



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 54777

File ID: 54777

File Type: Resolution

Status: Items Referred

Version: 2

Reference:

Controlling Body: COMMON
COUNCIL
EXECUTIVE
COMMITTEE

File Created Date : 02/19/2019

File Name: Creating the Task Force on PFAS Contamination (per- and polyfluoroalkyl substances) to review, analyze and provide recommendations for a comprehensive response to PFAS contamination in Madison.

Final Action:

Title: SUBSTITUTE - Creating a special task force on PFAS (per- and polyfluoroalkyl substances) contamination to review, analyze and provide recommendations for a comprehensive response to PFAS contamination in Madison.

Notes:

Sponsors: Marsha A. Rummel, Samba Baldeh and Syed Abbas

Effective Date:

Attachments: 54777 v1.pdf, Written Comments to Water Utility Board 3-26-2019.pdf

Enactment Number:

Author: Ald. David Ahrens, District 15

Hearing Date:

Entered by: lveldran@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1		Elizabeth York	Approve
2		Elizabeth York	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	02/19/2019	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Common Council Executive Committee, Board of Public Health Madison-Dane County, Water Utility Board, Committee on the Environment					

1	COMMON COUNCIL	02/26/2019	Refer	COMMON COUNCIL EXECUTIVE COMMITTEE	Pass
	Action Text: A motion was made by Baldeh, seconded by Carter, to Refer to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.				
	Notes: Additional referrals to Board of Public Health Madison-Dane County, Water Utility Board, Committee on the Environment.				
2	COMMON COUNCIL EXECUTIVE COMMITTEE	02/26/2019	Referred	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	04/03/2019
	Action Text: This Resolution was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY				
	Notes:				
2	COMMON COUNCIL EXECUTIVE COMMITTEE	02/26/2019	Referred	WATER UTILITY BOARD	03/26/2019
	Action Text: This Resolution was Referred to the WATER UTILITY BOARD				
	Notes:				
2	COMMON COUNCIL EXECUTIVE COMMITTEE	02/26/2019	Referred	COMMITTEE ON THE ENVIRONMENT	04/15/2019
	Action Text: This Resolution was Referred to the COMMITTEE ON THE ENVIRONMENT				
	Notes:				
2	COMMITTEE ON THE ENVIRONMENT	03/18/2019			
2	WATER UTILITY BOARD	03/26/2019	Return to Lead with the Following Recommendation(s)	COMMON COUNCIL EXECUTIVE COMMITTEE	Pass
	Action Text: There were two registrants in support of the resolution: Maria Powell and Tom Boswell. The board also received written comments from Ed Blume and Jim Powell supporting the resolution (see attached).				
	A motion was made by McLinn, seconded by Ahrens, to Return to Lead with the Following Recommendation(s):				
	Add two (2) additional members to the Task Force: the Madison Water Utility General Manager, or his designee; and a member of Board of Health.				
	Change the deadline for the Task Force to make its final recommendations from December 31, 2019 to June 30, 2020.				
	The motion passed by unanimous voice vote.				
2	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	04/03/2019	Return to Lead with the Following Recommendation(s)	COMMON COUNCIL EXECUTIVE COMMITTEE	Pass

Action Text: A motion was made by Phair, seconded by Halverson, to Return to Lead with the Following Recommendation(s) to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.

Change Title to: Creating a special task force on PFAS (per- and polyfluoroalkyl substances) contamination to review, analyze and provide recommendations for a comprehensive response to PFAS contamination in Madison and Dane County.

Revise bullet point to read: Analyze options, with a health equity perspective, for protecting populations impacted by Well 15 (and other possible wells) from PFAS contamination of the drinking water, including shutting down the well, providing health advisories to households with infants and young children, establishing an outreach program throughout the Well 15 service area, establishing a local action level for mitigation at city wells, remediation at the well or home filters.

There were 6 registrants in support.

2	COMMITTEE ON THE ENVIRONMENT	04/15/2019	Return to Lead with the Following Recommendation(s)	COMMON COUNCIL EXECUTIVE COMMITTEE		Pass
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Action Text: A motion was made by Leeper, seconded by Wood, to Return to Lead with the Following Recommendation(s).

The Task Force shall coordinate with the Department of Health and the WDNR.

The motion passed by unanimous voice vote.

Notes:

2	COMMON COUNCIL EXECUTIVE COMMITTEE	05/14/2019	Re-refer	COMMON COUNCIL EXECUTIVE COMMITTEE	06/11/2019	Pass
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Action Text: Doug Vogeli, Madison-Dane County Public Health Department, and Joe Grande, Water Utility, were present for discussion on this item.

Ald. Rebecca Kemble moved approval of the substitute resolution, seconded by Ald. Grant Foster.

Ald. Rummel provided the members with background on the substitute resolution.

There were questions about the formation of the task force, how it would interact with Water Utility, engaging the community and addressing their concerns, budget for a study on fish tissue.

A second substitute resolution could be created for consideration by the CCEC that captures the concerns of the committee.

A motion was made by Ald. Barbara Harrington-McKinney, seconded by Ald. Rebecca Kemble, to re-refer to the COMMON COUNCIL EXECUTIVE COMMITTEE and should be returned by 6/11/2019. The motion passed by voice vote/other.

2	COMMON COUNCIL EXECUTIVE COMMITTEE	07/02/2019				
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Text of Legislative File 54777

Fiscal Note

The proposed resolution creates a Task Force on PFAS Contamination (per- and polyfluoroalkyl substances) to review, analyze and provide recommendations for a comprehensive response to PFAS contamination in Madison. The 2019 Public Health operating budget includes \$5,000 to study PFAS substances in fish tissue and surface water, with the intention of using the funds in

conjunction with a DNR study scheduled for the summer of 2019. With the adoption of this resolution, the intention is to allow the Madison Water Utility to use some of the \$5,000 for staff travel, testing of local waters and other costs incurred by the Task Force to perform the duties specified and prepare the report. While there may be recommendations in the report with future fiscal implications, no appropriation is required at this time.

Title

SUBSTITUTE - Creating a special task force on PFAS (per- and polyfluoroalkyl substances) contamination to review, analyze and provide recommendations for a comprehensive response to PFAS contamination in Madison.

Body

WHEREAS, per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals, that include PFOA and PFOS, that have been used in numerous industries since the 1940s. The chemicals are very persistent in the environment and in the human body and do not break down, meaning that they can accumulate over time. PFAS have been used for decades in firefighting foam, and consumer products such as nonstick pans, stain-proof fabrics and dental floss; and,

WHEREAS, impacts of PFAS on human health are only now becoming known. These chemicals have been linked to adverse human health effects including low fertility, high cholesterol, immune system deficiencies, kidney and liver disease, risk of several types of cancer and stunted development of children and fetuses; and,

WHEREAS, the Environmental Protection Agency (EPA) and the Wisconsin Department of Natural Resources (WDNR) have been slow to respond to the public health threats caused by the accumulation of PFAS in the environment. The EPA has promulgated a "health advisory" for a combined concentration of PFOS/ PFAS of 70 nanograms/liter, and has only just begun the process to look at establishing a regulatory standard for this substance, including drinking water standards. Meanwhile, other states have begun to look at PFAS contamination and three states have established lower levels as a regulatory standard; and,

WHEREAS, during testing in 2017, high levels of PFAS (600 times the advisory threshold) were detected in the immediate groundwater beneath the area at the Dane County owned Truax airfield where the Air National Guard (ANG) Wing #115 used firefighting foam containing PFAS in training sessions over many years; and,

WHEREAS, the Truax PFAS site is less than one mile from Well 15, which well provides roughly 400,000,000 gallons of drinking water per year to residents of the north and northeast sections of the City;

WHEREAS, in 2017, the Madison Water Utility (MWU) tested five wells that are located near the airport or old City landfills for PFAS contamination. The tests indicated trace amounts of PFAS in Well 16 (near Mineral Point Rd. and a former landfill) and subsequent tests have found more significant levels and several types of PFAS at Well 15 on East Washington Ave (42 parts per trillion as of October 2018); and,

WHEREAS, the Air National Guard has indicated a willingness to investigate the PFAS contaminations at ~~Truax Field~~ **two Dane County owned sites**, and will prepare a statement of work to remediate the sites if needed; and,

WHEREAS, an inter-agency group consisting of representatives of the Air National Guard, the Wisconsin Department of Natural Resources, the Wisconsin Department of Health Services, Public Health Madison and Dane County, and the Madison Water Utility

has formed to discuss agency efforts at the local, state and regional level on PFAS-related issues; and,

WHEREAS, with a lack of federal regulatory standards for drinking water and guidance on contaminated soils and groundwater from the EPA and WDNR, the creation of a multi-jurisdictional task force that is focused on PFAS contamination and which includes stakeholders and community representatives, will enable the City to take the lead on addressing PFAS contamination in the City.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council creates a Task Force on PFAS Contamination with a total of ten (10) members: the Director of Public Health Madison and Dane County, or her designee; a member of the Water Utility Board, who shall be appointed by that Board; a member of the Common Council, a resident of the Well 15 service area, an at-large resident of the City, a licensed medical doctor, and two (2) residents of Dane County who are scientific experts, all of whom shall be appointed by the Mayor and approved by the Common Council; a representative of the Wisconsin Air National Guard, who shall be appointed by that entity; and a member of the Dane County Board of Supervisors, who shall be appointed by the Chair of the Dane County Board of Supervisors.

BE IT FURTHER RESOLVED, that the Task Force be staffed by ~~Public Health Madison and Dane County (PHMDC)~~ **the Madison Water Utility (MWU)**, with the assistance of other City staff, ~~including specifically the Madison Water Utility, as determined by PHMDC.~~

BE IT FURTHER RESOLVED, that that the Task Force is to do the following:

- Analyze options for protecting the population served by Well 15 (and other possible wells) from PFAS contamination of the drinking water, including shutting down the well, providing health advisories to households with infants and young children, establishing an outreach program throughout the Well 15 service area, establishing a local action level for mitigation at city wells, remediation at the well or home filters.
- Propose an initial framework for investigating the off-base migration of PFAS from Truax Field and recommend alternate strategies to address the significant soil and shallow groundwater contamination previously identified.
- Review results of a more comprehensive testing program for PFAS at all MWU wells.
- Develop recommendations to WDNR of an enforceable state standard for drinking water for PFAS.
- Analyze potential effects of PFAS contamination on surface waters, including specifically Starkweather Creek and Lake Monona, and adopt a local PFAS specific "fish advisory," based on available evidence.
- Confer with agencies and organizations in other states that have responded to elevated levels of PFAS in their water supply about their experiences, best practices and responses.
- Analyze the potential role of the Madison Metropolitan Sewerage District in broadcasting PFAS in its fertilizer operations and into the private water wells and city aquifers.
- Meet and confer with representatives of the inter-agency group on PFAS to ensure coordination of work and information exchange.

BE IT FURTHER RESOLVED that the \$5,000 in the City's portion of Public Health Madison and Dane County budget to study PFAS in fish tissue and surface water also be used to fund City staff activities in support of the Task Force, including additional testing, travel, or other duties incurred in assisting the Task Force and preparing the report.

BE IT FINALLY RESOLVED that the Task Force shall complete an interim report of its findings and recommendations for a comprehensive response to PFAS contamination in Madison within

six months of its initial meeting, and make final recommendations to the Mayor and Common Council on or before December 31, 2019.