

Individual

Update on Variance Process

Government Affairs Seminar 2018

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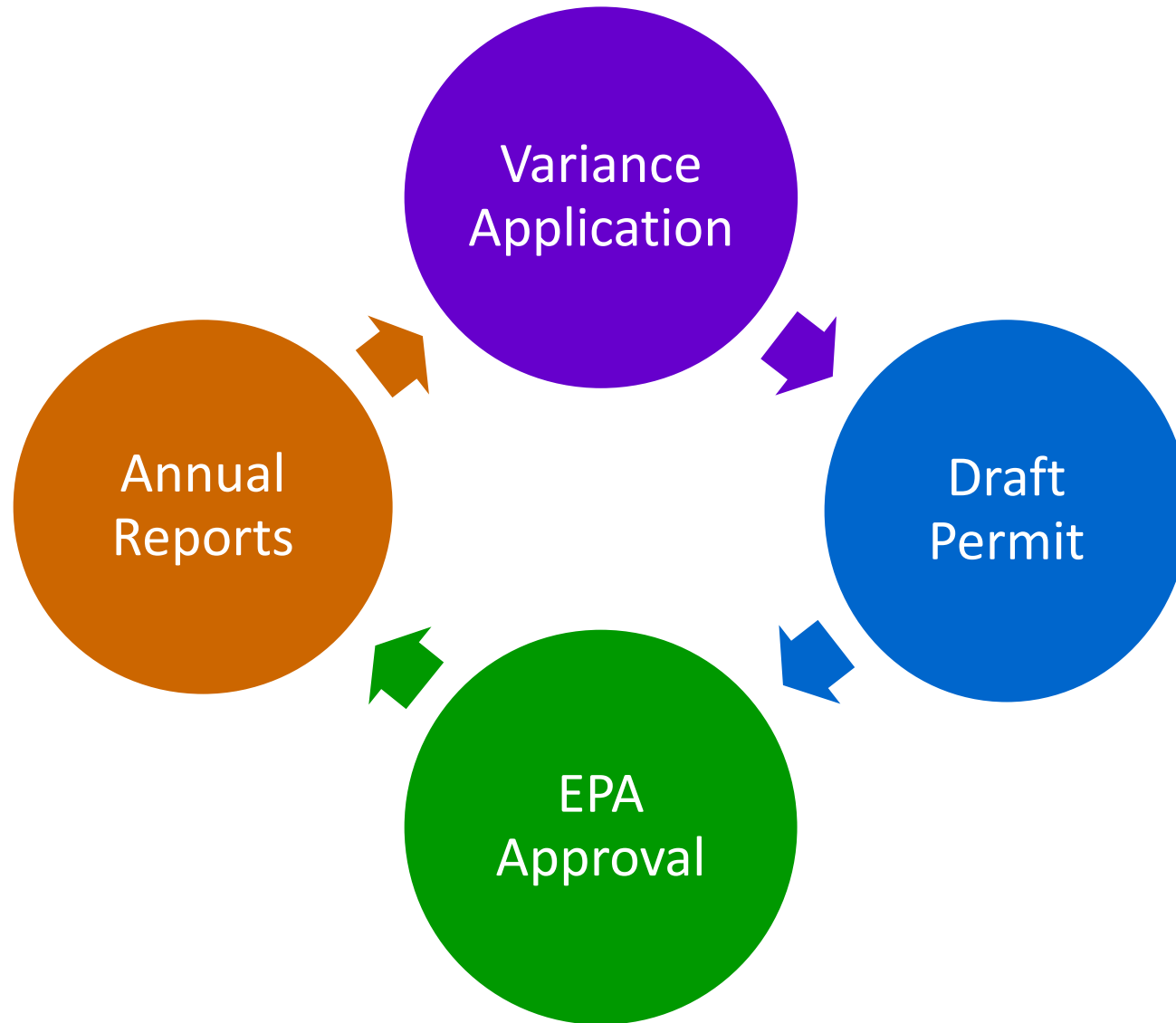
Definitions

Variance – is a temporary change to a designated use and criterion (effluent limitation).

- Used to make incremental progress when standard cannot be met and the amount of reduction is not precisely known.
- Reflects the highest attainable condition during a specified time period.

Abbreviations

- Highest Attainable Condition (HAC)
- Source Reduction Measures (SRM)
- Pollutant Minimization Program (PMP)



Variance Process – State Role (WDNR)

- Prepare preliminary variance package
 - Includes list of 15-17 documents
- Provide public participation
 - 45-day public notice with informational hearing
- Adopt final variance
- Submit final variance to EPA for review and approval/disapproval

Variance Process – Federal Role (EPA)

- Endangered Species Act consultation
- Consultation with affected Tribes
- Review final variance for compliance with Clean Water Act and approve or disapprove.



Variance Process – Permittee Role

- Complete variance application
 - Includes economic feasibility demonstration (factor 6)
 - PMP/SRM (HAC type 3)
- Annual reports; data analysis and continual downward progression (reductions)
- Other pollutant specific requirements
 - Lime softening evaluation-chloride

What's Changed?

Federal Regulations (40 CFR 131.14)

- Variances must include requirements that apply **throughout the term of the variance** that represent the **highest attainable condition** of the waterbody segment.

Highest Attainable Condition (HAC) in most cases

- Is expressed as the currently achievable effluent condition that reflects the **greatest pollutant reduction** achievable with the pollutant control technologies installed at the time of the variance adoption, in concert with the **greatest amount of source reduction work** that can be performed through implementation of SRMs

Elements of an Approvable Variance

Reductions

+

Good Annual Reports

+

Complete Variance Application

+

Good SRM Plan

= **Approval**

Municipality A

(Chloride Variance)

- Little to no commercial or industrial contributors
- No municipal drinking water supply (all private wells)
- Median Household Income close to state average of \$54,610_{2016 Census}
- Approx. 1,500 households with a \$400/yr sewer rate

Municipality B

(Chloride Variance)

- Regional treatment plant servicing multiple communities
- Significant commercial and industrial users
- Municipal water supply (unsoftened)
- Residential point of use water softeners
- Median Household Income above state average
- Approx. 10,000 households w/\$400/yr sewer rate

Municipality A

(Chloride Variance)

Municipality B

(Chloride Variance)

Source Reduction Measure Plan Implementation

Municipality A WWTP
Village A, WI

WPDES Permit No. WI-00XXXX-06

Chloride Source Reduction Measures

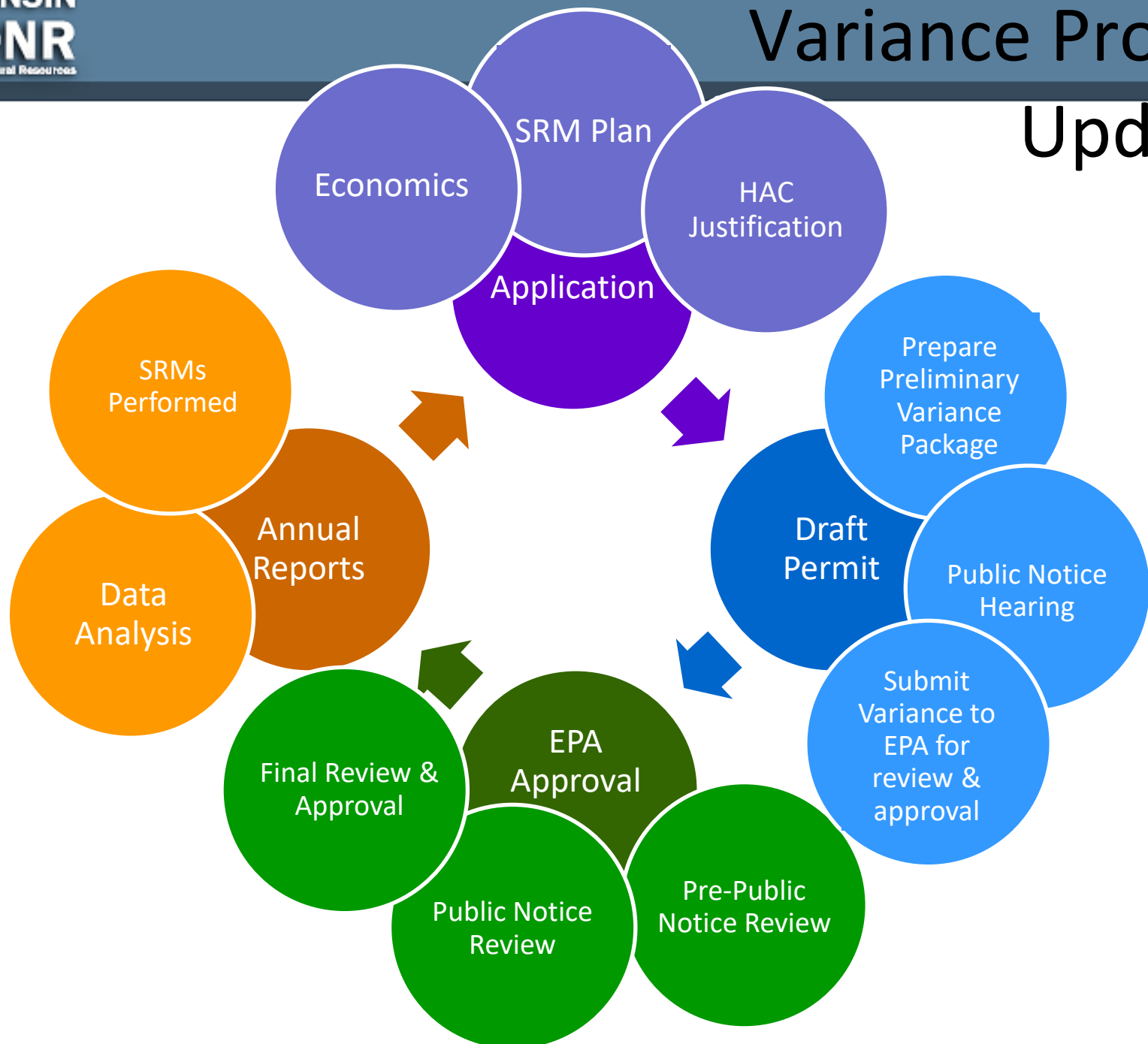
implement during permit term 2018 - 2023

Source Reduction Measure	Actions to Be Taken	Start Date Completion/Frequency of Action
Continue public education program to inform customers about the impacts of chlorides on the plant and environment.	Village will continue to publish educational information in the weekly newspaper, Village website, and billing notices to request low efficiency replacement and softener tune ups.	Ongoing (Years 1-5) Monthly
Continue public information program about benefits of using a high efficiency, demand initiated home water softener.	Village will continue to publish educational information in the weekly newspaper, Village website, and billing notices to request low efficiency softener replacement and softener tune ups.	Ongoing (Years 1-5) Monthly
Continue working with local softener installers to offer a non-softened water supply to outside hose bibs.	Contact local water softener installers.	Ongoing (Years 1-5) Annual
Minimize road salt application in the Village during winter months.	Work with Village Board and DPW Street Dept. to minimize road salt application without jeopardizing safety.	Ongoing (Years 1-5) Seasonal
Minimize chloride infiltration to the treatment plant from the sanitary collection system.	WWTP will perform collection system maintenance to minimize I/I and chlorides infiltration by implementing the CMOM program.	Ongoing (Years 1-5) Continuous

Action Item No.	Planned Actions	Start Date/ Proposed Start Date
	This action has a lower priority as industrial contributions account for greater chloride loading.	
5	The City amended its Sewer Use Ordinance language under Section 25.09 (6) to require high efficiency demand initiated regeneration (DIR) type softeners for both newly installed and replacement softeners for residences and also commercial and industrial businesses.	3/13/2012
6	The City will continue its education program, which includes:	Ongoing
6a	Include letters with sewer and water bills that stress the importance of reducing water softener salt discharges and include tips on settings, servicing, and maintaining existing softeners, including what to look for when purchasing a new softener.	
6b	Consider including letters to commercial and industrial businesses advocating owners work with their private salt/snowplow companies optimize salting practices.	2018
6c	Maintaining salt educational materials on City website.	
6d	Continue current practice of public works department educating drivers on salting/brining practices	
7	The City will investigate the feasibility and impacts of the imposition of installation restrictions so that outside hose bibs are on un-softened water.	6/1/2020
8	The City will investigate the feasibility and impacts of adding a requirement for new and replacement softeners to be metered demand type, with a higher, greater than 3350 grains of hardness exchange per pound of salt, efficiency capability.	6/1/2021
Other Actions		
9	The City will investigate the feasibility of offering tune-up and high efficiency softener incentives in lieu of mandating softener tune ups for residential customers.	2019-2020

Variance Process

Updated



WDNR Communication

SRM Variance letter sent out January 24, 2018

- to all permittees that have a variance in current permit
- discusses importance of SRMs and documentation of SRM activities

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES

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January 22, 2018

Subject: Individual Variances in WPDES Wastewater Permits – Documenting Highest Attainable Condition (HAC) and Source Reduction Measures (SRMs)

This letter is being sent to all Wisconsin Pollutant Discharge Elimination System (WPDES) permit holders whose permit currently contains an individual variance to a water quality standard. The purpose of this letter is to emphasize the importance of a strong Source Reduction Measure (SRM) Plan or Pollutant Minimization Program (PMP). Having a plan, implementing that plan and documenting SRM/PMPs are requirements of your permit and essential components of a defensible variance application, if needed, at the time of the next reissuance. The absence of these components may result in denial of future variance applications. **While response to this letter is**

Guidance

“DNR’s Recommendations for PMPs and SRMs for Arsenic, Chloride, Copper, and Mercury Variances” (2014)

<https://dnr.wi.gov/topic/Wastewater/documents/SignedPMPSRMguidance.pdf>

- Annual Report Worksheet
- Daily Reporting Worksheet

Document Updates and New Tools

Creating Templates for SRM/PMP Plans

- Permittees to use as tool to help in development
- Provide clarity for expectations

Update Chloride Variance Application Form

- Additional questions (i.e. lime softening evaluation, economic justifications)
- Additional items related to HAC justification

Summary

It all comes back to.....

Highest Attainable Condition
and
Justifying the Need for a Variance



Questions? Comments? Concerns?

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