



2023 SENATE BILL 1079

March 6, 2024 - Introduced by Senators COWLES, WIMBERGER and CABRAL-GUEVARA, cosponsored by Representatives MURSAU, O'CONNOR and STEFFEN. Referred to Committee on Natural Resources and Energy.

1 **AN ACT relating to:** proposed rules relating to the development of numerical
2 groundwater quality standards for per- and polyfluoroalkyl substances,
3 promulgated by the Department of Natural Resources.

Analysis by the Legislative Reference Bureau

Under current law, agencies are generally required to prepare economic impact analyses (EIAs) for proposed permanent rules, which must contain certain information on the economic effect of the proposed rule on specific businesses, business sectors, public utility ratepayers, local governmental units, and the state's economy as a whole. Current law further provides that if an EIA prepared by an agency indicates that \$10,000,000 or more in implementation and compliance costs are reasonably expected to be incurred by or passed along to businesses, local governmental units, and individuals over any two-year period as a result of the proposed rule (cost threshold), the agency proposing the rule must stop work on the proposed rule and may not continue promulgating the proposed rule. The agency may only proceed with the rule-making process if the agency modifies the proposed rule so as not to meet this cost threshold or if a bill is enacted authorizing the agency to continue with the rule-making process for the proposed rule.

On December 19, 2023, the Department of Natural Resources notified the legislature that DNR had prepared a final EIA for a proposed permanent rule relating to the development of numerical groundwater quality standards (groundwater quality rule) and that DNR had, in that EIA, determined that the groundwater quality rule would meet or exceed that cost threshold. The

