

DNR Review of Proposed Murphy Oil Expansion

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Likely DNR Regulatory Authorities

- Air permitting (refinery)
- Wastewater Discharge (refinery)
- Water Usage (refinery)
- Wetland Impacts (refinery and product pipeline)
- Stormwater (refinery and product pipeline)
- Endangered Resources (refinery and product pipeline)
- Waterway crossings (product pipeline)
- WEPA (refinery and product pipeline)

WEPA

- WI Environmental Policy Act of 1972- s. 1.11 Stats
- All state agency decisions must comply with WEPA
- WEPA was modeled after NEPA
- NR 150 (Wis. Adm. Code) outlines WDNR process and public involvement requirements
- Because of complexity of project– WDNR will likely conduct an Environmental Impact Statement (EIS) process (and probably jointly with US Army Corps of Engineers)

Purpose of the WEPA analysis

- Inform the public and provide public involvement opportunity
- Inform decision-makers
- Analyze and disclose reasonable alternatives and the full range of impacts
- Permit decisions cannot be made until WEPA process has been completed
- The EIS is not the DNR decision on the permits

Contents of the WEPA analysis document

- Summary of process to identify major issues
- Describe purpose and need
- Describe the proposal in detail
- Describe the affected environment
- Evaluate the probable environmental consequences
- Evaluate Alternatives
- Describe required state, federal and local approvals

The EIS Process

- Notify applicant of intent to conduct EIS
- Applicant submits an Environmental Impact Report or EIR
- Public Scoping process
- EIS development
- EIS released for public comment
- Public Hearings
- Summary of Comments and DNR responses
- Revised EIS (if necessary)
- Final WEPA Decision

EIS Preparation

- Likely will use a contractor to write the document
- EIR Verification
- DNR regional and central office experts will be involved in data review, impact analysis and document writing

EIS Timelines in Law (NR 150)

- Acceptability of the EIR— DNR shall notify applicant within 60 days (120 if documents exceed 1000 pages)
- Public hearing on EIS-- give at least 30 days notice and the hearing shall be no less than 30 days after EIS release
- Comment period for EIS-- shall be not less than 45 and not more than 90 days
- Comment period on Revised EIS-- may be 30 days

Murphy EIS Process Time Periods— timeline prediction is very premature

- Notify applicant of intent to conduct EIS (informal to date)
- Applicant submits an Environmental Impact Report or EIR (2 to 4 months to review and certify as complete)
- Public Scoping process (notice to seek written comments and to announce an informational meeting within 60 days of EIR)
- EIS development (timeline depends on issues raised in scoping and review of EIR)
- EIS public comment period (45 to 60 days)
- Public Hearings on EIS (toward end of EIS comment period)
- DNR summarize and respond to comments (45 to 60 days)
- Revised EIS (if necessary)
- WEPA final decision (open to legal challenge)

Key DNR contacts

- Overall Agency Contact- Dave Siebert (CO)
- Overall EIS Coordination- Jeff Schimpff (CO)
- Northern Region EIS Coordination- Bill Clark (NOR)
- Wetland Impacts– Cherie Hagen (CO) and Lake Superior Basin Leader (TBA)
- Water Program (wastewater, stormwater)– Tom Jerow (NOR)
- Air Permits– Steve Dunn (CO) and Neal Baudhuin (NOR)
- CAP Contact– Connie Antonuk (NOR) until new Lake Superior Basin Leader is announced

QUESTIONS?