

PFAS

Staff Attorney Rob Lee
February 15, 2024



Midwest
Environmental
Advocates

midwestadvocates.org

Overview

- Perspectives from an environmental NGO
- Spills Law enforcement against municipalities
- Source reduction → pretreatment programs

Perspectives from an Environmental NGO

- General principles:
 - Public health/transparency is paramount
 - Those who profit(ed) off PFAS should pay
- Municipalities:
 - WWTPs unfortunate recipients; ill-equipped to remove from waste streams
 - Will play crucial role in addressing PFAS; costs money most municipalities don't have

Spills Law Enforcement Against Municipalities

- Wisconsin's Spills Law
 - Wis. Stat. § 292.11
- Forthcoming report on Spills Law enforcement re: PFAS
 - Identifies named responsible parties and determines underlying human activities leading DNR to issue responsible party letters

Spills Law Enforcement Against Municipalities

- 21 / 138 BRRTS sites involve municipalities
- 16 unique municipalities
- Underlying causes:
 - Firefighter training / systems testing (8)
 - Commercial activity (6)
 - Other municipal activity (5)
 - Vandals (1)
 - Unknown (1)
 - Biosolid / wastewater residual spreading (0)

Spills Law Enforcement Against Municipalities

- **Q:** How many recipients of landspread biosolids / wastewater residuals, e.g., farmers, has DNR named as responsible parties?
- **A:** Zero

Pretreatment Programs

- Source reduction mechanism
 - WWTPs can implement and issue permits for discharges to their systems
 - Identify and reduce sources through pretreatment standards
 - Enforcement mechanisms
- BUT, costs time and \$\$\$ to implement
- DNR can also implement as needed
- [See Wis. Admin. Code NR ch. 211.](#)

Contact Information

- Rob Lee, *Staff Attorney*
- (608) 251-5047 x 8
- rlee@midwestadvocates.org