



June 10, 2013

DNR File No. DC-0154

Mr. Kamran Mesbah, Deputy Director  
Capital Area Regional Planning Commission  
City County Building, Room 362  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703

Subject: Amendment to the *Dane County Water Quality Plan*, Updating Appendix I  
"On-Site Wastewater Treatment Systems"

Dear Mr. Mesbah:

We have completed our review of the subject amendment request that was submitted to the Department on March 22, 2013, by the Capital Area Regional Planning Commission (CARPC). The Department hereby approves the Amendment to the *Dane County Water Quality Plan*.

The amendment updates the previous report on this topic prepared by the Dane County Regional Planning Commission in 1998, including a review of the following:

- Revisions to Comm 83 in 2000 (now SPS 383) which resulted in substantial changes to the state administrative rules regulating on-site systems;
- Advances in on-site wastewater treatment systems which have led to systems that can be installed in areas previously unsuitable for in-ground systems, as well as systems that can effectively remove nitrogen;
- Analysis of additional data on nitrate levels in private drinking water wells.

Public hearings were held at CARPC meetings on November 8, 2012, January 10, 2013 and February 14, 2013, to take testimony on the draft. The Capital Area Regional Planning Commission adopted the amendment per Resolution 2012-8 at its February 14, 2013 meeting.

This amendment becomes a part of the *Dane County Water Quality Management Plan* and will be forwarded to the US Environmental Protection Agency to meet the requirements of the Clean Water Act of 1987 (Public Law 92-500 as amended by Public Law 95-217), and outlined in the federal regulations 40 CFR, Part 35.

The approval of this amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file

your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas J. Mugan".

Thomas J. Mugan, P.E., Chief  
Wastewater Section  
Bureau of Water Quality

cc:

Kamran Mesbah - CARPC  
Lisa Helmuth – WDNR – WQ/3  
Fran Keally–WDNR - WQ/3