

WDNR Update

Government Affairs - 2014

Brian Weigel

Water Evaluation Section Chief



EPA Regulations

Proposed revisions to WQ standards, 40 CFR 131

http://water.epa.gov/lawsregs/lawsguidance/wqs_index.cfm

Public comment period ended 02 January 2014

Clarify 6 areas:

- (1) Administrator's determinations (guidance vs mandate)
- (2) Designated uses for water bodies (HAU, UAAs)
- (3) Triennial reviews of WQS (consider 304a list)
- (4) Antidegradation provisions to protect water quality
- (5) Variances to WQS (interim limits, duration)
- (6) Compliance schedule (only if in state's rule)

Triennial Standards Review 2015 – 2017

- **Initiated November 2013**
- **Public and internal list generated**
- **Synthesize list and put out for ranking**
- **Public hearing (early April?)**

- **E-coli, ammonia, refine designated uses, antidegradation, mixing zones...**

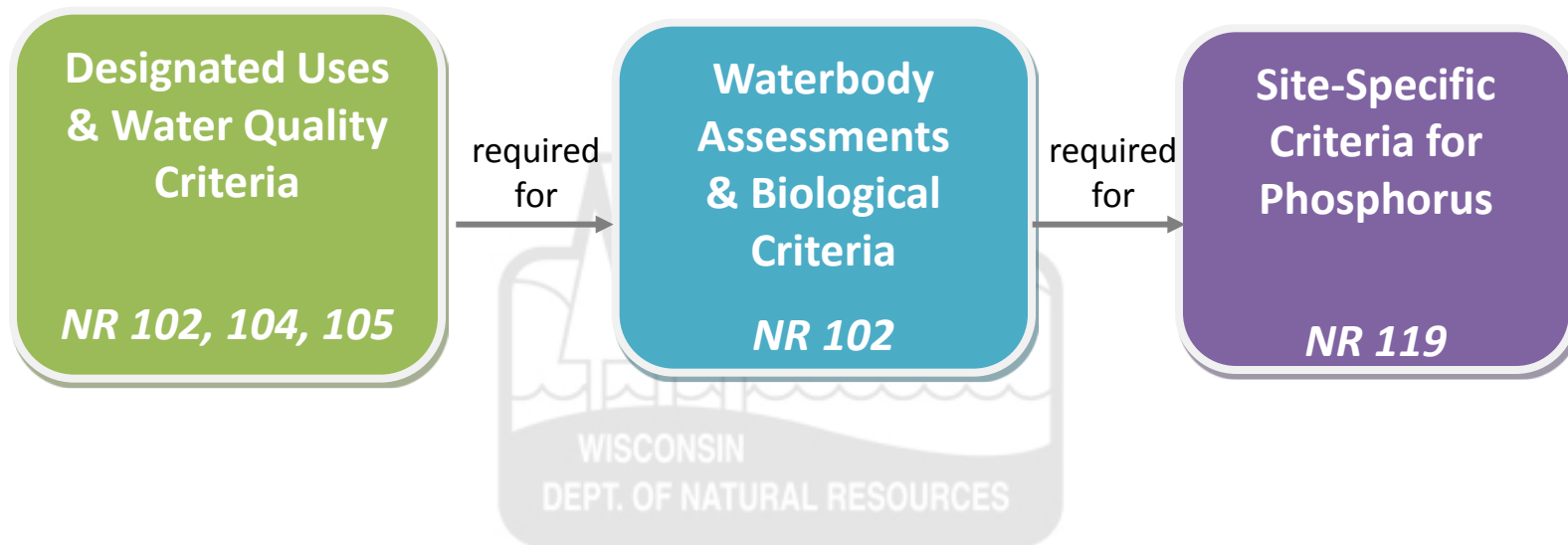


Water Quality Standards

Rule Updates

Kristi Minahan

Three intertwined rule packages:



Designated Use Refinement

- All waters have Designated Uses
 - Fish & Aquatic Life (Cold, Warm, etc), Recreation, Public Health, Wildlife
- Goals of the rule change:
 - Refine Use categories
(need Cool, Large River, Non-fish waters)
 - WI has 1000's of waters—most 'default';
As we acquire data, need to update Uses
 - Update criteria associated with those Uses
 - Protocols for Use changes and variances

Designated
Uses

Water Quality
Criteria

Monitoring

Assessment

Management
Actions

Permit Limits



Biological Criteria

- Most of WI's water quality criteria are for chemical/physical metrics
 - Toxics, phosphorus, pH, dissolved oxygen
- Also need to assess Fish & Aquatic Life
 - **biological metrics**
 - Fish, bugs, plants, algae, etc.
 - Sophisticated scientific tools exist
 - Currently only in guidance; need codification
 - Combined with Phosphorus for assessment

Designated
Uses

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Site Specific Criteria for Phosphorus

- Use SSC in rare cases where statewide criteria is overly-restrictive or under-protective
- SSC must protect Designated Uses, including those downstream

	<i>Biological Endpoints Poor/Fair</i>	<i>Biological Endpoints Good/Excellent</i>
<i>TP Criterion Exceeded</i>	Not eligible for an SSC	Less stringent SSC
<i>TP Criterion Attained</i>	More stringent SSC	Usually not eligible for an SSC

2014 Impaired Waters List

Aaron Larson

- **Comment Period, 04 February – 06 March**
- **Complete list has 856 waterbodies, 192 additions in 2014**
- **More info:**
 - <http://dnr.wi.gov/topic/impairedwaters/>
 - **Background, updates, search tools**
 - **Webinar:**
http://dnr.wi.gov/topic/impairedwaters/2014IR_IWList.html

Nutrient Reduction Strategy

Version 1, submitted to EPA November 2013

Jim Baumann

<http://dnr.wi.gov/topic/surfacewater/nutrientstrategy.html>

Gulf Hypoxia Action Plan 2008
Nancy Stoner, EPA, memo 2011
Great Lakes WQ Agreement 2012

Living document, annual updates

Wisconsin's Nutrient Reduction Strategy

November 2013



Nitrogen Science Summit

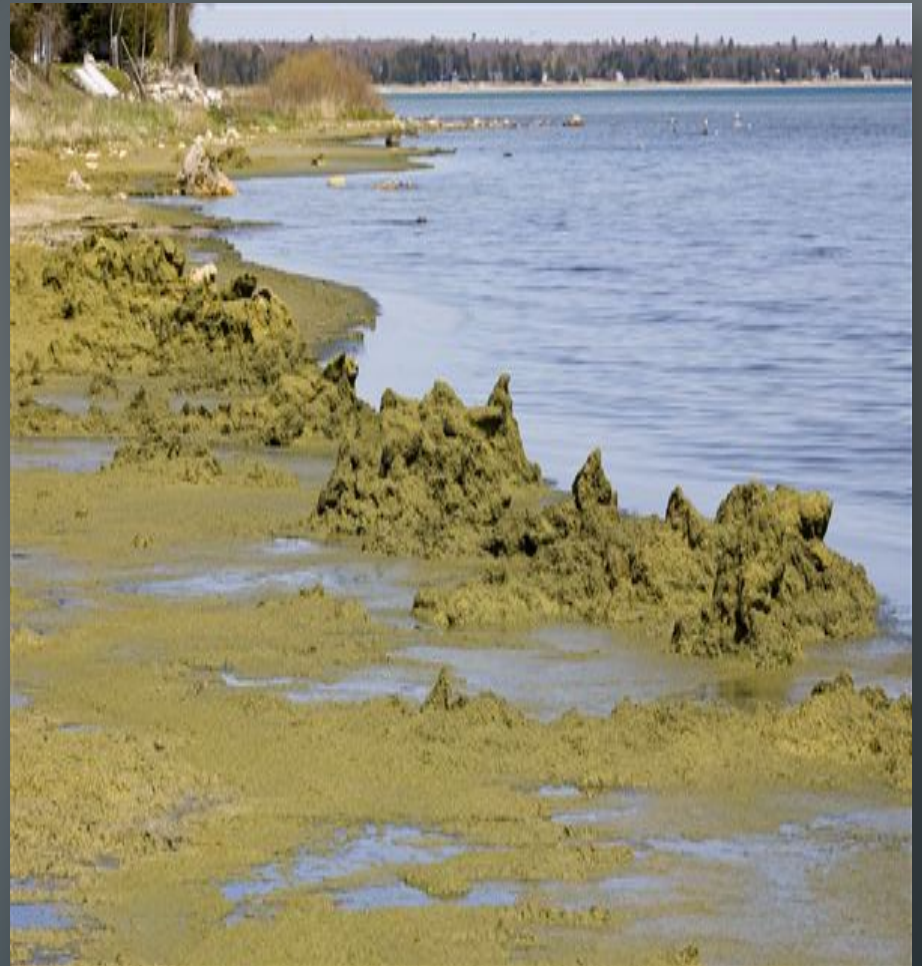
March 28 – UW Madison

- **Kickoff meeting**
- **Recommendation from Nutrient Reduction Strategy**
- **Aimed at reducing nitrogen from agricultural lands**
- **~6 Roundtable discussions throughout 2014**
- **Will identify research needs**



Lake Michigan Effluent Limits

- Tetra Tech completed technical review for EPA
- EPA and DNR need to determine whether a viable tool exists
- Late-Spring

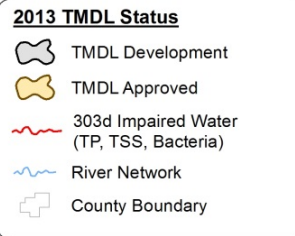
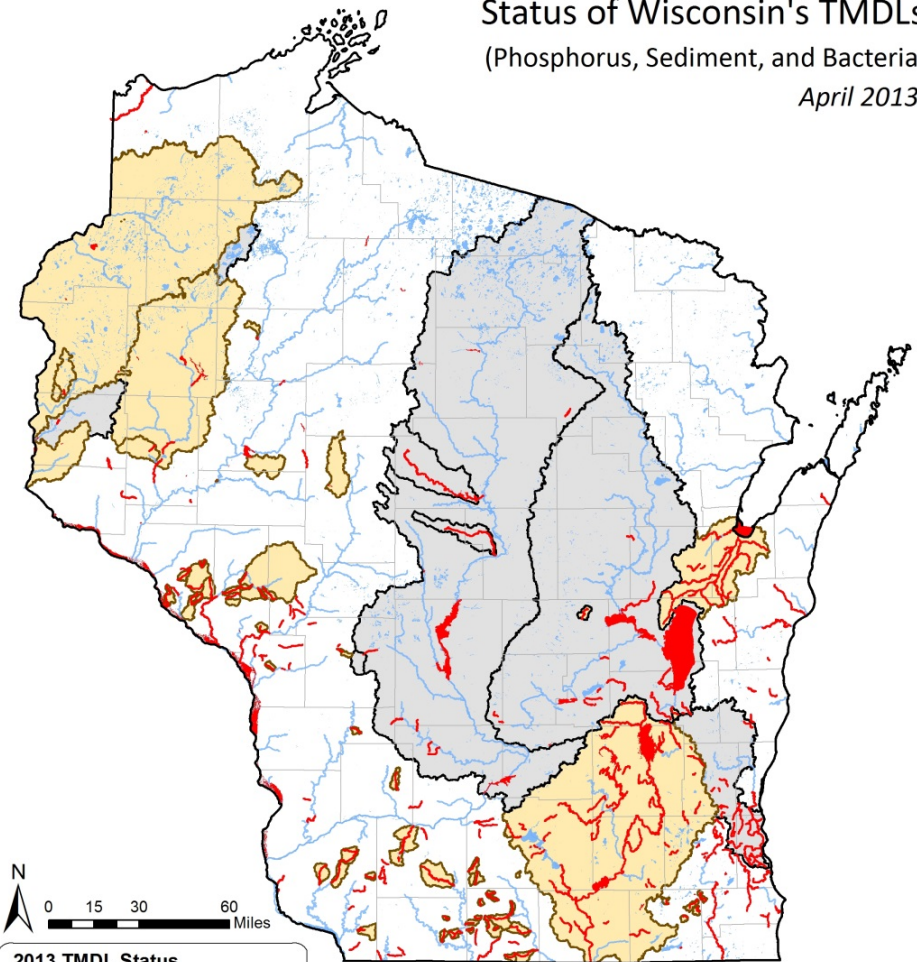


TMDL Development

Kevin Kirsch

- WI has several TMDLs currently under development.
- TMDLs are addressing phosphorus, TSS, and in one case bacteria.
- TMDL development a combination of 3rd party, DNR led, or EPA funded.

Status of Wisconsin's TMDLs
(Phosphorus, Sediment, and Bacteria)
April 2013



Notes:

1. The map reflects TMDLs for total phosphorus, total suspended sediment, and bacteria reported in the WDNR WATERS database as of April 2013.
2. Sub-HUC12 watersheds were delineated using the WDNR PRESTO model
3. The reaches identified as 303d waters reflect total phosphorus, total suspended sediment, and bacteria impairments as of the 2010 303d listing

Date: April 04, 2013
Cartographer: Adam Freihoefer, Bureau of Water Quality



Milwaukee River Basin TMDL

- 3rd Party TMDL initiated by MMSD, and funded by MMSD and federal grant dollars.
- Impaired waters in the Milwaukee, Menomonee, Kinnickinnic watersheds, and Milwaukee estuary.
- Addressing phosphorus, TSS, and bacteria.
- TMDL completed in 2014 with implementation plan.

Upper Fox – Wolf TMDL

- Funded by EPA through GLRI funding – CADMUS, Inc. 2015 – 2016.
- Addressing phosphorus and TSS.
- Includes Lake Winnebago and the other “pool” lakes in the system. USGS performing the lake modeling.
- Stakeholder meetings slated to begin in May or June.

Lake Mallalieu

- TMDL development led by DNR.
- Addresses phosphorus and TSS.
- Being repackaged to address other water bodies in the Lake Mallalieu watershed.



Variances to Water Quality Standards

Lynn Singletary

- **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

Variations 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

Variations to Water Quality Standards

- **Website Updates**

- dnr.wi.gov/topic/wastewater/variances.html
- Pages for guidance – periodic updates
- Final decisions on variances posted online
 - 30 days to challenge a final variance decision

Lynn Singletary: lynn.singletary@wisconsin.gov

General Pretreatment Requirements – effective Feb. 1, 2014. Streamlining changes in the new NR 211:

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 once per year for discharging $< .01$ % of the capacity of the municipal treatment plant.

Implementation Guidance

Kari Fleming, Amanda Minks, Mike Hammers, Kevin Kirsch

Completed 2013

- Adaptive Mgmt Handbook
- Guidance for Implementing Trading in Permits
- TMDL Implementation Website
- Trading & A.M. Websites
- TMDL-Wastewater Guidance, Version 3.0
- Trading & A.M. Webinar Series, Dec. 2013 - Apr 2014

In Progress

- TMDL-Stormwater Guidance
- TMDL-CAFO Guidance
- Version 2.0 of the A.M. Handbook
- Trading & A.M. handbook for nonpoint stakeholders
- Watershed Permitting
- TMDL Implementation Plan Development

