

**Before the Wisconsin Senate  
Committee on Natural Resources and Environment  
January 19, 2016**

**Hearing on SB 567**

**Comments of Vanessa D. Wishart on behalf of  
Municipal Environmental Group – Wastewater Division**

The Municipal Environmental Group Wastewater Division (MEG) is an association of more than 100 municipalities throughout the state of Wisconsin who own and operate wastewater treatment facilities. For more than 25 years, MEG has been an advocate for municipalities in wastewater matters. We were one of the principal supporters of the multi-discharger variance (MDV) enacted as 2013 Act 378 and have a long history of supporting efforts to remove phosphorus from our state's waters. We are here today to register our support for SB 567 and to outline the reasons why this is needed legislation.

The central purpose of the multi-discharger variance is to direct resources to nonpoint source programs, where those resources can have the most significant impact on phosphorus reduction. Municipalities have already removed approximately 90% of the phosphorus in their discharges, and many have removed upwards of 97%. Treating that last few percent comes at an enormous cost because it requires new filtration technologies. At the same time, because point sources have already removed most of the phosphorus in their discharge, these sources are responsible for a relatively small percentage of the phosphorus in our waters. The primary issue is nonpoint pollution.

The multi-discharger variance addresses nonpoint pollution by creating a mechanism for point sources to direct funds to the existing nonpoint program—one with staff, standards, administrative capability and accountability. This puts resources where the problem is the greatest and simultaneously does so at a lower overall cost to point sources such as municipalities.

The Department of Natural Resources has worked tirelessly and expended significant resources developing a guidance package for implementation of the multi-discharger variance. This variance package will be sent to EPA for formal review shortly. Based on initial discussions with EPA, EPA is requiring certain legislative changes so that Wisconsin law better tracks recently enacted EPA regulations before EPA will approve the multi-discharger variance package. It is therefore necessary to pass SB 567 in order for EPA to proceed with its review.

Passage of SB 567 cannot wait until next session. Despite DNR's best efforts, development of the multi-discharger variance package has already taken significantly longer than initially anticipated. Hundreds of municipal permittees are "on the clock" because they have permits that require them to make a choice on compliance options this year or within the next year or two. These permittees need to know whether the multi-discharger variance is a viable option for them. If the only option for those communities is to build additional treatment, the window of opportunity to channel funds to nonpoint efforts will be closed. We therefore encourage prompt passage of SB 567 so that EPA can proceed with review of the variance package and municipalities can make necessary choices on compliance options.

For more information contact Paul Kent at [pkent@staffordlaw.com](mailto:pkent@staffordlaw.com)