

# Appendix A: Executive Order #40



**OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #40**

**Relating to the Public Health Risk from Per- and Polyfluoroalkyl Substances (PFAS) and the Creation of the PFAS Coordinating Council**

**WHEREAS**, I, Governor Tony Evers, declared 2019 the Year of Clean Drinking Water because all Wisconsin residents deserve access to safe drinking water and clean natural resources;

**WHEREAS**, more than four million Wisconsin residents rely on public water systems that draw from surface and ground water, and an additional estimated 1.74 million Wisconsin residents rely on private wells for access to safe, clean drinking water;

**WHEREAS**, PFAS represent a class of thousands of human-made chemicals which are not naturally found in the environment, easily transfer through soil to groundwater, persist indefinitely, and have been shown to be harmful to human health;

**WHEREAS**, PFAS have been detected in several counties, cities, villages and towns throughout Wisconsin including in the drinking, ground, and surface water and the tissue and blood of fish and wildlife;

**WHEREAS**, nationwide studies show measurable levels of PFAS in 98 percent of the US population;

**WHEREAS**, exposure to certain PFAS in the environment can lead to adverse human health effects including thyroid disease, decreased fertility, complications in pregnancy, low birth weights, decreased immune response, increased cholesterol, and cancer;

**WHEREAS**, the absence of federal enforceable regulatory standards, including drinking water standards relating to PFAS contamination demands an immediate, proactive, and unified response from the executive, state agencies, and the legislature to protect public health and state natural resources;

**WHEREAS**, a collaborative approach is needed to assess potential hazards, share data, identify best practices, establish uniform enforceable standards, and leverage funding sources; and

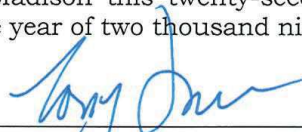
**WHEREAS**, I, Governor Tony Evers, as Chair of the Conference of Great Lakes and St. Lawrence Governors and Premiers, have facilitated bipartisan and binational collaboration to comprehensively address the threat of PFAS contamination to public health and the environment, emphasizing interstate coordination and increased transparency.

**NOW, THEREFORE, I, TONY EVERS**, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the Laws of the State hereby:


1. Order the Department of Natural Resources, in coordination with the Department of Health Services and the Department of Agriculture, Trade, and Consumer Protection, to:
  - a. Establish a public information website to properly inform the public on the matter of PFAS and the risk these chemicals pose to public health and Wisconsin's natural resources.
  - b. Collaborate with municipalities and wastewater treatment plants on screening programs to identify potential sources of PFAS into the environment.
  - c. Expand monitoring and consideration of PFAS in the development of fish and other wildlife consumption advisories to protect human health.
  - d. Develop regulatory standards to protect public health and the environment from PFAS contamination.
  - e. Modify the Voluntary Party Liability Exemption law, which provides future liability exemptions after successful completion of hazardous substance cleanup, to protect Wisconsin taxpayers from uncertain and costly liability associated with PFAS.
  - f. Assess opportunities for using natural resources damages claims under state or federal law to address compensation for PFAS impacts to natural resources.
  
2. Create the PFAS Coordinating Council, pursuant to Section 14.019 of the Wisconsin Statutes. The Council shall be staffed by the Department of Natural Resources, with assistance provided by other agencies. Membership of the Council shall include a representative from each agency seeking to participate. The Secretary of the Department of Natural Resources or the Secretary's designee shall serve as chair of the Council and may select additional members. The Council shall do the following:
  - a. Develop a multi-agency PFAS action plan for the State of Wisconsin.
  - b. Develop protocols to effectively inform, educate, and engage the public about PFAS.
  - c. Identify and prioritize likely known PFAS sources and incorporate this information into the PFAS action plan.
  - d. Evaluate the public health risks of PFAS in addition to any impacts to Wisconsin's natural resources, agriculture, wildlife, and fisheries.
  - e. Develop best practices and protocols for identifying PFAS sources to ensure that the materials are managed in a way that protects natural resources and human health.
  - f. In partnership with stakeholders, develop standard testing and treatment protocols that are both cost-efficient and effective.
  - g. Engage academic institutions and experts to identify and collaborate on joint projects, and further identify technical resources necessary to implement a PFAS action plan.
  - h. Explore avenues of funding for the state, local governments, and private parties to aid their effort to address PFAS.



**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused the Great seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-second day of August in the year of two thousand nineteen.

  
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TONY EVERS  
Governor

By the Governor:

  
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DOUGLAS LA FOLLETTE  
Secretary of State