

Phosphorus Limit Variances and Avoidance Strategies

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GOVERNMENT AFFAIRS SEMINAR

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I. INTRODUCTION

II. AVOIDANCE OPTION #1: LEGISLATIVE REPEAL

- A. The Limits Of Repeal Under Federal Law.
- B. EPA Response Options If Standards Are Not Enforced.
- C. Other Possible Responses.

III. AVOIDANCE OPTION #2: AVOID A SURFACE WATER DISCHARGE

- A. Discharge To Groundwater.
 - 1. Seepage Cell Systems – Nitrogen Issues.
 - 2. Irrigation Systems – Storage Issues.
- B. Discharge To A Regional System.

IV. AVOIDANCE OPTION #3: AVOID APPLICATION OF STRINGENT LIMITS

- A. Discharge To Excluded Waters. NR 102.06(6).
 - 1. Excluded Waters and Wetlands – NR 102.06(6).
 - 2. Downstream Limits – NR 217.13(1)(b).
 - 3. Issues for Resolution.
- B. Site Specific Limits – NR 102.6(7).

1. Site Specific Limits for Phosphorus.
 2. The Limitations.
 3. Issues for Resolution.
- C. Use Attainability Analysis.
1. Basic Concept.
 2. Procedures.
- D. Standard Variances.
1. General Concept – Wis. Stat. §283.15.
 2. The Grounds for a Variance.
 3. Variance Conditions.
 4. Issues for Resolution.
- E. Streamlined Variances – NR 217.19.
- F. Alternative Discharge Locations.