



Government Affairs Seminar

Perspectives on Phosphorus and Other
Contemporary Issues

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Topics

- ▶ Phosphorus Implementation Options
- ▶ EPA Policy Revisions
- ▶ Year of Clean Water
- ▶ Nitrogen
- ▶ PFAS

Phosphorus Implementation Options

- ▶ Plant Optimization and/or Upgrades
- ▶ Water Quality Trading
- ▶ Adaptive Management
- ▶ Streamlined Variances for Ponds and Lagoon Systems
- ▶ Multi-Discharger Variances

Variations

- ▶ Pond and Lagoon System Variations
 - ▶ NR 217.19
 - ▶ Recognizes Probability of Substantial and Widespread Adverse Social and Economic Impacts
- ▶ Multi-Discharger
 - ▶ Establish standard eligibility
 - ▶ Options
 - ▶ Pay \$50 per pound of P over target
 - ▶ Install project to reduce equivalent P in watershed
 - ▶ 54 Facilities - \$900,000 available to counties in 2019

Adaptive Management

- ▶ Reduce P in the watershed by an equivalent amount plus a safety factor
- ▶ Tied to meeting water quality standards for P in the watershed
- ▶ Can extend over 4 permit terms (20 years)
- ▶ About 30 Communities are using AM or Trades

Water Quality Trading

- ▶ Usually is Point to Nonpoint, but can be Point to Point
- ▶ Point to Nonpoint
 - ▶ Challenges – different language, goals and business models
 - ▶ EPA policy on trading (2003) – e.g. trading in TMDL watersheds
- ▶ EPA Memo on Trading Policy (David Ross 2/6/2019)

EPA Memo on Trading

- ▶ 2003 policy too prescriptive
- ▶ Reiterates that trading must be consistent with the Clean Water Act
- ▶ Refers often to Wisconsin program – although not by name
 - ▶ Successful trades under the 2003 policy should continue
 - ▶ Implement programs on a watershed scale
- ▶ Provides some added flexibility

EPA Memo On Trading

- ▶ Flexibilities
 - ▶ Can average credits over a rotation rather than year by year
 - ▶ May be able to define TMDL baseline over a portion of the watershed
 - ▶ May be able to offer more options regarding the credit threshold
 - ▶ Single project may offer multiple credits across media

Other Topics

- ▶ Year of Clean Water
 - ▶ \$70 million bonding
 - ▶ Nonpoint BMPs
 - ▶ Lead water line replacement
 - ▶ Well compensation program
 - ▶ \$2 Million Proposed
 - ▶ Program Revisions
- ▶ Nitrogen Work Group (Representative Kitchens)
 - ▶ Reviewing available research to derive practical solutions
 - ▶ Government, academia, conservation, agriculture, practitioners

Other Topics

- ▶ PFAS (Perfluoroalkyl and Polyfluoroalkyl)
- ▶ Human-made; don't break down; 4000 chemicals
- ▶ 12 locations in WI
- ▶ DNR Actions
 - ▶ Site investigations
 - ▶ Determine appropriate clean up standards and response actions
 - ▶ DHS review to advise on human health standards
- ▶ EPA – MCL process for PFOA and PFOS under Safe Drinking Water Act

QUESTIONS?