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Memorandum of Understanding
between the
Department of Health and Social Services
and the
Department of Natural Resources

I. Purpose

The Department of Health and Social Services (DHSS) and the Department of Natural Resources (DNR) have closely related program responsibilities for protecting public health and the environment. The purpose of this Memorandum of Understanding (MOU) is to clarify the role of each agency and to establish procedures for cooperation and integration of activities that will be of benefit to both agencies.

DHSS and DNR acknowledge their mutual resource limitations and their need to prioritize workloads resulting from this MOU to utilize the limited resources to most effectively achieve the desired results.

This MOU supercedes and replaces all previous agreements between these two departments. Any subsequent agreements will be made by amending this MOU.

II. Provisions

A. General Risk Assessment/Risk Management Procedures For Toxic Substances

Risk assessment and risk management are distinct but interrelated processes. Risk ASSESSMENT procedures are designed to systematically identify and utilize the best scientific information available in a logical, consistent manner to uniformly and understandably characterize exposure pathways, and potential adverse health impacts at different exposure doses. Risk MANAGEMENT procedures are intended to utilize risk assessment conclusions and the identified exposure pathways in evaluating the comparative health impacts of alternative decisions in order to make the best possible decisions for protecting the public from exposure to substances at levels of public health concern. Risk MANAGEMENT procedures also entail consideration of the economic and social consequences of regulatory options. Making these processes work effectively requires a coordinated and cooperative effort between the two Departments.

Because risk assessments and risk management decisions are usually very complex and because they can have far reaching implications, this Agreement cannot cover every contingency that may occur. Ultimately, the success of this agreement depends on the application of sound scientific principles and the exercise of good professional judgement by the staff of both agencies.

1. The DHSS has lead responsibility for toxic agent toxicological characterization and the development, review, and evaluation of generic risk assessments and agent specific public health risk

assessments; and provides interpretation of the public health impact of hazard identification, exposure assessment and risk characterization activities which are shared DNR/DHSS responsibilities. Whenever possible, and when not contradicted by statutory requirements, DHSS utilizes the standards and criteria established by the U.S. Environmental Protection Agency and published as Guidelines for Carcinogen Risk Assessment, Exposure Assessment, Mutagenicity Risk Assessment, the Health Assessment of Suspect Developmental Toxicants, and Chemical Mixtures, in the September 24, 1986 Federal Register. (or subsequent amendments published in the Federal Register.) In recognition of the fact that risk assessment is a rapidly growing and changing discipline, DHSS will utilize its best professional judgement to augment as necessary the above USEPA Guidelines so as to provide Risk Assessments which reflect currently accepted state of the art procedures and concepts.

2. Except when more specific procedures are set forth in this Agreement, the DNR will identify public health related risk assessments needed by its programs and request assistance from DHSS by memo from the Administrator, Division for Environmental Quality (DEQ) or his/her designee to the Administrator, Division of Health (DOH) or his/her designee. Each request will include the date by which the risk assessment is needed and the name of a staff member who is to serve as the principal DEQ contact. If necessary, by mutual agreement, adjustments to the schedules for other pending risk assessments will be made at the time a new request is made. Staff of the two agencies responsible for the affected assessments will be notified by memo of the adjustments. An annual review of the status of and the priorities for all pending risk assessments will be made by July 1, of each year by the Division Administrators or their designees.
3. For each written request, DHSS will provide, within 20 days, a proposed schedule for the preparation of the needed risk assessment and will identify the principal DHSS contact. In the case of a contaminant affecting a potable water supply or affecting the indoor environment, a two tier approach will be used. An initial assessment concerning consumption, inhalation and skin contact effects will be made by DOH as soon as possible after receiving a written or verbal request from the DNR. After this initial assessment, DHSS will provide, within 20 days, a proposed schedule for the preparation of the needed indepth risk assessment and will identify the principal DHSS contact.
4. For each risk assessment one staff member and one supervisor from each Department will be identified as the principal staff contact persons during the development of the assessment. The two staff members will meet periodically to review progress on the assessment and discuss assessment components such as: availability and adequacy of the data base for exposure assessment and pathway characterization, critical assumptions and judgements, and any special needs or concerns anticipated by the DNR risk management team which need to be addressed to facilitate

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decisions on management options. These two persons will remain the primary contacts through the completion of the risk assessment and as needed for risk management decisions and communication with the public regarding these decisions.

5. Each DHSS risk assessment or review of a risk assessment will contain a summary of the scientific basis for important assessment components and an identification of assumptions and approximations which were utilized when data were missing or insufficient. In responding to DNR requests, DHSS will make maximum use of existing risk assessments already available from other sources.
6. Upon completion of a draft risk assessment, DHSS will share the draft with the DEQ contact and his/her supervisor. If DNR concerns or need for clarification warrant, DHSS representatives will meet with appropriate DNR representatives to explain the risk assessment including the important decision components, assumptions, judgements and concerns. In the final risk assessment, DHSS will attempt to address the identified DNR concerns.
7. The DNR has lead responsibility for making risk management decisions in regard to many aspects of toxic materials in the environment and for implementing such decisions through rules, permits, orders, advisories, or other appropriate tools.

Risk assessments prepared or endorsed by DHSS are one essential element in making sound risk management decisions.

8. The DHSS will, upon request of the Administrator DEQ, review and consult on proposed DNR risk management decisions.
9. The DNR will inform DHSS about pending significant risk management decisions which could have an impact on public health, represent a departure from previous decisions known to DHSS, or could reasonably be anticipated to be controversial and raise public concern about human health impacts. Whenever a DNR risk management decision will utilize a DHSS risk assessment or a risk assessment for which DHSS provided developmental consultation, DNR will, in advance of the final decision, discuss with DHSS the manner in which the assessment will be used, the basis for the decision, and the alternatives considered. DNR will respond to any public health concerns raised by DHSS regarding an anticipated risk management decision.
10. The DHSS has lead responsibility for developing information to be included in responses to inquiries pertaining to health effects associated with toxic materials in the environment.
11. The DHSS has lead responsibility for providing preliminary health assessments and conducting epidemiologic investigations where existing, potential, or suspected public health concerns may exist due to environmental contamination.

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12. The DHSS may submit an annual written request by December 31 of each year from the Administrator DOH to the Administrator DEQ, requesting the compilation of existing information or the collection of new information on toxic substances in the environment needed for conducting health assessments or epidemiologic investigations or responding to anticipated citizen concerns. The request will indicate the type of data needed, a date by which it is needed, and the name of the principal DHSS staff contact.
13. The DHSS, in conducting non-emergency health assessments, epidemiologic investigations or responding to citizen concerns, may have unanticipated information needs on possible exposure pathway sources of toxic materials. If such information is not readily available from existing DEQ, or other DNR program reports or already prepared information, DNR will indicate that DHSS must submit a written request from the DOH Administrator, to the DEQ or other appropriate DNR Administrator. DNR will respond to such a written DHSS request within 20 days. The response will provide an estimated time frame for obtaining the information from existing sources or, if a special field investigation is necessary, the need for cost sharing. A principal DNR staff contact will be identified. If a field investigation is needed, DHSS and DNR staff will meet to set a priority for the new activity in relation to those identified in the above paragraphs.
14. In emergency situations such as spills and accidents, both Departments will pool all needed staff equipment and information resources to provide timely assistance and guidance to protect public health and safety and to minimize damage to the environment in the affected area.
15. The DHSS and the DNR will continue to actively pursue joint epidemiologic and ecological health studies and cooperative grant requests to non-state funding sources where there are situations which merit significant involvement of both departments.
16. The DHSS and the DNR both have a responsibility for preparing and distributing informational and educational materials in regard to toxic materials and the public health effects of toxic materials. The Departments will periodically review the need for new materials or updates of existing materials, set priorities for identified needs, coordinate on the preparation of needed materials, and jointly review any new materials for technical accuracy and appropriateness. Each Department may also involve the Risk Steering Committee (DNR, DHSS, DATCP, and UW-Madison) in these activities.
17. Risk communication to the residents of the State is a critical component of the Risk Assessment/Management processes and it is essential that all staff members of both Departments who are called upon to work with the public are sensitive to the concerns and obligations of the other agency. Whenever a major public

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risk communication or public notification is anticipated by either DHSS or DNR, which may reasonably be anticipated to impact the other agency, the initiating Department will be responsible for notifying and coordinating incorporation of comments from the other Department. Examples likely to require notification include: press releases, public meetings, DNR Board meetings, fish advisories, DHSS publications (WEB etc.) and health assessments.

18. A major means of providing information and advice to the public is through the issuance of public health advisories which are regularly provided by the DNR to the public. The advisories are based upon those developed by DHSS or obtained from regulatory programs. By December 31 each year, DNR will review all advisories used in its programs and send a list of advisories to DHSS. Within 60 days, DHSS will review the advisory levels and provide updates as needed. After DHSS review, DHSS and DNR will meet to discuss any changes and the manner in which the advisory numbers should be used.
19. Due to the complexity of many risk assessment/management issues, disagreements may arise from time to time. Both Departments agree that to the extent such disagreements occur, they need to be identified and resolved as soon as possible by the two most directly involved staff members. In the event a disagreement can not be resolved in this fashion, the staff person from either Department may refer the disagreement to the appropriate Bureau Director for resolution. If this is unsuccessful, the disagreement may be referred by either Bureau Director to the two Division Administrators.

B: Laboratory Certification

1. The purpose of this provision is to coordinate responsibilities and associated working relationships between DNR and DHSS in the administration of laboratory certification programs under ss. 143.15 and 144.95, Wis. Stats.
2. This provision is necessary because DNR and DHSS have been assigned closely related responsibilities for the certification of laboratories. It is also required by ss. 143.15(8) and 144.95(2)(b), Wis. Stats. The intent is to accomplish laboratory certification essential to each agency's programs without duplication of effort and in such a manner that the laboratory certification program of one agency serves the interests and needs of the other agency. This provision also includes measures to be taken by each agency to avoid duplication of application and compliance procedures.
3. DHSS shall advise DNR when any laboratory certified by DHSS is in noncompliance with ch. HSS 165, Wis. Adm. Code, or where DHSS has made recommendations for improved operation. DHSS shall, twice a year, submit to the DNR, Office of Technical Services, a list of

laboratories certified by DHSS, including the date and status of the last laboratory evaluation.

4. DNR will seek the participation of DHSS in the development and modification of DNR rules that affect its laboratory certification program. In turn, DHSS will seek the participation of DNR in the development and modification of DHSS rules that affect its laboratory certification program. Under ss. 143.15(5) and 144.95(2)(a), each agency has a period of 6 months to review and approve any proposed rules which affect the other's laboratory certification program.
5. DNR will recognize a laboratory as certified by DHSS and will accept its test results. In turn, DHSS will recognize a laboratory as certified or registered by the DNR and will accept its test results.
6. DHSS and DNR shall avoid duplication of effort by limiting each agency's certification or registration to specific parameters as follows:
 - a. DHSS will certify laboratories for:
 - 1) Radiological testing of waters, wastewaters, sludges, hazardous substances, wastes, and soils under ss. 140.56 and 143.15, Wis. Stats.
 - 2) Microbiological testing of water for total coliform and fecal coliform under s. 143.15, Wis. Stats.
 - b. DNR will certify or register laboratories under s. 144.95, Wis. Stats., for the chemical and physical-chemical testing of waters, wastewaters, sludges, hazardous substances, wastes, and soils.
7. Fees submitted to DNR by laboratories for certification or registration under s. 144.95, Wis. Stats., shall be used to administer and enforce DNR's laboratory certification program. Fees submitted to DHSS by laboratories for certification under s. 143.15, Wis. Stats., shall be used to administer and enforce DHSS's laboratory certification program.

C. Groundwater Standards

1. The purpose of this provision is to set forth the procedures and responsibilities of DNR and DHSS in establishing enforcement standards for groundwater in accordance with ch. 160, Wis. Stats.
2. Identification of Groundwater Contaminants
 - a. DNR will prepare and maintain a list of substances, based on lists submitted by state regulatory agencies, which are related to facilities, activities and practices within the regulatory authority of the agencies, and which are detected

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in or have a reasonable probability of entering the groundwater resources of the state. Except in an emergency or by mutual consent of the DNR and DHSS, DNR shall revise the ranking of existing substances no more frequently than once per year. Normally, this will occur on or about July 1. DNR shall consult with DHSS prior to revision of the substance list.

- b. Within 60 days after receiving a substance name from a regulatory agency as provided under s. 160.05, Wis. Stats., DNR will categorize and rank the substance as outlined in s. 160.05(3) and (4), Wis. Stats. To accomplish this task:
- 1) DNR will make a preliminary determination whether a substance is of public health or public welfare concern based upon the criteria in s. 160.05(6), Wis. Stats., and will submit the lists of substances to DHSS.
 - 2) DHSS will review DNR's public health and public welfare designations within 30 days of receipt of the lists of substances and provide written comments for those substances it believes are inappropriately categorized.
 - 3) DNR will utilize comments from DHSS in determining the proper category for a substance.
- c. Within 10 days after placing a new substance in a category or changing the category of a substance, DNR will submit the current list of categories and ranking of substances to DHSS in accordance with s. 160.07(2), Wis. Stats.

3. Establishment of Enforcement Standards for Substances of Public Health Concern

- a. In establishing numerical enforcement standards for substances of public health concern, DHSS will:
- 1) Notify DNR of the expected timetable for submitting a recommendation for an enforcement standard to DNR within 45 days of receiving the name of a substance. DHSS will notify DNR if the timetable for any substance changes.
 - 2) Provide a recommended health related enforcement standard for each substance of public health concern submitted to it by DNR in the order of rankings as required by s. 160.07(3), Wis. Stats. The procedure and methodologies used to develop the recommendation will be consistent with the requirements of ss. 160.07 and 160.13, Wis. Stats.
 - 3) Document the procedure and methodology used to develop the recommended standard in accordance with Section 6 of the Groundwater Standards provisions of this Memorandum of Understanding.

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- 4) Review and comment on the draft environmental assessment prepared by DNR for the proposed rules establishing the DHSS recommendations as the enforcement standards.
- b. DNR will:
- 1) Send to DHSS the draft environmental assessment for the proposed rules establishing the DHSS recommendations as the enforcement standards. Comments on the draft environmental assessment will be solicited from DHSS prior to authorization for public hearings on the proposed enforcement standards.
 - 2) Propose rules establishing the DHSS recommendation as the enforcement standard for each substance within 30 days of receipt of the official DHSS recommendation pursuant to s. 160.07(5), Wis. Stats.
- c. The development of rules for enforcement standards will be an ongoing process. DHSS will recommend enforcement standards for additional substances no more frequently than once every 12 months unless circumstances warrant revising rules more frequently or proposing emergency rules. If USEPA promulgates a maximum contaminant level (MCL) which is different from the enforcement standard for that substance in ch. NR 140, Wis. Adm. Code, DHSS will develop a recommendation for DNR as to whether the MCL should be adopted as the new enforcement standard for that substance in accordance with the following procedures.
- 1) When the USEPA publishes proposed MCLs in the Federal Register, DNR will forward the Register to DHSS with a memo comparing the proposed MCLs with any existing enforcement standards, state drinking water standards or health advisory limits and requesting DHSS comments.
 - 2) When the USEPA publishes final MCLs in the Federal Register, DNR will forward the Register to DHSS with a memo comparing any existing enforcement standards, state drinking water standards or health advisory limits with the final MCLs and requesting DHSS comments.
 - a) DHSS will review the memo and Federal Register and recommend to DNR within 3 months whether, for each existing enforcement standard, the MCL should be adopted as the new enforcement standard, whether a more detailed review of the enforcement standard is appropriate, or whether no change should be made. The basis for the recommendation for each substance will be provided and shall be in accordance with s. 160.07(4), Wis. Stats. Where more detailed review is necessary, a timetable will be proposed.

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- b) If a detailed review is necessary, a joint DNR-DHSS meeting will be held to designate compounds for review and establish a timetable for establishing draft and final recommendations.

4. Establishment of Preventive Action Limits for Substances with Enforcement Standards

DNR is required by s. 160.15, Wis. Stats., to establish preventive action limits for each substance for which an enforcement standard has been established. The preventive action limit is to be either 10, 20, or 50 percent of the enforcement standard depending upon the health or welfare risk posed by the substance. To aid DNR in making these decisions, DHSS will designate for DNR at the time the recommended enforcement standard is transmitted to DNR whether the health related substance has carcinogenic, mutagenic, teratogenic, or interactive effects.

5. Establishment of Enforcement Standards for Substances of Public Welfare Concern

- a. In establishing numerical enforcement standards for substances of public welfare concern, DNR will:
 - 1) Prepare a recommended public welfare-related enforcement standard for each substance of public welfare concern identified by the DNR pursuant to s. 160.05(6), Wis. Stats. The procedure and methodologies used to develop the recommendations will be consistent with the requirements of s. 160.09, Wis. Stats.
 - 2) Prepare a recommended preventive action limit in accordance with s. 160.15, Wis. Stats.
 - 3) Prepare a draft document describing the information and methodology used and the conclusions reached in establishing each proposed enforcement standard.
 - 4) Submit the draft document to DHSS for comment at least 60 days prior to proposing rules establishing the recommended public welfare standard as the enforcement standard for that substance.
 - 5) Revise the draft document, if appropriate.
 - 6) Propose rules establishing the recommended public welfare standard as the enforcement standard for that substance.
- b. DHSS will review the DNR draft document and transmit any comments to DNR within 45 days.

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6. Preparation of the Public Information Document

Section 160.11, Wis. Stats., requires that DNR, with assistance from DHSS, prepare a document describing the information and methodology used and conclusions reached in establishing the proposed enforcement standards.

a. To accomplish this DHSS will:

- 1) Before transmitting official recommendations under s. 160.07(3), Stats., prepare a preliminary draft of its public information document including its proposed recommendations. The draft public information document shall be provided to DNR at least 90 days prior to transmittal of the DHSS official recommendations under s. 160.07(3), Stats., unless the agencies agree to a shorter schedule for the particular recommendation(s). The draft document will be available to other interested parties as well.
- 2) Meet with the DNR to discuss issues of technical concern regarding the preliminary draft of the public information document.
- 3) Revise the preliminary draft of the public information document, if appropriate, and transmit the revised document to DNR describing the information and methodology used and the conclusions reached in establishing each proposed enforcement standard. The revised document shall be transmitted with the official recommendation for each enforcement standard.
- 4) Assist DNR in responding to written questions received under s. 160.11, Wis. Stats., concerning the contents of the public information document.
- 5) Attend, participate in, and answer health-related questions posed during the public hearings on the proposed rules.

b. DNR will:

- 1) Review the preliminary draft of the public information document prepared by DHSS and submit comments to DHSS within 60 days of receipt of the document. Any unresolved technical concerns shall be raised to the Division Administrators within the 60 days.
- 2) Prepare a public information document describing the information and methodology used and the conclusions reached in establishing proposed enforcement standards. The final document shall include the DHSS public information document plus similar information for any proposed public welfare-related enforcement standards and

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preventive action limits. The final document shall be made available to the public when hearing notice is provided under s. 227.16(2)(e), 227.17, or 227.24(3), Wis. Stats.

- 3) Answer any written questions received concerning the contents of the document and conduct all public hearings on the proposed rules.

7. Response to Citizen Petitions

Based on s. 160.05(2), Wis. Stats., any person may petition a regulatory agency to add or delete a substance from its list of substances which are detected in or have a reasonable probability of entering the groundwater resources of the state. When DNR is petitioned, DHSS will:

- a. Provide, to the best of its ability in a limited time frame, the public health or welfare implications of the substance or substances named in the petition.
- b. Review DNR's response to the petition.

DNR will review the information provided by DHSS in formulating its response to the petition.

8. Determining the Health Effects of New Contaminants Found in Groundwater

- a. Periodically, DNR finds contaminants in groundwater for which no health or welfare guidelines are available. In these instances, DNR relies on the advice of DHSS in evaluating the health effects of these contaminants. In the past, these working relations have been on an informal basis. To formalize these relations, DNR will provide to DHSS in writing the chemical name and concentration of the contaminant found in groundwater following discovery.
- b. DHSS will provide, to the best of its ability in a limited time frame, advice on the public health implications of the chemical concentration present. DHSS will, if sufficient data is available, propose an interim health advisory limit for DNR to use in making recommendations to well owners and/or water users on continued use of the water supply. Until an enforcement standard or a maximum contaminant level has been established for the substance, any DHSS or DNR health advisory shall be considered an interim limit. Other health advisory limits may be identified as interim if an existing enforcement standard or an existing or proposed MCL is undergoing state or federal review.
- c. To the extent practical, the agencies shall assure consistency between health advisory limits and enforcement standards, recognizing that there may be temporary

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inconsistencies between **interim health advisory limits** and enforcement standards.

- d. When the USEPA Office of Drinking Water proposes or issues a drinking water health advisory to the states for a substance, both DNR (Bureau of Water Supply) and DHSS will review the new health advisory and each may respond to USEPA, if appropriate, after allowing the other agency to review the draft comments.

9. Coordination of Numerical Standards Development

The staff of DHSS and DNR shall meet no less frequently than once every 6 months to coordinate development of numerical groundwater standards and to resolve any problems or issues which may arise.

D. Radio Communications

1. This provision establishes an intersystem of radio communications for public safety within Wisconsin.
2. DNR and DHSS agree as follows:
 - a. DHSS shall provide, install, and maintain not more than 10 mobile radios capable of operating on the Statewide Fire Mutual Aid Channel. These units are authorized to transmit 154.295 MHZ and receive 154.295 MHZ. They will operate under the FCC license held by DNR, FCC call sign KA 35435. The channel is designated by the acronym "FIRECOM." Transmissions on this channel are limited by FCC to intersystem communications only and are not to be used between DHSS units for intra-agency communications.
 - b. DHSS radios shall be assigned unit identifiers by DHSS to be used when operating on the FIRECOM radio system.
 - c. All communications equipment shall be operated in full compliance with all FCC rules and regulations governing the Public Safety Radio Service and shall be used only for communications relative to the safety of life and property and in the interest of law and order.
 - d. This provision refers only to establishing intersystem communications and does not obligate either party to perform any other function.
 - e. DNR and DHSS shall each maintain its own equipment.

E. School Water Supply Fluoridation

1. The DNR has responsibility for provision of safe water, plan review of fluoridation installations and surveillance of the operation of such systems.

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2. The DHSS has responsibility for school fluoridation promotion and cost-sharing and has staff and expertise for operation and maintenance of the equipment.
3. Submittal of Weekly Reporting of Daily Residual Tests and Lab Tests

- a. Because of the low fluoride usage at schools and the inability to accurately record daily usage of solution, primary reliance on control of feed rates will be dependant on testing results. Because of this low usage, schools are allowed to record chemical solution usage whenever water is added to the solution tank in the case of manual addition or at least weekly in the case of automatic addition to the solution tank.
- b. The schools will submit the white and canary copies of the school fluoride addition report to the DHSS Environmental and Chronic Epidemiology (ECDE) Section, on a weekly basis. The school will retain the pink copy. The ECDE Section will retain the canary copy for their records and forward the white copy to the DNR Central Office for review. The transmittal of Laboratory of Hygiene reports will follow present procedures.

The original lab report (as with all other Laboratory of Hygiene reports) will be sent to the DNR Central Office. Photocopies will be sent to the ECDE Section, DNR District Offices and the schools.

- c. The primary responsibility for initial follow-up on incomplete, inconsistent or inadequate reports will be with the ECDE Section unless repeated problems require regulatory response from the DNR. Regulatory actions on repeated violations of the operational requirements contained in the approval letter are the responsibility of DNR.

4. Underfeed

Primary responsibility will be with the ECDE Section to assure that an adequate amount of fluoride is being added to gain the maximum dental benefits. In situations where fluoride underfeed problems are the result of plan review, equipment installation or operation actions which conflict with administrative code requirements under DNR jurisdiction, that agency will become involved in efforts aimed at raising fluoride to optimal levels.

5. Overfeed

- a. The optimum fluoride concentration range is 5 - 6 PPM.
- b. If one of the daily residual tests is greater than 6 PPM but less than 10 PPM, the school operator will be required to resample the same day, and if the second sample is greater

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than 6 PPM but less than 10 PPM, the school operator shall make the necessary adjustments to the optimum range. The school operator should contact ECDE Section if unsure how to make necessary adjustments. ECDE Section will assure that the necessary adjustments are made if the daily residual tests are consistently greater than 6 PPM but less than 10 PPM.

- c. If one of the daily residual tests is 10 PPM or greater, the school operator will be required to resample the same day, and if the second sample is greater than 10 PPM, the operator shall FIRST: UNPLUG the fluoride feed pump and SECOND: CONTACT ECDE Section that same day for further instructions. If personnel are not available at ECDE Section the operator shall then contact the DNR District or the DNR Central Office.
- d. If the Laboratory of Hygiene sample is less than 10 PPM, ECDE Section will contact the school and assure adjustment to the optimum range. If the lab sample is 10 PPM or greater, the Laboratory of Hygiene personnel will contact ECDE Section and if no personnel are available, then the DNR District or the DNR Central Office will be contacted. The school operator will be requested to UNPLUG the fluoride feed pump and then given further instructions.

6. Communication on Routine Visits

The ECDE Section will attempt to inform the DNR District Office of planned visits and the DNR District Office will inform the ECDE Section of any fluoridation problems encountered during DNR inspections.

F. Radioactivity in Drinking Water


1. The purpose of this provision is to set forth the procedures and responsibilities of DNR and DHSS in the administration of programs dealing with radioactivity in drinking water under ss. 140.50-140.60 and 144.025(2)(t), Wis. Stats.
2. This provision is necessary because DHSS has authority over radiation protection as given in the Wisconsin Radiation Protection Act and DNR has authority over the State's drinking water program including the Federal Safe Drinking Water Act program delegated from the U.S. Environmental Protection Agency (USEPA). Radionuclides are being found in some Wisconsin water supplies and steps to reduce levels and to protect public health are necessary.
3. DHSS will adopt radioactivity standards at least as stringent as those contained in the national primary drinking water regulations, Title 40, Part 141, Code of Federal Regulations and incorporate those standards in Chapter M57, Wis. Adm. Code within

18 months of final promulgation by USEPA. DNR will concurrently adopt identical standards in Chapter NR 109, Wis. Adm. Code.

- 4. DNR will administer the surveillance program for radioactivity in drinking water including monitoring of radionuclide levels in water systems and enforcing violations of the drinking water standards.
- 5. DHSS will provide consultation to DNR on radioactivity in drinking water matters, especially in regard to health effects from various exposure levels and enforcement of the standards.
- 6. DNR and DHSS staff will meet periodically to discuss program status and planned or future activities.

III. Review Procedures


This MOU will be reviewed at the request of either party and amended in writing as necessary.



 C. D. Besa, Secretary
 Department of Natural Resources

12-5-89

 Date



 Patricia Goodrich, Secretary
 Department of Health and Social Services

11/27/89

 Date

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To	Laura Olah	From	Bill Phelps		
Co./Dept.	CSWAB	Co.	WI DNR		
Phone #		Phone #	(608) 267-7619		
Fax #	608-643-2682	Fax #			