UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 18 2014

REPLY TO THE ATTENTION OF:
WQ-16J

Russell A. Rasmussen, Administrator
Water Division
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707-7921

Dear Mr. Rasmussen:

Thank you for your letter of June 2, 2014 submitting Wisconsin's proposed variance from the water quality standard for chloride for a discharge by the Delafield Hartland Pollution Control Commission wastewater treatment facility, WPDES WI-0032026-08, to the U.S. Environmental Protection Agency for review under section 303(c) of the Clean Water Act (CWA). The proposed action would grant Delafield Hartland a variance from Wisconsin's 395 mg/L chronic water quality criterion for chloride, and would establish a variance-based effluent limit of 615 mg/L, expressed as a weekly average, for the Delafield Hartland discharge to the Bark River in Waukesha County, Wisconsin.

Consistent with section 303(c) of the CWA and federal regulations at 40 CFR 131.21, EPA is required to review and approve state water quality standards. EPA has reviewed the information submitted in support of the proposed variance and hereby approves the proposed variance pursuant to section 303(c) of the CWA and federal regulations at 40 CFR 131.21.

As required under section 7 of the Endangered Species Act, and federal regulations at 50 CFR Part 402, EPA evaluated whether approval of this variance would affect federally-listed threatened or endangered species or designated critical habitat. As described in the record, EPA determined that the action will have no effect on listed species and will not destroy or adversely modify designated critical habitat.

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (100% Post-Consumer)

If your staff has any questions regarding this approval, please contact Peter Jackson of my staff at (312) 886-3894.

Sincerely,

Tinka G. Hyde
Director, Water Division

cc: Brian Weigel, WDNR (electronic)
Lynn Singletary, WDNR (electronic)
Laura Dietrich, WDNR (electronic)