073, relating to safe drinking water design requirements for community water systems, and requirements for the operation and maintenance of public water supply systems

Public Hearing concludes, adjourn meeting



WISCONSIN STATE LEGISLATURE



MANDATORY DRINKING WATER DISINFECTION

OPEN LETTER TO THE CUSTOMERS OF CUMBERLAND MUNICIPAL WATER SYSTEM

The Wisconsin Department of Natural Resources, (one of our regulatory agencies) has formulated rules that would require all municipal Water Systems in Wisconsin to disinfect their water supplies (chlorinate) continuously.

Currently, we have installed emergency chlorination equipment. Continuous chlorination would bring greater costs, problems and needed expansion of our 3 well houses. These costs would be reflected in higher water bills.

The rule making for this is a result of a study done by Marshfield Clinic Research Foundation, Mark Borchardt. This study revealed that there are viruses in ground water. These viruses may not provide a significant health issue, however, more study needs to be done.

The proposed rule for continuous disinfection, DNR Board Order DG-19-09, is on the agenda for passage by the DNR on Wednesday, April 28th. If it is approved, it will go to the Wisconsin Legislature and if passed, it will become an Administrative Rule effective immediately. The continuous chlorination would become effective within 36 months after passage.

We believe that additional study is necessary to determine the effect of the disinfection, the health impact, and the best treatment methods-this type of study would take approximately 24 additional months.

We also believe that the cost impact reflected in the rule is too low. Primarily because of the current size of our well houses and the need to store a 30 day supply of disinfectant at the site. The well houses will need to be expanded. Because we also have a manganese problem and chlorine tends to magnify that problem, we may have to add additional chemicals also adding to the cost.

If you are against the current proposed rule and feel additional time is needed to determine the right course of action, the best course of action may be to contact our Representative and Senator and ask that they do not approve DG 19-09 without modifying the effective date of mandatory disinfection from 36 to 72 months. Further study is needed on the disinfection methods and health risks along with an expanded study of total costs involved for the overall modifications needed for implementation.

We encourage you to contact your legislators and voice your opinion, this is of the essence.

Senator Robert Jauch: 800-469-6562 or by email Sen.Jauch@legis.Wisconsin.gov

Representative Mary Hubler: 888-534-0075 or by email Rep.Hubler@legis.Wisconsin.gov

For further questions, please call (715) 822-2595.

Dean Bergstrom, Certified Operator

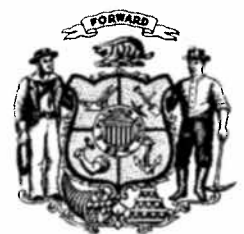
Charles Christensen, General Manager

Call Chuck from Cumberland Municipal Utility with any questions - (715) 671-8020

- 1 year
now 3 years



WISCONSIN STATE LEGISLATURE





VILLAGE OF ALLOUEZ

Allouez Village Hall • 1900 Libal Street • Green Bay, WI 54301-2453 • (920) 448-2800 • Fax (920) 448-2850

Mr. Jim Baumann
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

April 20, 2010



Dear Mr. Baumann:

This correspondence is in regard to the proposed revisions to NR 102 and NR 217. The Village of Allouez requests the following comments be entered into the official public record of comments on the proposed revisions.

The Village of Allouez is a customer of the Green Bay Metropolitan Sewerage District (GBMSD). The proposed revisions to NR 102 and NR 217 will have a significant financial impact on the residents of the Village of Allouez. GBMSD estimates that it will cost \$223 million for construction of advanced treatment facilities to comply with NR 217, plus an additional \$3.3 million annually for operation and maintenance. The annual cost that will be passed on to the Village of Allouez will increase from the current sewerage charges of close to \$1 million annually to more than \$2 million per year. This is an increase to our customers of approximately \$200 per household per year, or \$15 per month. This will result in an approximate 50% sewer rate increase to \$45 per month as the current sewer rate is approximately \$30 per month for the average water use customer. This is an excessive and unreasonable cost increase to our residents.

While the Village of Allouez supports continued efforts to improve the water quality of the Fox River, as demonstrated by considerable Village capital expenditures to provide storm water treatment, the Village of Allouez is very concerned about the significant cost of phosphorous removal that will be required by the current proposed NR 217 rule. This significant GBMSD project cost will only treat about 3% of the total phosphorus input to the Fox River. This is not a cost-effective approach to provide the environmental benefits of phosphorus removal on the Fox River.

The Village of Allouez believes that the following elements of a comprehensive and integrated plan should be implemented by the State of Wisconsin. The Village of Allouez recommends:

1. Evaluate the cost-benefits of phosphorus removal from the various contributing sources (agricultural, wastewater treatment facilities, stormwater, industrial) and prioritize the required removal steps based on the cost-effectiveness of removal and the significance of the discharges.

2. Implement more extensive agriculture source removal requirements in NR 151 to reduce agricultural and other nonpoint sources of phosphorus. This is a very significant source of phosphorus that contributes more than all of the wastewater treatment plant discharges. Agricultural phosphorus removal should not be tied to availability of financial assistance. This is a very significant source of total phosphorus that is not being adequately addressed.
3. The State should develop a more sustainable funding program to support implementation of both point and non-point phosphorus control measures. The funding for municipal projects for both wastewater and stormwater should be increased above the current level.
4. The State should implement a time-phased approach to phosphorus removal that includes agriculture, stormwater, and wastewater treatment. A phased approach allows for monitoring the results of the projects and optimizing the effectiveness of the options. Base the phased approach on the cost-effectiveness of the various sources and removal options, and the actual results obtained.
5. The significant phosphorus removal cost increase for a high degree of phosphorus removal for Allouez utility customers is excessive. A cost limit or ceiling cost should be implemented so that point-source dischargers that will incur unreasonably excessive costs can be granted a variance or mechanism to reduce this unreasonable cost impact. A 50% rate increase for residential customers is an unreasonable cost.
6. Develop a regulatory and administrative framework that supports watershed-based trading between point sources and non-point sources. Watershed trading offers a mechanism to provide cost-effective treatment.

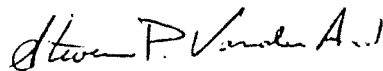
Thank you for the opportunity to provide comments on the state's proposed NR 103 and NR 217 rule making effort.

The Village of Allouez believes that Wisconsin can improve our waterways with an equitable management strategy that will address all sources of phosphorus.

Sincerely,



Craig L. Berndt, P.E.
Director, Public Works



Steven Vanden Avond
Village President

CC: Senator Robert Cowles

RESOLUTION NO. 2010-04

RESOLUTION CONCERNING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES' PROPOSED REVISIONS TO NR 102 AND NR 217

WHEREAS, The Village of Allouez is a customer of the Green Bay Metropolitan Sewerage District (GBMSD);

WHEREAS, the Village supports the State of Wisconsin's efforts to improve water quality by reducing the quantities of phosphorus;

WHEREAS, the Wisconsin Department of Natural Resources (WDNR) is proposing to revise NR 102 and N 217;

WHEREAS, the proposed rule changes only address phosphorus runoff from point sources rather than non-point (agricultural runoff);

WHEREAS, Non-point sources account for ninety-seven percent (97%) of the phosphorus in the watershed;

WHEREAS, the GBMSD will be required to invest approximately \$223 million in capital expenditures in addition to \$3.3 million in additional operating costs to meet this new requirement while only addressing three percent (3%) of the source;

WHEREAS, these significant capital and operating costs will be passed on to Village residents and businesses limiting present and future economic development opportunities and job creation;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Allouez encourages the WDNR to take the following actions:

- Adopt proposed revisions in NR 151 to reduce agricultural and other non-point sources of phosphorus.
- Develop a sustainable funding mechanism to support implementation of both point and non-point control measures.
- Use a phased implementation approach for treatment plants proposed in NR 217.
- Develop a regulatory and administrative framework that supports watershed-based trading between point sources and nonpoint sources.
- Where appropriate, develop a Total Maximum Daily Load for phosphorus and implementing watershed-based permitting.
- Institute a comprehensive water quality monitoring program to evaluate the effectiveness of phosphorus control strategies.

Adopted by the Village of the Allouez, Wisconsin, this 20 day of April, 2010.



**VILLAGE OF BIRCHWOOD
101 N. MAIN STREET
PO BOX 6
BIRCHWOOD, WISCONSIN
715-354-3300 Phone 715-354-7500 Fax
vilofbwd@centurytel.net**

April 23, 2010

Senator Robert Jauch
Representative Mary Hubler

Re: Mandatory Drinking Water Disinfection

The Village of Birchwood is opposed to the DNR rule that is requiring our Water System to start disinfection our water with chlorinate continuously.

The proposed rule for continuous disinfection, DNR Board Order DG-19-09, is on the agenda for passage by the DNR on Wednesday, April 28th. If it is approved, it will go to the Wisconsin Legislature and if passed, it will become an Administrative Rule effective immediately. The continuous chlorination would become effective within 36 months after passage.

We believe that additional study is necessary to determine the effect of the disinfection, the health impact, and the best treatment methods – this type of study would take approximately 24 additional months.

We also believe that the cost impact reflected in the rule is too low. This will cause an unneeded expense to the residents of the village.

We are therefore asking you to not approve DG-1-09 without modifying the effective date of mandatory disinfection from 36 months to 72 months. Further study is needed on the disinfection methods and health risks along with an expanded study of total costs involved for the overall modifications needed for implementation.

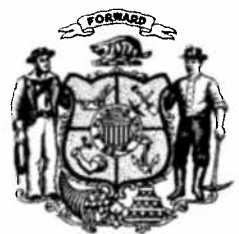
Please consider our request to not vote for this legislation.

Sincerely,

Morris Gillett
Village President



WISCONSIN STATE LEGISLATURE



Barry, Sarah

From: Bernie and Joan Masyga [bm8336@charter.net]
Sent: Friday, April 23, 2010 3:42 PM
To: Sen.Jauch
Subject: Drinking water disinfection

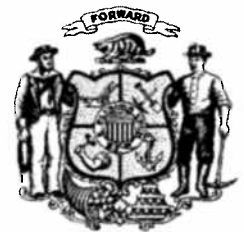
Follow Up Flag: Follow up
Flag Status: Green

We feel additional time is needed to determine the right course of action. Please do not approve DG 19-09 without modifying the effective date.

Joan and Bernard Masyga
1968 Hines Lakeview Dr.
Cumberland, Wi 54829



WISCONSIN STATE LEGISLATURE



Barry, Sarah

From: Louis E Muench [louie@louiesfinermeats.com]
Sent: Saturday, April 24, 2010 1:50 PM
To: Sen.Jauch
Subject: Fwd: DNR Board Order DG-19-09

Follow Up Flag: Follow up
Flag Status: Green

Begin forwarded message:

From: Louis E Muench <louie@louiesfinermeats.com>
Date: April 24, 2010 1:22:23 PM CDT
To: Rep.Hubler@legis.Wisconsin.gov
Subject: DNR Board Order DG-19-09

Dear Bob:

Thank-you for you fine work as our legislator. I am writing to let you know that I oppose the passage of DNR Board Order DG-19-09 proposing a rule of continuous disinfection of our municipal water supply. We have outstanding water in the City of Cumberland. Also, I use a lot of water in our sausage production, and chlorinated water imparts a off-flavor and is detrimental to the use of culture in some of our varieites. I don't feel that in our community that we have any sort of health risk because of our water supply. Please at the very least ask the DNR to to further studies to determine the necessity of this.

Thank-you!
Sincerely

Louis E. Muench
Louie's Finer Meats, Inc.

P.O. Box 971
Cumberland, WI 54829
715-822-4728



Barry, Sarah

From: Dick Nerbun [rgnerbun@yahoo.com]
Sent: Sunday, April 25, 2010 9:48 AM
To: Sen.Jauch
Subject: DG 19-09

Follow Up Flag: Follow up
Flag Status: Green

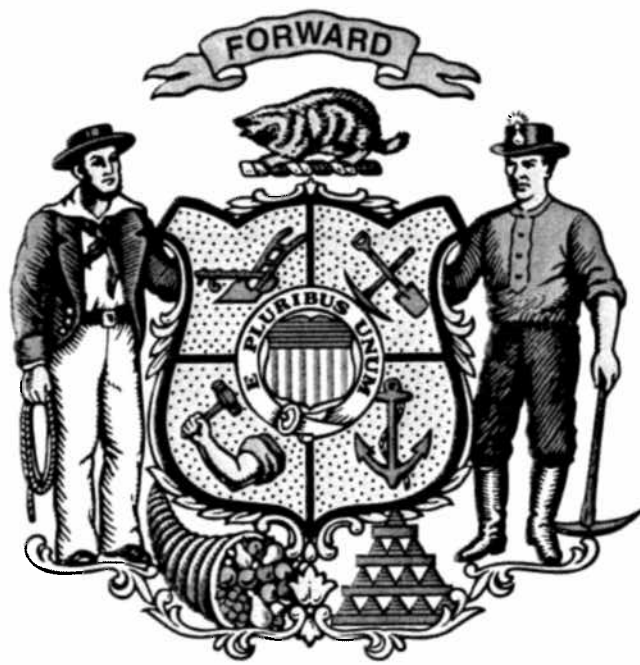
Dear Senator,

I ask that you oppose DG 19-09, which is the DNR proposed piece of legislation that would make mandatory the continuous chlorination of our States water supplies, which they (the DNR) will attempt to get passed on Wednesday, April 28th.

I ask that you not approve this bill, DG 19-09 without modifying the effective date of the mandatory disinfection from 36 to 72 months until such time that further study of total costs and TRUE need is established.

Most if not all water commissioners readily say that this bill is weak scientifically and has not been studied well. It also lacks the direct cause and effect necessary to even consider.

Sincerely yours,
Richard G. Nerbun



Barry, Sarah

From: jpq [jq@charter.net]
Sent: Monday, April 26, 2010 12:47 PM
To: Hubler, Mary; Sen.Jauch
Subject: DG 19-09

Follow Up Flag: Follow up
Flag Status: Green

Please do not allow DG-19-09 to go into effect. Our water has been fine for years. We do not need a hasty decision based on a one man study that will cost the residents of Cumberland more money.

James P. Queenan
1820 Hines Lakeview Drive
Cumberland, WI 54829



VILLAGE OF ALLOUEZ

Allouez Village Hall • 1900 Libal Street • Green Bay, WI 54301-2453 • (920) 448-2800 • Fax (920) 448-2850

www.villageofallouez.com

May 6, 2010

Senator Mark Miller
Room 317 East
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Sir;

This letter is in regard to the proposed revisions to NR 102 and NR 217 by the Department of Natural Resources.

The Village of Allouez is very concerned about the impact of the proposed NR 217 legislation. Attached is a copy of the letter the Village submitted to the Department of Natural Resources regarding comments and concerns about this bill.

Specific concerns include the following.

1. The cost impact of this legislation is significant. If the very low phosphorus limits are implemented on the Fox River, the cost of wastewater treatment will increase significantly resulting in at least a 50 percent increase in the monthly sewerage bill to the residents of the Village of Allouez. This increase is not affordable to many of our residents.
2. The increased emphasis on removing phosphorus by municipal treatment facilities and the reduced requirements for agricultural phosphorus reduction is not cost-effective and will not provide the desired phosphorus reductions on the Fox River. A cost-effective approach needs to be developed that maximizes the phosphorus removal and minimizes the cost. For example, many agricultural control measures are much lower in cost than municipal treatment but are not going to be considered unless grant funding is available to agriculture.
3. Funding to assist in phosphorus compliance for both agriculture and municipal facilities must be increased as the current funding levels are insufficient to reach the desired goals.

Please consider these concerns as your committee evaluates the proposed legislation.

Please feel free to contact the Village of Allouez should desire further information.

Sincerely,

Steven VandenAvond
Village President





JIM HOLPERIN
STATE SENATOR

Tuesday, May 11, 2010

Senator Mark Miller, Chair
Senate Environment Committee
Rom 317 East
Madison, WI 53707

Dear Senator Miller:

I have received a number of contacts from small, rural sanitary districts regarding administrative rule DG-19-09 which makes various changes to the rules and regulations for public drinking water systems. As you know, the rule was discussed and approved at the Natural Resources Board meeting April 28 and will be referred to your committee.

Each of the sanitary districts has expressed concern over the costs of mandatory disinfection and the lack of evidence to prove there is a need for disinfection in all areas of the state. Most have also requested changing the effective date of the rule from 36 months to 72 months after adoption in order to give sanitary districts an adequate amount of time to prepare for the changes.

In view of these comments, I would request that the Senate Environment Committee schedule a public hearing for the rule to learn more about its implications and costs.

Thank you for considering this request.

Sincerely,

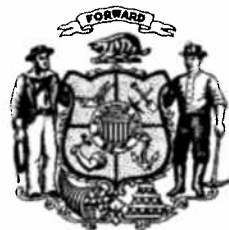
A handwritten signature in black ink that reads 'Jim'.

Jim Holperin
State Senator, 12th District

JCH/ejn



WISCONSIN STATE LEGISLATURE





Mary Hubler

State Representative

May 11, 2010

Senator Mark Miller
Chair – Senate Committee on Environment
Room 317 East
Madison, WI 53707

Dear Senator Miller:

A number of municipal officials and other constituents have contacted me about proposed rule DG-19-09, which establishes mandatory disinfection of municipal water. The rule was taken up by the Natural Resources Board and approved on April 28.

Municipal officials in my district dispute the necessity of mandatory disinfection, point out the local consumers object to the addition of anything to their generally high quality water and object to the expense of installing chlorination or UV treatment equipment.

They further dispute the validity of the single study that the rule is apparently based on.

In view of these serious objections, I ask that the Committee on the Environment schedule a public hearing on rule DG 19-09.

Thank you for your consideration.

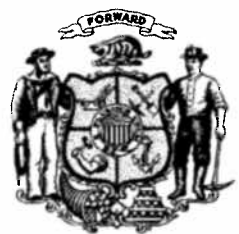
Sincerely,

MARY HUBLER
State Representative
75th Assembly District

MH/se



WISCONSIN STATE LEGISLATURE



BOB JAUCH

WISCONSIN STATE SENATOR



May 19, 2010

Senator Mark Miller, Chair
Senate Committee on Environment
Room 317 East
Madison, WI 53707

Dear Senator Miller,

I understand that administrative rule DG-19-09 has been referred to the Senate Environment Committee for review. It was approved by the Natural Resources Board on April 28. I represent 16 sanitary districts that currently do not continuously disinfect their water and have heard from a number of them expressing concerns about costs in implementing the rule. They have also suggested that additional time should be considered before the rule is finally implemented. It is my understanding that the Department had originally considered a one year implementation, however, the rule before us goes into effect in three years.

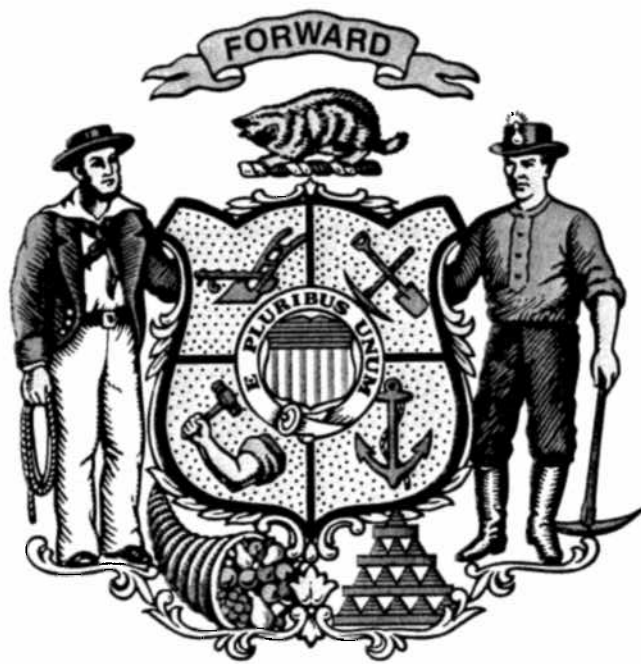
I would like to request you hold a public hearing on this rule so that the committee can learn more about the financial implications, the relationship between the Federal EPA rule and this rule, and how we can make implementation of the new regulation as reasonable and workable as possible. The rule is over 300 pages long, which indicates it is complex and worthy of further discussion and explanation. Because many of our rural communities have limited resources, I am concerned that compliance with the rule may present a high fiscal burden.

Thank you for considering this request.

Sincerely,

Bob Jauch
State Senate

BJ/skb





CUMBERLAND MUNICIPAL UTILITY



Charles Christensen,
General Manager

May 25, 2010

State Senator Mark Miller
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Miller:

We have been informed by our Representative, Mary Hubler that you have agreed to schedule a hearing on rule 09-073 relating to the safe drinking water design requirements for community water systems and requirements for the operation and maintenance of public water supply systems. Thank you for your consideration of this request.

As you may know, there is considerable concern on the part of the Municipal Water Systems that do not currently chlorinate or disinfect their water supplies. Under this rule it would be mandatory for all municipal systems to disinfect their water supplies either by chlorination or any other acceptable means. Many municipalities in Wisconsin do not currently chlorinate or disinfect their water supplies on a regular basis. They do, however, maintain a high level of safe drinking water sampling. It is our understanding that this requirement is primarily based on a study conducted by Mr. Mark Borchardt of the Marshfield Research Foundation, possibly discovering viruses in ground water.

We have received responses from 51 municipal systems that oppose the mandatory disinfection of the water supplies in their communities. I am including a list of those municipalities and a map showing the location of them in the State of WI. The primary area for these municipal systems is in the northwest portion of the state. Many of these municipalities are small and it is very difficult for them to send representatives to Madison, therefore, we would respectfully request that any hearings on this matter be held in the northwestern portion of the State of Wisconsin. Cumberland would like to offer you facilities to hold the hearing at no cost, should you consider moving it to the northwestern portion of the State.

We have forwarded your consideration of scheduling a public hearing on this matter to all 51 communities that have expressed interest and have encouraged them to correspond with you and other members of the Senate Environment Committee, expressing their concerns.

On behalf of the 51 communities I would like to thank you and the committee for providing a opportunity to voice our concerns at the public hearing.

Sincerely,

Charles Christensen, Manager
Cumberland Municipal Utility

Wisconsin water systems that do not chlorinate

Adams Waterworks	Three Lakes Sanitary District
Baldwin Waterworks	Tomahawk Waterworks
Balsam Lake Waterworks	Wabeno Sanitary District
Barron Light & Water	Webster Waterworks
Bayfield Waterworks	Wheeler Waterworks Assoc.
Birchwood Waterworks	White Lake Waterworks
Bloomington Waterworks	Woodville Waterworks
Bruce Waterworks	
Cameron Waterworks	
Chetek Waterworks	
Clear Lake Waterworks	
Colfax Waterworks	
Crandon Waterworks	
Cumberland Waterworks	
Dallas Waterworks	
Dresser Waterworks	
Drummond Sanitary District	
Ellsworth Waterworks	
Exeland Waterworks	
Fall Creek Waterworks	
Fall River Waterworks	
Fox Point Waterworks	
Friesland Waterworks	
Hammond Waterworks	
Iron River Sanitary District	
Kewaskum Waterworks	
Ladysmith Waterworks	
Lakeland Sanitary District 1	
Lone Rock Waterworks	
Milltown Waterworks	
Mineral Point Waterworks	
New Auburn Waterworks	
Port Wing Waterworks	
Prescott Waterworks	
Radisson Waterworks	
Rice Lake Waterworks	
Roberts Waterworks	
Sheldon Water Utility	
Shell Lake Waterworks	
Siren Waterworks	
Somerset Waterworks	
Spring Green Waterworks	
St. Nazianz Waterworks	
Star Prairie Waterworks	

Grid numbers refer to detailed map pages

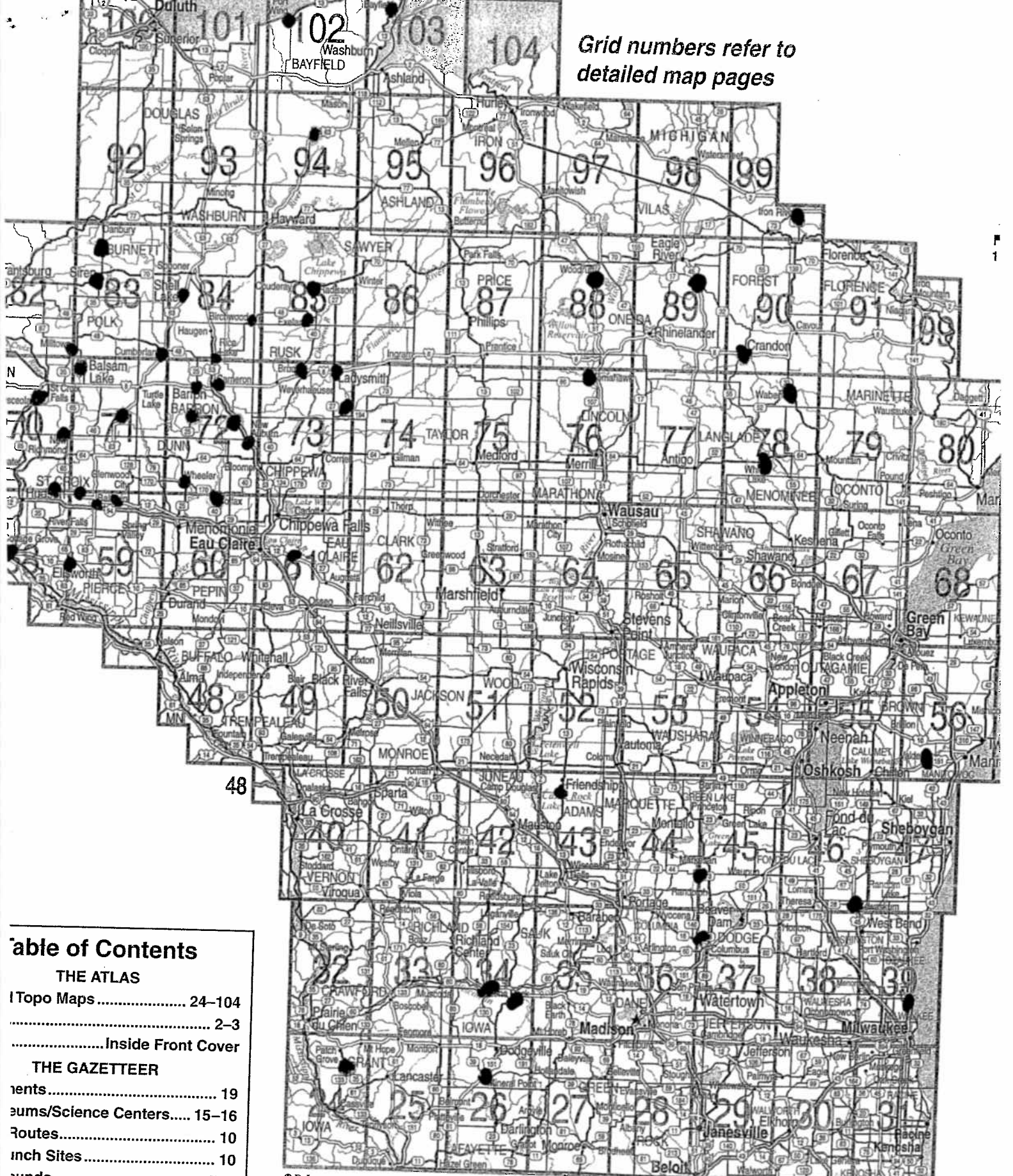


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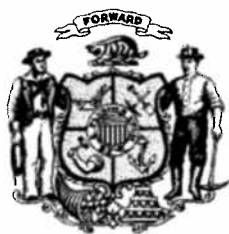
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WISCONSIN STATE LEGISLATURE



VILLAGE OF ELLSWORTH

130 N. CHESTNUT ST.
ELLSWORTH, WI 54011
715-273-4742



June 8, 2010

Subject: Objection to Mandatory Disinfection of water system

Dear Senators:

The Village Board of the Village of Ellsworth would like to go down on record objecting to Mandatory Disinfection of the Water Supply under proposed Clearinghouse Rule 09-073.

The additional costs associated with this requirement, some being possible expansion to well houses to accommodate additional storage area, additional chemicals, and additional employees, would be a hardship to our community along with other smaller communities. Each government agency is challenged with making restricted budgets work that do not allow for the expense of added mandates. These additional mandates are a direct burden to the residents of the Village of Ellsworth with increased rates.

Each community is capable of determining if their water source is safe, along with assistance from the DNR, communities that do not have quality water have to use chlorination and are doing so.

On occasion the Ellsworth Cooperative Creamery uses the Village of Ellsworth water supply and they are unable to use chlorinated water for use in their cheese processing. They would need to make costly changes in order to continue to use the Village of Ellsworth water as a back-up supply.

On behalf of the Village Board of the Village of Ellsworth I strongly urge you to vote against Mandatory Chlorination Clearinghouse Rule 09-073.

Thank You,

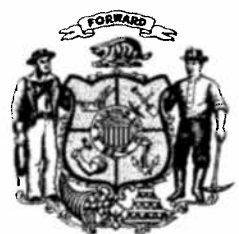
A handwritten signature in cursive script that reads "Gerald DeWolfe".

Gerald DeWolfe
Village President
Village of Ellsworth

Pan



WISCONSIN STATE LEGISLATURE



Cheese Curd Capital of Wisconsin™



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State Senator Sheila Harsdorf
10th Senate District
PO Box 7882 State Capital
Madison WI 53707-7882
Sen.Harsdorf@legis.wisconsin.gov

June 17, 2010

Dear Senator Harsdorf,

Re: Rule 09-073 regarding disinfection requirements:

The Ellsworth Cooperative Creamery is concerned about the proposed change to municipal water in the Village of Ellsworth where it would be required to chlorinate its safe tested public water supply. We have concerns based on our own needs for water into the cheese plant and the discharging of treated water via our private waste treatment facility.

First, many of the specialized processes we use in the plant require that the water be free of chlorination. Chlorination creates issues with our processes, equipment and safety within the plant. Many of the chemicals used in our process when mixed with chlorine become a dangerous gas also referred to as Muster Gas. The concentration of chlorine would be low but it still presents a risk to the employees. To counter the effects of the chlorination we would need to add more chemicals to counter or remove the chlorine. More chemicals would be counterproductive to cleaning process and make the issue worse. Finally some of the membranes used in the plant would be destroyed by chlorination. We can counter the effects of chlorinate through the use of more neutralizing chemicals. However, they have a zero tolerance for chlorination for exposure to our membranes. One mistake or misuse of city water could destroy \$120,000 worth of membranes used in our processing equipment.

The waste water discharges for both the village and cooperative are limited in the amount of chlorides they can release per DNR regulations. It seems counterproductive to add chlorides when they are not needed. We already spend money to limit the amount of chlorides and this would force both waste treatment plants to spend more to remove chloride that is not needed in the first place.

Finally, chlorine is used to kill harmful germs when they are present, since they are not present why we would want to add chemicals to the village's water supply. It would be a waste of dollars to add them since the water is tested safe and it would introduce a chemical for our citizens to drink and absorb.

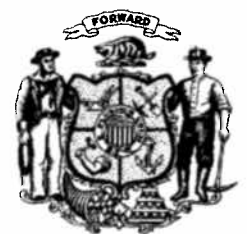
In summary the rule to require chlorination on safe tested water in the Village of Ellsworth would add cost, harm processing equipment, increase the exposure to industrial accidents, increase the chlorides in waste water discharges that are already monitored, and increase the amount of chemicals consumed by residents. For those reasons we are not in favor of requiring chlorination.

Paul M. Bauer

CEO / General Manager



WISCONSIN STATE LEGISLATURE



DRUMMOND SANITARY DISTRICT
P O Box 43
Drummond, Wisconsin

June 17, 2010

Senator Mark Miller
Chair - Senate Committee on Environment
State Capitol, Room 317 East
P O Box 7882
Madison WI 53707-7882

Dear Senator Miller,

I am contacting you to oppose the Continuous Chlorination rule that has been formulated by the Wisconsin Department of Natural Resources that would require all municipal water systems in Wisconsin to disinfect (chlorinate) their water supplies continuously.

Drummond Sanitary District currently does not chlorinate its municipal drinking water system except in emergency situations. Out of a total of 351 water tests in the last ten years, only 18 were found to be unsafe. Seventeen of the unsafe samples were prior to 2006. Approximately 95% of the repeat samples came back safe, which would indicate sampling errors in the field or at the lab. In either case there was no need to chlorinate.

Continuous chlorination would require expansion of our well house. The current size of our well house is not large enough to store a 30-day supply of the disinfectant, as is required by the rule. Our community is largely low to moderate income and cannot afford this unfunded mandate. Other small sanitary districts throughout the state would be greatly impacted by this rule. With a limited customer base it is an additional burden that is spread over a small number of people.

We believe that additional study is necessary to determine the health impact of the disinfection and the best treatment methods.

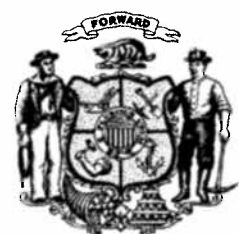
Sincerely,



Randy Levandoski, President Drummond S.D.



WISCONSIN STATE LEGISLATURE



VILLAGE OF WEBSTER

7505 Main Street West • P.O. Box 25 • Webster, WI 54893-0025
715/866-4211 • Fax: 715/866-4863 • E-mail: villageofwebster@centurytel.net

June 18, 2010

Senator Mark Miller
Chairman – Senate Committee on Environment
Room 317 East
State Capitol
PO Box 7882
Madison, WI 53707-7882

Dear Senator Miller:

I am writing you today in reference to House Rule 09-073, which relates to the safe drinking water design requirements for community water systems and requirements of the operation and maintenance of public water supply systems.

I am appealing to you today to support the Village of Webster's concerns, along with many other small municipal water utilities in the state of Wisconsin that will be forced to disinfect their water supplies after this rule takes effect.

As you know, the addition of the mandatory disinfection to this rule was propagated by a study done by Mark Borchardt, through the Marshfield Clinic Research Foundation. Mr. Borchardt discovered that there are viruses in the water supplies of all of the communities tested. Those communities were chosen because they did not chlorinate their water, and could be used for comparisons between non-disinfection, and ultra-violet light disinfection of water supplies. The study was small, not based on chlorination of the water supplies, and discovered that the ultra-violet treatment of the water removed the viruses as they passed through the ultra-violet light. At the test residences, however, *the viruses continued to be present, thus indicating that the viruses not only were coming from the deep well water supply, but also from the piping carrying the water to the residences.* This would suggest that these viruses are present in all ground water drinking sources, including private wells, of which in the northwestern part of Wisconsin, provides a large portion of the population's drinking water.

Webster's municipal drinking water system began on November 1955, and has provided safe drinking water to the community up to the present day, with no additional chemicals being added to the daily water supply. The system is sampled routinely, with two samples being taken each month, to determine any type of contamination. Annual testing is also performed (as indicated by the DNR) for several organic and inorganic compounds, along with other chemicals. We also have lead and copper testing per WDNR requirements. We have had excellent test results on all of the above, with only an occasional sample that indicates coliform bacteria present, which is an indicator of possible contamination. However, the indicators have always shown that the coliform resulted from maintenance on the system, not from any foreign bacteria entering the system. During those times, we have chlorinated our whole system to protect our citizens from any possible contaminated drinking water. This procedure is true for all of the municipalities that do not chlorinate on a regular basis – they all have equipment installed that can be utilized, should there be a bad sample, until the problem has been resolved.

VILLAGE OF WEBSTER

7505 Main Street West • P.O. Box 25 • Webster, WI 54893-0025
715/866-4211 • Fax: 715/866-4863 • E-mail: villageofwebster@centurytel.net

Being a small community, I am sure that if any of the viruses that possibly were discovered by Mr. Borchardt could affect the health of the citizens of our area; we would have been notified through the various health facilities many years ago. In fact, the presence of these viruses may be strengthening the immune systems of our citizens, and actually protecting them from more serious illnesses.

As you have probably noticed, the major concentrations of the communities that do not chlorinate their water supplies on a regular basis are in northwestern Wisconsin. A survey was done by the Village of Siren (a neighboring Village) they contacted 54 cities that do not chlorinate their water in the state of Wisconsin, and of those 54 cities, 36 are located in our area of northwestern Wisconsin. The majority of the citizens of those communities are *happy that they do not have the taste of chlorine in their water supply, and are proud of their safe fresh drinking water supply system.*

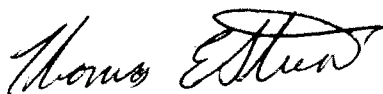
I am appealing to you Bob, as our Senator, and as a person who has been very concerned about the citizens in your district, *to remove or modify* this Mandatory Disinfection Rule from Rule 09-073 which has allowed for non-municipal water systems to be exempt from the mandatory disinfection. I feel that more research must be done to determine exactly what the affects are of these viruses, if they are present, and if it does actually impose a health risk, where all drinking water supplies would be required to be disinfected – Not only the municipal systems.

Disinfection of the municipal water systems in these communities on an on-going basis would create a financial hardship on the communities. Currently, these communities do have in place equipment to disinfect their water supplies on a temporary basis. To change to a continued basis, would require modifications to well houses and disinfection equipment, along with the possibility of having to remove any latent chlorine in water stream prior to waste treatment and discharge of the water back into the surface water sources. We see this situation being very serious for these small communities, especially at a time when budgets are already stretched to the limit.

I again appeal for your support in making changes to this proposed Rule, *to remove mandatory disinfection for small water systems as defined by NR 166.* Current rules would, and do, regulate our water systems appropriately, should the need arise to disinfect a municipal water system. Thank you for your assistance in providing a public hearing for us. It would have been certainly more convenient, had it been held in northwestern Wisconsin.

Thank you, once again, for your consideration of this matter.

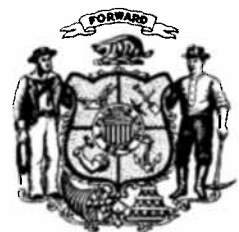
Sincerely,



Thomas Stusek
Village President



WISCONSIN STATE LEGISLATURE



Lakeland Sanitary District No. 1

(715) 356-4454
Phone

8780 Morgan Road
MINOCQUA, WI 54548-9797

(715) 358-8830
Fax

June 22, 2010

Senator Mark Miller
Room 317 East
State Capitol
PO Box 7882
Madison WI 53707-7882

Dear Senator Miller,

I am writing on behalf of Lakeland Sanitary District No.1. We are a municipal water and sewer utility serving Minocqua, Woodruff, and Arbor Vitae, WI. I am writing in regards to Clearinghouse Rule 09-073, which in part requires mandatory disinfection of municipal water systems. The effort to keep viruses out of the water supply is understandable. I believe everyone involved is looking out for the best interest and the health of the consumer. No one would argue that the safety of the public is not the number one priority. We take great care as operators without continuous disinfection to keeps bacterial contaminants out of our system during maintenance and construction.

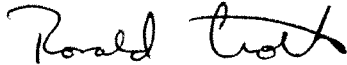
My comments are directed towards using chlorination as a disinfectant. While other technologies are available, the up front costs for the alternate technology would be significant for smaller utilities. Chlorine also would provide a residual allowing for further disinfection of the collection system. Other technologies such as UV would provide no protection past the water source. Currently, we have a system in place for emergency chlorination in the event we have a positive detect of coliform bacteria. The system would serve as a start for continuous disinfection but would probably need to be upgraded in terms of storage capacity and providing a chemical feed room for our well houses. We would also have to test for chlorine byproducts. In the case of some water systems, depending upon the characteristics of their water supply, they could violate the MCL's for chlorine byproducts. Chlorine byproducts have become an issue because of the risk of causing cancer and reproductive or developmental problems.

For many smaller communities having an un-chlorinated water supply is a source of pride. If you talk too many of these residents, who have had a water supply free of chlorine for their entire life, they can not imagine drinking chlorinated water on a continuous basis.

I believe more research is needed before mandatory disinfection is put into place. I would like to see more research on the potential of viruses to reach the groundwater supply and if more could be done to prevent viruses from reaching the supply. It would also be beneficial to have more data on the infection rates if there are viruses found in a water supply and to eliminate all other means of transmission.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ronald Groth". The signature is written in black ink and is positioned above the printed name.

Ronald Groth
Superintendent