



Clean Water Advocates and Impacted Community Members Support Call for the Legislature to Act on PFAS and Prioritize Public Health Over Polluters' Bottom Line

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MADISON, WI—Today, the Evers Administration took two steps to spur action by the Wisconsin State Legislature to address PFAS contamination in the state. Midwest Environmental Advocates (MEA), [S.O.H2O](#), and the [League of Women Voters of Wisconsin](#) support the moves and urge the state legislature to act quickly.

First, the Governor called on the legislature to enact a law that would allow the Wisconsin Department of Natural Resources (DNR) to proceed with setting health-based water quality standards for PFAS in groundwater. DNR's latest attempt to establish groundwater standards for PFAS met yet another roadblock when its economic impact analysis (EIA) triggered the REINS Act, a law requiring legislative approval of the standards. Second, the Governor directed the DNR to submit a [13.10 request](#) to the Joint Finance Committee (JFC) that would allow DNR to access \$125 million set aside by the legislature to address PFAS contamination as part of the budget process earlier this year.

Groundwater Standards Trigger the REINS Act

Groundwater standards for PFAS in Wisconsin will have significant benefits for public health and the economy. The REINS Act, enacted during the Walker Administration, interferes with agency rulemaking by requiring separate legislation be enacted for any proposed rule that is expected to exceed \$10 million in compliance costs over any two-year period—even if the estimated benefits far exceed the costs. This is the second time in as many years that the REINS Act has interfered with the development of critical public health protections. In 2021, [DNR opted to abandon a rulemaking](#) that would have established more protective nitrate standards partly due to concerns that the rulemaking would exceed the \$10 million threshold.

"The folly of the REINS Act has become clear when the legislature appropriates \$125 million to 'begin' addressing PFAS contamination but then triggers a 'cease and desist' order to DNR because a PFAS groundwater standard might cost more than \$10 million," said Doug Oitzinger, member of S.O.H2O and former mayor of Marinette.

"The failure of the REINS Act to take benefits into account when it comes to public health protections is irrational by definition," said Debra Cronmiller, Executive Director of the League of Women Voters of Wisconsin. "The legislature needs to pass a bill that exempts not only these long overdue groundwater standards from the REINS Act, but all PFAS groundwater standards, much like the existing exemption for Clean Air Act protections. The water we drink is just as important as the air we breathe."

“We thank Governor Evers and the DNR for their commitment to navigating the arduous rulemaking process,” said MEA Staff Attorney Rob Lee. “The ball is now firmly in the legislature’s court. It’s up to them to decide whether Wisconsinites whose drinking water happens to come from private wells will have the same kind of public health protections that have been afforded to those who rely on municipal water.”

PFAS Funding Request

The Governor’s action directing the DNR to submit a formal request to JFAC comes as a Republican-led legislative effort to establish a grant program—which does not actually appropriate any money—has been met with fierce opposition over unnecessary and overbroad limitations on DNR’s enforcement authority and the failure to prioritize private well owners.

“The DNR has been addressing PFAS contamination in Wisconsin for years without meaningful assistance from the legislature,” said MEA Staff Attorney Rob Lee. “The DNR knows where this money can have the largest positive impact on public health, and we should give it the tools necessary to get a handle on the situation without undermining the agency’s ability to fully address PFAS contamination in the long term.”

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Midwest Environmental Advocates is a nonprofit law center that combines the power of law with the resolve of communities facing environmental injustice to secure and protect the rights of all people to healthy water, land, and air. Learn more at midwestadvocates.org.

The League of Women Voters of Wisconsin is a non-partisan organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League advocates for water quality improvements, with an emphasis on water pollution prevention. Learn more at www.my.lwv.org/wisconsin.

S.O.H2O is committed to advocating for state and federal PFAS standards and to securing safe drinking water for Peshtigo and Marinette residents in the wake of widespread PFAS contamination stemming from Tyco/Johnson Controls’ operations. Learn more [here](#).