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**From:** Stepp, Cathy L - DNR [Cathy.Stepp@wisconsin.gov]  
**Sent:** 6/16/2017 5:20:36 PM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**CC:** Munoz, Charles [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae303b61fc23433e89c844d7842c9626-Munoz, Char]  
**Subject:** [SPAM] Fwd: WDNR's Draft NPDES CAFO General Permit

Ryan, I was able to connect with Charles earlier today so I will not disturb you with a phone call. I can imagine how busy you are.

Below is an exchange with Region 5 that has me troubled. In conversations with staff, apparently they are requiring us to put language in referring to WOTUS. Without this language, they have indicated they will object to our GP.

Last I heard, WOTUS was stayed in the courts...is there some guidance your team could provide?

Thanks so much,  
Secretary Cathy Stepp  
WIDNR

Sent from my iPhone

Begin forwarded message:

**From:** "Aquino, Mark D - DNR" <Mark.Aquino@wisconsin.gov>  
**Date:** June 15, 2017 at 2:43:07 PM CDT  
**To:** "Stepp, Cathy L - DNR" <Cathy.Stepp@wisconsin.gov>  
**Cc:** "Williams, Quinn L - DNR" <Quinn.Williams@wisconsin.gov>  
**Subject:** FW: WDNR's Draft NPDES CAFO General Permit

Cathy

Per our discussion. Email including my response.

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**From:** Aquino, Mark D - DNR  
**Sent:** Tuesday, June 13, 2017 4:45 PM  
**To:** 'Korleski, Christopher'  
**Cc:** Pierard, Kevin  
**Subject:** RE: WDNR's Draft NPDES CAFO General Permit

Thanks Chris

I'm sorry that it is taking so long to return your call. I will check with our staff to get up to speed on the potential conceptual agreement and will then call you.

Again sorry for the delay.

Mark

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**From:** Korleski, Christopher [mailto:korleski.christopher@epa.gov]  
**Sent:** Tuesday, June 13, 2017 2:54 PM

**To:** Aquino, Mark D - DNR  
**Cc:** Pierard, Kevin  
**Subject:** WDNR's Draft NPDES CAFO General Permit

Hi Mark –

I recently left you a voice mail regarding some concerns EPA has identified in the draft NPDES CAFO General Permit. Of greatest concern is the specific permit language prohibiting discharge from production areas to “navigable waters”. The use of this terminology would result in a permit that is inconsistent with federal rules and could prompt an EPA objection to the permit.

My staff have discussed this with your staff and I’m happy to hear that EPA and WDNR staffs appear to have reached a conceptual agreement on how to resolve this issue. However, it is very important, and I respectfully request, that we receive a revised draft permit prior to WDNR’s public notice of the permit so we have an opportunity to review and provide feedback on the permit language. This will assure that EPA can support the permit and expedite final review. (Assuming this issue is resolved, similar changes would need to be made to new and reissued individual CAFO permits as well.)

Thanks for your assistance, and please call me if you would like to discuss this further.

Chris

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Chris Korleski  
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