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3 A resolution by Supervisors Shea, Logsdon, Johnson, Jr., Ortiz-Velez, and Alexander,  
4 in opposition to the Wisconsin Department of Natural Resources granting a Mercury  
5 Effluent Discharge Variance Permit to WE Energies' Oak Creek powerplant, by  
6 recommending adoption of the following:  
7

8 **A RESOLUTION**  
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10 WHEREAS, WE Energies is the trade name of Wisconsin Electric Power  
11 Company and Wisconsin Gas, LLC (WE Energies), and operates power plants for more  
12 than two million customers throughout Wisconsin and Michigan, including one located in  
13 the City of Oak Creek (the City) on 1,000 acres of land on the shore of Lake Michigan;  
14 and  
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16 WHEREAS, the WE Energies electrical utility plant in the City is coal-based, and  
17 the utility reports burning at least 6,000 tons of coal per day; and  
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19 WHEREAS, according to the United States Environmental Protection Agency  
20 (EPA), the element mercury occurs naturally in coal, and is emitted from coal-based  
21 power plants into the ambient environment, where it is absorbed by soils and plants,  
22 and then up the food chain as the methylmercury chemical compound; and  
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24 WHEREAS, according to the EPA, methylmercury is a powerful neurotoxin which  
25 can cause pain, weaken muscles, and impair vision, speech, hearing, muscle  
26 movement, and walking, and can permanently disrupt the development of unborn  
27 children, particularly from excessive fish consumption; and  
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29 WHEREAS, the City's power plant uses up to 1.56 million gallons of water per  
30 minute for cooling purposes, and for removing mercury-laden coal ash from its boilers,  
31 which is returned to Lake Michigan; and  
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33 WHEREAS, WE Energies proposed to the Wisconsin Department of Natural  
34 Resources (DNR) that its Oak Creek power plant should receive a variance, raising its  
35 daily maximum discharge of mercury into Lake Michigan to 4.1 nanograms per liter of  
36 water; and  
37

38 WHEREAS, the DNR has previously determined that a *limit* of 1.3 nanograms  
39 per liter of mercury discharge into Lake Michigan is necessary to protect wildlife and  
40 human health, but has granted a preliminary approval for WE Energies' variance  
41 request; and  
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43 WHEREAS, the DNR publishes a guide encouraging limited consumption of fish  
44 species in Wisconsin's waterways due to their absorption of methylmercury and  
45 polychlorinated biphenyls; and  
46

47 WHEREAS, Milwaukee County (the County) borders Lake Michigan, and three  
48 major river tributaries flow through the County, and fishing in and around County  
49 waterways is an important source of jobs, recreation, sustenance, and tourism income;  
50 and

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52 WHEREAS, the City of Milwaukee has nurtured a reputation as a “water city,”  
53 receiving accolades as a leader and innovator in conservation and water technology,  
54 including from the United Nations Global Compact Cities Programme; and

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56 WHEREAS, efforts should be made to reduce, not increase, the amount of  
57 harmful substances deposited into our air and waterways; and

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59 WHEREAS, the Committee on Intergovernmental Relations, at its meeting of  
60 April 11, 2019, recommended adoption of File No. 19-293 (vote 5-0); now, therefore,

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62 BE IT RESOLVED, Milwaukee County calls on the Wisconsin Department of  
63 Natural Resources (DNR) to deny We Energies’ request for a Mercury Effluent Variance  
64 Permit exceeding 1.3 nanograms per liter, the limit previously established by the DNR  
65 as the limit to protect wildlife and human health; and

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67 BE IT FURTHER RESOLVED, the Office of Government Affairs staff is  
68 authorized and requested to communicate the contents of this resolution to the State of  
69 Wisconsin (the State) Governor, the State Legislature, and the DNR.

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