

Speaker's Task Force on Water Quality

June 13, 2019 La Crosse, WI

Kimberlee Wright, Executive Director

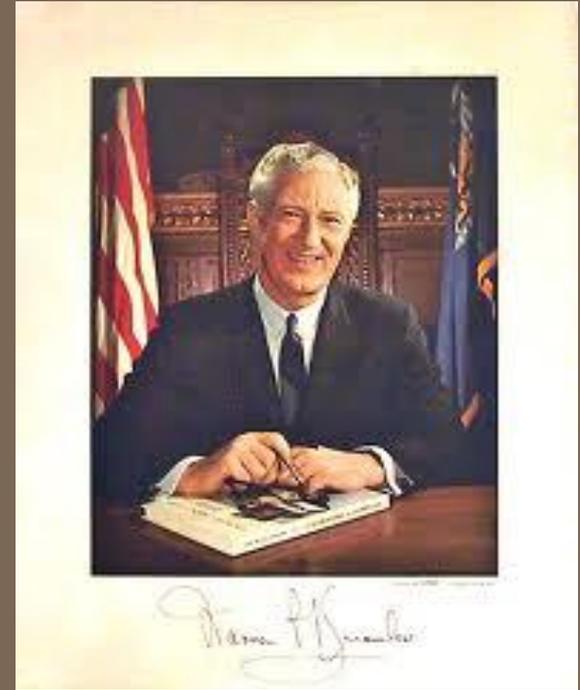
kwright@midwestadvocates.org



Midwest Environmental Advocates
is the only public interest
environmental law center in
Wisconsin that provides direct legal
services to citizens and
community groups

MEA was founded when the Public
Intervenor in the WI-DOJ was
abolished in 1995

Citizens have extensive legal rights
to clean water but often need legal
services to assert their rights



Republican Governor
Warren Knowles
created the Office of Public
Intervenor in 1967



Susan Davidson, M.D.
Maternal – Fetal Health
High Risk Obstetrics
MEA Board President

“The water we drink has profound impacts on health throughout the lifespan. Fetal life, childhood, adolescence and pregnancy are critical periods for exposure but all of us are at risk from consuming unsafe water”

“We have an obligation to ensure access to safe, clean drinking water, free from contaminants known to impact human health”

**HEALTH EFFECTS ASSOCIATED
WITH NITRATE**

Increased risk of **cancer and birth defects.**

www.ewg.org

The infographic features a grey silhouette of a pregnant woman. A blue line points from the text 'Increased risk of cancer and birth defects.' to a yellow silhouette of a fetus inside the woman's belly.

LEAD

There is NO safe level of lead for infants and children

81

public water systems
in Wisconsin have tested
above EPA's allowable
lead levels

Communities with the highest prevalence rates for lead poisoning in tested children under age 6, 2014

Local health departments	Total tested	Children with elevated blood lead levels	Percentage of tested children with elevated blood lead levels
City of Milwaukee	26,097	2,244	8.6%
City of Watertown	535	45	8.4%
Buffalo County	178	13	7.3%
Sheboygan County	1,215	76	6.3%
City of Racine	2,467	153	6.2%
Rock County	2,354	142	6.0%
Green Lake County	250	14	5.6%
Pepin County	90	5	5.6%
City of Menasha	254	14	5.5%
Richland County	175	9	5.1%
Statewide	87,987	3,922	4.5%

Levels of 5 micrograms per deciliter and above are considered elevated

Source: 2014 Report on Childhood Lead Poisoning in Wisconsin, Wisconsin Department of Health Services

Credit: Abigail Becker/Wisconsin Center for Investigative Journalism

PFAS

La Crosse to address contaminants in closed well

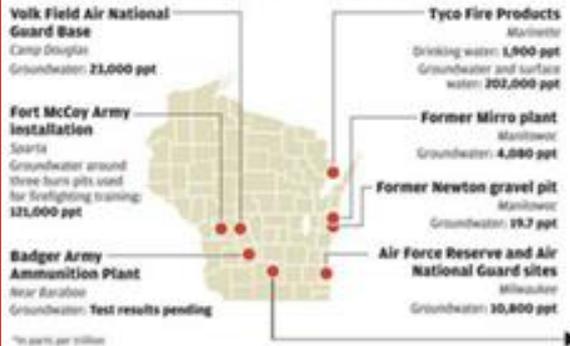
Jourdan Vian La Crosse Tribune May 19, 2019 1



Known contamination sites

Evidence has been mounting since the 1990s about serious health hazards from synthetic "man-made" chemicals used in many consumer products and firefighting foam. Referred to by the acronym PFAS, they spread easily through water above and below ground. They are linked to illnesses including testicular cancer, high cholesterol and disease of the liver, kidneys, glands and immune system.

Maximum levels* of PFAS compounds found during testing:



Known carcinogens like PFAS are not regularly tested for

Nitrates

SWIGG: Study nitrate pollution numbers remain steady in southwest counties **WISPOLITICS.COM** June 12, 2019

94k
rural Wisconsin families
drink from wells
contaminated
with unsafe levels
of nitrates

Researchers from Northeastern University and EWG published a peer reviewed paper in the Journal for Environmental Research on their findings linking nitrates in water to a number of cancers. As reported by CBS News June 11, 2019



The image shows a screenshot of a CBS News website article. At the top left is the CBS News logo. To its right are navigation links for NEWS, SHOWS, and LIVE, each with a dropdown arrow. Further right are icons for a grid and a search function. The main headline reads: "Study: Nitrate pollution in U.S. drinking water could lead to thousands of cancer cases". Below the headline, it says "BY BRIAN PASCUS" and "JUNE 11, 2019 / 4:14 PM / CBS NEWS".

Heavy Metals (Arsenic, Copper, Lead & Mercury)



A Trempealeau County field is covered in orange mud after a frac sand processing pond was breached to save a worker. *Rich Kremer/WPR*

Tests Show Toxic Heavy Metals Near Wisconsin Sand Mine Spill

DNR Spokesman: Department Has Observed No Fish Kills, Oxygen Levels Can Still Support Life

By Rich Kremer

Published: Thursday, June 7, 2018, 12:20pm

Large-scale earth disturbance can expose sulfide minerals to air & water and can leach heavy metals that end up in surface waters and groundwater creating health risks for families with private wells



Clean Water Act WPDES Permits

EPA letter notified WDNR of 75 points of deficiency in WI's Clean Water Act wastewater permitting

MEA filed a Petition for Corrective Action on behalf of 16 WI citizens impacted by DNR's failure to comply with EPA timeline

WI's nonpartisan **Legislative Audit Bureau** releases report documenting decline in Clean Water Act Enforcement with only 33 citations out of 558 violations that warranted enforcement action

Statewide public health risks from public and private drinking water systems spur **Water Quality Task Force**

2011

2015

2016

2019



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 18 2011

REPLY TO THE ATTENTION OF:

Cathy Stepp, Secretary
Wisconsin Department of Natural Resources
Post Office Box 7921
Madison, Wisconsin 53707-7921

Dear Ms. Stepp:

I am writing with regard to the legal authority under which Wisconsin administers its National Pollutant Discharge Elimination System (NPDES) approved program. The U.S. Environmental Protection Agency has completed a review to determine if the State has the minimum legal authority needed to properly administer the program. In general, the provisions in 40 C.F.R. §§ 123.25, 123.27, and 123.30 formed the basis for the review. EPA promulgated these provisions under section 304(i) of the Clean Water Act, 33 U.S.C. § 1314(i). We conducted the review as part of EPA's Permitting for Environmental Results (PER) initiative, a national partnership with states to strengthen the NPDES program. Under PER, EPA reviews the integrity of state NPDES programs and works together with states to make improvements as needed.

US-EPA Notice to
DNR of
75 Deficiencies in
Wisconsin's Clean
Water Act
WPDES permitting
program



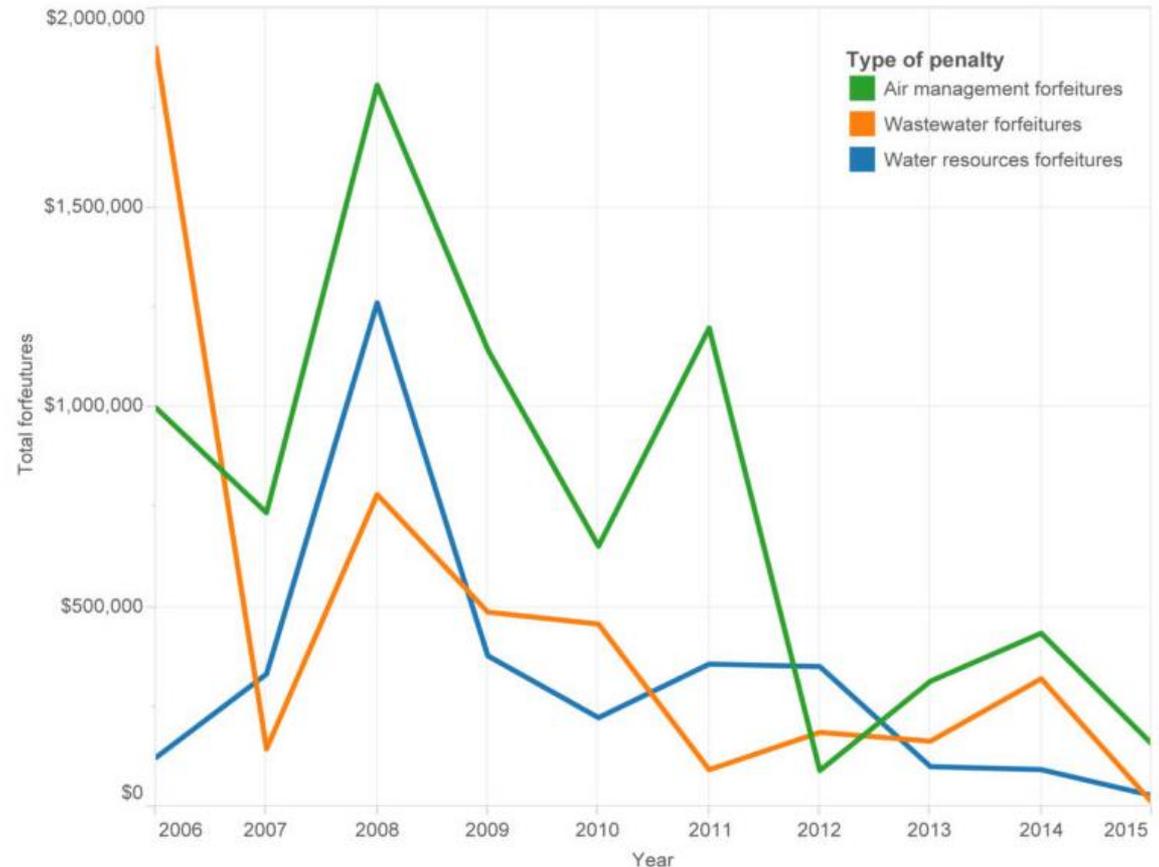
When protective standards aren't followed it hurts real people and the places they love

We the Public rely on the good men and women in our state agencies

If they don't have the resources to do their jobs we all lose

Forfeitures for environmental violations plunge in Wisconsin

Financial penalties for violating Wisconsin Department of Natural Resources rules have decreased sharply since 2011 when Gov. Scott Walker took office.



Source: Wisconsin Department of Natural Resources data provided by the Wisconsin Wildlife Federation.
Credit: Haley Henschel, Wisconsin Center for Investigative Journalism.

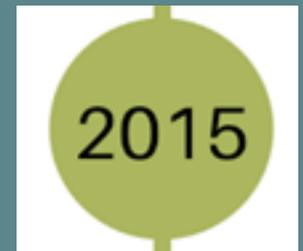
MEA represents 16 Wisconsin citizens in a petition to EPA to get WI back into compliance with the Clean Water Act

All 16 people have worked for years in their communities to resolve water problems with little results



Oct 2015 MEA Files Petition For Corrective Action

The DNR needs adequate resources to protect public health and the water we all own together



Judge blames toxic Kewaunee County wells on 'massive regulatory failure'

DNR must require groundwater monitoring at giant Kinnard Farms dairy, but expansion allowed to proceed

By Ron Seely



Citizens take on the costs and burdens of protecting public health and public waters when adequate resources aren't available to the professional men and women in our DNR

New research indicates tainted Kewaunee County wells tied to manure pits

Sarah Whites-Koditschek and Coburn Dukehart, Wisconsin Public Radio and Wisconsin Center for Investigative Journalism

Published 1:42 p.m. CT March 4, 2019

DEPARTMENT OF REVENUE FINDS LARGE CAFOS AFFECT PROPERTY VALUES

Posted by Warren Bluhm | Nov 15, 2017 | Kewaunee County, News | 0 | ★★★★★

State audit finds DNR ignoring own rules on water pollution

STEVEN VERBURG sverborg@madison.com, 608-252-6118 Jun 4, 2016

WISCONSIN STATE  JOURNAL

From 2005 through 2014, DNR issued Notices of Violation in 5.9 percent of the instances in which they should have been issued based on DNR's policies.

June 2016 Legislative Audit Bureau Report on DNR WPDES permit program

"This finding is troubling and I am awaiting further explanation from the agency on how they plan to address inspections and noncompliance" Sen. Robert Cowles of Green Bay said in a statement.



Sen. Robert Cowles, Co-Chair
Joint Legislative Audit Committee



All 72 Counties Support Clean Water Act improvements At 2017 Spring Conservation Congress Hearings

Question: WI Conservation Congress 2017 Spring Hearings	YES	NO	MAJ.	Yes	No
Support continued efforts to address the 75 issues in WPDES permits program identified by EPA in 2011	3344	406	Y	72	0
WCC work with the Legis. To take action needed to address remaining issues in WPDES program	3421	342	Y	72	0
Require public notice be sent to area residents within two mile radius upon application of high capacity well	4046	207	Y	72	0
Include the authority to suspend approvals for high capacity wells that have caused impact or impairment	3988	231	Y	72	0

Wisconsinites from all walks of life and every political persuasion continue to work together for a clean water future



February 8, 2017
Citizens at the Capitol
Calling for Action

Citizens' Water Coalition of Wisconsin www.cwcwi.org

“While I’m happy to see these changes, implementing the recommendations from Audit Report 16-6 should have been an easy lift, but it hasn’t been. **Water quality should be a bipartisan issue.**”

Senator Cowles public statement on the incorporation of SB31 into Budget to fund 4 additional DNR staff for WPDES program as reported by the Wheeler Report June 11, 2019



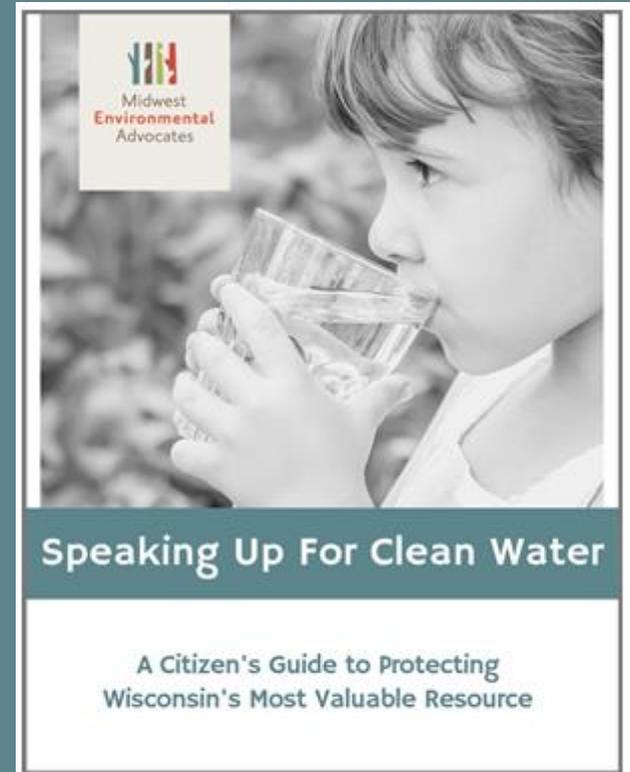
Sen. Robert Cowles, Co-Chair
Joint Legislative Audit Committee



We have all the talent we need to realize a clean water future but **adequate resources** are essential to success



Thank you for listening to people throughout Wisconsin as they share their concerns about the impact polluted water has on public health and the places they love



<https://legis.wisconsin.gov/2019/committees/assembly/STF-WQ/>





"The waters of Wisconsin belong to us, the people of Wisconsin.

The state holds them in trust solely for our benefit. It is the State Legislature's obligation to act as trustee to preserve and improve the quality of our waters. The Department of Natural Resources has been delegated important responsibilities for implementing this obligation.

Underlying every action of the Legislature and the DNR is the fundamental fact that they act, not as owners, but as trustees for the true owners: we the people."

-Arlen Christenson

www.midwestadvocates.org

Kimberlee Wright, Executive Director
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Thank You.