

June 11, 2015

Division of Intergovernmental Relations  
Wisconsin Department of Natural Resources  
Attn: Phosphorus  
PO Box 8944  
Madison, WI 53708-8944



To Whom It May Concern,

My name is Chris Simon and I represent Agropur inc. Agropur has three cheese and whey processing facilities located in Wisconsin. Our roots in the Wisconsin dairy business date back as far as the late 1800's. Our business in Wisconsin has grown over the years and we now employ over 400 people and convert more than 1.7 billion pounds of milk, which is supplied from more than 350 dairy farms, into more than 400 million pounds of cheese and whey products each year at our Wisconsin plants. Wisconsin is "America's Dairyland" and we are very proud to be a part of the industry that has the single biggest impact to our State's economy and hope to be able to continue to grow to provide competitive markets for our producer's milk supply, award winning cheeses to our customers and continued and competitive employment for our employees for many years to come.

It is because our interest and pride in the Wisconsin dairy industry as well as our interest in continuing to grow our businesses in Wisconsin, that I am writing in support of the recent Economic Impact Analysis from the Wisconsin Department of Natural Resources (DNR) which paves the way for the adoption of a multi-discharger variance from the current phosphorus regulations.

The current DNR standards for phosphorus deal primarily with point source discharges. From estimates provided by our engineers, point sources account for only 20% of the phosphorus in our waters. In many cases, limitation of phosphorus concentrations in point source discharges will not achieve the desired in-stream phosphorus water quality criteria. Based on this fact, it seems logical that the primary target for reduction of phosphorus in our waters should be from non-point sources. Not until the non-point sources have been addressed and the impacts to the watersheds determined should we look at the need to further limit the point source discharges. The multi-discharger variance would provide an opportunity to reduce the phosphorus concentrations in point source discharges over time and would give dollars back to the counties to address non-point source reductions. This appears to be a more logical approach given the fact that the overwhelming majority of phosphorus comes from non-point sources.

Throughout our three plants, we hold various specific and general WPDES permits. We treat our wastewater at all three of our locations. Two of our facilities operate pretreatment plants and discharge to Publically Owned Treatment Works (POTW) systems and one of our plants discharges directly to surface waters. In addition, we hold general permits for the discharge of noncontact cooling water to surface waters. The current phosphorus standards have a significant impact to our operations.

For our plants that discharge to POTWs, we anticipate that the current phosphorus rules will lead to significant investment at the POTW. This investment would be a burden not only to the private citizen taxpayers but would also be a burden to our facilities and other industrial users as we anticipate that we will bear substantial portions of the financial burden to upgrade the municipal systems.

At our plant where we discharge directly to surface waters, based on calculations provided by our engineers, we anticipate a reduction in our phosphorus limit from the current 1.0 mg/l to a new limit of 0.075 mg/l under the current phosphorus rule. Initial figures show that in order to meet this proposed limit of 0.075 mg/l, we would need to invest over \$3,000,000 to upgrade the wastewater treatment system and would incur additional operating expenses of over \$150,000 per year. Even after this treatment, we would be left with a byproduct stream that is concentrated with phosphorus.

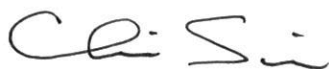
Throughout the years we have made efforts to reduce the amount of phosphorus that is discharged from our plants. We have eliminated the use of phosphorus based cleaners wherever possible. However, the predominant ingredient in all of the products that we produce is milk. As you know, milk contains a certain amount of phosphorus and as a result, we have a certain amount of phosphorus that will always be in our waste stream. We have been successful in significantly reducing the phosphorus concentration in our effluent streams over the years by implementing new treatment technology. However, given the technology currently available for subsequent phosphorus removal, the cost to remove the very small amount of phosphorus left in our effluent will cripple not only Agropur but most WPDES permit holders.

It is because of these reasons that we strongly support the results of the Economic Impact Analysis from the Wisconsin Department of Natural Resources (DNR) and the need for a multi-discharger variance.

We are committed at Agropur to being environmentally responsible and we support regulations that protect our environment and our resources. However, the recent phosphorus rules place an enormous financial burden on our individual taxpayers and business throughout our state putting our state at a competitive disadvantage while providing minimal benefit in reducing phosphorus in the watersheds. The proposed multi-discharger variance would help to ease the immediate financial burden and would provide a more efficient way of addressing phosphorus in the watersheds.

If you have any questions or if you would like to discuss this matter in further detail, please do not hesitate to contact me at 920-944-0990 ext. 35204.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Simon". The signature is written in a cursive, slightly slanted style.

Chris Simon  
Vice President