Agenda
Board of Water Commissioners
625 52nd Street, Room 202
Monday, September 30, 2019
5:30PM

Chairperson David F. Bogdala
Vice Chairperson Bruce Fox
Commissioner Mitchell Pedersen
Commissioner Jack Rose
Commissioner Dominic Ruffalo
Commissioner Bill Siel

Call to Order
Roll Call
Citizens’ Comments

Approval of the Minutes of the Regular Meeting held on September 9, 2019.

1. Response to Wisconsin Department of Natural Resources letter of July 22, 2019, requesting testing for PFAS (perfluoroalkyl and polyfluoroalkyl substances). CLOSED SESSION: The Board of Water Commissioners may go into Closed Session regarding this item pursuant to §19.85(1)(g), Wisconsin Statutes to confer with legal counsel for the City to render oral advice with regard to strategy for potential litigation. The Board of Water Commissioners may or may not reconvene into open session for purposes of holding a hearing and making a final determination.

COMMISSIONERS’ COMMENTS

End of Meeting

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 262-653-4308 BY NOON BEFORE THIS MEETING TO MAKE ARRANGEMENTS FOR REASONABLE ON-SITE ACCOMMODATIONS.
Minutes
Board of Water Commissioners
September 9, 2019

The regular meeting of the Board of Water Commissioners was held on Monday, September 9, 2019 in Room 202 of the Municipal Building.

The meeting was called to order at 5:30 p.m. by Chairperson David Bogdala.

At roll call the following members were present: Chairperson Bogdala, Vice Chairperson Bruce Fox and Commissioners Mitchell Pedersen, Jack Rose, Dominic Ruffalo and Bill Siel. KWU staff members present were: Curt Czarnecki (General Manager), Sue Hill (Director of Personnel & Administration) and Kori Stanton (Office Associate). Brian Cater (Deputy Director of Public Works) was also present.

CITIZENS’ COMMENTS: None

Approval of the Minutes of the Regular Meeting held on August 26, 2019.

It was moved by Commissioner Pedersen, seconded by Commissioner Ruffalo to approve. Motion carried unanimously.

1. Disbursements for the Month of August 2019.

   It was moved by Vice Chairperson Fox, seconded by Commissioner Siel to receive and file. Motion carried unanimously.

2. Agreement for the Purchase and Sale of Real Estate by and between the Kenosha Water Utility and the City of Kenosha for Project ID 1310-10-23 (S.T.H. 50 Reconstruction) (Parcel No. 20; 6300 75th Street). (District 16)

   Curt Czarnecki spoke and recommended approval. He and Brian Cater answered questions from the Commissioners. It was moved by Commissioner Rose, seconded by Commissioner Siel to approve. Motion carried unanimously.


   Curt Czarnecki provided the status report and answered questions from the Commissioners. Chairperson Bogdala asked that staff continue to provide
updates as the installation progresses and also asked Mr. Czarnecki to convey the Board’s thanks to Melissa Arnot (Director of Operations) for negotiating a lower price for this system. It was moved by Vice Chairperson Fox, seconded by Commissioner Rose to receive and file. Motion carried unanimously.

COMMISSIONERS’ COMMENTS:

- Chairperson Bogdala and Curt Czarnecki informed the Board that they would be signing the required Warranty Deed which was provided after-the-fact by the Wisconsin Department of Transportation for the Agreement for Purchase and Sale of Real Estate to facilitate Project ID 1310-10-24 (S.T.H. 50 Reconstruction) (Parcel No. 170, 6316 75th Street) which was unanimously approved by the Board at the meeting held June 24, 2019.

There being no further business to come before the Board of Water Commissioners, it was moved, seconded and unanimously carried to adjourn at 5:45 p.m.
July 22, 2019

Ed St. Peter
Kenosha Wastewater Treatment Facility
4401 Green Bay Rd
Kenosha, WI 53144-1716

Subject: Kenosha Wastewater Treatment Facility, WPDES Permit No. WI-0028703
PFAS Monitoring Request for Municipal Wastewater Treatment Facilities with Industrial Pretreatment Programs or Users Expected to be PFAS sources

Dear Permittee:

The Department of Natural Resources (hereafter department) is launching a statewide initiative to identify and quantify sources of perfluoroalkyl and polyfluoroalkyl substances (PFAS, formerly referred to as PFCs) with specific emphasis on perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA). In order to accomplish this, the department is requesting that municipal wastewater treatment facilities with industrial pretreatment programs or contributing industries expected to be sources of PFAS to sample their influent and effluent for PFAS compounds.

Background

PFAS are a group of humanmade chemical compounds that have been widely used in industrial and consumer products since the 1940s. Common products containing these compounds include: nonstick coatings, paper and packaging materials, certain firefighting foams, and metal plating materials.

Studies indicate that PFOA and PFOS can cause reproductive and developmental, liver and kidney, and immunological effects in laboratory animals.1 For humans, the most consistent findings are increased cholesterol levels among exposed populations, with more limited findings related to infant birth weights and effects on the immune system.1 Additionally, PFAS have been shown to bioaccumulate in people, with detectable blood serum levels found in >98% of the US population.2

With some exceptions for limited industrial uses, chemical manufacturers in the United States have voluntarily ceased production of PFOA and PFOS, but these compounds are still manufactured in other countries and may be imported through consumer goods including carpets, paper and packaging, and coatings. It is also still legal to use existing stocks of PFOS-containing firefighting foams (Class B) in the United States. Due to the persistent nature of these compounds, PFAS may be present on or near sites years after they were used.

The following types of industries are known sources of PFAS compounds3:

- Platers/metal finishers
- Paper and packaging manufacturers
• Tanneries and leather/fabric/carpet treaters
• Manufacturers of parts with PTFE (polytetrafluoroethylene, Teflon type)
• Facilities that manufacture or use coatings
• Centralized waste treaters
• Dairy processing facilities and cheesemakers, where milk supply is sourced from livestock grazing on fields that have received PFAS-contaminated biosolids
• Fire-fighting equipment manufacturers
• Military bases
• Airports
• Household cleaning product manufacturers

Centralized waste treaters and/or wastewater treatment facilities are not sources that generate PFAS compounds; however, the compounds are often directed to and accumulate in or passed through these facilities.

Note: The above list may not be exhaustive.

Requested Actions

As Phase 1 of the department’s initiative, the department is requesting that if your POTW has an industrial pretreatment program, industries expected to be sources of PFAS discharge wastewater to your POTW, or if you have other reason to believe your POTW effluent may contain PFAS, the department requests that your facility completes the following steps:

1. Monitor influent and effluent for PFAS: The department is requesting that the influent and effluent of your facility be sampled and analyzed for PFAS within 90 days of receipt of this letter. Although PFOS and PFOA are the primary pollutants of concern at this time, the department has an interest in a suite of 34 additional PFAS compounds. Based on past experience, the department expects that lab costs will be approximately $300 - $400/sample. Please submit all of the reported PFAS compound results reported by the laboratory to the department. Results should be sent to DNRWYPFASWastewater@wisconsin.gov. As our understanding of these emerging pollutants progresses, this information will likely be useful in quantifying the extent of contamination statewide. Currently, there are no USEPA-approved methods for PFAS analysis of wastewater, but the department recommends that facilities use a laboratory that utilizes an isotope dilution procedure.

2. Investigate/Reduce Sources: If the combined (additive) concentration of PFOS and PFOA in the influent or effluent is at or above 20 nanograms per liter (ng/L), the department recommends that you also conduct a review of your industrial users to identify facilities that may be potential sources of PFOA and PFOS. You will likely need to review records and interview your contacts to find out which industrial or commercial contributors use/have used or accept/have accepted PFAS-containing materials or wastes. Please note that since these compounds are persistent, they may adhere to the bottoms or sides of tanks and pits and be present long after PFAS-containing chemicals were used.

Once you have samples collected and have identified potential PFAS sources, the department would like to work with you to establish a sampling protocol of the wastewater from probable PFAS sources. After representative samples are collected and PFAS sources are more clearly identified, department staff would like to collaboratively work with municipalities and the industrial sources to reduce and eliminate PFAS in the effluent. Source reduction efforts may include: product substitution, operational controls, pretreatment, and clean-up of historical contamination.
Fate and Transport Study Participation

The University of Wisconsin - Madison plans to conduct a study of twelve municipalities throughout the state that will examine the fate and transport of PFAS compounds within wastewater treatment facilities. The study will involve sampling of each facility’s influent, internal points of interest, biosolids, effluent, upstream receiving water, and downstream receiving water in order to conduct a mass balance analysis and to assess how these compounds behave. For facilities participating in the study, all costs associated with the study’s sampling efforts will be covered.

If you are interested in participating in this study, please contact Nate Willis at nathaniel.willis@wisconsin.gov within 45 days of receipt of this letter for consideration. Please note that interest in this study does not necessarily mean your facility will be chosen for participation. Several factors will go into determining which facilities are chosen, including but not limited to: likelihood of presence of PFAS in the effluent, the design flow of the facility, the portion of the influent that originates from industrial contributors, etc. If your facility is chosen for this study and PFAS is detected above thresholds discussed in step 2, the department requests that you complete step 2 as outlined above. Additionally, if your facility is not chosen for this study, the department still requests that the actions outlined above be completed.

The department appreciates your efforts to support this initiative. Data collected through this initiative will be used to mitigate PFAS impacts statewide. The data will also be used to evaluate and support rulemaking and associated economic impact analyses to adopt statewide water quality standards for PFAS compounds. Development of surface water quality standards for PFAS was identified as a priority in the most recent Triennial Standards Review, and the Department of Health Services has developed a recommendation for a groundwater enforcement standard of 20 ng/L combined PFOA and PFOS that the department intends to adopt. The department’s intent is that completion of the steps outlined will position facilities to more easily comply with expected PFAS standards upon promulgation.

More Information

To find out more about PFAS, go to dnr.wi.gov/topic/Contaminants/PFAS.html, https://pfas-1.itrcweb.org/fact-sheets/ or www.epa.gov/pfas. More information on industrial sources can be found at www.oecd.org/chemicalsafety/portal-perfluorinated-chemicals/aboutpfass. Toxicological information can be found at www.atsdr.cdc.gov/pfas.

If you have any questions or comments regarding this monitoring request, please contact Nate Willis at nathaniel.willis@wisconsin.gov.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

Jason Knutson, P.E.
Chief, Wastewater Section
Bureau of Water Quality

Wade Strickland
Chief, Water Permits Section
Bureau of Water Quality

1 – US Environmental Protection Agency (www.epa.gov/pfas/basic-information-pfas#health)