

(22) “Wastewater and sludge storage or treatment lagoon” means a natural or man-made containment structure, constructed primarily of earthen materials for the treatment or storage of wastewater or sludge, which is not a land disposal system.

History: Cr. Register, September, 1985, No. 357, eff. 10-1-85; cr. (1m), am. (7), (17) and (18), Register, October, 1988, No. 394, eff. 11-1-88; am. (6), cr. (20h) and (20m), Register, March, 1994, No. 459, eff. 4-1-94; cr. (1s), (10e), (10s), (20k), r. and recr. (12), (13), Register, August, 1995, No. 476, eff. 9-1-95; cr. (14m), Register, October, 1996, No. 490, eff. 11-1-96; am. (20), Register, December, 1998, No. 516, eff. 1-1-99; correction in (9) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 2001, No. 544; CR 02-134; cr. (1u), (1w), (1y) and (20s) Register June 2003 No. 570, eff. 7-1-03; correction in (20) made under s. 13.92 (4) (b) 6., Stats., Register January 2012 No. 673.

Subchapter II — Groundwater Quality Standards

NR 140.10 Public health related groundwater standards. The groundwater quality standards for substances of public health concern are listed in Table 1.

Note: For all substances that have carcinogenic, mutagenic or teratogenic properties or interactive effects, the preventive action limit is 10% of the enforcement standard. The preventive action limit is 20% of the enforcement standard for all other substances that are of public health concern. Enforcement standards and preventive action limits for additional substances will be added to Table 1 as recommendations are developed pursuant to ss. 160.07, 160.13 and 160.15, Stats.

**Table 1
Public Health Groundwater Quality Standards**

Substance¹	Enforcement Standard (micrograms per liter – except as noted)	Preventive Action Limit (micrograms per liter – except as noted)
Acetochlor	7	0.7
Acetochlor ethane sulfonic acid + oxanilic acid (Acetochlor – ESA + OXA)	230	46
Acetone	9 mg/l	1.8 mg/l
Alachlor	2	0.2
Alachlor ethane sulfonic acid (Alachlor – ESA)	20	4
Aldicarb	10	2
Aluminum	200	40
Ammonia (as N)	9.7 mg/l	0.97 mg/l
Antimony	6	1.2
Anthracene	3000	600
Arsenic	10	1
Asbestos	7 million fibers per liter (MFL)	0.7 MFL
Atrazine, total chlorinated residues	3 ²	0.3 ²
Bacteria, Total Coliform	0 ³	0 ³
Barium	2 milligrams/liter (mg/l)	0.4 mg/l
Bentazon	300	60
Benzene	5	0.5
Benzo(b)fluoranthene	0.2	0.02
Benzo(a)pyrene	0.2	0.02
Beryllium	4	0.4
Boron	1000	200
Bromodichloromethane	0.6	0.06
Bromoform	4.4	0.44
Bromomethane	10	1
Butylate	400	80
Cadmium	5	0.5
Carbaryl	40	4
Carbofuran	40	8
Carbon disulfide	1000	200
Carbon tetrachloride	5	0.5
Chloramben	150	30
Chlordane	2	0.2
Chlorodifluoromethane	7 mg/l	0.7 mg/l
Chloroethane	400	80
Chloroform	6	0.6
Chlorpyrifos	2	0.4
Chloromethane	30	3
Chromium (total)	100	10
Chrysene	0.2	0.02

Table 1 – Continued
Public Health Groundwater Quality Standards

Substance¹	Enforcement Standard (micrograms per liter – except as noted)	Preventive Action Limit (micrograms per liter – except as noted)
Cobalt	40	8
Copper	1300	130
Cyanazine	1	0.1
Cyanide, free ⁴	200	40
Dacthal	70	14
1,2-Dibromoethane (EDB)	0.05	0.005
Dibromochloromethane	60	6
1,2-Dibromo-3-chloropropane (DBCP)	0.2	0.02
Dibutyl phthalate	1000	100
Dicamba	300	60
1,2-Dichlorobenzene	600	60
1,3-Dichlorobenzene	600	120
1,4-Dichlorobenzene	75	15
Dichlorodifluoromethane	1000	200
1,1-Dichloroethane	850	85
1,2-Dichloroethane	5	0.5
1,1-Dichloroethylene	7	0.7
1,2-Dichloroethylene (cis)	70	7
1,2-Dichloroethylene (trans)	100	20
2,4-Dichlorophenoxyacetic Acid (2,4-D)	70	7
1,2-Dichloropropane	5	0.5
1,3-Dichloropropene (cis/trans)	0.4	0.04
Di (2-ethylhexyl) phthalate	6	0.6
Dimethenamid/Dimethenamid-P	50	5
Dimethoate	2	0.4
2,4-Dinitrotoluene	0.05	0.005
2,6-Dinitrotoluene	0.05	0.005
Dinitrotoluene, Total Residues ⁵	0.05	0.005
Dinoseb	7	1.4
1,4-Dioxane	3	0.3
Dioxin (2, 3, 7, 8-TCDD)	0.00003	0.000003
Endrin	2	0.4
EPTC	250	50
Ethylbenzene	700	140
Ethyl ether	1000	100
Ethylene glycol	14 mg/l	2.8 mg/l
Fluoranthene	400	80
Fluorene	400	80
Fluoride	4 mg/l	0.8 mg/l
Fluorotrichloromethane	3490	698
Formaldehyde	1000	100
Heptachlor	0.4	0.04
Heptachlor epoxide	0.2	0.02
Hexachlorobenzene	1	0.1
N-Hexane	600	120
Hydrogen sulfide	30	6
Lead	15	1.5
Lindane	0.2	0.02
Manganese	300	60
Mercury	2	0.2

Table 1 – Continued
Public Health Groundwater Quality Standards

Substance¹	Enforcement Standard (micrograms per liter – except as noted)	Preventive Action Limit (micrograms per liter – except as noted)
Methanol	5000	1000
Methoxychlor	40	4
Methylene chloride	5	0.5
Methyl ethyl ketone (MEK)	4 mg/l	0.8 mg/l
Methyl isobutyl ketone (MIBK)	500	50
Methyl tert-butyl ether (MTBE)	60	12
Metolachlor/s–Metolachlor	100	10
Metolachlor ethane sulfonic acid + oxanilic acid (Metolachlor – ESA + OXA)	1.3 mg/l	0.26 mg/l
Metribuzin	70	14
Molybdenum	40	8
Monochlorobenzene	100	20
Naphthalene	100	10
Nickel	100	20
Nitrate (as N)	10 mg/l	2 mg/l
Nitrate + Nitrite (as N)	10 mg/l	2 mg/l
Nitrite (as N)	1 mg/l	0.2 mg/l
N–Nitrosodiphenylamine	7	0.7
Pentachlorophenol (PCP)	1	0.1
Perchlorate	1	0.1
Phenol	2 mg/l	0.4 mg/l
Picloram	500	100
Polychlorinated biphenyls (PCBs)	0.03	0.003
Prometon	100	20
Propazine	10	2
Pyrene	250	50
Pyridine	10	2
Selenium	50	10
Silver	50	10
Simazine	4	0.4
Styrene	100	10
Tertiary Butyl Alcohol (TBA)	12	1.2
1,1,1,2–Tetrachloroethane	70	7
1,1,2,2–Tetrachloroethane	0.2	0.02
Tetrachloroethylene	5	0.5
Tetrahydrofuran	50	10
Thallium	2	0.4
Toluene	800	160
Toxaphene	3	0.3
1,2,4–Trichlorobenzene	70	14
1,1,1–Trichloroethane	200	40
1,1,2–Trichloroethane	5	0.5
Trichloroethylene (TCE)	5	0.5
2,4,5–Trichlorophenoxy–propionic acid (2,4,5–TP)	50	5
1,2,3–Trichloropropane	60	12
Trifluralin	7.5	0.75
Trimethylbenzenes (1,2,4– and 1,3,5– combined)	480	96
Vanadium	30	6

Table 1 – Continued
Public Health Groundwater Quality Standards

Substance¹	Enforcement Standard (micrograms per liter – except as noted)	Preventive Action Limit (micrograms per liter – except as noted)
Vinyl chloride	0.2	0.02
Xylene ⁶	2 mg/l	0.4 mg/l

¹ Appendix 1 contains Chemical Abstract Service (CAS) registry numbers, common synonyms and trade names for most substances listed in Table 1.

² Total chlorinated atrazine residues includes parent compound and the following metabolites of health concern: 2-chloro-4-amino-6-isopropylamino-s-triazine (formerly deethylatrazine), 2-chloro-4-amino-6-ethylamino-s-triazine (formerly deisopropylatrazine) and 2-chloro-4,6-diamino-s-triazine (formerly diaminoatrazine).

³ Total coliform bacteria may not be present in any 100 ml sample using either the membrane filter (MF) technique, the presence-absence (P-A) coliform test, the minimal medium ONPG-MUG (MMO-MUG) test or not present in any 10 ml portion of the 10-tube multiple tube fermentation (MTF) technique.

⁴ "Cyanide, free" refers to the simple cyanides (HCN, CN⁻) and/or readily dissociable metal-cyanide complexes. Free cyanide is regulatorily equivalent to cyanide quantified by approved analytical methods for "amenable cyanide" or "available cyanide".

⁵ Dinitrotoluene, Total Residues includes the dinitrotoluene (DNT) isomers: 2,3-DNT, 2,4-DNT, 2,5-DNT, 2,6-DNT, 3,4-DNT and 3,5-DNT.

⁶ Xylene includes meta-, ortho-, and para-xylene combined.

History: Cr. Register, September, 1985, No. 357, eff. 10-1-85; am. table 1, Register, October, 1988, No. 394, eff. 11-1-88; am. table 1, Register, September, 1990, No. 417, eff. 10-1-90; am. Register, January, 1992, No. 433, eff. 2-1-92; am. Table 1, Register, March, 1994, No. 459, eff. 4-1-94; am. Table 1, Register, August, 1995, No. 476, eff. 9-1-95; am. Table 1, Register, December, 1998, No. 516, eff. 1-1-99; am. Table 1, boron, Register, December, 1998, No. 516, eff. 12-31-99; am. Table 1, Register, March, 2000, No. 531, eff. 4-1-00; CR 03-063: am. Table 1, Register February 2004 No. 578, eff. 3-1-04; CR 02-095: am. Table 1, Register November 2006 No. 611, eff. 12-1-06; reprinted to correct errors in Table 1, Register January 2007 No. 613; CR 07-034: am. Table 1 Register January 2008 No. 625, eff. 2-1-08; CR 09-102: am. Table 1 Register December 2010 No. 660, eff. 1-1-11.

NR 140.12 Public welfare related groundwater standards. The groundwater quality standards for substances of public welfare concern are listed in Table 2.

Note: For each substance of public welfare concern, the preventive action limit is 50% of the established enforcement standard.

Table 2
Public Welfare Groundwater Quality Standards

Substance	Enforcement Standard (milligrams per liter – except as noted)	Preventive Action Limit (milligrams per liter – except as noted)
Chloride	250	125
Color	15 color units	7.5 color units
Foaming agents MBAS (Methylene-Blue Active Substances)	0.5	0.25
Iron	0.3	0.15
Manganese	0.05	0.025
Odor	3 (Threshold Odor No.)	1.5 (Threshold Odor No.)
Sulfate	250	125
Zinc	5	2.5

History: Cr. Register, September, 1985, No. 357, eff. 10-1-85; am. table 2, Register, October, 1990, No. 418, eff. 11-1-90; am. Table 2, Register, March, 1994, No. 459, eff. 4-1-94.

NR 140.14 Statistical procedures. (1) If a preventive action limit or an enforcement standard for a substance listed in Table 1 or 2, an alternative concentration limit issued in accordance with s. NR 140.28 or a preventive action limit for an indicator parameter established according to s. NR 140.20 (2) is attained or exceeded at a point of standards application:

(a) The owner or operator of the facility, practice or activity at which a standard is attained or exceeded shall notify the appropriate regulatory agency that a standard has been attained or exceeded; and

(b) The regulatory agency shall require a response in accordance with the rules promulgated under s. 160.21, Stats. No response shall be required if it is demonstrated to the satisfaction of the appropriate regulatory agency that a scientifically valid determination cannot be made that the preventive action limit or enforcement standard for a substance in Table 1 or 2 has been attained or exceeded based on consideration of sampling procedures or laboratory precision and accuracy, at a significance level of 0.05.

(2) The regulatory agency shall use one or more valid statistical procedures to determine if a change in the concentration of a substance has occurred. A significance level of 0.05 shall be used for all tests.

(3) In addition to sub. (2), the following applies when a preventive action limit or enforcement standard is equal to or less than the limit of quantitation:

(a) If a substance is not detected in a sample, the regulatory agency may not consider the preventive action limit or enforcement standard to have been attained or exceeded.

(b) If the preventive action limit or enforcement standard is less than the limit of detection, and the concentration of a substance is reported between the limit of detection and the limit of quantitation, the regulatory agency shall consider the preventive action limit or enforcement standard to be attained or exceeded only if:

1. The substance has been analytically confirmed to be present in the same sample using an equivalently sensitive analytical method or the same analytical method, and

2. The substance has been statistically confirmed to be present above the preventive action limit or enforcement standard, determined by an appropriate statistical test with sufficient samples at a significance level of 0.05.

(c) If the preventive action limit or enforcement standard is between the limit of detection and the limit of quantitation, the regulatory agency shall consider the preventive action limit or