

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
PUBLIC NOTICE OF AVAILABILITY OF A MULTIDISCHARGER VARIANCE RENEWAL PACKAGE AND
PUBLIC HEARING

Brief Description: A multi-discharger phosphorus variance was established in 2017 and is currently being used as a regulatory tool for industries and municipalities facing restrictive phosphorus compliance costs. A multi-discharger variance extends the timeline for complying with low-level phosphorus effluent limits. In exchange, point sources commit to step-wise reductions of phosphorus within their effluent while addressing nonpoint sources of phosphorus from agricultural sites. The current variance expires on February 6, 2027. The proposed variance renewal will extend multi-discharger variance availability to 2035. The draft multi-discharger variance package provides an updated technical justification for the variance as well as a proposed implementation strategy for this variance. These documents and other supporting information are available online at <https://dnr.wisconsin.gov/topic/Wastewater/phosphorus/StatewideVariance.html>. Section 283.16, Wis. Stat. provides the statutory requirements for the multi-discharger variance. EPA approval is required before the variance could be used by WPDES permit holders after February 6, 2027. If approved, WPDES permit holders will continue to be required to complete site-specific eligibility evaluations prior to being able to utilize the phosphorus multi-discharger variance option in their WPDES permit.

Lead Contact: Matt Claucherty, WDNR, 101 South Webster Street, Madison, WI 53703-3474, (608) 400-5596

Hearing Date, Time, and Location: March 21, 2025, 9:30 am. The hearing will be held at WDNR's central office, Room G09, located at 101 South Webster Street, Madison, WI 53703-3474

Hearing Officer: Amanda Perdsock, WDNR, 101 South Webster Street, Madison, WI 53703-3474, 608-982-7718

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced multi-discharger variance renewal package.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to ensure broad public participation in the hearing. The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to ensure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group. Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed multi-discharger variance renewal are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at DNRphosphorus@wisconsin.gov or at the lead contact's address above. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination.

Information on file for the multi-discharger variance, including the justification document, economic determination, and implementation guidance document, may be inspected and copied at the lead contact's address, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call for directions to their office location, if necessary. Information on the multi-discharger variance may also be obtained online at <https://dnr.wisconsin.gov/topic/Wastewater/phosphorus/StatewideVariance.html> or by calling the lead contact at (608) 400-5596 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for copies of available information. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME AND ADDRESS OF PUBLISHING NEWSPAPER: Wisconsin State Journal, 1901 Fish Hatchery Rd
Madison, WI 53713

Date Notice Issued: February 3, 2025