

## 1995 ASSEMBLY BILL 336

April 28, 1995 - Introduced by Representatives Reynolds, Black, Notestein, BALDWIN, DUEHOLM, BOYLE, R. POTTER, BOCK, HANSON, TRAVIS, R. YOUNG, MURAT. BALDUS, CARPENTER, BAUMGART, SPRINGER, PLOMBON, LA FAVE, WILDER and Vander Loop, cosponsored by Senators Decker, Clausing, C. Potter, Burke and CHVALA, by request of Wolf River Territory Business Association; Arrowhead High School Save the Earth Club; Muskies Inc.; American Association of Retired Persons; Wisconsin Wildlife Federation; Menominee Indian Tribe of Wisconsin; The Servite Center for Life; Oneida Environmental Resources Board; Wisconsin Trout Unlimited; The River Alliance of Wisconsin; Izaak Walton League of Wisconsin; Northeast Wisconsin Environmental Network; Rolling Stone Lake Protection and Rehabilitation District; Mining Impact Coalition of Wisconsin, Inc.; Post Lake Protection and Rehabilitation District; Greenpeace; UW Eau Claire Student Environmental Action Coalition; John Muir Chapter Sierra Club; Anishinaabe Niijii; Watershed Alliance for Environmental Responsibility; UW Stevens Point Environmental Council; Pikeral Crane Lake Protection and Rehabilitation District; Environmentally Concerned Citizens of the Lakeland Area (ECCOLA); Shoreline Park Preservation, Inc.; Mining Impact Coalition of Dane County; Honor Our Neighbors and Resources (HONOR); Wisconsin's Environmental Decade; Citizens for Responsible Government; Grey Panthers of Wisconsin; Mining Impact Coalition of Wisconsin; Citizens for a Better Environment; Northwoods Conservation Association; Wisconsin Greens; Outdoor and Environmental Club of Beloit College; Wisconsin Resources Protection Council; Center for Alternative Mining Development Policy; Four Lakes Group Sierra Club; St. Croix Valley Greens; Superior Wilderness Action Network; University of Wisconsin Greens; Wolf River Trout Unlimited; Progressive Student Network; Wolf River Lakes and Stream Association; Wisconsin Environmental Law Society; Milwaukee Area Greens Mining Task Force; Midwest Office Sierra Club; Wolf River Watershed Allliance; Clean Water Action Council of Northeast Wisconsin: Rusk County Citizen Action Group, Inc.: Wolf River Conservation Club; Midwest Headwaters Earth First!; Public and Environmental Affairs Council; Forest County Potawatomi Tribe; UW Whitewater Environmental Federation; Wisconsin Public Interest Research Group (WISPIRG); Izaak Walton League -- Milwaukee Chapter; Lake Michigan Federation; Kids for Clean Water; UW Stevens Point Chapter of the Wildlife Society; Aldo Leopold Chapter - Society For Conservation Biology; Audubon Council of Wisconsin; Madison Audubon: Environmental Affairs UWGB: Round River Alliance: Northeast Wisconsin Audubon; and Northern Thunder. Referred to Committee on Environment and Utilities.

AN ACT to repeal 160.19 (12); and to amend 144.83 (4) (L) of the statutes; relating to: groundwater standards for mining activities and mining waste facilities.

## Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) establishes numerical standards, called enforcement standards, for the concentration in groundwater of substances that may have an adverse effect on human health or the environment. Enforcement standards for substances that may have an adverse effect on human health are based on recommendations by the department of health and social services. Generally, a state agency is required to take actions necessary to ensure that the activities, practices and facilities that are regulated by the state agency do not cause the enforcement standards to be exceeded. Mining activities and facilities, including mining waste sites, are not subject to these groundwater enforcement standards. Current law also authorizes DNR to establish groundwater quality standards for mining activities, including mining waste sites.

This bill eliminates the exemption of mining activities and facilities, including mining waste sites, from the groundwater enforcement standards. The bill also eliminates the separate provision authorizing DNR to establish groundwater quality standards for mining activities.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 144.83 (4) (L) of the statutes is amended to read:

144.83 (4) (L) Notwithstanding ss. 144.43 to 144.47 and 144.60 to 144.74, promulgate Promulgate rules establishing groundwater quality standards or groundwater quantity standards, or both, for any prospecting or mining activity, including standards for any mining waste site.

**SECTION 2.** 160.19 (12) of the statutes is repealed.

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