

COMMISSION FILE NO: 25-152-11 **DATE INTRODUCED:** November 3, 2025

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Adoption of Approach to Per- and Polyfluoroalkyl Substance Compounds in the Milwaukee Region

SUMMARY:

The Commission is requested to adopt an approach to per- and polyfluoroalkyl substances (PFAS) in the Milwaukee region. The goal is to mitigate impacts to Milorganite® production and the water reclamation process, while also protecting Milwaukee region residents and Milorganite® customers nationwide from adverse impacts from PFAS compounds. The resolution directs District staff to take 12 actions to address this issue from multiple perspectives.

ATTACHMENTS: **BACKGROUND** ☒ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☐ _____

PFAS_Approach_PFAS_Compounds_MKE_Region_legislative_file.docx
10-16-25

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

BACKGROUND

Adoption of Approach to Per- and Polyfluoroalkyl Substance Compounds in the Milwaukee Region

PFAS is a group of more than 9,000 manmade chemicals that are fire, oil, grease, water, and stain resistant and are found in a wide array of consumer and industrial products, including nonstick cookware, food packaging, dental floss, cleaning products, and cosmetics. The District does not use PFAS in the production of Milorganite® fertilizer or in its water reclamation processes. Instead, water reclamation facilities are passive recipients of PFAS contained in wastewater emanating from residential, commercial, and industrial products. PFAS concentrations in wastewater streams vary significantly depending on local industry and historical firefighting operations at local airports. Fortunately, the District is unaware of significant sources of PFAS in its service area but is concerned about higher levels of PFAS entering its system from centralized waste treaters, landfills, and other avenues.

The Environmental Protection Agency has taken little action to address the continuing discussion on forever chemicals in the environment, resulting in many states starting to take actions on their own. This, unfortunately, leaves the door open for many states to pass variable, extreme legislation banning all biosolids fertilizers. The States of Maine and Connecticut have taken this step. In other states, legislation has been proposed but has not yet passed. These actions, if passed, will have a direct financial impact on every ratepayer in the District's service area.

To help address this, the National Association of Clean Water Agencies (NACWA) is developing model language that might help counter statewide bans on land application of biosolids fertilizers. NACWA has also developed a website, biosolidsexplained.org, to educate the public on the benefits of biosolids fertilizers.

Meanwhile, in 2024, Michigan adopted an interim strategy for perfluorooctanoic acid (PFOA) and PFAS for land application. The interim strategy in Michigan for PFAS/PFOA includes a bracketed approach:

- At levels below 20 parts per billion (ppb) there are no restrictions.
- At levels of 20 ppb and up to 99 ppb, biosolids producers are required to take samples, identify potential sources, and reduce land application rates.
- At levels of 100 ppb and above, land application is prohibited.

As a comparison, Milorganite's® 2025 average for [perfluorooctane sulfonate \(PFOS\)](#) PFAS/PFOA is 7.54 ppb.

BACKGROUND (Cont'd)

Adoption of Approach to Per- and Polyfluoroalkyl Substance Compounds in the Milwaukee Region

The District should be proactive to mitigate impacts to Milorganite® production and the water reclamation process, while also protecting Milwaukee region residents and Milorganite® customers nationwide from adverse impacts from PFAS compounds; therefore, the Executive Director proposes that the District take actions in the following 12 areas.

1. Identify major industries within the District's regional sewer service area that use PFAS/~~PFOA~~ in their industrial process and provide enhanced monitoring of these locations.
2. Design and implement a monitoring program for wastewater influent, effluent, air emissions, and biosolids for PFAS, beginning with ~~perfluorooctane-sulfonate (PFOS)~~ and PFOA, but potentially expanding to additional compounds.
3. Work with local sources that threaten compliance with the 20 ppb threshold for PFOS/PFOA to develop a PFAS/~~PFOA~~ reduction plan.
4. Establish local limits on industrial users with pretreatment permits.
5. Utilize the NACWA model legislative language and modify this language for Wisconsin applicability and advocate for legislation that prioritizes source control and risk-based effluent and biosolids limits (i.e. Michigan interim limits).
6. Strategically advocate for legislation in key states outside Wisconsin that prioritizes source control and risk-based effluent and biosolids limits, similar to the Michigan approach.
7. Analyze the amounts of PFAS/~~PFOA~~ in rainwater, urban runoff, and agricultural runoff.
8. Establish a river monitoring program for PFAS/~~PFOA~~.
9. Develop a brochure summarizing the pertinent scientific information, focused on public health and the affordability of PFAS/~~PFOA~~ treatment.
10. Partner with environmental groups, agronomists, and the United States Department of Agriculture to help educate the public.
11. Develop product redistribution plans to offset loss of sales in states that ban biosolid fertilizers.

BACKGROUND (Cont'd)

Adoption of Approach to Per- and Polyfluoroalkyl Substance Compounds in the Milwaukee Region

12. Update the District's financial analysis to better understand costs of alternate sludge disposal.

Through this integrated approach, the District will be better prepared for the future unknowns of the regulatory impacts on its Milorganite® program and the District's financial future.

RESOLUTION

Adoption of Approach to Per- and Polyfluoroalkyl Substance Compounds in the Milwaukee Region

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that District staff shall pursue the following 12 actions, to be implemented over the next 24 months:

1. Identify major industries within the District's regional sewer service area that use per- and polyfluoroalkyl substances in their industrial process and provide enhanced monitoring of these locations.
2. Design and implement a monitoring program for wastewater influent, effluent, air emissions, and biosolids for per- and polyfluoroalkyl substances, beginning with perfluorooctane sulfonate and perfluorooctanoic acid, but potentially expanding to additional compounds.
3. Work with local sources that threaten compliance with the 20 ppb threshold for perfluorooctane sulfonate—/perfluorooctanoic acid to develop a per- and polyfluoroalkyl substances/perfluorooctanoic acid reduction plan.
4. Establish local limits on industrial users with pretreatment permits.
5. Utilize the National Association of Clean Water Agencies' model legislative language and modify this language for Wisconsin applicability and advocate for legislation that prioritizes source control and risk-based effluent and biosolids limits.
6. Strategically advocate for legislation in key states outside Wisconsin that prioritizes source control and risk-based effluent and biosolids limits.
7. Analyze the amounts of per- and polyfluoroalkyl substances/perfluorooctanoic acid in rainwater, urban runoff, and agricultural runoff.
8. Establish a river monitoring program for per- and polyfluoroalkyl substances/perfluorooctanoic acid.
9. Develop a brochure summarizing the pertinent scientific information, focused on public health and the affordability of per- and polyfluoroalkyl substances/perfluorooctanoic acid treatment.
10. Partner with environmental groups, agronomists, and the United States Department of Agriculture to help educate the public.
11. Develop product redistribution plans to offset loss of sales in states that ban biosolid fertilizers.

RESOLUTION (Cont'd)

Adoption of Approach to Per- and Polyfluoroalkyl Substance Compounds in the Milwaukee Region

12. Update the District's financial analysis to better understand costs of alternate sludge disposal.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that, at the end of the 24 months, the Executive Director shall report to the Commission on the 12 actions and the impact of per- and polyfluoroalkyl substances compounds on District operations.