



Environmental and Public Health Groups Call on Governor to Veto Pro-Polluter PFAS Bill

Report Shows Justifications for Polluter Immunity Provisions are Unfounded

For immediate release: April 4, 2024

Contact: Peg Sheaffer, MEA Communications Director
(608) 247-9684, psheaffer@midwestadvocates.org

Madison, WI—Today, more than a dozen Wisconsin environmental and public health groups [sent a joint letter](#) urging Governor Evers to veto Senate Bill 312, a PFAS bill that the groups say fails to deliver much-needed aid to communities impacted by PFAS contamination and ultimately leaves those communities worse off by letting polluters off the hook for their fair share of cleanup costs.

“Republicans in the legislature failed the people of Wisconsin when they passed SB 312 over the objections the very Wisconsinites it purports to help—those whose communities have been directly impacted by PFAS contamination,” said Rob Lee, Staff Attorney with Midwest Environmental Advocates.

The organizations that signed on to the letter include Midwest Environmental Advocates, Wisconsin Conservation Voters, River Alliance of Wisconsin, Save Our Water (S.O.H2O), Clean Water Action Council of NE Wisconsin, Wisconsin Environmental Health Network, Milwaukee Riverkeeper, Citizens for Safe Water Around Badger, Wisconsin’s Green Fire, Wisconsin Farmers Union, Sierra Club – Wisconsin, League of Women Voters of Wisconsin, and Citizens for a Clean Wausau.

SB 312 Fails to Unlock Funding for PFAS Testing and Remediation

During last year’s budget process, \$125 million was set aside to fund PFAS testing and cleanup. Supporters of SB 312 insist the bill would ensure the money goes to communities impacted by PFAS contamination, but there is no language in the bill that authorizes spending the money. Instead, a legislative committee would need to give the Wisconsin Department of Natural Resources authority to spend the money that was set aside in the budget.

Poison Pill Provisions Weaken Spills Law and Shift Cleanup Costs from Polluters to Taxpayers

SB 312 creates a grant program that allows certain corporate polluters to qualify for “innocent landowner” grant funds, a provision that would force private residential well owners to compete for funds with comparatively sophisticated and well-resourced entities like paper mills and solid waste facilities. To make matters worse, the bill provides immunity under Wisconsin's Spills Law

for corporate polluters who meet the eligibility requirements of the grant program. In the veto-request letter, the groups explain how these elements of SB 312 would protect corporate PFAS users, like papermills, that profited from PFAS and then spread biosolids on rural Wisconsin farm fields.

A separate provision of SB 312 would prohibit the state from enforcing the Spills Law against PFAS polluters indefinitely. This provision limits the enforcement of the Spills Law until standards are established through the rulemaking process. However, last month, the legislature adjourned the session without passing legislation necessary to allow DNR to proceed with the rulemaking process for four PFAS compounds.

"The bill would halt PFAS enforcement until groundwater standards are finalized; however, Republicans in the legislature are the reason we do not have standards on the books," said Lee. "In 2022, they kept a Walker-appointee on the Natural Resources Board to reject numerical groundwater standards. This year, they refused to pass legislation allowing DNR to continue the standard-setting process. Communities with PFAS contamination are facing uncertainty about how PFAS contamination will be addressed, and SB 312 would make the problem much worse."

Report: Justifications for Limiting DNR's Enforcement Authority Don't Add Up

[A recently released report](#) shows that the hypothetical scenarios used to justify new limits on DNR's enforcement authority have never occurred. The report concludes that DNR is appropriately exercising its enforcement discretion under the Spills Law and that the agency has never taken enforcement action against farmers or farming operations that spread PFAS-contaminated biosolids on farmland.

"The facts show that the justifications for SB 312's sweeping immunity provisions for corporate polluters are completely unnecessary to protect innocent landowners," said Lee. "What's more, these provisions could actually harm farmers if the state is left without authority to hold industrial polluters responsible for contaminating farmland."

Lee concluded, "Given the significant health risks associated with PFAS exposure, Wisconsin cannot allow an important regulatory tool like the Spills Law to be undermined. Governor Evers should veto SB 312, and the legislature's Joint Committee on Finance should release the funding to Wisconsin communities with no strings attached."

###