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December 7, 2015

United States Environmental Protection Agency
Region 5
Barbara Wester and John Colletti
77 West Jackson Blvd.
Chicago, IL 60604-3590
RE: WN-16J

Attorney Wester and Mr. Colletti:

Thank you for acting as the primary points of contact for the Environmental Protection Agency (EPA) Region 5 as the Region reviews the Petition for Corrective Action (PCA) filed by 16 Wisconsin residents on October 20, 2015. This letter constitutes Petitioners' response to a Wisconsin Department of Natural Resources (DNR) press release indicating that the 75 issues named in the EPA 2011 legal deficiency letter are resolved or are being addressed by the Department.¹ Petitioners utilize this letter and accompanying documentation to urge the EPA to acknowledge that significant steps remain prior to declaring the Wisconsin Pollutant Discharge Elimination System (WPDES) Program as compliant with the Clean Water Act.

Attached is a collection of letters submitted by more than 40 DNR retirees, all calling on the EPA to thoroughly analyze DNR allegations that WPDES Program deficiencies are resolved and WPDES permits adequately protect Wisconsin's water resources. The attached letters demonstrate that unresolved water quality issues have a real impact on real people on a daily basis. Unfortunately, these letters also demonstrate that meaningful change is needed before Wisconsin can reclaim its historical status as "a leader in many water-related areas." Though the DNR retirees share concerns in their letters that extend beyond the PCA, a commitment from the state and federal government to promptly and comprehensively respond to the Petition would be a first step toward fixing WPDES Program deficiencies.

Petitioners requested that the Wisconsin Natural Resources Board (NRB) allow public comment regarding the PCA at the Board's December meeting.² NRB



¹ See <http://dnr.wi.gov/news/releases/article/?id=3761> (last visited Nov. 24, 2015).

² See <http://dnr.wi.gov/About/NRB/2015/Dec/Dec-2015-NRB-agenda.html> (last visited Nov. 24, 2015).

responded that ongoing litigation prevents the Board from addressing PCA-related matters. Although Midwest Environmental Advocates (MEA) appreciates the need to protect confidentiality during ongoing litigation, the lack of a state-supported public forum for discussion deprives Wisconsin residents of a venue to voice concerns and/or insight regarding the water quality impact of various DNR and state Legislative decisions.

Because it is extremely important for all Wisconsin residents to have the opportunity to provide feedback regarding WPDES Program deficiencies, Petitioners will continue to seek alternative means by which to submit comments to relevant state and federal authorities. Petitioners understand the EPA's position regarding the need to conduct a preliminary investigation. However, Petitioners and our growing list of partners will also continue to seek a public hearing or other venue for all interested Wisconsin residents to speak to concerns relating to unresolved WPDES Program issues that were addressed in the EPA 2011 legal deficiency letter.

Finally, we thank the signatory DNR retirees for remaining vigilant in regard to protection of Wisconsin's water resources. Even after extended civil service, these retirees remain committed to civic engagement. We hope the attached letters serve as a reminder that water quality issues in Wisconsin are far from resolved and in fact continue to have wide-sweeping impacts upon all residents of our State.

Petitioners look forward to continued collaboration to address unresolved WPDES Program deficiencies that endanger Wisconsin's water resources and public health.

Sincerely,



George Meyer
Executive Director
Wisconsin Wildlife Federation
DNR Secretary, 1993-2003



Kimberlee Wright
Executive Director
Midwest Environmental Advocates