



**The Wisconsin Section
Central States
Water Environment Association**

**Wisconsin Section CSWEA
Quarterly Officer/Committee/Representative Reports
Summer Board Meeting
August 9, 2006**

Trustee's Report - Rusty Schroedel, Trustee

No report received.

WWOA Liaison's Report - Randy Thater, Liaison

The WWOA board met on March 20, 2006 in Stevens Point. The financial report was given by Executive Secretary Richard McKee. A partial slate of committee reports mostly related to state conference planning was presented. Included in the reports were:

Permanent Arrangements - The board discussed the current conference rotation scheme. The board wants to evaluate going to a four year rotation including Stevens Point Holiday Inn along with the three current venues.

Technical Committee - Jim Thalke reports the committee met February 9, 2006 at Wisconsin Dells to select the program. 38 presentations were chosen from 75 submittals. The pre-conference workshop has been expanded from two to three sessions. The post-banquet entertainment and farewell speaker have been confirmed, and keynote speakers are under consideration.

Local Arrangements - Plant tours will be at Baraboo and Ho-Chunk WWTPs.

Spouse Program - Highlights include Circus World Museum, HH Bennett Studio, and Upper Dells Boat Tour.

Golf Outing - The Tuesday outing will be at Coldwater Canyon.

Operators Competition - Due to the small number of teams last year, the board decided to try three-member teams this year. Three teams will be required to hold the competition. A drawing for three fifty-dollar gift certificates with all competitors eligible will be held.

Operator Training – Dave Carlson reports that arrangement for six ‘BOD 201’ one-day training sessions has been finalized. George Bowman and Rick Mealy are teaching under a DNR obtained grant.

Old business – The final draft of the WWOA mail list policy was approved, and becomes subchapter 32A of the WWOA policy manual. A new draft of the scholarship award criteria was discussed. It will be reviewed further and another draft present at the April meeting.

New business – The board discussed the poor turn-in rate of conference evaluations. Ideas for modifying and streamlining the form were debated. Further discussion will take place in April.

The WWOA board met April 27 and 28, 2006 at Wisconsin Dells. The financial report was given by Executive Secretary Richard McKee. A full slate of committee reports was presented. Included in the reports were:

Nominations – Tim Nennig reports those offices due up for election this year are President-elect, Vice-President, and two director positions. Nennig also presented for discussion the ‘expectations’ form that was first used last year to let potential officers and their employers know the level of commitment required. In general, it was felt the sheet did a good job of detailing the expectations, but it may have had too harsh of a tone. Nennig will work on an abbreviated and toned-down version.

Promotions – Dave Carlson reported on his continued efforts to find a provider that will work on an individual order basis. A supplier has presented a proposal to put together a short 2 or 3 page catalog of items. The WWOA would pay for an initial set-up charge for available logos. Then orders for individual items would be placed with the provider. After discussion Carlson was authorized to proceed with logo set-up.

Scholarship – President Kruzick, reporting for Dan Tomaro, presented the latest draft of the scholarship award criteria. A few wording changes were agreed upon to clarify the criteria. The criteria were passed as amended. Under the new criteria, two one-thousand dollar scholarships will be available annually. They will both be available for students in either a two or four year accredited program.

Clarifier – A written report from Dan Busch proposed a 20% advertising rate increase. Current WISILLMINN rates were included for comparison. The last increase was in 2000. After discussion the proposal was approved.

Operator Development – Tom Kruzick reported on his attendance at the Wisconsin School Counselor Association conference March 23rd in Stevens Point. He distributed updated ‘Career Packets’ to those that showed a genuine interest. Kruzick is also working with WRWA on cost sharing of materials. They are developing a brochure for the purpose. Follow up to meeting information. 2,000 copies of the WRWA/WWOA brochure ‘Careers in Water Quality’ have been printed. About 800 will be sent to guidance counselors in Wisconsin high schools in August.

Operator Training – Besides the BOD training discussed at the March meeting, Dave Carlson reported he worked with Jack Saltes of DNR to coordinate eCMAR training for collection system only districts.

Government Affairs – Randy Thater reported on the Government Affairs Seminar held February 23rd in Middleton. Various aspects of the seminar were presented, including a summary of the evaluations. Next year's seminar has been set for March 1, 2007 at the same facility. Gil Hantzsch sent a letter to WWOA asking to be considered for a spot on the GAS planning committee. He is a member of both WWOA and CSWEA. I have passed this information on to Bill Desing for CSWEA consideration, and also will consider him for WWOA as we work into the next planning season.

Biosolids – John Bond reported on the Spring Biosolids Symposium held March 21st in Stevens Point. Full details were not available, but we believe attendance was off by about 30 from prior events. Greg Kester of DNR chaired this year's event. WWOA will provide the chair for 2007. Due to conditions at the facility, the planning committee is looking at alternatives for 2007.

Web Site – Bruce Bartel presented a traffic report from webmaster Scott Thompson. The most visited sites were employment, online directory, mailing list access, public education, bug page, and training calendar. Regional information is an important aspect of the site. We need to impress upon regional officers the need to get timely information to the webmaster.

Technical Committee – Jim Thalke reports that, since the last report in March, the keynote speaker has been selected. The various elements for the mailing are completed except for room assignments and final editing. Samples were distributed to the board.

Spouse and Local Arrangements – Kelly Zimmer presented final details and mailers for the spouse and guest program, golf outing, and tours. There are no significant changes in the program from that presented in March.

New Business – Rich McKee presented the proposed annual budget for 2006-2007. This was discussed line-by-line. A small number of changes were discussed and made. The budget was approved as amended.

The WWOA will have a special board meeting August 15, 2006 at the Kalahari to finalize plans for the annual conference.

Collection System – Jim Beier, Chair

Collections System Committee Meeting
January 10, 2006 at 9:00am
Applied Technologies Brookfield, WI office:
16815 West Wisconsin Avenue
Brookfield, WI 53005

Members Present: Tom Krueger (Village of Grafton), Jim Beier CHAIR (Crispell-Snyder), Todd Stelmacher (Triad Eng.), Frank Tiefert- (Applied Technologies), Jim Fratrack (WDNR), Keith Alexander, (Visu-Sewer), Andrew Craven (Strand Assoc.), Mike Spence (Earth Tech), Carl Scharfe (MSA Prof. Svcs.) and Paul Lange (City of Watertown).

Meeting called to order at 9:05am by Chairman Beier.

1. Chairman Beier advised that the minutes from the October 5 meeting held at the WWOA convention in Green Bay are attached to the agenda. The results of the voting for collection system award were very tight, with Bob Bradley receiving the nomination for award. Mr. Bradley's name will be forwarded to Central States for consideration. The awards committee meets in January. There was discussion that the Committee's other two nominees (Pachke and Woodman) would be eligible for awards nomination next year.
2. Chairman Beier advised that Todd Stelmacher has volunteered to serve the committee as Vice Chair and Secretary.
3. Chairman Beier advised that the minutes from the November 8, 2005 meeting held at the CSWEA WI Section Annual Business Meeting in Fond du Lac are attached to the agenda. A Collection System Committee meeting was held during a break-out session. The only members present were Stelmacher and Beier.
 - a. During the meeting there was discussion of expanding the collection system seminar to better serve the northern and western portions of the state. There was discussion to add a location or rotate the seminar from Watertown to another location (say Stevens Point or Wausau).
 - b. The WI Section has shown a significant profit over the years and there is concern about how this may affect the non-profit status. Chairman Beier advised that although there is an allocation of budget for the committees, few if any submit any expenses for reimbursement. Chairman Beier was aware of printing expenses related to the collection system seminar that were absorbed by committee members (Alexander) in the past. These costs should be submitted for reimbursement in the future. Keith Alexander thought the printing costs for the 2006 seminar would be around \$300.00. Also, with next year's seminar being the 20th annual, there was discussion of purchasing hats or coffee mugs to commemorate the milestone.
4. Committee Membership Roster: Chairman Beier advised that Jim Thalke and Joan Hawley have left the committee - perhaps temporarily - for other duties. There was discussion that we need more involvement from operators, actual "boots on the ground" people. All committee members were asked to think about operators who might be interested in joining the committee.
5. General Discussion:
 - a. Tom Krueger advised that he is serving on an Ad-Hoc committee looking at the function of all committees within CSWEA. Todd Stelmacher advised the committee that this topic was discussed during the November Annual Meeting and the various committees were asked for ideas on how to change the structure of the committees. Significant comments were given related to the structure of the Safety Committee and how the safety committee duties might be absorbed or split between collection systems and plants. Jim Fratrack advised that there are

29 systems in the Milwaukee area that operate only collection systems. There are similar communities in the Madison area.

6. Seminar Information –June 8, 2006

a. Keep format of the seminar the same as last year and years past was the consensus of the committee. Looking for 4 to 6 topics for presentation in the morning. Vendor area open until 3:30. Ideas for topics will be taken from the feedback given at the 2005 seminar. After reviewing the feedback forms it was determined that the main topic of this year’s seminar will focus on televising sewers.

b. Possible Subjects/Topics and Speakers:

i. Benefits and Drawbacks of Self-Performing Sewer Televising.

1. Documentation is prepared as time permits rather than as a primary function.
2. Some communities perform the field work but contract the reporting work. This has problems with communication.
3. Some communities document as the inspection is performed. This takes longer, but can be better.
4. There are concerns related to training (and re-training) of televising crew members.
5. Decision to survey the operators as to what services are performed in-house and what services are contracted, type of equipment, etc.
6. Keith Alexander mentioned that there is a certification program for televising crew members.
7. Maintenance and upgrades for equipment are a concern.
8. The form of the documentation, video tape or digital can be discussed as well as transferring tape to digital.
9. What is being done with the information after it is gathered and documented?
10. Andrew Craven offered to talk with Fond du Lac to determine who might be available to speak on this topic.

ii. Collection Systems Survey. Tom Krueger/Carl Scharfe will assemble and distribute a survey of collection systems for televising work. Tom will present the results of the survey at the seminar.

iii. DNR Regulations. SSO/CMOM program examples. There was a survey in 2001. Examples should include minimum program, mid-level program, and maximum level programs. Ted Bush is a potential speaker. Jim Fratrack will check.

iv. Industrial Pretreatment and Sampling. Discussion of the Who, What, and When of industrial pretreatment regulations and sampling. Jim Fratrack advised there are 24 “control authority” communities (>5MGD) that must have a pretreatment program. Benjamin Benninghoff is a good resource for information. Sewer use ordinances and update of ordinances should be discussed. Todd Stelmacher will take responsibility for this topic.

v. Safety. All present agreed that the seminar should include a safety topic. Ideas included arc flash, confined space (last discussed in 2002), emergency situations, manhole steps, equipment maintenance and calibration, cost. The

decision was to have a general discussion related to safety covering a number of pertinent topics. Keith Alexander will call Happ to set a program.

- c. No change to vendor program or costs were recommended (\$60/\$30).
 - d. Keep seminar attendance fees the same as 2005: \$30 and \$35.
 - e. Digital presentations should be submitted on disk before the seminar to be loaded onto a single computer. This will save time and problems.
 - f. Seminar attendees will be recognized. Chairman Beier will recognize select people during the introduction for things such as the people who came from the furthest distance or that community that has the most attendees. Token gifts will be given.
 - g. Preliminary Agenda:
 - i. Registration 7:45
 - ii. Welcome 8:10
 - iii. TV Survey 8:15 (15 mins)
 - iv. Fond du Lac 8:30 (45 mins)
 - v. Documentation/Use 9:15 (45 mins)
 - vi. Break 10:00 (15 mins)
 - vii. SSO/CMOM 10:15 (30 mins)
 - viii. Industrial Pretreat 10:45 (30 mins)
 - ix. Safety 11:15 (45 mins)
 - x. Lunch Noon
 - xi. Vendor Area 3:30 end
7. Committee Assignments
- a. Vendors/Exhibit Letter - Bob Lecey
 - b. Brochure Production - Mike Spence
 - c. Brochure Printing - Keith Alexander
 - d. Brochure Mailing - Tom K.
 - e. Publicity (websites) - Frank Tiefert
 - f. Door Prizes - Jim Beier
 - g. Speaker Gifts - Jim Fratrack (via Mary Wagner)
 - h. Facilities - Paul Lange
 - i. Vendor Board - Tim Bronn
 - j. Update Awards Poster - Ruth D. and Tom K.
 - k. DNR Credits - Jim F.
 - l. Evaluation Forms - Andy Craven
 - m. Audio/Visual Equipment - Paul L. and Jim B. (back-up)
 - n. Soda Sponsor -Frank T
 - o. WWOA - Randy Thater
 - p. CSWEA Coordinator - Jim Beier
 - q. Collection System Award
 - i. Bob Bradley was nominated this year. The voting and nomination seemed to run smoother this year. We will adopt a similar procedure for 2006.
8. Schedule
- a. Due by February 23, 2006 (our next meeting at Gov't Affairs Seminar): confirm all speakers and subjects. Persons responsible for topics should plan to attend the Gov't Affairs Seminar or send their information to Jim Beier.

- b. Publicity letters or advertisements (Frank T.) are out by mid February. Gov't Affairs is Feb 23 and Spring Biosolids is March 21. Looking for ads/notes in the Clarifier, WISILLMINN, and all websites that are applicable.
 - c. Exhibit registration letters (Bob L.) due Feb 6th with response date of March 6th.
 - d. Brochure – Mike S. to update; to Keith A. and printer by end of March, then to Tom K. by first week of April.
 - e. Mail date: April 13th.
 - f. Advance Registration deadline: May 24th.
9. Other Business
- a. Collection Systems Award. Feedback from 2005 process was positive, but need to have full application with letters of recommendation for fair review. Need to ask for CSWEA membership. Need to consider keeping nominees “in the hopper” since qualified applicants can carry over from year to year.
 - b. Members are asked to solicit papers for the annual CSWEA Conference.
 - c. Members are asked to review legislation and regulations.
 - d. Consideration will be given to adding a second seminar for next year. Members are asked to discuss this with potential communities to sponsor the second seminar.
12. Meeting adjourned at 11:52am.

Respectfully Submitted,
Todd R. Stelmacher, P.E.
Vice Chair/Secretary

19TH ANNUAL COLLECTION SYSTEM SEMINAR

SPEAKER & SEMINAR EVALUATION FORM

JUNE 8, 2006

Speaker evaluations omitted.

Suggestions for topics for next year's program

- Sewer cleaning methods & equipment available – effective sewer cleaning using a jet/vac truck while minimizing blowbacks of home plumbing systems
- No suggestions, very good program
- Communities currently using GIS links for collection system condition ratings
- Same as this year
- Smoke testing
- Pump station maintenance
- I&I programs
- Sanitary service lateral ownership, maintenance
- Very well done – DNR always good to have, newest computer technologies used, new regulations, etc.
- Confined space rules & equipment use
- To see a presentation on rehab or replacement of a manhole with a spray on cement coating or a complete replacement with a fiberglass composite manhole
- Storm water surcharges
- Lateral maintenance (who's responsible?) I've never had a year as bad as 2006 for root complaints. What do communities do? E.g. cut trees down in parkway, offer low cost dollars, or nothing
- Land spreading of bio solids & soil testing
- Demonstration of CMOM related asset management software solutions.
- Online-realtime-I/I monitoring.
- How to handle root problems in Manhole and sewer lines.
- Lateral Rehab (Relining) New Technology.
- Trenchless Technology
- Slip lining/pipe bursting
- I/I
- Grouting; Lift stations; sewer cleaning.
- Sump pumps, and leaks in basement floors and walls going to floor drain.

Nominations for 2006 Central States Collection System Award

- S. Woodman – Beloit
- Don Lythjohan – MMSD/Safety Dir. Collection Sys Manager
- Jim Mansky – Lake Como Sanitary District
- Al Belke – operator
- Allen Belke – City of Wisconsin Rapids WWTP
- City of Beloit/Steve Woodman
- Mineral Point/MSA
- Scott Gunsolus
- Paul Johnson

Meeting Location Suggestions

- You go much farther north, it will be difficult to attend (x3)
- Central Wisconsin would be accessible
- No change (x4)
- I would suggest north of Highway 10, maybe Stevens Point or Rhinelander
- Marshfield or Stevens Point area
- Fond du Lac
- Rotate ever other year to keep everyone happy. Wttn. is good location, seeing it is close by
- Oshkosh, Fond du Lac, Appleton, Dells area are good centralized locales as well
- Watertown (x9)
- This is a great location for the southern half of the state
- Have a separate seminar for the southern half of the state (in June) and one for the northern half (in September)
- Holding a second meeting-same agenda-possibly in the Wausau area could attract northern operators.
- Waupaca, Oshkosh, Appleton.

Other Comments or Suggestions:

- Excellent food (x2)
- Fresh fruit with the donuts would be appreciated for diabetics or a healthier start to the day
- Keep up the good work
- Start raffles earlier in afternoon, folks have a lot of travel time. Afternoon is toooooo long! One hour at park is plenty to see exhibits, especially if it is bad weather
- Hard seeing screen from back and hard hearing speakers
- 2:30 door prizes
- Provide Attendee list with emails- to contact later.
- Please have a trash can and ash tray out front!
- Make sure next years sound system is better so that all speakers can be heard in the back of the room.
- Better microphone/sound system for next year. (x8)

Respectfully Submitted,
Andrew Craven, P.E.

MEMORANDUM

TO: CSWEA/WWOA Collection System Committee
FROM: Todd Stelmacher
COPIES: All Committee Members
DATE: July 11, 2006
SUBJECT: Collection System Seminar No. 19

The purpose of this memo is to provide a short update to the committee members following the Collection System Seminar on June 8, 2006 in Watertown.

Ruth DeLay has prepared a nice summary financial report for the seminar with all income and expenses itemized. Thanks Ruth. A summary of the reports for the past two seminars are as follows:

	<u>2005</u>	<u>2006</u>
Registrants	219	214
Exhibitors	32	34
Total Income	\$8,555	\$8,460
Total Expenses	\$6,846	\$7,719
Net Profit	\$1,709	\$741

The next committee meeting is scheduled for the WWOA Annual State Conference at the Kalahari Resort in Wisconsin Dells from October 3 through October 6. The date, time, and location of the meeting are TBD pending release of the final conference schedule.

Government Affairs Committee – Bill Desing, Chair

To: Dave Arnott; Wisconsin Section
From: Bill Desing; Government Affairs Committee Chair
Jane Carlson, Government Affairs Committee Vice-Chair
Date: July 31, 2006
Subject: Committee Report

The primary focus of the Government Affairs Committee is to identify and track various regulatory/legislative initiatives that may have a significant focus on Wisconsin Section members. Attached please find reports prepared by individual committee members summarizing activities in the areas that they are responsible for tracking.

ATCP 50 and NRCS 590

David Taylor; Madison Metropolitan Sewerage District

The Department of Agriculture, Trade and Consumer Protection is in the process of revising ATCP 50, which implements Wisconsin's soil and water resource management program. ATCP 50 includes nutrient management requirements and is closely linked to the Natural Resources Conservation Service conservation standard for nutrient management (NRCS 590). Revisions to ATCP 50 are currently being evaluated by DATCP. Revisions to NRCS 590 were finalized in September, 2005.

Proposed revisions to ATCP 50 and actual revisions to NRCS 590 place an increased emphasis on phosphorus management. While there is exemption language for material regulated under NR 113, 204 and 214, those responsible for land applying material under these regulations need to recognize that farm customers will be under increased pressure to manage phosphorus loadings. It is recommended that those responsible for managing biosolids, septage, etc. become familiar with the ATCP 50 and NRCS 590 requirements and follow practices, where reasonable and appropriate, to effectively manage phosphorus. These practices may include selecting fields with low soil test P levels, growing high P consuming crops, rotating use of fields on a 3-4 year cycle, etc. NRCS 590 uses a phosphorus index (PI) to evaluate the potential of individual fields to deliver P to receiving streams. The PI is incorporated in SNAP-Plus, which is Wisconsin's nutrient management software (<http://www.snapplus.net/>).

Additional information on ATCP 50 and NRCS 590 can be found at http://www.datcp.state.wi.us/arm/regulation/soil_water.jsp.

Potential EPA Part 503 Round 3 Parameters

David Taylor; Madison Metropolitan Sewerage District

EPA is scheduled to begin conducting a limited survey of biosolids quality this July. Sampling will occur at about 80 POTWs. The list of target analytes has been significantly expanded from earlier draft lists, and now includes a limited number of pharmaceuticals/personal care products,

steroids, and hormones. The complete list is given below. Biosolids quality data will be subject to a preliminary risk based screening process to determine whether there is a need to proceed with future rulemaking.

Table 1
Target Pollutants for the 2006 Targeted National Sewage Sludge Survey

Analyte Class	Analyte
Metals	Antimony
	Arsenic
	Barium
	Beryllium
	Cadmium
	Chromium
	Cobalt
	Copper
	Iron (total)
	Lead
	Manganese
	Mercury
	Molybdenum
	Nickel
	Selenium
	Silver
	Thallium
Zinc	
Polycyclic Aromatic Hydrocarbons (PAHs)	Benzo(a)pyrene
	Fluoranthene
	2-Methylnaphthalene
	Pyrene
Semivolatiles	bis (2-Ethylhexyl) phthalate
	4-Chloroaniline
Inorganic Anions	Fluoride
	Nitrate/Nitrite
	Total Phosphorus

CAS Number	Common Name	Technique
6804-07-5	Carbadox	LC/MS/MS
57-62-5	Chlortetracycline	LC/MS/MS
85721-33-1	Caprofloxacina	LC/MS/MS
564-25-0	Doxycycline	LC/MS/MS
93105-60-6	Ertrofloxacin	LC/MS/MS
114-07-8	Erythromycin-hydrate	LC/MS/MS
154-21-2	Lincomycin	LC/MS/MS
70458-96-7	Noxifloxacin	LC/MS/MS
79-57-2	Oxytetracycline	LC/MS/MS
80214-83-1	Roxithromycin	LC/MS/MS
93105-99-8	Sarafloxacin	LC/MS/MS
80-32-0	Sulfachloleopyridazine	LC/MS/MS
122-11-2	Sulfadimethoxine	LC/MS/MS
127-79-7	Sulfamerazine	LC/MS/MS
57-68-1	Sulfamethazine	LC/MS/MS
144-82-1	Sulfamethizole	LC/MS/MS
723-46-6	Sulfamethoxazole	LC/MS/MS
72-14-0	Sulfathiazole	LC/MS/MS
60-54-8	Tetracycline	LC/MS/MS
738-70-5	Trimethoprim	LC/MS/MS
1401-69-0	Tylosin	LC/MS/MS
21411-53-0	Virginiamycin	LC/MS/MS
103-90-2	Acetaminophen	LC/MS/MS
18599-94-9	Albuterol (salbutamol)	LC/MS/MS
58-08-2	Caffeine	LC/MS/MS
51481-61-9	Cimetidine	LC/MS/MS
486-56-6	Cofeine	LC/MS/MS
20830-75-5	Digoxin	LC/MS/MS
1672-46-4	Digoxigenin	LC/MS/MS
42399-41-7	Diltiazem	LC/MS/MS
54910-89-3	Fluoxetine	LC/MS/MS
25812-30-0	Gemfibrozil	LC/MS/MS
15687-27-1	Ibuprofen	LC/MS/MS
657-24-9	Metformin	LC/MS/MS
66357-35-5	Ranitidine	LC/MS/MS
35189-28-7	Norgestamate	LC/MS/MS
738-70-5	Trimethoprim	LC/MS/MS
81-81-2	Warfarin	LC/MS/MS

CAS Number	Common Name	Technique
80-97-7	Cholestanol	GC/MS/SIM
57-88-5	Cholesterol	GC/MS/SIM
360-68-9	Coprostanol	GC/MS/SIM
313-04-2	Desmosterol	GC/MS/SIM
651-55-8	17- α -Dihydroequilin	GC/MS/SIM
516-92-7	Epicoprostanol	GC/MS/SIM
474-86-2	Equilin	GC/MS/SIM
57-87-4	Ergosterol	GC/MS/SIM
57-91-0	17- α -Estradiol	GC/MS/SIM
50-28-2	17- β -Estradiol	GC/MS/SIM
50-50-0	β -Estradiol 3-benzoate	GC/MS/SIM
53-16-7	Estrone	GC/MS/SIM
57-63-6	Ethynyl estradiol	GC/MS/SIM
72-33-3	Mestranol	GC/MS/SIM
68-22-4	Norethindrone	GC/MS/SIM
6533-00-2	Norgestrel	GC/MS/SIM
83-46-5	β -Sitosterol	GC/MS/SIM
83-48-7	Sigmasterol	GC/MS/SIM
58-22-0	Testosterone	GC/MS/SIM
26538-44-3	α -Zearalanol	GC/MS/SIM
611-59-6	1,7-Dimethylxanthine	GC/MS/SIM

Congener Number	Congener Name	Technique
BDE-7	2,4-DiBDE	GC/HRMS
BDE-8	2,4'-DiBDE	GC/HRMS
BDE-12	3,4-DiBDE	GC/HRMS
BDE-13	3,4'-DiBDE	GC/HRMS
BDE-15	4,4'-DiBDE	GC/HRMS
BDE-17	2,2',4-TriBDE	GC/HRMS
BDE-25	2,3',4-TriBDE	GC/HRMS
BDE-28	2,4,4'-TriBDE	GC/HRMS
BDE-30	2,4,6-TriBDE	GC/HRMS
BDE-32	2,4',6-TriBDE	GC/HRMS
BDE-33	2',3,4-TriBDE	GC/HRMS
BDE-35	3,3',4-TriBDE	GC/HRMS
BDE-37	3,4,4'-TriBDE	GC/HRMS
BDE-47	2,2',4,4'-TeBDE	GC/HRMS
BDE-49	2,2',4,5'-TeBDE	GC/HRMS
BDE-51	2,2',4,6'-TeBDE	GC/HRMS
BDE-66	2,3',4,4'-TeBDE	GC/HRMS
BDE-71	2,3',4',6-TeBDE	GC/HRMS
BDE-75	2,4,4',6-TeBDE	GC/HRMS
BDE-77	3,3',4,5'-TeBDE	GC/HRMS
BDE-79	3,3',4,5'-TeBDE	GC/HRMS
BDE-83	2,2',3',5-PeBDE	GC/HRMS
BDE-85	2,2',3,4,4'-PeDBE	GC/HRMS
BDE-99	2,2',4,4',5'-PeBDE	GC/HRMS
BDE-100	2,2',4,4',6'-PeBDE	GC/HRMS
BDE-105	2,3,3',4,4'-PeBDE	GC/HRMS
BDE-116	2,3,4,5,6-PeBDE	GC/HRMS
BDE-119	2,3',4,4',6-PeBDE	GC/HRMS
BDE-120	2,3',4,5,5'-PeBDE	GC/HRMS
BDE-126	3,3',4,4',5-PeBDE	GC/HRMS
BDE-128	2,2',3,3',4,4'-HxBDE	GC/HRMS
BDE-138	2,2',3,4,4',5'-HxBDE	GC/HRMS
BDE-140	2,2',3,4,4',6'-HxBDE	GC/HRMS
BDE-153	2,2',4,4',5,5'-HxBDE	GC/HRMS
BDE-154	2,2',4,4',5',6'-HxBDE	GC/HRMS
BDE-155	2,2',4,4',6,6'-HxBDE	GC/HRMS
BDE-166	2,3,4,4',5,6-HxBDE	GC/HRMS
BDE-181	2,2',3,4,4',5,6-HpBDE	GC/HRMS
BDE-183	2,2',3,4',4,5',6-HpBDE	GC/HRMS
BDE-190	2,3,3',4,4',5,6-HpBDE	GC/HRMS
BDE-209	DeBDE	GC/HRMS

National Biosolids Partnership EMS Program David Taylor; Madison Metropolitan Sewerage District

Approximately ninety wastewater agencies are now participating National Biosolids Partnership (NBP) Environmental Management System (EMS) program, including Appleton, Green Bay MSD, Madison MSD, and Milwaukee MSD. Twelve (12) agencies have achieved EMS certification status from the NBP, and eight of these agencies have successfully completed their second 3rd party audit.

The NBP is looking at ways to encourage greater participation in the EMS process. They have developed a tiered recognition approach and are evaluating the frequency at which independent 3rd party auditors need to be involved in interim audits. In addition, the NBP is looking at ways to streamline the EMS program and will be providing examples showing multiple ways that demonstration agencies have satisfied the EMS requirements. All agencies are encouraged to visit the NBP website <http://www.biosolids.org/> to learn more about the

EMS program. In addition, even those agencies that are not currently participating in the formal EMS demonstration program are encouraged to consider using the EMS principles and elements as a tool for improving overall biosolids management performance.

Biosolids End Use Survey

David Taylor; Madison Metropolitan Sewerage District

A new national survey of treatment practices, biosolids quality and the use/disposal of biosolids will be conducted, with funding being provided by the USEPA. The survey will have multiple cooperators, including the New England Biosolids and Residuals Association, the Wisconsin Department of Natural Resources (WDNR), the Northwest Biosolids Management Association (NBMA), BioCycle, the National Association of Clean Water Agencies (NACWA) and others. This will be the most comprehensive survey ever conducted. This project will provide up-to-date key, basic information on what is happening with biosolids around the country, will identify trends in biosolids management and will help identify future needs as they relate to biosolids management.

Data will be collected in a phased approach. The first phase involved collecting biosolids information from state biosolids coordinators. This step has been completed and the data is being analyzed. The second phase will target select POTWs to fill in any identified data gaps.

National Academy of Science Dioxin Reassessment

David Taylor; Madison Metropolitan Sewerage District

The National Academies recently issued its evaluation of the Environmental Protection Agency's reassessment of health risks posed by dioxins. This evaluation was requested by EPA, the Department of Agriculture, and the Department of Health and Human Services. The agencies asked the National Academies to convene a panel to review the draft dioxin reassessment which EPA issued in 2003. Key findings from the National Academies review are given below. Additional information can be found at

<http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=11688>.

It is unclear at this time what impact, if any, the review will have on how EPA approaches dioxin from a regulatory standpoint.

KEY FINDINGS

The committee identified three areas that require substantial improvement in describing the scientific basis for EPA's dioxin risk assessment to support a sufficient risk characterization:

- Justification of approaches to dose-response modeling for cancer and noncancer end points.
- Transparency and clarity in selection of key data sets for analysis.
- Transparency, thoroughness, and clarity in quantitative uncertainty analysis.

The following points represent Summary recommendations to address the key concerns:

- EPA should compare cancer risks by using nonlinear models consistent with a receptor-mediated mechanism of action and by using epidemiological data and the new NTP animal bioassay data. The comparison should include upper and lower bounds, as well as central estimates of risk. EPA should clearly communicate this information as part of its risk characterization.

- EPA should identify the most important data sets to be used for quantitative risk assessment for each of the four key end points (cancer, immunotoxicity, reproductive effects, and developmental effects). EPA should specify inclusion criteria for the studies (animal and human) used for derivation of the benchmark dose (BMD) for different noncancer effects and potentially for the development of RfD values and discuss the strengths and limitations of those key studies; describe and define (quantitatively to the extent possible) the variability and uncertainty for key assumptions used for each key end-point-specific risk assessment (choices of data set, POD, model, and dose metric); incorporate probabilistic models to the extent possible to represent the range of plausible values; and assess goodness-of-fit of dose-response models for data sets and provide both upper and lower bounds on central estimates for all statistical estimates. When quantitation is not possible, EPA should clearly state it and explain what would be required to achieve quantitation.

- When selecting a BMD as a POD, EPA should provide justification for selecting a response level (e.g., at the 10%, 5% or 1% level). In either case, the effects of this choice on the final risk assessment values should be illustrated by comparing point estimates and lower bounds derived from selected PODs.

- EPA should continue to use body burden as the preferred dose metric but should also consider physiologically based pharmacokinetic modeling as a means to adjust for differences in body fat composition and for other differences between rodents and humans.

The committee encourages EPA to calculate RfDs as part of its effort to develop appropriate margins of exposure for different end points and risk scenarios, including the proportions of the general population and of any identified groups that might be at increased risk, for example, by exceeding an RfD.

2005 Wisconsin Act 347-Regarding Provisions Relating to the Management and Disposal of Septage and Municipal Sewage Sludge (2005 Assembly Bill 449)

David Taylor; Madison Metropolitan Sewerage District

This bill was prepared for the joint legislative council's special committee on septage disposal. The complete text can be found at <http://www.legis.state.wi.us/2005/data/acts/05Act347.pdf>. POTWs and septage haulers are encouraged to read the complete text. Some of the highlights include:

1. Regulating septage disposal fees
2. Requiring that septage needs be evaluated during the facilities planning process if a plant increases its treatment capacity by 20 percent or more
3. Creating a zero percent interest rate for the portion of a clean water fund loan for septage receiving and storing facilities and capacity for septage treatment.
4. A city, village, town, or county may not prohibit septage disposal on land if the disposal conforms with the statutes and DNR rules or with a septage land disposal ordinance adopted by a county, city, village, or town
5. The department (DNR) shall oversee, set technical standards for, and regulate the application of sewage sludge to land. No city, village, town, or county may prohibit, through zoning or any other means, the application of sewage sludge to land if that

application complies with applicable state statutes and rules promulgated under applicable statutes, although a city, village, town, or county may regulate the application of sewage sludge to land if the regulation is identical to regulations of the department.

Sanitary Sewer Overflows and CMOM

David Taylor; MMSD

DNR has re-started efforts to prepare new administrative rules to address Sanitary Sewer Overflows and CMOM. DNR is working with an advisory committee comprised of representative stakeholders to assist in this effort. Primary issues for that the advisory committee has been asked to weigh in on by DNR are identified below. Dave Taylor (davet@madsewer.org) represents the Wisconsin Section on the advisory committee. Wisconsin Section members are encouraged to provide feedback to Dave on these issues as soon as possible.

- 1. Overall integration of proposed CMOM approach with current Wisconsin programs. Identify optimal regulatory approach to maximize achievement of goals while minimizing impacts and costs to the permittees, the public, and the WDNR.**
- 2. The EPA proposal includes the “prohibition and excuse” regulatory approach for SSOs and other performance requirements, but does not recommend states issuing approvals of various CMOM elements. This overall approach appears to be predicated on using case-by-case prosecutorial discretion and leaves considerable subjectivity with regard to compliance decision making. What general approach should DNR take to evaluate compliance with SSO and CMOM requirements? What method or level of regulatory specificity is appropriate to ensure both regulators and regulated entities share consistent interpretations of program goals (thus presumably minimizing necessary enforcement actions)? (III.-N.)**
- 3. What collection system performance indicators could be used? (I.-J.-1 and III.-G.-5) Should tracking of certain performance indicators be required? Indicators might also be used in the DNR Compliance Maintenance program (CMAR form) or as basis for other performance-based requirements (possibly in lieu of prescriptive requirements).**
- 4. How to assess whether a permittee has taken “feasible steps” to avoid or mitigate overflows and their associated environment and public health risks. How might the DNR prescribe and/or assess the following:**
 - a. “System Evaluation and Capacity Assurance Plan” - EPA is proposing case by case assessment of system wet weather performance based on 2 criteria: severe natural conditions and no feasible alternatives (IV.-E). But what is “feasible” in terms of providing conveyance capacity? Wisconsin currently has a de facto minimum standard of containing a 5-year storm. Should a minimum standard be employed in conjunction with case specific evaluations? Is the traditional approach of I/I and SSES studies still appropriate to identify and correct collection system capacity deficiencies (I.-I.-1). Is there a need for specific procedures to evaluate whether treatment plant capacity reserves**

- are adequate to accommodate flows from proposed new sewer connections (III.-G.-4.-e).
- b. Collection system inspection and maintenance programs. (III.-G.-4.-d)
 - c. Emergency response plans. (III.-I.-2)
 - d. Reporting, notification and record-keeping procedures. How to assess risks associated with a particular event, and establish different notification procedures based on the risk. (III.-I.-2.-c and VI.)
 - e. Program audits (III.-I.-3)
5. What CMOM elements can be eliminated or simplified for smaller systems or lower-risk systems? (III.-K.)
 6. Should DNR maintain or modify its sewer extension ban program (s. NR 110.05 WAC) currently based on "Category 1" bypass events?
 7. Sewer and pump station design and construction standards. Including reliability and redundancy criteria and design flow determinations for both treatment and conveyance facilities. Are inspection requirements for new sewer construction adequate?
 8. Should DNR propose procedures or requirements that promote greater use of PEFTFs?
 9. What is necessary to allow or promote integration with watershed approaches? (III.-M.)
 10. How should satellite systems be regulated and with what extent of flexibility? What authorities are appropriate for regional systems with regard to their tributary satellite systems or to privately owned sewer laterals.
 11. What are reasonable implementation schedules for the specific program requirements? (III.-L.)
 12. How can private property I/I management be improved? (II.-G.-3)
 13. Establishing eligibility for state financial assistance for sewer rehab work? Should eligibility be tied to implementation of certain CMOM program elements? How to demonstrate project need and cost-effectiveness? (I.-L.)
 14. Should exfiltration from collection systems be addressed?
 15. CSO requirements?

Nutrient Criteria

Jane Carlson/Strand

Jim Baumann of the DNR attended the July 2006 Wisconsin Section Watershed Management committee meeting and provided an update on nutrient criteria development. Some highlights are as follow:

- The USGS has completed their study of the biotic effects of nutrients in Wisconsin Wadeable streams, and the report should be available on their web site soon.
- The USGS Wadeable stream study reports several threshold concentrations of total phosphorus (TP) above which impacts are found. These concentrations are in the range of 0.04 to 0.08 mg/L TP. For example, fish diversity and quality appears to be adversely affected when the average concentration of TP is greater than 0.06 mg/L.
- The USGS also attempted to extrapolate a "pre-settlement" concentration of TP, and it was reported to be around 0.03 mg/L.
- The USGS also found a relationship between total nitrogen concentrations and adverse biotic effects in Wadeable streams. This may mean that the DNR will develop numeric water quality criteria for nitrogen as well as phosphorus.
- The USGS study on non-Wadeable streams is expected to be complete in 2007.
- Minnesota has drafted nutrient standards for lakes, and it includes different classifications for lakes (eg., shallow and deep). Minnesota will handle reservoirs on a case-by-case basis. Michigan plans to complete their lake and stream nutrient standards in 2006.
- The DNR expects to develop a written plan, and possibly draft code language, for nutrients in 2007 and then form an external advisory group to review and provide input. This work will eventually lead to new administrative code language and an implementation plan for nutrient water quality criteria. Public hearings on the proposed criteria will likely be held in 2008.
- USEPA is currently developing a guidance document for nutrient standards for wetlands.

Note that the point about nitrogen criteria could be significant for our members. In the past, the DNR has stated that they might only develop numeric criteria for phosphorus, and might use a different approach such as reduction goals for nitrogen.

The Watershed Management committee reminded Mr. Baumann of the Section's interest in assisting the DNR with criteria development, cost-effectiveness evaluations, and implementation.

**NR 214 - Land Treatment Of Industrial Liquid Wastes, By-Product Solids and Sludges
Jane Carlson/Strand <No update from previous report>**

Duane Schuettpelz of DNR was contacted in 2004 and 2005 and indicated there hasn't been any recent action to initiate a rule-making effort. There are, however, continuing discussions with interested parties on the current implementation of the rule in specific permitting situations. In early 2006 the DNR released their proposed draft permit language for all NR 214 permitted dischargers statewide. The draft permit language includes the following:

- **New Waste Stream Requirements - new waste streams may not be accepted until the DNR has reviewed a revised waste management plan and provided written approved.**
- **Monitoring - includes requirements for maintaining records including daily logs; collecting and analyzing representative samples, and establishing site loading rates prior to landspreading. Records must be maintained for five years. For discharge to storage, includes requirements for maintaining a daily log of the type of waste, volume, characterization, and date added to storage; includes requirements for the permittee to develop their own waste acceptance procedures.**
- **Reporting - includes requirements for monthly reporting on DNR forms 3400-49 and 3400-55.**
- **Operating Requirements/Management Plan - requires a DNR-approved management plan per NR 214, with the following additional requirements: description of waste acceptance plan; notification of DNR regarding land application sites that will be used; record keeping procedures; calculations that will be used to determine loading rates; tracking of site loading; mitigation procedures for handling wastes that deviate from the plan; and odor control. Requires DNR notification prior to land application. Submit updated plan within 60 days of permit reissuance.**
- **Reauthorization of Land Application Sites - following permit reissuance, requires DNR notification and approval of all sites that will be used during that permit term, prior to their use.**

The proposed permit language will particularly affect waste haulers that accept and land-apply wastes from multiple sources. At a minimum, their monitoring and reporting requirements will increase significantly. Contact Jane Carlson, (608) 251-4843, for a copy of the draft permit language.

Summary of Key Legislative and Rulemaking Activity
Submitted by:
Paul G. Kent of Anderson & Kent sc
Legal Counsel for the Municipal Environmental Group
Wastewater Division <No update since previous report>

LEGISLATIVE ACTIVITY

TAXPAYER PROTECTION AMENDMENT (TPA).

The Taxpayer Protection Amendment, (TPA) is a proposed amendment to the state constitution, and would restrict revenue collections from taxes, licenses and fees. This proposal has replaced the prior restriction on local government spending known as the Taxpayer Bill of Rights (TABOR

In the original version of TPA, all municipal utilities **except wastewater** utilities were excluded from the revenue caps. MEG and other municipal interests worked extensively to include wastewater utilities in the municipal utilities exemption. Although we were successful, that version of TPA was scrapped towards the end of April as it became clear that there were not the votes to support it. The last version of TPA did not restrict revenue collections by local governments. Instead, it restricts revenue collected in the state's "general purpose" fund, which supports the bulk of state spending. Finally on May 4th the entire TPA effort died when it failed to pass the state Senate.

A constitutional amendment such as TPA must passed by both houses of the Legislature one session, and then by both houses of the Legislature next session. Given the failure of it to pass this session, any such initiative will now take a vote in the 2007-2008 legislature, plus another vote in the 2009-2010 legislative session before a referendum could be held.

SEPTAGE: AB 449

AB 449 was approved by the Assembly in February, by the Senate in March and was signed into law by the Governor on April 14. This bill came out of a Legislative Council Committee on Septage in which MEG other municipal interests and waste haulers were represented.

The bill imposes a number of new requirements on the handling of septage, but it addresses the issues that MEG and others raised. First, the existing authority of a treatment plant to reject septage that may cause discharge permit violations is preserved.

Second, the bill does not require communities to build facilities to accept septage, which was proposed at the beginning of this process. Instead, septage needs must only be considered in the facilities planning process.

Third, the bill does not impose an artificial, arbitrary cap on septage fees, which was an issue pushed by septage haulers through this process. This bill requires that septage fees, be based

on actual costs. There is also a fee dispute resolution mechanism outside of the formal PSC complaint process.

The bill supports landspreading of biosolids into the future by prohibiting local regulations banning landspreading.

LATERAL MARKING: SB 498.

SB 498 was introduced by Senator Joe Leibham (R-Sheboygan) earlier this year. In its original form, this bill would have required municipalities to mark all sewer laterals in the right of way when a request was made to Diggers Hotline. It also required local governments to require locator wires on installations after 2007. MEG lobbied against this bill along with, MEUW, and the League of Municipalities.

As a result of extensive meetings a new version of the bill was introduced that would provide a local government with two options with respect to an inquiry about sewer laterals: (1) the municipality can simply provide "readily available" information about the location of laterals for inspection and copying, similar to an open records request; or (2) the municipality can choose to mark the laterals. Since the information was in most cases a public record subject to the public records law, the impact of this new requirement should not be a significant new burden. In addition, the requirement for locator wires for new construction has been changed from local mandate to a state mandate on the installers.

The amended version of this passed the Assembly and Senate on May 4th and is now awaiting an expected approval by the Governor.

STORMWATER SYSTEM FEES BILL: AB 492.

AB 492, which would have imposed unreasonable restrictions on municipalities with stormwater utilities, appears to be off the table for this legislative session.

CHARTER TOWNS: AB 266.

This bill, introduced by Representative Carol Owens (R-Oshkosh), would allow towns meeting certain criteria to elect to become "charter towns." This bill may prohibit some municipalities from acquiring property in neighboring "charter" towns for sewer and water purposes. MEG has asked for an amendment to the bill that would assure that municipal extension of services can continue. This bill is unlikely to pass this session.

PLUMBING FEE LIMITS: AB 370.

This bill was introduced over a year ago and still has yet to receive a hearing. This is an indication that the bill will probably not be passed this session. This bill would have limited local government authority to charge permit fees for installation of plumbing fixtures.

REGULATORY ACTIVITY

LABORATORY REGISTRATION AND CERTIFICATION (NR 149)

The Natural Resources Board authorized a major revision of the lab certification rule, NR 149 for hearings this spring. The revised rule would greatly expand the detail of the current rule and specify the standards for all lab procedures in a manner somewhat comparable to the National Environmental Laboratory Accreditation Council (NELAC) standards.

Five public hearings were held. MEG was critical of this rule with respect to the burdens placed upon small municipal labs. Nearly all of those attending the hearings spoke against the rule. Written comments were submitted April 14. MEG's major points raised in written comments were:

- The DNR failed to accurately determine and represent the significant costs and burdens this rule will have on municipal wastewater labs;
- The DNR failed to present any demonstrable water quality or environmental need for the additional costs and burdens that the rule imposes; and
- The DNR failed to accurately represent and address the concerns that MEG and other municipal representatives have with this rule.

The rule comments will be evaluated before a decision is made to seek approval by the Natural Resources Board. If approved it would go to the legislature for review before becoming final.

STREAM RECLASSIFICATION:

The DNR held public hearings on a rule change that would designate 30 additional stream segments as outstanding natural resource (ORW) waters and 12 additional stream segments as exceptional resource waters (ERW). Nearly all of these waters were in northern Wisconsin. MEG submitted comments on February 28, 2006, opposing the process by which streams are reclassified and specific designations for segments affecting MEG members.

MERCURY PMP MANUAL

The DNR has issued a final draft of its new Mercury PMP manual. Communities affected by the new mercury PMP requirements should review the manual. While not a binding administrative rule, it establishes DNR's policy for review of PMP plans.

AG RULES ON LIVESTOCK SITING AND LANDSPREADING: ATCP 50 AND 51.

The livestock siting regulations in ATCP 51 has finally passed legislative review with amendments after a long battle over livestock operation siting and odor rules. Now that ATCP 51 is done, we expect attention to turn to ATCP 50 which addresses landspreading operations. The current version still includes the improved biosolids exemption lobbied for by MEG.

DNR ANIMAL WASTE RULES: NR 243.

Natural Resources Board action is now expected on animal waste feeding operation rules at the May Natural Resources Board meeting. NR 243 primarily deals with revisions to the WPDES rules for manure handling at larger farms. The proposed rules do not directly regulate biosolids but affect nutrient loading that may compete with biosolids.

Wisconsin Section WEA

By Tom Foltz

<No updates since last report>

The 2006 Government Affairs Seminar was held on Thursday, February 23, at the Marriott Madison West on John Q. Hammons Drive. Preliminary information indicates that 241 people pre-registered including complimentary registrations for speakers, and 13 registered at the door.

The program was well received by those in attendance. Every topic received a good number of excellent and / or good ratings. Those in attendance provided a good list of requested topics for next year's conference. Representative requests include political advocate for Wisconsin legislation affecting wastewater operations, blending update, lab update, SSO and CMOM discussion, presentation on endocrine disruption and pharmaceutical wastes, water balance issues, and emergency response planning.

Projected revenue for the 2006 seminar is \$13,555 and projected costs are \$14,492.67. for a net deficit of \$937.67. The net deficit is evenly split with WWOA. The cost of the seminar will have to be raised next year, and some of the costs associated with the Marriott services will have to be reduced.

The 2007 Government Affairs Seminar will be held on Thursday, March 1 at the Marriott Madison West. A contract reserving the conference room has been signed. Conference planning generally begins in September. Final details will be available later this year.

Stream Re-classification/Proposed Revisions to Chapters NR 102, 104, and 106 as Related to Stream Classification & Outstanding and Exceptional Resource Waters

Chad T. Olsen

McMahon Associates, Inc. <No updates since last report>

As mentioned in previous updates, the Wisconsin Department of Natural Resources (DNR) is in the process of revising Wisconsin Administrative Codes NR 102, 104 and 106 as they pertain to stream classifications. NR104 was originally promulgated in 1976 and has been modified slightly several times since. However, there has not been a comprehensive updated of the classifications of many Wisconsin surface waters since the early 1980's.

Phase I rule changes originally went out for public comment in March 2002 and can be viewed at www.dnr.state.wi.us/org/water/wm/wqs/index.htm. The Phase I rule changes generated more controversy and comments than anticipated. Some groups saw the proposed rule changes as a downgrade in environmental standards and felt that the proposed rule changes could result in less restrictive limits in WPDES permits. Previously, the unlisted water bodies were given the default status of warm water sport fish or warm water forage fish, with more restrictive limits. The DNR received comments on findings, documentation, legal issues, etc. In some cases the DNR had difficulties fully substantiating why a water body was designated as limited use rather than full fish and aquatic. The DNR has been reviewing all documentation for each stream classification to insure adequate documentation exists supporting each classification. Where documentation is missing, the DNR has been doing further studies to substantiate the classification.

In 2004, the DNR received a petition from the River Alliance and the Midwest Environmental Advocates requesting that approximately 100 additional stream segments be included in the Outstanding and Exceptional Resource Water list of NR 102. An Outstanding resource water is defined as a lake or stream which has excellent water quality, high recreational and aesthetic value, and high quality fishing and is free from point source and nonpoint source pollution. An Exceptional resource water is defined as a stream which exhibits the same high quality resource values as outstanding waters, but which may be impacted by point source pollution or have the potential for future discharge from a small sewer community. The last time the list was updated was in the early 1990's, when several impoundments were included. New stream segments have not been listed for some time.

Outstanding and Exceptional Resource Waters are afforded additional protections above and beyond that of NR104. A list of the current Outstanding and Exceptional Resource Waters in NR102 can be obtained from the DNR website:

<http://dnr.wi.gov/org/water/wm/wqs/index.htm>. The press release for the petition to add other stream segments can be viewed at:

<http://www.midwestadvocates.org/media/releases/8-17-04%20FINAL%20Petition%20press%20release.pdf>

The DNR is planning to provide recommendations to the Natural Resources Board on the segments they recommend adding to the Outstanding and Exceptional Resources List this October. The DNR is also planning on sending a revised stream reclassification list (NR 104) to the Natural Resources Board in either October or December of this year.

TMDLs

Bill Desing/CH2M HILL & Mike Mischuk/CH2M HILL

The following is from Jane Carlson/Strand:

Jim Bauman/WDNR provided the following update in July 2006:

- The 2006 303(d) list was out for public comment and has now apparently been submitted to USEPA. See <http://dnr.wi.gov/org/water/wm/wqs/303d/303d.html> .
- The USEPA recently solicited proposals from their approved TMDL contractors for a phosphorus and sediment TMDL for the Rock River.
- The USEPA is starting to put pressure on DNR to develop more TMDLs or risk losing \$6 million per year in funding.

On May 3, 2005 the DNR gave Public Notice for two sediment TMDLs, one for Becky Creek and one for the Sugar-Pecatonica basin. It appears the TMDLs are intended to address non-point sources only, which is consistent with what Jim Baumann of DNR has stated in the past (DNR wants to wait for things like numeric nutrient criteria before addressing point source-related impairments). However, point sources are mentioned in a few places. In the Sugar-Pecatonica TMDL there is a point source waste load allocation of zero for sediment. The TMDL mentions a few POTWs like Dodgeville but states they do not discharge "sediment." For more information see:

http://dnr.wi.gov/org/water/wm/wqs/303d/Draft_TMDLs.html

The following is background information from previous reports:

The Total Maximum Daily Load (TMDL) is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. Section 303 of the Clean Water Act requires States to identify waters not meeting State water quality standards (303(d) list), sets priorities for development of a TMDL for each pollutant for each water body listed as being impaired. The USEPA is responsible for the management of the program and issues guidance to the States for development and implementation of TMDLs.

The following is a brief overview of the regulatory history of TMDLs:

- 1985 - TMDL regulations first issued. Provisions included nonpoint source and load allocations
- 1992 - TMDL regulations revised. Provisions called for State lists every two years
- 1999 - Revisions to TMDL and NPDES regulations proposed
- 2000 - Final Rule issued on July 13, 2000
- Congressional rider on military construction/supplemental appropriations prohibits EPA from implementing this rule
- TMDL program continues under 1992 regulations and agreements reached through litigation

The objective of the 2000 Rule was to establish an effective and flexible framework to move the country toward the goal of clean water and to establish a process for making decisions in

cost-effective methods to restore polluted waterways. The following is an overview of the goals of the 2000 rule:

- Provide for a more comprehensive list of impaired waters
- Lists of impaired waters would be submitted every four years
- Impaired waters would remain on list until water quality standards are attained
- Public would be notified and have opportunity to comment on methodology, lists, and TMDLs
- Strengthen efforts to put in place cleanup actions that result in attaining water quality standards, and
- Sets goal of attaining water quality standards within 10 years, if possible

In Wisconsin, currently the 2000 final rule cannot be implemented due to funding constraints which means that the 1992 TMDL regulations and interpretive guidance will govern the State's program.

Wisconsin has been tasked with developing action plans (TMDLs) to remove impaired waters from their Section 303 (d) list which is required under the Clean Water Act. There are currently 264 impaired water bodies on Wisconsin's Section 303 (d) list. This list was published in 1998 and has yet to be revised. The following is a synopsis of impairments:

- Sedimentation - 787 miles
- Nutrients - 231 miles
- Pathogens - 49 miles
- Toxics/Metals/Inorganics - 35 miles
- Toxics Organics - 585 miles
- Mercury - 661 miles

To date, progress in Wisconsin has been slow because the WDNR is currently facing significant budget reductions due to the State's budget deficit. However, the WDNR is attempting to use existing data that was obtained in the past for purposes other than TMDL development to develop TMDLs. In addition, WDNR has submitted a proposal to EPA for funding to begin the development of about 6 TMDLs per year. This proposal would only provide money to begin the development and any funding obtained could only be used for non-point watersheds. Given the limits and restrictions on funding it is not expected for TMDLs to be developed for two to three years. There will likely be available state and federal cost share funds for installing best management practices related to TMDLs.

CMOM & Wet Weather Collection System Issues Update Andrew Craven/Strand Associates, Inc. <No update from previous report>

CMOM and wet weather issues in general were popular topics at the recent WEFTEC 2005 convention in Washington D.C. Workshops and technical sessions focused on managing and operating collection systems during wet weather events. All of these discussions seem to

assume that some type of a CMOM program is forthcoming – at some level at some time – and that communities may as well start working on this. Recent developments include;

- USEPA has included CMOM requirements in recent consent decrees issued to communities. Most of this activity has taken place in EPA Regions 4 & 5 (Ohio, Kentucky).
- The State of Wisconsin DNR continues to encourage communities to implement CMOM type programs into their existing O&M activities. This has been via the e-CMAR program as well as enforcement activities related to wet weather bypass events. Very little in the way of specific guidance has been provided.
- A recent proposal submitted by the National Association of Clean Water Agencies (NACWA, formerly AMSA) and the National Resources Defense Council (NRDC) to USEPA attempted to reach some consensus on the issue of blending at wastewater treatment plants. A copy of the proposal can be found on the NACWA website, or by contacting Andrew Craven at Strand Associate. The proposal was well received by USEPA personnel. However, state and local regulators indicated that it would place an additional burden on their already backlogged permit review personnel. This issue, and the proposal, continues to be debated at the national level.

In the Second Quarter report, it was reported that USEPA Region 5 had recently sent out CMOM Self Evaluation Forms to select communities. These communities were in the Cleveland area (Northeast Ohio). USEPA is using this as a pilot program to assess the CMOM implementation process.

**Stream Re-classification/Proposed Revisions to Chapters NR 102, 104, and 106 as Related to Stream Classification & Outstanding and Exceptional Resource Waters
Chad Olsen/McMahon Associates, Inc. <No updates since previous report>**

As mentioned in previous updates, the Wisconsin Department of Natural Resources (DNR) was in the process of revising Wisconsin Administrative Codes NR 102, 104 and 106 as they pertain to stream classifications. NR104 was originally promulgated in 1976 and has only been modified slightly several times since. However, there has not been a comprehensive updated of the classifications of many Wisconsin surface waters since the early 1980's. Phase I rule changes on the classifications went out for Public Comment in March 2002 and generated a lot of controversy. The controversy caused the DNR to pull back and review and document all classifications.

During the process, the DNR received a petition from the River Alliance and the Midwest Environmental Advocates in 2004 requesting that approximately 100 additional stream segments in northern Wisconsin be included in the Outstanding and Exceptional Resource Water list of NR 102. An Outstanding resource water is defined as a lake or stream which has excellent water quality, high recreational and aesthetic value, and high quality fishing and is free from point source and nonpoint source pollution. An Exceptional resource water is defined as a stream which exhibits the same high quality resource values as outstanding waters, but which may be impacted by point source pollution or have the potential for future discharge from a small sewer community.

Outstanding and Exceptional Resource Waters (ORW/ERW) are afforded additional protections above and beyond that of NR104. A list of the current ORW/ERW in NR102 can be viewed at the DNR website: <http://dnr.wi.gov/org/water/wm/wqs/index.htm>.

The DNR provided recommendations to the Natural Resources Board on the segments they recommend adding to the Outstanding and Exceptional Resources List in October 2005. For a list of waters that are being proposed as ORW or ERW, go to <http://dnr.wi.gov/org/water/wm/wqs/orwerw/>, click on the "green sheet package" link about halfway down, and take a look at the fourth page (Appendix 1). The recommendations went out for Public Comment, which ended on February 28, 2006. The Department is scheduled to go to the Natural Resources Board during the June Meeting with prepared responses to the Public Comments. Some revisions have been made to the recommended list. The revised list should be available on the DNR website at the end of May.

Actual rule changes to Wisconsin Administrative Codes NR 102, 104 and 106 as they pertain to stream classifications have been placed on hold for the time being. The Department has been focusing on the Outstanding and Exceptional Resource Waters list. Once complete, the Department plans on preparing a Guidance for staff on how to classify streams. The guidance should be available this fall. Formal changes to Phase I rule changes Wisconsin Administrative Codes NR 102, 104 and 106 as they pertain to stream classifications will occur at a later date.

Wastewater Security

By Rusty Schroedel/Earthech

Updated May 7, 2006

<No updates since previous report>

Wastewater Security Legislation to Be Introduced Following Release of GAO Report

The Government Accountability Office (GAO) has completed work on a second report on wastewater treatment plant security and has sent the results to the Senate Environment and Public Works (EPW) Committee, which is expected to release it to the public at the end of April. EPW Committee Chairman, James M. Inhofe (R-OK) requested the study to assess the state of security at the nation's clean water utilities and gather data on how they have assessed and addressed potential vulnerabilities since September 11, 2001. In response to the GAO report, Chairman Inhofe will propose new legislation that will draw significantly on a bill that passed the Committee in 2003, the *Wastewater Treatment Works Security Act of 2003* (S. 1039)

EPW Committee staff reported that the Chairman hopes to introduce a wastewater security bill simultaneously with the public release of the GAO report.

DHS Budget Supports Chemical Security Legislation

The proposed FY 2007 budget for the Department of Homeland Security (DHS) includes a request for \$10 million to establish a new office to administer a chemical site security program. The establishment of the new office closely tracks bipartisan legislation introduced late last year

that would require DHS to regulate the security of thousands of chemical facilities nationwide. The *Chemical Facility Anti-Terrorism Act of 2005* (S. 2145) would provide broad new authority to DHS to establish risk-based criteria to determine which chemical facilities are vulnerable to terrorist attack and to establish security standards for those facilities. Chemical facilities would be required to conduct vulnerability assessments and create site security and emergency response plans based on their specific vulnerabilities, subject to approval by the Secretary of DHS. Facilities that fail to comply with the security standards would be subject to fines and penalties.

In testimony March 2, DHS Secretary Michael Chertoff told the Senate Homeland Security and Governmental Affairs (HGA) Committee that the Bush Administration would like to see legislation passed this year that would give DHS authority to oversee security at chemical facilities.

Wastewater Facilities Could Be Covered by Chemical Security Bill

Senate Homeland Security and Governmental Affairs (HSGA) Committee Chairwoman Susan Collins (R-ME) and Ranking Member Joe Lieberman (D-CT) introduced S. 2145 following a year of negotiations with DHS and the chemical industry. As a starting point, the bill directs DHS to consider all facilities on the Environmental Protection Agency's Risk Management Program (EPA RMP) list under Clean Air Act §112(r). The list includes more than 15,000 facilities, including some wastewater treatment plants, which store, produce, or use greater than threshold quantities of hazardous chemicals. The bill also gives DHS the authority to add facilities not on the EPA RMP list. All listed facilities would be assigned by DHS to a security tier based on risk criteria. However, just because a facility is on the EPA RMP list does not mean DHS will include it on the list of covered facilities.

Senator Collins' staff stated that "DHS does not intend to capture wastewater facilities" in the legislation. This opinion was reinforced in a March Government Accountability Office (GAO) report on chemical facility security, in a DHS comment that stated, "It did not intend wastewater treatment facilities to be incorporated in the list of top facilities." However, both Collins' and Lieberman's staff conceded to that the current bill could be problematic for a small number of wastewater utilities that could be covered by the bill's current definition. Sen. Collins' staff expects S. 2145 to be marked up in the HSGA Committee this year. Similar legislation in the House is expected to be released in the near future.

Senate Democrats Introduce Tougher Chemical Security Bill

The Senate delegations from New Jersey and Illinois have introduced a chemical security bill that is significantly more stringent than the bipartisan Collins-Lieberman *Chemical Facility Anti-Terrorism Act of 2005* (S. 2145). Senators Frank Lautenberg (D-NJ) and Barack Obama (D-IL) are the authors and sponsors of the *Chemical Security and Safety Act of 2006* (S. 2486). Cosponsoring the legislation are Senators Robert Menendez (D-NJ), Richard Durbin (D-IL), John F. Kerry (D-MA) and Joe Biden (D-DE). Upon introduction of the bill, Senator Obama pointed to chlorine as a dangerous industrial chemical that could compromise homeland security, making some wastewater facilities eligible to be covered under the new proposal. S. 2486 would require that every chemical facility in the country adopt inherently safer technologies and allow states to enact tougher chemical security standards than Federal law allows. Last year, the State

of New Jersey began to require that chemical facilities adopt inherently safer technologies if they can do so.

The Chairman of the Senate EPW Committee, James M. Inhofe (R-OK), immediately criticized the partisan bill saying it would impose unnecessary restrictions on chemical plants. The bill has little chance of being brought before the committee for discussion but will likely be used by the Senators to try to gain concessions during this year's anticipated debate of the Collins-Lieberman bill in the Committee on Homeland Security and Governmental Affairs and on the Senate floor.

Industrial Waste - Brian Molenaar, Chair

No report received.

Membership - Rob Szekeress, Chair

No report was received.

Operations Committee - Troy Larson, Chair

No report received.

Management Seminar - Pete Conine, Chair

No report received. Management Seminar will take place August 10, 2006 in Madison, WI at the Comfort Inn, 4822 E. Washington Ave. Registration begins at 8:00 a.m. The seminar begins at 8:55 a.m.

Public Education - Max Anderson, Chair

No report received.

Safety - Chair Vacant

No report was received.

Watershed Management - Hans Holmberg, Chair

To: Wisconsin Section Secretary/Treasurer Dave Arnott, Chair Tom Mulcahy, and Board
From: Hans Holmberg, Chair, Wisconsin Section Watershed Management Committee
Re: Report on July 11, 2006 Committee Meeting

A meeting of the Wisconsin Section Watershed Management Committee was held at 10:00 AM on July 11, 2006 at the offices of Strand Associates in Madison, WI. Participating in the meeting in Madison were Hans Holmberg (Chair), Jane Carlson, Ann-Marie Kirsch, Michael Doran, Rick Reichardt, and guest Jim Baumann of DNR. Participating via teleconference were Troy Deibert,

Ron Dickrell, Brandon Koltz, John Kennedy, and Jeff Mazanec. Committee members Max Anderson, Bill Krill and Rusty Schroedel were not able to participate. The following items were discussed:

Reports from Committee Members Appointed to Watershed Groups

Hans reported that the St. Croix Basin Water Resources Planning Team has established a phosphorus loading reduction goal of 30% in the watershed. One important project in the basin, the St. Croix River Crossing, a new bridge across the St. Croix River at Stillwater, MN, has issued an Environmental Impact Statement showing that construction of the bridge will not meet the reduction goal. A Water Quality Management Advisory Committee is being formed and will consider opportunities for nutrient trading or banking within the watershed.

Ron reported that some interest in a volunteer monitoring program in the Central Wisconsin Watershed has been expressed. UW-Extension is coordinating activities in conjunction with DNR.

John reported that the lower Green Bay/Fox River Science and Technical Advisory Committee (STAC) and EPA are exploring a possible pilot study program to incorporate the use of monitoring being conducted in the basin to support a TMDL.

Ann-Marie reported no recent activities on the Lake Wissota/Yellow River TMDL.

Rusty reported via email recent activities related to the Sheboygan River have largely been associated with the PCB cleanup effort. Rusty will continue to stay involved.

Reports on other Watershed Activities

Brandon and Troy reported that work on the MMSD's 2020 Facilities Plan is continuing. Modeling activities are being wrapped-up and they are working towards a recommended alternative.

Ann-Marie reported that proposals to EPA to develop a phosphorus and sediment TMDL for the Rock River Basin have been submitted. Only EPA contractors (four firms total) were invited to submit proposals.

Jeff reported that the Fox-Wolf Watershed Alliance (FWWA) is finalizing plans for its 9th annual stormwater conference at UW-GB March 12-14, 2007 to discuss water quality modeling, water resources and GIS, and BMPs among other topics in the basin. Jeff also reported that the Northeast Wisconsin Stormwater Consortium (NEWSC) is up to 30 members, 26 of which are MS4 communities, and they continue to share information on implementing their MS4 programs.

DNR/Regulatory Updates

Jim Baumann indicated that DNR is responding to public comments on the draft 2006 303(d) list. The final list may potentially include the addition of 10-20 new water bodies and the removal of 6 previously impaired waters.

Jim gave a presentation discussing the DNR's efforts in developing stream nutrient criteria. The science behind the criteria will undergo internal DNR review later this year and DNR will then prepare a proposal. An external advisory group is expected to be formed in early 2007, with public hearings to follow later in 2007 or 2008.

Recent or Upcoming Conferences or Activities

The following upcoming conferences and activities of interest were noted:

- Abstracts for the 2007 CSWEA annual meeting are expected to be due in December.

Articles/information for WISILLMINN or Website

No suggestions were made for articles of immediate interest.

Nominations for Committee Vice-Chair

Vice-chair position is open. Nominations, including self-nominations, are welcome.

Meeting adjourned at approximately 11:30 a.m.

cc: Committee Members (Hans Holmberg, Chair; Vice Chair - vacant; Max Anderson; Jane Carlson, Troy Deibert, Ron Dickrell; Michael Doran; John Kennedy; Ann-Marie Kirsch; Rick Reichardt; Rusty Schroedel; Brandon Koltz; Jeff Mazanec; and Bill Krill)

Students & Young Professionals - Dan Busch, Chair

No report received.

Public Awareness - Steve Godfrey, Chair

No report received.

Spring Biosolids Symposium - Bill Marten, Representative

- No activity to report.

Water/Wastewater Education Association – Rusty Schroedel, Chair

No report received.