

Report From Agency

REPORT TO LEGISLATURE

NR 140, Wis. Adm. Code

Board Order No. DG-04-22
Clearinghouse Rule No. CR 22-061

Basis and Purpose of the Proposed Rule

The proposed rule will amend ch. NR 140, Wis. Adm. Code, to replace the existing total coliform bacteria standards with new state groundwater quality standards for *Escherichia coli* (*E. coli*) bacteria. The proposed rule will also transition total coliform bacteria from a public health groundwater quality standard to an indicator parameter.

The purpose of establishing groundwater standards is to protect public health. Some types of *E. coli* bacteria, when consumed, can cause acute (short-term) gastrointestinal illnesses causing diarrhea, abdominal discomfort, nausea, and vomiting. Less common effects are chronic (long-term) and include kidney failure, hepatitis, and bloody diarrhea. *E. coli* bacteria are a subgroup of coliform bacteria and are considered to be a much more specific indicator of fecal contamination, and the potential for pathogens to be present in drinking water, than total coliform bacteria. Infants and young children, the elderly, and people with compromised immune systems are at the highest risk for illness from pathogens in water.

Summary of Public Comments

See attached "Comments and DNR Responses Natural Resources Board Order DG-04-22."

Modifications Made

No modifications were made to the proposed rule as a result of public comments and testimony received at the public hearing.

Appearances at the Public Hearing

Felipe Faleco
Melissa Erdman, registered in support
Evan Miller
Sunshine Prost, registered in support
Carrie Springer, Dane County

Changes to Rule Analysis and Fiscal Estimate

No modifications were made to the rule analysis or fiscal estimate as a result of public comments and testimony received at the public hearing.

Response to Legislative Council Rules Clearinghouse Report

The Legislative Council Rules Clearinghouse submitted comments on form, style and placement in administrative code; and clarity, grammar, punctuation and use of plain language. Changes to the proposed rule were made to address all recommendations by the Legislative Council Rules Clearinghouse.

Final Regulatory Flexibility Analysis

The rule is not expected to have an impact on small businesses.

Response to Small Business Regulatory Review Board Report

The Small Business Regulatory Review Board did not prepare a report on this rule proposal.