WDNR Update
Government Affairs - 2015

Brian Weigel
Water Evaluation Section Chief
Changes in 2015

Sincere appreciation to our retirees!

- Tom Mugan, Section Chief – Wastewater
- Mike Lemcke, Section Chief – Permits
- Mike Hammers, Steve Jaeger, Rick Reichardt - WW Engineers

Welcome new staff!

- Bart Chapman, Section Chief – Wastewater (April)
- Adrian Stocks, Section Chief – Permits
- Jonathan Hill, Barti Omarou, Jacob Zimmerman, and Jason Knutson

Preliminary Budget:

- Water Division down 10.5 FTE plus more to lapse funding
- POWTS (Private Onsite Wastewater Treatment System) program
Wastewater Operator Certification (NR 114)

Contacts: Lisa Busby, Danielle Luke

- Takes effect July 2015
- Simplified Grade Levels
  - T,1,2,3,4 → Operator in Training, Basic, & Advanced
- Subclasses new, regrouped, or revised
  - e.g., collection systems
- All certifications converted to the new system 01 July 2015
  - Operators will be mailed a new certificate
- Op cert exams 6 May 2015 - preview conversion info

http://dnr.wi.gov/regulations/opcert/
Storm Sewer Overflow (SSO) Rule
Contact: Jack Saltes

• DNR approved rule August 2012

• EPA approved rule December 2014

• CMOM (Capacity, Management, Operation, and Maintenance) plans to reduce SSOs must be completed by August 1, 2016

http://dnr.wi.gov/topic/wastewater/CMOM.html
Pretreatment Requirements – Streamlining NR 211 (Feb 2014)
Contact: Bob Liska

• Removes sampling requirements of wastewater for pollutants not expected to be in the discharge by industries to sanitary sewers

• Removes pretreatment sampling and reporting requirements for industries not discharging >100 gpd of wastewater to the sanitary sewer

• Reduction of pretreatment sampling and reporting to 1x/yr if discharging < 0.01 % of the capacity of the municipal treatment plant.
Requires Best Technology Available (BTA) for reducing:

- Impingement Mortality  
  (7 options)
- Entrainment  
  (Best Professional Judgment)

DNR hosted meetings to explain the Federal rule

Facilities >125 MGD additional documentation of I/E

Water Quality Report to Congress

Contact: Aaron Larson

- Integrated Report includes Impaired Waters List (303(d)) and Statewide condition assessment (303(b))
  - 2012 Report approved by EPA, 2014 under EPA review, 2016 under development

- ~900 individual waterbodies listed as impaired because they do not meet water quality standards.

- Background, updates, and search tools:
  - http://dnr.wi.gov/topic/impairedwaters/

  Webinar:
General Permits
Contact: Amanda Minks

• Actively working to reissue several general permits
  • Noncontact cooling water
  • Potable water treatment & conditioning
  • Hydrostatic test water or water supply system water
  • Industrial sand mining (wastewater and runoff)
• Phosphorus and thermal standards need to be evaluated
• EPA approval required during reissuance process
Triennial Standards Review 2015 – 2017
Contact: Sarah Yang

- Topics solicited from Public and internals
- Synthesized list and put out for ranking
- Public hearing, November 2014
- Final draft under internal review

New topics to address:
- Bacteria (E-coli) criteria
- Harmful Algal Bloom criteria or guidance

http://dnr.wi.gov/topic/surfacewater/tsr.html
Updates to Antidegradation Policy

Contact: Amanda Minks

- Goal is to become consistent with Federal requirements
- Rule making process started in 2009
- Scope:
  - Specify public participation opportunities
  - Define “significant lowering of water quality”
  - Define “important social and economic development”
  - Apply policy to new & revised standards, e.g., stormwater, CAFOs, mass limits
  - Enhance structural components of NR 207
Variances to Water Quality Standards

Contact: Lynn Morrison

http://dnr.wi.gov/topic/wastewater/variances.html

• Mercury
  • 1997 Ohio EPA (widespread adverse socio-economic impact)
  • New report drafted by EPA Region 5 and Battelle

• Chloride Reminders
  • SRMs should be stepwise permit-to-permit
  • Should see effluent quality improvement (concentration or mass)
  • Consider re-use of brines for deicing roads
Variances to Water Quality Standards

**Copper**
- Mostly effects Northern and Western district (soft water)
- DNR - EPA to collect data and use a new modeling approach which may help facilities with compliance

**Arsenic**
- Lake Michigan is above the criteria
- Facilities with intakes on L Michigan will likely need a variance
- Working w/EPA to get first industrial arsenic variance

http://dnr.wi.gov/topic/wastewater/variances.html
Possible Statewide Phosphorus Variance

Contacts: Mike Bruhn, Russ Rasmussen

• Act 378: determine whether compliance with WQBELs for P are feasible or if they cause substantial and widespread adverse social and economic impacts on a statewide basis

• DOA in consultation with DNR to make social and economic determination

• EPA must approve variance before it becomes available
  • Productive discussions with EPA continue
Development steps for statewide variance

1. Data gathered to investigate statewide impacts
2. DOA make preliminary decision
3. 30-day public comment period and meeting
4. Final decision made
7. EPA disapproves. No statewide variance.
8. No statewide variance request.
Minimum requirements include:

1. Certification that the facility can achieve compliance without a major upgrade

2. Point source can achieve compliance with interim limits:
   - 1st permit – 0.8 mg/L
   - 2nd permit – 0.6 mg/L
   - 3rd permit – 0.5 mg/L
   - 4th permit – WQBEL

3. Point source will implement a watershed project:
   - Annual payments to county LCD ($50/lb)
1. Wisconsin River Basin
   • Phosphorus

2. Upper Fox-Wolf Basin
   • Phosphorus and TSS

3. Milwaukee River Basin
   • Phosphorus, TSS, and Bacteria

4. Lac Courte Oreilles
   • Phosphorus

5. Lake Mallalieu
   • Phosphorus
Wisconsin River Basin TMDLs
Contact: Ann Hirekatur

- TMDL developed by DNR with contractor support for lake and reservoir modeling.

- Currently SWAT model being developed with calibration starting soon. Draft model recently provided for stakeholder comment. Responses sent out earlier this week.

- Allocation development later this year, and final TMDL expected 2017.

http://dnr.wi.gov/topic/TMDLs/WisconsinRiver/
Technical Progress Update

- SWAT Model drafted and available for technical review Jan 2015
- SWAT Model calibration ongoing

- WinSLAMM Urban Modeling & mapping ongoing
- Wastewater effluent loads compiled and distributed for review

Load Calculations Underway

Bathtub Reservoir Modeling Underway
- Lake Wisconsin
- Lake DuBay
- Big Eau Pleine

EPA Contractor RTI/LimnoTech (Sept. 2014)
- CE-QUAL-W2 reservoir model, Castle Rock & Petenwell
- QAPP (Feb 2015)
- Modeling to start March 2015
Wisconsin River TMDL Stakeholder Input

Valued collaboration by all stakeholders & DNR

- Draft models, products shared at draft stage
- 21 day review periods
- Base level documentation
- Summary response to comments
- DNR will not run models or explain how the models work. It is understood that reviewers have the expertise needed to conduct independent review
- DNR may provide webinar opportunity to ask questions about the models during the comment period
- Review and comments cannot be accepted by DNR for parts of the TMDL being contracted by U.S. EPA.

Quarterly newsletter and project updates via Wisconsin River GovDelivery List
http://dnr.wi.gov/topic/TMDLs/WisconsinRiver/
Upper Fox-Wolf Basin TMDLs

- TMDL developed through EPA contractor
  - The Cadmus Group, Inc.
  - USGS

- SWAT model simulating nonpoint loads. Point source data being reviewed.

- Modeling of pool lakes and Winnebago by USGS
  - Evaluate restoration scenarios


- Results will inform any potential modifications for the Lower Fox TMDL.
Milwaukee River Basin TMDLs

Project Website:
http://www.mmsd.com/waterquality/total-maximum-daily-loads

- TMDL funded by MMSD with CDM Smith as lead consultant.

- Includes Menomonee, Kinnickinnic, and Milwaukee river watersheds.

- Allocations anticipated at May stakeholder meeting. Public input considered at additional meetings.

- Project delayed due to refinements for flow and natural loads during spring.

- E-mail to join distribution list for updates info@swwttwater.org
Musky Bay listed as impaired by phosphorus in 2012. No point sources in watershed.

Draft TMDL submitted to DNR for entire lake by COLA and Lac Courte Oreilles Band of the Chippewa.

TMDL submitted with site specific criteria request for phosphorus for both Musky Bay and the lake proper.

DNR reviewing the TMDL and SSC requests.
Lake Mallalieu TMDL

- TMDL being developed by DNR.
- Watershed has both point and nonpoint sources of phosphorus.
- SWAT model to account for impaired segments in Willow River watershed.
- Allocation expected to begin in 2015.
Implementation Guidance

Completed 2014

• TMDL Guidance for MS4 Permits: Planning, Implementation, and Modeling Guidance

• Watershed Permitting Guidance
  • http://dnr.wi.gov/topic/wastewater/Guidance.html

Nearly Finalized

• TMDL CAFO Guidance
• WQ Trading (WQT) and Adaptive Management (AM) Guidance for Nonpoint Implementers
• SNAP Plus Modeling guidance for WQT and AM
Implementation Guidance

In Progress

• TMDL Land Spreading Guidance
• 316(b) Cooling Water Intake Structure Guidance
• Phosphorus Implementation Guidance Updates
• WET Limit and Effluent Limit Guidance
• Additives Guidance
Additives = products that can directly enter the surface water and for which there are no water quality criteria

- Biocides, corrosion inhibitors, boiler water treatments, scale control, pH control, clarifying agents, industrial process polymers, settling flocculent logs, and other sediment control products

An additive review is necessary when a product

- may enter a surface water without receiving treatment;
- is used in a treatment process, is not expected to be removed by wastewater treatment, and may have the potential to be a source of effluent toxicity.
Step 1
Additive review requested

Necessary information:
• General product information
• Product dosage rate
• Toxicity test results
• Toxicity test parameters

Step 2
Secondary acute value calculated

Step 3
Secondary chronic value calculated

Step 4
Approved usage rate determined

• SAV and SCV used to calculate WQBEILs for the additive
Questions?