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August 24, 2017

VIA ELECTRONIC MAIL

The Wisconsin Department of Natural Resources
Attn: Jonathan Hill
WT/3, WI DNR
101 S. Webster St, PO Box 7921
Madison, WI 53703
Jonathan.Hill@wisconsin.gov

Re: WPDES General Permit No. WI-0055867-07, General Permit for
Landspreading of Industrial Liquid Wastes

Mr. Hill:

Midwest Environmental Advocates, Inc., (MEA) submits the following comments to the Wisconsin Department of Natural Resources (WDNR) concerning its general permit for landspreading of industrial liquid wastes (the General Permit). MEA is a non-profit environmental law center that provides legal and technical assistance to communities and families working for clean air, clean water, and clean government.

The broad purpose of our comments is to request that the WDNR include in the General Permit certain protections for sensitive areas of the state. As you're likely aware, the Department is in the process of updating Wis. Admin. Code NR ch. 151 "to develop a targeted performance standard to address land spreading of manure on soils in sensitive areas of the state — i.e. where depth to bedrock is shallow and the bedrock is fractured (also described as karst topography)."¹

While NR 151 deals with land spreading of manure rather than industrial liquid waste, concern regarding rapid transport of pollutants and contaminants to groundwater applies in both permitting schemes. MEA therefore urges the WDNR to incorporate in the General Permit certain proposed updates to NR 151, such as increased setbacks and introduction of maximum application rates for different soil depths. We appreciate that the updated NR 151 performance standards may not ubiquitously transfer to regulation of liquid industrial waste, but it is important to acknowledge that the scientific basis for unique regulation of manure land spreading in sensitive areas generally applies to land spreading of liquid industrial wastes as well.

¹ See WDNR, NR 151 rule changes, <http://dnr.wi.gov/topic/nonpoint/nr151strategy.html> (last visited Aug. 24, 2017).

Please include in your written response to comments whether the WDNR intends to utilize the General Permit to protect the sensitive areas of the state from potential groundwater contamination as a result of liquid industrial waste land spreading. If the General Permit will not include any such protections, please explain how the WDNR will respond to reflect the Department's changing regulation of manure land spreading in Wisconsin's sensitive areas.

Thank you for the opportunity to comment and for your consideration.

Sincerely,

/s/

Tressie Kamp
Staff Attorney
MIDWEST ENVIRONMENTAL ADVOCATES, INC.