

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3079/P3dn
RCT:cjs:jm

January 10, 2014

This is a new version of the draft concerning phosphorus discharges. It should be reviewed carefully. There are notes in the draft concerning specific provisions.

I added some changes that seemed necessary to reflect the requested changes. If it would be helpful, I can run our compare program and provide the output showing all of the changes from the previous version. In some cases, I used language different from that proposed for reasons that include ensuring consistency throughout the draft. We can discuss any concerns about these changes.

As requested, this draft provides for review of the waiver every five years. In the case of a multiuser waiver like this one, though, even a five-year review will not coincide with the renewal of all permits. As I explained in the previous drafter's note, EPA has taken the position that waivers must be reviewed every three years. A less extensive review than provided in the draft might be acceptable, but unless EPA has changed its position, the lack of a three-year review might result in disapproval of the waiver.

Please contact me with any questions or redraft instructions.

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