To: Liska, Robert J - DNR[Robert.Liska@wisconsin.gov]
Cc: Riley, Julia B - DNR[Julia.Riley@wisconsin.gov]; Lemcke, Michael D - DNR[Michael.Lemcke@wisconsin.gov]; Berman, Michael[berman.michael@epa.gov]; Peachey, Robert[peachey.robert@epa.gov]; White, Quintin[white.quintin@epa.gov]
From: Opie, Jodie
Sent: Wed 7/31/2013 9:49:35 PM
Subject: RE: Wisconsin LAR Update - Pretreatment

.....
,,,,,,,,,,
Hi Bob,

We acknowledge and understand your explanation regarding the internal code referencing.

Thank you for your quick and concise responses to our comments. Please send us notifications as these rules move through the process if there are any further revisions.

Sincerely,

Jodie Opie

NPDES Programs Branch

Water Division - WN-16J

EPA Region 5

77 W. Jackson Blvd.

Chicago, IL 60604

312-353-1938

From: Liska, Robert J - DNR [mailto:Robert.Liska@wisconsin.gov]
Sent: Wednesday, July 31, 2013 4:03 PM
To: Opie, Jodie
Cc: Riley, Julia B - DNR; Lemcke, Michael D - DNR; Berman, Michael; Peachey, Robert; White, Quintin
Subject: RE: Wisconsin LAR Update - Pretreatment

Hi Jodie,

I appreciate your comments regarding internal code references on p. 14 of the attachment. After talking with other Department rule drafters however I believe the public, particularly the regulated community, is better served by providing a rule that is clear because it is consistent with the rest of NR 211 and with other state codes – at least with respect to internal code referencing.

Sincerely,

Bob

Robert J. Liska
Wisconsin Pretreatment Coordinator
Wastewater Section
Water Quality Bureau
Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.

Water Division Customer Service Survey

https://www.surveymonkey.com/s/WDNRWater

From: Opie, Jodie [mailto:opie.jodie@epa.gov]
Sent: Wednesday, July 31, 2013 2:55 PM
To: Liska, Robert J - DNR
Cc: Riley, Julia B - DNR; Lemcke, Michael D - DNR; Berman, Michael; Peachey, Robert; White, Quintin
Subject: RE: Wisconsin LAR Update - Pretreatment

Hi Bob,

Thank you for the response. We have discussed your responses to our comments. We think the "(am)" format is rather awkward, but we will defer to the Wisconsin convention on this point.

However, we still believe that the "par. (b)" and "par. (am)" references are confusing. This document is intended for the public and should provide clear guidance on what particular (b) and (am) is intended. Those considerations should outweigh strict adherence to the state drafting procedures, and there is otherwise no consequence to putting the full reference other than a few extra characters. We recommend, for the sake of clarity, that the full rule citation be used; NR211.235(1)(b) instead of "par. (b)" [comment JO2 in the attachment] and NR211.235(1)(am)(intro) instead "par. (am)" [comment JO5 in the attachment].

Thank you,

Jodie Opie

NPDES Programs Branch

Water Division - WN-16J

EPA Region 5

77 W. Jackson Blvd.

Chicago, IL 60604

312-353-1938

From: Liska, Robert J - DNR [mailto:Robert.Liska@wisconsin.gov]
Sent: Wednesday, July 31, 2013 9:55 AM
To: Opie, Jodie
Cc: Riley, Julia B - DNR; Lemcke, Michael D - DNR; Berman, Michael; Peachey, Robert; White, Quintin
Subject: RE: Wisconsin LAR Update - Pretreatment

Hi Jodie,

Thank you for your comments on the proposed Board Order. I've responded to them using Track Changes, as you did, in the attached document. Please contact me if you have further comments.

Bob

Robert J. Liska
Wisconsin Pretreatment Coordinator
Wastewater Section
Water Quality Bureau
Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.

Water Division Customer Service Survey

https://www.surveymonkey.com/s/WDNRWater

From: Opie, Jodie [mailto:opie.jodie@epa.gov]
Sent: Wednesday, July 24, 2013 2:33 PM
To: Liska, Robert J - DNR
Cc: Riley, Julia B - DNR; Lemcke, Michael D - DNR; Berman, Michael; Peachey, Robert; White, Quintin
Subject: RE: Wisconsin LAR Update - Pretreatment

Hi Bob,

We have a couple more simple comments on the general pretreatment rules that will help improve the clarity and a question on the use of the paragraph (am) at NR 211.235(1)(am)(intro). The comments and question are all located on page 14 of the attachment and involve NR 211.235(1)(am)(intro) and NR 211.235(1)(b).

Please see the attachment where I have added them in the document.

If you have questions please contact me. Thanks,

Jodie Opie

NPDES Programs Branch

Water Division - WN-16J

EPA Region 5

77 W. Jackson Blvd.

Chicago, IL 60604

312-353-1938

From: Liska, Robert J - DNR [mailto:Robert.Liska@wisconsin.gov]
Sent: Monday, July 15, 2013 11:06 AM
To: White, Quintin
Cc: Opie, Jodie; Riley, Julia B - DNR; Lemcke, Michael D - DNR; Jann, Steven
Subject: RE: Wisconsin LAR Update

Quintin,

As requested in your June 12 email below I've attached a revised version of NR 211 (General Pretreatment Requirements) which is scheduled to go before the DNR Board on Aug. 13 for adoption. I've highlighted in green, new language which is different from the proposed rule which was public noticed Jan. 24, 2013 and for which you provided comments to the Dept. in your letter dated April 2, 2013. In addition to the highlighted changes, two items were reinstated in the attached revision which were repealed in the Jan. 24 version: NR 211.03(2e) – the definition for centralized waste treater and NR 211.16 – additional requirements for centralized waste treaters.

Please contact me if you have any questions or comments.

Bob

Robert J. Liska

Wisconsin Pretreatment Coordinator

Wastewater Section
Water Quality Bureau

Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.

Water Division Customer Service Survey

https://www.surveymonkey.com/s/WDNRWater

From: Liska, Robert J - DNR

Sent: Thursday, June 13, 2013 9:58 AM
To: 'Jann, Steven'
Cc: White, Quintin; Opie, Jodie; Riley, Julia B - DNR; Lemcke, Michael D - DNR
Subject: RE: Wisconsin LAR Update

Steve,

The reasons for the extended lag are the 6-month Legislative Review period following Board adoption ((see Phase IV in the attached link (NOTE: the number to the right of each box is the approximate number of months elapsed since rule initiation)) and the 3-month Rule Promulgation period (see Phase V) following Legislative Review.

http://intranet.dnr.state.wi.us/int/nrboard/documents/Admin-rule-flow-chart.ppt

Also, since Governor approval is not needed (initiation of this rule pre-dates that requirement) the rule's approximate publication/effective date should be 8.5 months after Board adoption, not 9 – making publication closer to May 1, 2014.

Robert J. Liska
Wisconsin Pretreatment Coordinator
Wastewater Section
Water Quality Bureau
Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.

Water Division Customer Service Survey

https://www.surveymonkey.com/s/WDNRWater

From: Jann, Steven [mailto:jann.stephen@epa.gov]
Sent: Thursday, June 13, 2013 7:57 AM
To: Liska, Robert J - DNR
Cc: Opie, Jodie; Riley, Julia B - DNR; Lemcke, Michael D - DNR; White, Quintin
Subject: RE: Wisconsin LAR Update

Why the extended lag between August 2013 and June 2014? The Secretary's May 2012 letter to EPA projected that the draft final rule would be submitted to the Legislature by July 2013.

From: Liska, Robert J - DNR [mailto:Robert.Liska@wisconsin.gov]
Sent: Wednesday, June 12, 2013 4:19 PM
To: White, Quintin
Cc: Opie, Jodie; Jann, Steven; Riley, Julia B - DNR; Lemcke, Michael D - DNR
Subject: RE: Wisconsin LAR Update

Hi Quintin,

Rule Package #2 (Pretreatment) was scheduled to go before the WDNR Board on June 25 requesting the Board's adoption. The draft rule needs further revision however so the rule will go before the Board at its August 13 meeting instead. The revised estimate for publication of this rule is June 1, 2014. When the rule revisions for the August Board meeting are complete I will email a copy of them to you.

Bob

Robert J. Liska
Wisconsin Pretreatment Coordinator
Wastewater Section
Water Quality Bureau
Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.

Water Division Customer Service Survey

https://www.surveymonkey.com/s/WDNRWater

From: White, Quintin [mailto:white.quintin@epa.gov]
Sent: Wednesday, June 12, 2013 3:07 PM
To: Liska, Robert J - DNR
Cc: Opie, Jodie; Jann, Steven
Subject: RE: Wisconsin LAR Update

Hi Robert,

Please forward any update information regarding Rule Package 2. You may copy Steve Jann, however Steve will be starting a detail to a different Branch within Water Division. Jodie Opie and I will be your contacts regarding this issue. If you have any questions please contact Jodie and copy me. Thanks!

Quintin White

Wisconsin State Program Manager

From: Liska, Robert J - DNR [mailto:Robert.Liska@Wisconsin.gov]
Sent: Monday, March 25, 2013 1:17 PM
To: White, Quintin
Subject: RE: Wisconsin LAR Update

Yes. I'm the contact person for Rule Package #2.

Robert J. Liska
Wisconsin Pretreatment Coordinator

Wastewater Section
Water Quality Bureau
Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

From: White, Quintin [mailto:white.quintin@epa.gov]
Sent: Monday, March 25, 2013 12:03 PM
To: Liska, Robert J - DNR
Subject: RE: Wisconsin LAR Update

Thanks Robert. Is there a contact person for Rule Package 2, Pretreatment?

From: Liska, Robert J - DNR [Robert.Liska@Wisconsin.gov]
Sent: Friday, March 22, 2013 2:08 PM
To: White, Quintin
Cc: Lemcke, Michael D - DNR
Subject: FW: Wisconsin LAR Update

Hello Quintin,

I took a second look at your email below, particularly the schedule for Rule Package #2, and noticed that it differs from that in the attached May 18, 2012, Cathy Stepp letter. Thought I should send this as it shows RP#2 is still on track.

Bob

Robert J. Liska
Wisconsin Pretreatment Coordinator
Wastewater Section
Water Quality Bureau
Wisconsin Department of Natural Resources
(☎) **phone:** (608) 267- 7631
(☎) **fax:** (608) 267- 2800
(✉) **e-mail:** Robert.Liska@wisconsin.gov

From: Liska, Robert J - DNR
Sent: Friday, March 22, 2013 10:42 AM
To: White, Quintin
Cc: Yedavalli, Sredeevi; Jann, Steven; Lemcke, Michael D - DNR; Mugan, Tom J - DNR
Subject: RE: Wisconsin LAR Update

Hello Quintin,

Regarding the current status of Rule Package #2 – Pretreatment, the single Public Hearing scheduled for this rule revision was held March 19. Please contact me if you have questions or would like additional information regarding this rule package.

Bob

Robert J. Liska

Wisconsin Pretreatment Coordinator

Wastewater Section
Water Quality Bureau

Wisconsin Department of Natural Resources

(☎) **phone:** (608) 267- 7631

(☎) **fax:** (608) 267- 2800

(✉) **e-mail:** Robert.Liska@wisconsin.gov

From: Mugan, Tom J - DNR
Sent: Thursday, March 21, 2013 5:41 PM
To: Liska, Robert J - DNR; Lowndes, MaryAnne - DNR
Cc: Yedavalli, Sredeevi; Jann, Steven; White, Quintin; Lemcke, Michael D - DNR
Subject: RE: Wisconsin LAR Update

Bob, Mary Anne,

Could the two of you provide the updates requested?

Thanks.

Tom

From: White, Quintin [mailto:white.quintin@epa.gov]
Sent: Thursday, March 21, 2013 2:14 PM
To: Mugan, Tom J - DNR
Cc: Yedavalli, Sredeevi; Jann, Steven
Subject: Wisconsin LAR Update

Hello Tom,

This is a follow-up on the May 18, 2012 letter from Cathy Stepp, Secretary, State of Wisconsin Department of Natural Resources to Susan Hedman, Region V Administrator regarding Rule Making Schedule for EPA's Permitting for Environmental Results Initiative. I would like a current update on the following specific items of concern.

1. Current status of Rule Package 2-Pretreatment (Federal issue # 16) and please identify a contact person for this issue.

2. Current status of Statutory changes regarding Storm water-WisDot permitting exemption (Federal issue #23 & 26 (DOT)) and Statutory changes regarding Storm Water –Commercial building regulation (Federal issue # 24 (DSPS)).

The Cathy Stepp letter identified the following schedule:

Rule Package 2

Rule Draft completed –December 2011

NRB Authorization for Hearing –January, 2012

EIA Process Completed –May, 2012

NRB Adoption-October, 2012

Submit Rule for Legislation Review-January, 2013

Effective-After completion of Legislative Review

Statutory changes for Storm water-WisDot permitting exemption:

Administrative and transitional measures -March, 2012

Submit Legislative change recommendations –January, 2013

Statutory changes regarding Storm Water –Commercial building regulation:

DNR will continue permitting

Submit Legislative change recommendations-January, 2013.

Please provide update on the above ASAP. If you have any questions, I can be reached at (312) 886-0135.

Quintin White

Wisconsin State Program Manager