

March 29, 2017

The Honorable Ron Johnson
328 Hart Senate Office Building
Washington, DC 20510

The Honorable Tammy Baldwin
709 Hart Senate Office Building
Washington, DC 20510

The Honorable Paul Ryan
1233 Longworth HOB
Washington, DC 20515

The Honorable Mark Pocan
1421 Longworth HOB
Washington, DC 20515

The Honorable Ron Kind
1502 Longworth HOB
Washington, DC 20515

The Honorable Gwen Moore
2252 Rayburn HOB
Washington, DC 20515

The Honorable James Sensenbrenner
2449 Rayburn HOB
Washington, DC 20515

The Honorable Glenn Grothman
1217 Longworth HOB
Washington, DC 20515

The Honorable Sean Duffy
2330 Rayburn HOB
Washington, DC 20515

The Honorable Mike Gallagher
1007 Longworth HOB
Washington, DC 20515

To the Honorable Wisconsin Senators and Congressional Delegation:

We are seeking your assistance to relieve the regulatory burden on municipal wastewater treatment facilities that has resulted from arbitrary, unreasonable phosphorus standards imposed as a part of the Clean Water Act.

In 2010, the Wisconsin Natural Resources Board *voluntarily* signed up to participate in the Gulf Hypoxia Action Plan (Action Plan) and set arbitrary numeric standards for phosphorus limits in our state's waterways. The board did not sign up to monitor nitrogen. The Board set the phosphorus discharge standard at .075 parts per million (ppm) or mg/liter. This threshold was not based on any science or cost/benefit analysis. The standard is the lowest in the country.

While the intent of this action was pragmatic, the real-world application of arbitrary numeric limitations has placed significant strain on communities throughout the state of Wisconsin. The point sources of phosphorus are primarily wastewater treatment facilities. These are the only source that can be easily regulated by government. **As such, a very large problem is on the shoulders of a small part of the cause.**

Phosphorus enters our waterways from natural, nonpoint and point sources. Natural sources include lake-bottom sediment and other natural decomposition. Nonpoint sources include general run-off, farm fields, feedlots, streets and parking lots. Point sources include municipal and industrial wastewater treatment plants that release liquid effluent to lakes and rivers or spread sludge on fields.

The only sources that are easily monitored, measured and regulated are point sources. This is where phosphorus regulation becomes a burden.

The Environmental Protection Agency (EPA) recently granted a Multi-Discharger Variance (MDV) to the state of Wisconsin which delays the enforcement of the .075 ppm standard for a period into the future. However, we are not satisfied that this will solve the central problem for our small municipalities.

Most municipal wastewater treatment plants have made great strides to reduce the phosphorus they discharge into streams, rivers and lakes. In fact, they are often discharging water that is cleaner than the stream, lake or river into which they are discharging.

These point sources are using a combination of techniques that include filters and costly chemical treatments to reduce their phosphorus levels. Many have achieved levels within .5 ppm of their required standards, but achieving the last .5 ppm reduction will not be possible without a major facility renovation at a cost of millions of dollars.

For example, according to Nick Ruhland, the Village of Plain's Director of Public Works, the village would have to significantly upgrade and renovate their wastewater treatment plant in order to accomplish a .075 ppm standard. The cost for this, according to Ruhland, would be astronomical and the burden on ratepayers would be unreasonable. Plain is a village of only 782 people.

The Village of Benton is facing similar issues. Ryan Carver, the Benton Director of Public Works, said that user rates are likely to double in order for the village to comply with phosphorus standards on their current permit. The average household in Benton currently pays approximately \$40.04 per month for sewer fees.

The cheapest option for Benton to meet their standard is the chemical additive method of water treatment, at the 20 year cost of \$1.97 million. Annually, the Village will spend \$98,688 to remove only 800 lbs of phosphorus per year. The chemical option will raise the average fee for ratepayers to at least \$75.05 per month.

Looking ahead, in order to reach the .075 ppm standard, the Village estimates that they will also have to invest \$950,000 to upgrade their wastewater treatment facility in order to apply the chemical fix. The expense in Benton is shared by the 973 residents who live there. This unreasonable burden is nearly impossible for their small village to bear.

We ask you to take action to allow Wisconsin to revise the standards we set as a part of the Clean Water Act to set reasonable goals that will improve phosphorus levels in our waterways with realistic expectations based on real data and our achievements over the last seven years.

We do not seek to withdraw from the Clean Water Act or ignore our stewardship of the waters in Wisconsin. We simply seek a way to balance our responsibility with reasonable expectations that we can realistically reach.

Thank you for your attention to this important issue that impacts a majority of rural Wisconsin. We appreciate your willingness to move swiftly on this issue.

Sincerely,