



WPDES PERMIT

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

GENERAL PERMIT TO DISCHARGE UNDER THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of Chapter 283, Wis. Stats., any facility engaged in

OPERATION AND MAINTENANCE OF INDUSTRIAL POTABLE AND NON-POTABLE WATER SYSTEMS AND/OR HYDROSTATIC TESTING OF PETROLEUM SYSTEMS

located in the State of Wisconsin and meeting the applicability criteria listed in Section 1 and the application requirements in Section 2 of this General Permit, is permitted to discharge wastewaters from these operations to a water of the state in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

State of Wisconsin Department of Natural Resources (hereafter department)
For the Secretary

By Trevor Moen
Trevor Moen
Wastewater Engineer
Bureau of Water Quality

07/14/2021
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE – August 1, 2021

EXPIRATION DATE – July 31, 2026

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Note: Information about the department’s wastewater general permit program, this general permit, forms, and other helpful resources is available at <https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html>.

1 Applicability Criteria

1.1 Discharge Activities Covered

This general permit is applicable to short-term point source discharges of pollutants to a water of the state from the following operational and maintenance activities of industrial potable and non-potable water systems and hydrostatic testing of petroleum systems except those discharge activities excluded from coverage under this permit as listed in Section 1.2 and Section 1.3:

1. Discharge of hydrostatic test water from hydrostatic testing new or existing petroleum systems that have been physically cleaned to ensure that there will be no discharge of petroleum contaminated water from tank bottoms, construction debris, raw material, intermediate product, final product, or waste products;
2. Discharge of hydrostatic test water from hydrostatic testing any industrial potable and non-potable water systems;
3. Discharge of flushing water from the cleaning, disinfecting, and/or flushing industrial potable and non-potable systems; and
4. Discharges of other similar waters as determined by the department on a case-by-case basis

This general permit may cover discharges from hydrostatic testing under one blanket/statewide coverage to Utility companies that perform hydrostatic testing of utility infrastructure across the state of Wisconsin. Utility companies who are authorized blanket/statewide coverage for hydrostatic testing operations across the state of Wisconsin do not need to apply for permit coverage each time a discharge of hydrostatic test water to a water of the state occurs within the state of Wisconsin provided the requirements in this general permit are met.

1.2 Discharge Activities Not Covered

The discharge activities listed in this section are not applicable to this general permit and may require application under an another general or individual WPDES permit. In accordance with s. NR 205.08(5), Wis. Adm. Code, the department may deny coverage or revoke coverage under this permit and issue an individual WPDES Permit to a facility if the department determines that discharges are more appropriately covered under an individual WPDES Permit. The following discharge activities are not applicable to this general permit:

1. Discharge of hydrostatic test water from hydrostatic testing any existing petroleum system that has not been physically cleaned to prevent discharge of petroleum contaminated water from tank bottoms, construction debris, raw material, intermediate product, final product, or waste products;
2. Discharges associated with the operational and maintenance activities of municipal water systems;
3. Discharge of water on a continuous basis at a single site;
4. Discharge of dewatering water from dewatering any construction pit/trench;
5. Discharge of hydrostatic test water from hydrostatically testing with a liquid other than water;
6. Discharge of wastewater as result of waste disposal from water treatment and conditioning processes;
7. Discharge of washwater from washing of vehicles and/or equipment;

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8. Discharge of domestic, municipal, or process wastewaters;
9. Discharge of water from any accidental or unplanned release, spill, leak, or overflow;
10. Discharge of water containing water treatment additives to surface water where the department determines that the usage of the additives has not been approved in writing by the department;

Note: Water treatment additives already present in the water supply system do not need to be reviewed and approved by the department.

11. Discharge of water to a wetland where the department determines that the discharge of pollutants does not meet the wetland protection requirements in of ch. NR 103, Wis. Adm. Code;
12. Discharge of water directly to an outstanding resource water as defined in s. NR 102.10, Wis. Adm. Code, or where the department determines that the discharge of pollutants will lower the water quality of downstream outstanding resource waters;
13. Discharge of water directly to an exceptional resource water as defined in s. NR 102.11, Wis. Adm. Code, or where the department determines that the discharge of pollutants will lower the water quality of downstream exceptional resource waters;
14. Discharge of water where the department determines that the facility does not have the treatment capability to treat any proposed new or increased discharge and maintain treatment levels sufficient to meet the effluent limitations in this general permit;
15. Discharge of water where the department determines that any proposed new or increased discharge results in the significant lowering of water quality in fish and aquatic life waters identified in s. NR 102.13, Wis. Adm. Code, Great Lakes system waters, and variance waters identified within ss. NR 104.05 through 104.10, Wis. Adm. Code;
16. Discharge of water that contains pollutants of concern that contributes to the impairment of a 303(d) listed impaired water or be in noncompliance with an approved Total Daily Maximum Load (TMDL);
17. Discharge of water containing toxic or hazardous pollutants required to be reported under ch. NR 706, Wis. Adm. Code;
18. Discharge of water where the department determines that the discharge of pollutants adversely impacts endangered and threatened species, including causing an incidental take, and does not comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm. Code;
19. Discharge of water where the department determines that the discharge of pollutants adversely affects any historic property that is a listed property, or on the inventory or on the list of locally designated historic places under s. 44.45, Wis. Stats pursuant to s. 44.40(3), Wis. Stats;
20. Discharge of water within Indian Country;

Note: Indian Country is defined under 40 CFR Part 122.2. The Federal Clean Water Act requires facilities with wastewater discharges within Indian Country in Wisconsin to obtain permit coverage directly from the United States Environmental Protection Agency (EPA). Facilities that have not been issued coverage under a permit for a wastewater discharge should contact the EPA.

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21. Discharge of water containing substances where the department determines that the discharge of pollutants have reasonable potential to exceed the surface water quality standards in chs. NR 102, NR 104, NR 105, NR 106, NR 207, and NR 217 Wis. Adm. Code, or other applicable surface water quality standards; and
22. Discharge of water containing substances where the department determines that the discharge of pollutants have reasonable potential to exceed the groundwater quality standards in ch. NR 140, Wis. Adm. Code.

1.3 Permit Exclusions

The water discharge activities listed in this section are excluded from coverage under this general permit and may not require application under another WPDES permit. The water discharge activities listed below are excluded from requiring coverage under this general permit:

1. Discharge of water to a holding tank that is pumped and hauled to a publicly owned wastewater treatment works; and
2. Discharge of water to a sanitary sewer system or combined sewer system that conveys the water to a publicly owned wastewater treatment works.

2 Application for Permit Coverage

An applicant shall comply with the following requirements to obtain coverage and authorization to discharge to a water of the state under this general permit.

2.1 New Permittees

2.1.1 Submittal of a Notice of Intent

Any new permittee, meeting the applicability criteria in Section 1 of this general permit and the new permittee proposes a new or existing discharge to a water of the state that was not previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit, shall submit a complete electronic Notice of Intent (eNOI) for coverage under this general permit at least **30 calendar days** prior to discharging to a water of state.

New permittees must submit an eNOI to obtain coverage under this general permit using the online ePermitting System. The ePermitting System is available for use at water permit applications (<https://dnr.wisconsin.gov/permits/water>). The ePermitting System does not require any special software and is completely web-based and available using any internet browser. Applicants must have or create a Wisconsin Web Access Management System (WAMS) ID to access the eNOI. If the applicant already has a WAMS ID, then the applicant does not need to recreate one and they may access the eNOI.

2.1.2 NOI Review Time Period

The department will evaluate the information submitted in the eNOI to determine whether the eNOI is true, accurate, complete, and whether the facility is eligible for coverage under the general permit within **30 calendar days** of receipt of the complete NOI and associated attachments.

Note: If the department notifies an applicant that a discharge is ineligible for coverage under this general permit but still requires WPDES permit coverage, the applicant shall apply for and obtain coverage under an individual WPDES permit (or alternative general permit, if available) prior to discharging to the a water of the state. The necessary steps to apply for coverage under an individual permit can be found at the department website:
<http://dnr.wi.gov/topic/wastewater/PermitApplications.html>.

2.1.3 Content of the NOI

The applicant shall provide the following information on the NOI:

- Legal permittee name;
- Permittee and facility contact information;
- Facility location and type information;
- Discharge and permitted activity information;
- Attachments as indicated in Section 2.1.4; and
- Certification and signature pursuant to Section 8.2.6

2.1.4 NOI Attachments

The new permittee must include the following attachments with the NOI submittal unless otherwise noted for utility companies applying for blanket/statewide coverage for discharges from hydrostatic testing:

1. A site map with clearly marked discharge and receiving water locations. For utility companies applying for blanket/statewide coverage for hydrostatic testing, a map showing the service area of the utility company in the state of Wisconsin with major transmission lines labeled;
2. A water flow diagram that shows the water flow through project and indicates sources of water, operations contributing water to the effluent, and treatment units. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. A water flow diagram does not need to be attached to the NOI for utility companies applying for blanket/statewide coverage for discharges from hydrostatic testing; and
3. A copy of the Additive Review Worksheet and Safety Data Sheet (SDS) for each water treatment additive used that may enter surface water without receiving treatment or are not expected to be removed by wastewater treatment. An Additive Review Worksheet and SDS does not need to be attached to the NOI for utility companies applying for blanket/statewide coverage for discharges from hydrostatic testing.

Note: Refer to Section 5.4 for additional requirements applicable to utility companies applying for blanket/statewide coverage for hydrostatic testing.

2.1.5 Incomplete NOI

The department may require an applicant to submit additional information if the department determines a NOI is incomplete. The applicant shall submit the requested information.

2.1.6 Granting of Permit Coverage to New Permittees

The department will transmit a coverage letter via mail addressed to the permittee stating that the discharge from the facility is granted coverage under this general permit within **30 calendar days** of receipt of the eNOI. The applicant may not commence a point source discharge of pollutants to a water of the state associated with hydrostatic testing until a coverage letter has been received from the department. Initial coverage under this permit will become effective at a new facility beginning upon the **Start Date** specified by the department in the coverage letter. The coverage letter will be provided with instructions on where to download the general permit from the department's Internet website. Alternatively, a hard copy of the permit may be mailed to the permittee upon request.

2.2 Existing Permittees

2.2.1 Granting of Permit Coverage to Existing Permittees

Any existing permittee, that still meets the applicability criteria in Section 1 of this general permit and has an existing discharge that was previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit, is automatically granted coverage under this general permit upon the **Effective Date**.

The department will transmit a reissuance letter via mail addressed to the existing permittee stating that the discharge from the facility is granted continued coverage under this general permit. The reissuance letter will be provided with instructions on where to download the general

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permit from the department's Internet website. Alternatively, a hard copy of the permit may be mailed to the permittee upon request.

2.3 Groundwater Discharge Certification

For the discharge to be regulated under Section 4 as a groundwater discharge, the permittee shall certify on the NOI that the discharge will be completely infiltrate into the ground via a seepage system with no accumulation of standing water or runoff to surface water or wetlands via any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer. If the permittee cannot certify that the discharge will completely infiltrate into the ground via a seepage system with no accumulation of standing water or runoff to surface water or wetlands, the discharge will be regulated as a surface water discharge under Section 3.

3 Surface Water Discharge Requirements

The requirements of this section only apply to point source discharges to surface waters. Surface water point source discharges means any discernible, confined and discrete conveyance system including but not limited to any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will carry water to surface waters within the state of Wisconsin. Discharges of water to a storm water pond that is hydraulically connected to a surface water or to a wetland are considered surface water point source discharges.

3.1 Sampling Point(s)

The discharge(s) shall be limited to the waste type(s) designated for the listed sampling point(s).

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)
001	The permittee shall sample the hydrostatic test water from hydrostatic testing any petroleum system; hydrostatic test water from hydrostatic testing any industrial potable and non-potable water system; and/or flushing water from the cleaning, disinfecting, and/or flushing any industrial potable and non-potable water system following treatment (if applicable) at the end of pipe or prior to entering any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will discharge to surface water or wetlands via Outfall 001. The permittee shall take representative samples of the discharge that consists solely of the water before mixing with any other water. The permittee is only required to collect samples when there is a discharge to surface water or wetlands; if there are no discharges within the reporting frequency the permittee shall report no discharge consistent with Sections 5.1 and 5.3.

3.2 Monitoring Requirements and Effluent Limitations for Hydrostatic Test Water and/or Water System Flushing

The permittee shall comply with the following monitoring requirements and limitations for each applicable outfall.

3.2.1 Sampling Point (Outfall) 001 – Hydrostatic Test Water and/or Water System Flushing

Monitoring Requirements and Effluent Limitations						
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Reporting Frequency	Notes
Flow Rate	-	gpd	Daily	Total Daily	Monthly	See Section 3.2.1.1
Suspended Solids, Total	Daily Max	40 mg/L	Weekly	Grab	Monthly	See Section 3.2.1.2
	-	lbs/day				
pH Field	Daily Min	6.0 s.u.	Weekly	Grab	Monthly	
	Daily Max	9.0 s.u.				

3.2.1.1 Flow Rate

The permittee shall estimate the total daily flow rate of the water discharge. The flow rate may be estimated based on water balance, an uncalibrated weir, readings of a water meter on the discharge, computation from the operating period of one or more calibrated pumps handling the flow, calculations from the velocity and cross section of the discharge or any other approved flow estimating methods in s. NR 218.04(15), Wis. Adm. Code. The permittee may request, in writing, the approval of an additional method for estimating flow.

3.2.1.2 Total Suspended Solids (TSS) Monitoring

The permittee shall monitor the discharge for TSS and limit the TSS concentration to a daily maximum of 40 mg/L.

The permittee shall calculate and report the TSS loading discharged.

$$\text{Daily mass (lbs/day)} = \text{weekly TSS concentration (mg/L)} \times \text{daily flow (gpd)} \times 10^{-6} \times 8.34$$

3.2.2 Additional Monitoring Requirements to Outfall 001

The permittee shall comply with the following additional monitoring requirements for each applicable outfall at the facility site if the department determines that these monitoring requirements are necessary to access compliance with water quality standards. The department will specify the additional monitoring requirements in the coverage letter or reissuance letter to the permittee.

Monitoring Requirements and Effluent Limitations						
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Reporting Frequency	Notes
Oil & Grease (Hexane)	Daily Max	15 mg/L	Weekly	Grab	Monthly	See Section 3.2.2.1
Chlorine, Total Residual	Daily Max	19 µg/L	Weekly	Grab	Monthly	See Section 3.2.2.2
Dissolved Oxygen	Daily Min	See Permit Note	Weekly	Grab	Monthly	See Section 3.2.2.3
Phosphorus, Total	-	mg/L	Weekly	Grab	Monthly	See Section 3.2.2.4
	-	lbs/day		Calculated		
Water Treatment Additives - Specify	TBD	TBD	Weekly	Grab	Monthly	See Section 6

3.2.2.1 Oil & Grease Monitoring

The permittee shall monitor the discharge for residual oil and grease and limit the oil and grease concentration to a daily maximum of 15 mg/L or less if the department determines that the permittee discharges hydrostatic test water from an existing petroleum system to ensure that existing petroleum system is properly physically cleaned to prevent discharge of petroleum contaminated water from tank bottoms, construction debris, raw material, intermediate product, final product, or waste products.

3.2.2.2 Total Residual Chlorine (TRC) Monitoring

The permittee shall monitor the discharge for TRC and limit the TRC concentration to a daily maximum of 19 µg/L or less if the department determines that the permittee adds chlorine-based additives to the water prior to discharge or the source water contains chlorine or chlorine compounds except if the department approves a higher TRC limit based on Section 3.2.2.2.1 or a monitoring waiver in Section 3.2.2.2.3. The permittee shall have total residual chlorine samples tested and analyzed within 15 minutes of sample collection. The department will specify the TRC monitoring requirements in the coverage letter or reissuance letter to the permittee.

3.2.2.2.1 TRC Limitations to High Flow Streams

The department may determine or the permittee may request, upon the effective date of this general permit or at the time of the submittal of the Notice of Intent (NOI), a daily maximum limit of 38 µg/L if the receiving water has a stream flow (7-day average flow

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that occurs once in 10 years) to average effluent flow greater than or equal to 2:1 or the discharge is to a lake or impoundment that does not exhibit unidirectional flow. Those facilities that fail to have enough mixing and dilution will have to meet a daily maximum limit of 19 µg/L at the end of the pipe.

3.2.2.2.2 Compliance with TRC Limits when Limit is Less than LOD

When a limitation for TRC in this permit is less than the limit of detection (LOD) for an approved test method, the permittee shall comply with the conditions:

- (a) The permittee shall perform TRC monitoring required in this permit using an approved analytical methodology for TRC from ch. NR 219, Wis. Adm. Code, in the water which produces the lowest possible LOD and LOQ.
- (b) The permittee shall determine the LOD and LOQ using an TRC test method specified in ch. NR 219, Wis. Adm. Code. If the test method does not provide a way to determine a LOD and LOQ, please reach out to the department or a laboratory for help to estimate a LOD and LOQ for the test method.
- (c) The permittee shall determine compliance with the TRC limitation as follows:
 1. TRC levels in the water that are less than the LOD are in compliance with the TRC limitation. The permittee shall report the results as “<LOD”.
 2. TRC levels in the water that are greater than the LOD but less than the LOQ are in compliance with the TRC limitation except when consistently reported between the LOD and LOQ.
 3. TRC levels in the water that are greater than the LOQ are not in compliance with the TRC limitation. The permittee shall report the level as a limit exceedance.

3.2.2.2.3 TRC Monitoring Waiver

The department may approve in writing a monitoring waiver for TRC. Permittees requesting a waiver must comply with the following conditions:

1. The discharge of water will be to a storm water conveyance system, storm water pond system, or a combination of both that will convey the water to a surface water;
2. The permittee provides reasonable hydraulic calculations or sampling data to the department showing that the residual chlorine in the discharge will be dissipated below the chlorine limits prior to entering the surface water;
3. The permittee certifies that there is no reasonable potential that TRC limits will be exceeded in the discharge when entering the surface water; and
4. The permittee submits a monitoring waiver request to the department at the time of the submittal of the NOI.

3.2.2.3 Dissolved Oxygen (DO) Monitoring

The permittee shall monitor the discharge for DO and limit the DO of the discharge to the minimum DO levels provided in Table 1 if the department determines that the permittee adds chemicals prior to discharge that are known to scavenge or remove oxygen and does not discharge to a vegetative swale system, storm water pond system or combination of storm water conveyance system and storm water pond system that will convey the water to a surface water or wetland. The permittee shall have DO samples tested and analyzed within 15

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minutes of sample collection. The department will specify the DO monitoring requirements in the coverage letter or reissuance letter to the permittee.

Table 2. DO Limits

Stream Classification	DO Limit (mg/L)
All Surface Waters excluding trout streams	5
Trout Streams (Non-Spawning Season)	6
Trout Spawning Season (Spawning Season)	7

Note: Classified trout streams can be found here:

<https://dnr.wi.gov/topic/fishing/trout/streammaps.html>. Trout spawning season runs September 15th through May 15th for all classified trout streams, the Root River (Racine County), the Kewaunee River (Kewaunee County) and Strawberry Creek (Door County). The regional Department Fisheries Biologist may waive or modify timing restrictions in writing. To find your biologist and request in writing a waiver or modification of trout spawning timing restrictions for your facility, use the webpage here:
<https://dnr.wi.gov/topic/Fishing/people/index.html>.

3.2.2.4 Total Phosphorus (TP) Monitoring

The permittee is only required to monitor TP if the department determines that the permittee adds phosphorus containing additives to the water prior to discharge or the source water contains phosphorus or phosphorus compounds. The department will specify the TP monitoring requirements in the coverage letter or reissuance letter to the permittee.

The permittee shall calculate and report the TP loading discharged.

Daily mass (lbs/day) = weekly TP concentration (mg/L) x daily flow (gpd) x 10⁻⁶ x 8.34

3.2.3 Sampling Frequency and Reporting Reduction for Recurring Hydrostatic Testing and/or Flushing Discharges

The department may approve in writing a sampling and reporting frequency reduction for all parameters in Sections 3.2.1, 3.2.2, and/or 4.2.1 based on the recurring hydrostatic testing or water system flushing schedule for the permittee at a single facility site. The permittee must comply with the following conditions:

1. To allow a reduced sampling and reporting frequency of monthly, the permittee must only perform hydrostatic testing or flushing activities one week per month. For the flow rate, the sample type will be changed to total monthly flow rate of the water discharged for each month.
2. To allow a reduced sampling and reporting frequency of quarterly, the permittee must only perform hydrostatic testing or flushing activities one week per quarter. For the flow rate, the sample type will be changed to total quarterly flow rate of the water discharged for each quarter.
3. To allow a reduced sampling and reporting frequency of semi-annual, the permittee must only perform hydrostatic testing or flushing activities one week per 6-months. For the flow rate, the sample type will be changed to total annual flow rate of the water discharged for each year.

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4. To allow a reduced sampling and reporting frequency of annual, the permittee must only perform hydrostatic testing or flushing activities one week per year. For the flow rate, the sample type will be changed to total annual flow rate of the water discharged for each year.
5. The permittee must not perform hydrostatic testing or flushing activities on consecutive weeks within a calendar year.
6. The permittee must be in substantial compliance with the effluent limitations stated in Section 3.2.1 and Section 4.2.1.
7. The permittee shall submit a sampling and reporting frequency reduction request to the department with their hydrostatic testing or flushing activities schedule.

3.3 Temporary Surface Water Intake Requirements

Any permittee that will use surface water as source water for hydrostatic testing through a temporary intake shall comply with the following requirements.

3.3.1 Intake Screen Discharges and Removed Substances

The permittee shall remove and disposed of any floating debris and accumulated trash collected on the surface water intake screens or racks in a manner to prevent any pollutant from the material from entering the waters of the state pursuant to s. NR 205.07(3)(a), Wis. Adm. Code, except that backwashes may contain fine materials that originated from the intake water source such as sand, silt, small vegetation or aquatic life.

3.3.2 Endangered Species Act

Nothing in this permit authorizes take for the purpose of a facility's compliance with the Endangered Species Act.

3.3.3 Invasive Species Control

The permittees must use all known, available, and reasonable methods of pollution control, prevention, and treatment when discharging to a surface water of the state to ensure compliance with invasive species identification, classification, and control requirements of ch. NR 40, Wis. Adm. Code.

3.4 Surface Water Narrative Requirements

To preserve and enhance the quality of waters, surface water uses and criteria are established to govern water management decisions. Practices attributable to municipal, industrial, commercial, domestic, agricultural, land development or other activities shall be controlled so that all surface waters including the mixing zone meet the following conditions at all times and under all flow and water level conditions:

- a) Substances that will cause objectionable deposits on the shore or in the bed of a body of water, shall not be present in such amounts as to interfere with public rights in waters of the state.
- b) Floating or submerged debris, oil, scum or other material shall not be present in such amounts as to interfere with public rights in waters of the state.
- c) Materials producing color, odor, taste or unsightliness shall not be present in such amounts as to interfere with public rights in waters of the state.
- d) Substances in concentrations or in combinations which are toxic or harmful to humans shall not be present in amounts found to be of public health significance, nor shall substances be present in amounts which are acutely harmful to animal, plant or aquatic life.

3.5 Wetland Narrative Requirements

The permittee shall meet the following conditions at all times so that wetland water quality related functional values or uses of wetlands as stated in s. NR 103.03(1), Wis. Adm. Code are protected:

- a) Liquids, fill, or other solids or gas may not be present in amounts which may cause significant adverse impacts to wetlands.
- b) Floating or submerged debris, oil or other material may not be present in amounts which may interfere with public rights or interest or which may cause significant adverse impacts to wetlands.
- c) Materials producing color, odor, taste or unsightliness may not be present in amounts which may cause significant adverse impacts to wetlands.
- d) Concentrations or combinations of substances which are toxic or harmful to human, animal or plant life may not be present in amounts which individually or cumulatively may cause significant adverse impacts to wetlands.
- e) Hydrological conditions necessary to support the biological and physical characteristics naturally present in wetlands shall be protected to prevent significant adverse impacts on:
 - a. Water currents, erosion or sedimentation patterns;
 - b. Water temperature variations;
 - c. The chemical, nutrient and dissolved oxygen regime of the wetland;
 - d. The movement of aquatic fauna;
 - e. The pH of the wetland; and
 - f. Water levels or elevations.
- f) Existing habitats and the populations of wetland animals and vegetation shall be maintained by:
 - a. Protecting food supplies for fish and wildlife;
 - b. Protecting reproductive and nursery areas; and
 - c. Preventing conditions conducive to the establishment or proliferation of nuisance organisms.

4 Groundwater Discharge Requirements

The requirements of this section only apply to point source discharges to groundwater. Groundwater point source discharge means any discernible, confined and discrete conveyance system including but not limited to any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will carry water to a permeable surface, absorption pond, or seepage cell system that infiltrates or seeps the water into the soil that may impact groundwater quality. Discharge of water to a storm water pond that is not hydraulically connected to a surface water and is completely confined on the property of the permittee is considered a groundwater point source discharge.

4.1 Sampling Point(s)

The discharge(s) shall be limited to the waste type(s) designated for the listed sampling point(s).

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
002	The permittee shall sample the hydrostatic test water from hydrostatic testing any petroleum system; hydrostatic test water from hydrostatic testing any industrial potable and non-potable water system; and/or flushing water from the cleaning, disinfecting, and/or flushing any industrial potable and non-potable water system following treatment (if applicable) at the end of pipe or prior to entering any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will discharge to any seepage system via Outfall 002. The permittee shall take representative samples of the discharge that consists solely of the water before mixing with any other water. The permittee is only required to collect samples when there is a discharge to groundwater; if there are no discharges within the sampling frequency the permittee shall report no discharge consistent with Sections 5.1 and 5.3.

4.2 Monitoring Requirements and Effluent Limitations for All Groundwater Discharges

The permittee shall comply with the following monitoring requirements and limitations for each applicable outfall.

4.2.1 Sampling Point (Outfall) 002 – All Groundwater Discharges

Monitoring Requirements and Effluent Limitations						
Parameter	Limit Type	Limit and Units	Sample Frequency	Reporting Frequency	Sample Type	Notes
Flow Rate	-	gpd	Daily	Monthly	Total Daily	See Section 4.2.1.1

4.2.1.1 Flow Rate

The permittee shall estimate the total daily flow rate of the water discharge. The flow rate may be estimated based on water balance, an uncalibrated weir, readings of a water meter on the discharge, computation from the operating period of one or more calibrated pumps handling the flow, calculations from the velocity and cross section of the discharge or any other approved flow estimating methods in s. NR 218.04(15), Wis. Adm. Code. The permittee may request, in writing, the approval of an additional method for estimating flow.

4.2.2 Additional Monitoring Requirements to Outfall 002 for Hydrostatic Test Water from Existing Petroleum Systems

The permittee shall comply with the following additional monitoring requirements for each applicable outfall at the facility site if the department determines that these monitoring requirements are necessary to access compliance with groundwater standards. The department will specify the additional monitoring requirements in the coverage letter or reissuance letter to the permittee.

Monitoring Requirements and Effluent Limitations						
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Reporting Frequency	Notes
Oil & Grease (Hexane)	Daily Max	15 mg/L	Weekly	Grab	Monthly	See Section 4.2.2.1

4.2.2.1 Oil & Grease Monitoring

The permittee shall monitor the discharge for residual oil and grease and limit the oil and grease concentration to a daily maximum of 15 mg/L or less if the department determines that the permittee discharges hydrostatic test water from an existing petroleum system to ensure that existing petroleum system is properly physically cleaned to prevent discharge of petroleum contaminated water from tank bottoms, construction debris, raw material, intermediate product, final product, or waste products.

5 Reporting Requirements for Surface Water and Groundwater Discharges

The permittee shall comply with the following reporting requirements for surface water and groundwater discharges.

5.1 Reporting of Monitoring Results

The permittee shall submit water discharge monitoring data as required by Sections 3.2.1, 3.2.2 and/or 4.2.1 on an electronic discharge monitoring report (eDMR) form in accordance with s. NR 205.07(1)(r), Wis. Adm. Code upon **Effective Date** of this general permit. The eDMR form is available through the [Switchboard](#). The eDMRs are due 21 days following the end of the reporting frequency. For instance, if a parameter is to be reported monthly, the eDMRs are due 21 days following the end of each month. **The eDMR shall be submitted to the department whether or not there is a discharge during any reporting frequency. Paper copies will no longer be accepted.**

In order to access the eDMR forms, you must have or create a Wisconsin Web Access Management System (WAMS) ID and request access for each facility for which you intend to submit data. The Switchboard can be used to create a WAMS ID and register with your contact information and user roles. If you already have a WAMS ID, then you do not need to recreate one but must still request access to each facility for which you intend to submit data.

5.2 Reporting of Monitoring Results for Previous Permit

Any existing permittee that was previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit shall submit any water monitoring data that was required to be sampled and reported for January to July 2021 under WPDES Permit No. WI-0057681-04-0 on a paper DMR by August 21, 2021.

5.3 Reporting Conventions

The permittee shall use the following conventions when reporting effluent monitoring results except when otherwise noted:

- Pollutant concentrations less than the limit of detection shall be reported as < (less than) the value of the limit of detection. For example, if a substance is not detected at a detection limit of 0.1 mg/L, report the pollutant concentration as < 0.1 mg/L.
- Pollutant concentrations equal to or greater than the limit of detection, but less than the limit of quantitation, shall be reported and the limit of quantitation shall be specified unless otherwise noted.
- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a value of 0 (zero) for any pollutant concentration that is less than the limit of detection. However, if the effluent limitation is less than the limit of detection, the department may substitute a value other than zero for results less than the limit of detection, after considering the number of monitoring results that are greater than the limit of detection and if warranted when applying appropriate statistical techniques.
- For days with no flow, the flow rate shall be reported as “0” on those days.

5.4 Blanket/Statewide Coverage Requirements

Permittees with blanket/statewide coverage for discharges from hydrostatic testing of utility infrastructure across the state of Wisconsin shall comply with the following blanket/statewide requirements.

5.4.1 Discharge Monitoring and Reporting

The permittee shall comply with the following monitoring and reporting requirements:

1. The permittee shall monitor and report each separate hydrostatic testing discharge event to a water of the state on the monthly eDMR consistent with Sections 3.2.1, 3.2.2, 4.2.1, and 5.1.
2. The permittee shall submit and complete the monthly eDMR regardless if there is a discharge from an outfall during any reporting frequency consistent with Sections 3.1, 4.1, 5.1, and 5.3; and
3. The permittee shall report the receiving water name for each separate hydrostatic testing discharge on the facility comments section of the monthly eDMR.

5.4.2 Impaired Waters, TMDL Waters, Wetlands, Outstanding or Exceptional Resource Waters

The permittee shall implement company-wide procedures to properly identify and screen for impaired waters, total maximum daily load (TMDL) waters, wetlands, outstanding resource waters (ORWs), and exceptional resource waters (ERWs) during statewide hydrostatic testing operations. For discharges to wetlands, impaired waters, or TMDL waters, the permittee shall follow the requirements in Sections 3 and 7.

5.4.3 Alternative Disposal Procedures

The permittee shall develop and implement alternative disposal procedures to avoid discharging to impaired waters, TMDL waters, wetlands, ORWs, and ERWs if identified near the project location. Discharges to impaired waters, TMDL waters, or wetlands may be allowed if the requirements in Sections 7 are met.

5.4.4 Seven (7)-Day Discharge Notification

The permittee shall notify the department via email at least seven (7) calendar days prior to the discharge to a water of state. The permittee shall include the following with the notification:

1. A brief description of the project and project location;
2. Source water and discharge location;
3. Any best management practices that will be implemented for the discharge;
4. For groundwater discharges, certification that the discharge will completely infiltrate into the ground via a seepage system with no accumulation of standing water or runoff to surface water or wetlands consistent with Section 2.3.
5. For surface water discharges, any requests for higher total residual chlorine limits or total residual chlorine monitoring waivers consistent with Sections 3.2.2.1.1 and 3.2.2.1.3; and
6. For surface water discharges, a copy of the Additive Review Worksheet and Safety Data Sheet (SDS) for each water treatment additive that is used that may enter surface water without receiving treatment or are not expected to be removed by wastewater treatment.

On a case-by-case basis the department may by letter require the permittee to submit additional information regarding a wastewater discharge which is covered by a general permit.

6 Water Treatment Additives

6.1 Use of Water Treatment Additives

The permittee shall not add any substance or water treatment additive to the discharge to a surface water unless the use of the water treatment additive is reviewed and approved, in writing, by the department. A water treatment additive review by the department is only necessary for water treatment additives that may enter surface water without receiving treatment. *Water treatment additives already present in the water supply system do not need to be reviewed and approved.*

Note: For more information on the water treatment additive review process, please see the department's additives webpage: <https://dnr.wisconsin.gov/topic/Wastewater/Additives.html>.

6.2 Approval of Water Treatment Additive Usage

6.2.1 New Discharge

Any permittee that proposes a new discharge to a surface water during the permit term that has not been covered under this general permit and wishes to commence use of a water treatment additive, the permittee shall submit a copy of the Additive Review Worksheet and SDS to the department for each water treatment additive used which requires department approval with the NOI. The Additive Review Worksheet is available on the department's additives webpage link above. The department will transmit the additive use approval on the coverage letter to the permittee. The permittee shall comply with the conditions specified in the coverage letter.

6.2.2 Existing Discharge

Any permittee with an existing discharge that has been granted coverage under this general permit during the permit term and wishes to commence use of a new water treatment additive or increase the usage of an approved water treatment additive, the permittee shall submit a written request with a copy of the Additive Review Worksheet and SDS to the department for each water treatment additive used which requires department approval. The Additive Review Worksheet is available on the department's additives webpage link above. The permittee must receive written approval from the department prior to initiating such changes. The department will transmit an additive use approval letter to the permittee. The permittee shall comply with the conditions specified in the approval letter.

6.3 Water Treatment Additive Usage Record

The permittee shall maintain records of the monthly water treatment additive usage including the water treatment additive name, manufacturer, and daily maximum and monthly average amount used. Water treatment additive use may be recorded as the quantity of the pollutant added to the discharge.

6.4 Public Notice of Additive Use Restrictions

If the department determines that a water treatment additive requires a usage restriction and effluent limits, the department is required to public notice those proposed limits prior to the limits becoming effective and implemented through this general permit. The public notice period is to last 30-days and be issued in a newspaper of general circulation in the area affected by the discharge and the department's public notice webpage. The effluent limitations, limit type, and sample type for substances will be stated in the additive use approval letter.

7 Antidegradation, Impaired Waters & TMDLs, and Wetland Requirements

7.1 Antidegradation Policy Statement

Any proposed new or increased discharge of water to surface water of the state that meets the applicability criteria in Section 1 and the application requirements in Section 2 and that the department has determined via letter that the discharge is authorized for coverage under this general permit is in compliance with the antidegradation policy in s. NR 102.05(1)(a), Wis. Adm. Code, and antidegradation evaluation procedures in ch. NR 207, Wis. Adm. Code.

7.2 Impaired Waters & TMDL Requirements

7.2.1 Report Discharge to an Impaired Surface Water or TMDL

7.2.1.1 New Permittee

Any new permittee or existing permittee that proposes a new discharge during the permit term that was not previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit, shall report on the NOI if the water discharge has a detectable pollutant of concern (i.e. total suspended solids and total phosphorus) that discharges to an impaired surface water or a surface water with a State and EPA approved Total Daily Maximum Load (TMDL).

Note: The section 303(d) list of Wisconsin impaired surface water bodies may be obtained by contacting the department or by searching for the section 303(d) list on the department's Internet site: <https://dnr.wisconsin.gov/topic/SurfaceWater/ConditionLists.html>. The department updates the section 303(d) list approximately every two years. State and Federal Approved TMDLs can be identified by contacting the department, or by searching for the State and Federal Approved TMDL list on the department Internet site: <https://dnr.wisconsin.gov/topic/TMDLs/TMDLReports.html>.

7.2.1.2 Existing Permittee

Any existing permittee that had an existing water discharge to an impaired surface water or a surface water with a State and EPA approved TMDL that was previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit, shall notify the department if the existing water discharge has a detectable pollutant of concern (i.e. total suspended solids and total phosphorus) that discharges to an impaired surface water or a surface water with a State and EPA approved TMDL.

7.2.2 Department Determinations

The permittee may not establish a new or increased discharge of a pollutant of concern to an impaired water or a surface water with an approved TMDL until the department has determined that the new or increased discharge meets the antidegradation requirements provided in Section 7.1 and the discharge does not contribute to the receiving water impairment or the discharge is consistent with the State and Federal approved TMDL. If the department determines that the new or increased discharge does not meet the antidegradation requirements provided in Section 7.1 or the discharge does contribute to the receiving water impairment or the discharge is inconsistent with the State and Federal approved TMDL, the permittee must apply for coverage under for an individual permit or find an alternative discharge location such as discharging to groundwater to potentially remain eligible for this general permit.

7.2.3 Impaired Water and TMDL Compliance

If the permittee will have a water discharge with a detectable pollutant of concern to an impaired water or a surface water with an approved TMDL, the permittee is required to calculate and report the mass loading of the pollutant of concern discharged if that pollutant is required to be monitored in this general permit. The permittee must comply with the total pollutant wasteload allocation (WLA) granted to all general permit discharges in any State and EPA approved TMDLs. If department determines that sufficient allocation has not been set aside for general permit facilities, facilities may be switched to individual permits with discharge requirements placed in the permit sufficient to meet the TMDL allocations and/or reserve capacity may be used to increase the WLA for general permits, where necessary.

7.3 Wetland Requirements

7.3.1 Report Discharge to Wetland

7.3.1.1 New Permittee

Any new permittee or existing permittee that proposes a new discharge to a wetland during the permit term that that was not previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit, shall report on the NOI if the water will be a to wetland. Any water discharge to wetland is considered a surface water discharge and must comply with the surface water discharge requirements in Section 3. Additionally, the permittee shall provide no practical alternatives analysis documentation as an attachment to the NOI per Section 7.3.2.

7.3.1.2 Existing Permittee

Any existing permittee that had an existing water discharge to a wetland that was previously covered under WPDES Permit No. WI-0057681-04-0 prior to the **Effective Date** of this general permit, shall notify the department if the existing water discharge will be to a wetland. If existing discharge will be to a wetland, the permittee must comply with the surface water discharge requirements in Section 3.

7.3.2 No Practical Alternatives Analysis

If the permittee will propose a discharge of water to a wetland, the permittee shall demonstrate the following in writing:

1. That no practical alternatives exist that would avoid discharge to the wetland; and
2. That all practicable measures to minimize adverse impacts to the functional values of the affected wetlands will be taken.

7.3.3 Department Determinations

The permittee may not establish a new or increased discharge to a wetland until the department has determined that the proposed discharge meets the wetland requirements in Section 7.3.1 and Section 7.3.2 and in ch. NR 103, Wis. Adm. Code and the proposed discharge will not result in significant adverse impacts to wetland functional values, significant adverse impacts to water quality or other significant adverse environmental consequences. If the department determines that the proposed discharge will not meet the wetland requirements in Section 7.3.1 and Section 7.3.2 and in ch. NR 103, Wis. Adm. Code and the proposed discharge will result in significant adverse impacts to wetland functional values, significant adverse impacts to water quality or other significant adverse environmental consequences, the permittee must apply for coverage under for an individual permit or find an alternative discharge location such as discharging to groundwater to potentially remain eligible for this general permit.

8 Standard Requirements

The conditions in ss. NR 205.07(1), NR 205.07(3), and NR 205.08(3), Wis. Adm. Code and 40 CFR 122 are included by reference in this permit. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirements can be found in ss. NR 205.07(1), 205.07(3), and NR 205.08, Wis. Adm. Code and 40 CFR 122.

8.1 General Conditions for General Permits

The permittee shall comply with the following general conditions for general permits.

8.1.1 Delegation of Signature Authority

The permittee must provide a delegation of signature authority (DSA) request (Form 3400-220, Delegation of Signature Authority) or equivalent for a duly authorized representative to submit specific documents on the behalf of a responsible executive, officer, manager, partner, or proprietor of a permitted discharge. An executive, officer, manager, partner, or proprietor can only delegate signature authority to a duly authorized representative if that person is responsible for the overall operation of the facility or activity regulated by this general permit. The DSA request shall specify the name of the individual and their employment position. The DSA request must be submitted to the department with the NOI or together with the submittal of any required documents. If there are any changes to this request, a new DSA request shall be submitted to the department.

8.1.2 Permit Coverage Transfers

A permit is not transferrable to any person except after notice to the department. Permittees that wish to transfer general permit coverage to a new permittee must submit a Transfer of Coverage (TOC, Form 3400-222). The TOC must be submitted at least thirty (30) days in advance of the proposed transfer date. All TOCs shall be completed by both the existing and new permittees including the "Certification & Signature" section and sent via mail or email to the department. The department will then send a letter to the existing permittee stating that their coverage is terminated under this general permit.

If the quality or quantity of the discharge has not changed at the facility, the department will send a letter of determination that grants coverage to the new permittee under this general permit. If there have been significant changes at the permitted facility, the new permittee shall submit a new NOI to the department.

8.1.3 Permit Coverage Terminations

Permittees that wish to terminate their general permit coverage must submit a Notice of Termination (NOT, Form 3400-221) to the department. All NOTs must be completed by the permittee and including the "Certification & Signature" section and sent via mail or email to the department. The department will then send a termination letter to the permittee stating that their coverage is terminated under this general permit.

8.1.4 Continuation of an Expired General Permit

If a permittee submitted a complete and timely NOI to be covered by this general permit, all conditions of an expired general permit shall continue to apply until the effective date of a new general permit.

8.2 General Conditions for WPDES Permits

The permittee shall comply with the following general conditions for WPDES Permits.

8.2.1 Duty to Comply

The permittee shall comply with all conditions of the permit. Any permit noncompliance is a violation of the permit and is grounds for enforcement action; permit coverage termination; or denial of reapplying for permit coverage. If a permittee violates any terms of the permit, the permittee is subject to the penalties established in ch. 283, Wis. Stats.

8.2.2 Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.

8.2.3 Inspection and Entry

The permittee shall allow an authorized representative of the department, upon the presentation of credentials, to:

- Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records are required under the conditions of the permit;
- Have access to and copy, at reasonable times, any records that are required under the conditions of the permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and
- Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

8.2.4 Recording of Results

The permittee shall maintain records which provide the following information for each effluent measurement or sample taken:

- the date, exact place, method and time of sampling or measurements;
- the individual who performed the sampling or measurements;
- the date the analysis was performed;
- the individual who performed the analysis;
- the analytical techniques or methods used; and
- the results of the analysis.

8.2.5 Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 3 years from the date of the sample, measurement, report or application. All pertinent sludge information, including notice of intent information and other documents specified in the permit or ch. NR 204, Wis. Adm. Code, shall be retained for a minimum of 5 years.

8.2.6 Signatory Requirement

All permit notice of intents, reports and other information requested by the department shall be signed by a responsible executive or municipal officer, manager, partner or proprietor as specified in s. 283.37(3), Wis. Stats., or a duly authorized representative of the officer, manager partner or proprietor that has been delegated signature authority pursuant to NR 205.07(1)(g)2, Wis. Adm. Code.

8.2.7 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training as required in Ch. NR 114 and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

8.2.8 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent the likelihood of any adverse impacts to public health, the waters of the state, or the environment resulting from noncompliance with the permit.

8.2.9 Duty to Provide Information

The permittee shall furnish the department, within a reasonable time, any information which the department may request to determine whether cause exists for modifying, terminating, suspending, revoking or reissuing the permit or to determine compliance with the permit. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall also furnish the department, upon request, copies of records required to be kept by the permittee.

8.2.10 Need to Halt or Reduce Activity Not a Defense

It is not a defense for a permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

8.2.11 Sampling Procedures

The permittee shall take samples and measurements that are representative of the volume and nature of the monitored discharge at points specified in the permit using sample types specified in the permit. The permittee shall also follow the effluent flow measurement and sample collection procedures in ch. NR 218, Wis. Adm. Code.

8.2.12 Testing Procedures

Samples collected under this permit shall be tested for the parameters listed in this permit and follow approved test methods and procedures specified in ch. NR 219, Wis. Adm. Code. If the required level cannot be met by any of the methods available in ch. NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Additional test procedures may be specified in the permit.

8.2.13 Laboratory Certification or Registration

Samples collected under this permit shall be tested and analyzed by a laboratory certified or registered under ch. NR 149, Wis. Adm. Code. A list of Wisconsin DNR accredited laboratories can be found here: <https://dnr.wi.gov/regulations/labCert/LabLists.html>. The following tests are excluded from this requirement:

- Dissolved Oxygen;
- Temperature;
- Turbidity;
- Bacteria tests in wastewater effluent and sludges;
- pH;
- Chlorine residual;
- Specific conductance;
- Physical properties of soils and sludges;
- Nutrient tests of soils and sludges; and
- Flow measurements.

8.2.14 Effluent Limits Less than LOD or LOQ

When an effluent limitation for any substance in this permit is less than the limit of detection (LOD) or the limit of quantitation (LOQ), the following conditions shall apply:

- (a) The permittee shall perform monitoring required in this permit using an acceptable analytical methodology for that substance in the effluent which produces the lowest LOD and LOQ.
- (b) The permittee shall determine the LOD and LOQ using a test method specified in ch. NR 219, Wis. Adm. Code.
- (c) Compliance with concentration limitations shall be determined as follows:
 4. When the effluent limitation is less than the LOD, effluent levels less than the LOD are in compliance with the effluent limitation.
 5. When the effluent limitation is less than the LOD, effluent levels greater than the LOD, but less than the LOQ are in compliance with the effluent limitation except when analytically confirmed and statistically confirmed by a sufficient number of analyses of multiple samples and use of appropriate statistical techniques.
 6. When the effluent limitation is greater than the LOD, but less than the LOQ effluent levels less than the LOD or less than the LOQ are in compliance with the effluent limitation.

8.2.15 More Frequent Monitoring

As specified in NR 205.07(1)(r), if the permittee monitors any parameter more frequently than required by the permit, using test procedures specified in ch. NR 204 or 219, Wis. Adm. Code or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report.

8.2.16 Noncompliance and Other Reporting

The permittee shall report the all other types of noncompliance by a telephone call to the department's regional office within 24 hours after becoming aware of the noncompliance:

- any noncompliance which may endanger health or the environment;

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- any violation of an effluent limitation resulting from a bypass;
- any violation of an effluent limitation resulting from an upset; and
- any violation of a maximum discharge limitation for any of the pollutants listed by the department in the permit, either for effluent or sludge.

A written report describing the noncompliance shall also be submitted to the department as directed at the end of this permit within 5 days after the permittee becomes aware of the noncompliance. On a case-by-case basis, the department may waive the requirement for submittal of a written report within 5 days and instruct the permittee to submit the written report with the next regularly scheduled monitoring report. In either case, the written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.

8.2.17 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a notice of intent or submitted incorrect information in a notice of intent or in any report to the department, it shall promptly submit such facts or correct information to the department.

8.2.18 Bypassing

Except for a controlled diversion as specified in s. NR 205.07(1)(v), Wis. Adm. Code, any bypass is prohibited. The department may approve a bypass if the permittee demonstrates all the following conditions apply:

- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities or adequate back-up equipment, retention of untreated wastes, reduction of inflow and infiltration, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance. When evaluating feasibility of alternatives, the department may consider factors such as technical achievability, costs and affordability of implementation and risks to public health, the environment and, where the permittee is a municipality, the welfare of the community served; and
- The bypass was reported in accordance with the 'Noncompliance Reporting' section of this permit.

8.2.19 Permit as Enforcement Shield

Compliance with a permit during its term constitutes compliance for purposes of enforcement with 33 USC 1311, 1312, 1316, 1317, 1328, and 1345 (a) and (b), except for any toxic effluent standard or prohibition, and standards for sewage sludge use or disposal. If a new or revised toxic effluent standard or toxic prohibition becomes effective during the term of the permit, the permittee may be subject to enforcement action if the discharge exceeds the new or revised effluent standard for the toxic pollutant even though the discharge is in compliance with the existing permit. The permittee may also be subject to enforcement action standards for sewage

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sludge use or disposal. However, a permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in ch. 283, Wis. Stats., and ch. NR 203, Wis. Adm. Code.

8.2.20 Severability

The provisions of this permit are severable, and if any provisions of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

8.3 General Conditions for non-POTW Permits

The permittee shall comply with the following general conditions for non-POTW permits.

8.3.1 Removed Substances

Solids, sludges, filter backwash or other pollutants removed from or resulting from treatment or control of wastewaters or intake waters shall be stored and disposed of in a manner to prevent any pollutant from the materials from entering the waters of the state. Land disposal or application of treatment plant solids and sludges shall be at a site or operation licensed by the department under chs. NR 500 to 538, Wis. Adm. Code or chs. NR 660 to 670, Wis. Adm. Code or in accordance with ch. NR 204 or 214, Wis. Adm. Code.

8.3.2 Spill Reporting

The permittee shall notify the department in accordance with ch. NR 706 (formerly ch. NR 158), Wis. Adm. Code, in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations established in the permit, or the spill or accidental release of the material is unregulated in the permit, unless the spill or release of pollutants has been reported to the department under this section.

Note: Section 292.11(2)(a), Wis. Stats., requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the department **immediately** of any discharge not authorized by the permit. **The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call DNR's 24-hour HOTLINE at 1-800-943-0003.**

8.3.3 Planned Changes

In accordance with ss. 283.31 (4) (b) and 283.59 (1), Wis. Stats., the permittee shall report to the department any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants. The report shall either be a new general permit notice of intent or, if the new discharge will not violate the effluent limitations of the general permit, a written notice of the new, different or increased discharge. The notice shall contain a description of the new activities, an estimate of the new, different or increased discharge of pollutants and a description of the effect of the new or increased discharge on existing waste treatment facilities. Following receipt of this report, the department may modify the general permit coverage letter to specify any discharges of pollutants not previously covered by the general permit.

8.3.4 Duty to Halt or Reduce Activity

Upon failure or impairment of treatment facility operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment facility operations are restored or an alternative method of treatment is provided.

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9 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Due Date	Page
Notice of Intent (NOI)	New Permittees: 30 calendar days prior to discharging to a water of state. Existing Permittees: Automatically granted coverage under this general permit upon the Effective Date.	4
Electronic Discharge Monitoring Reports (eDMRs)	21 days following the end of the reporting frequency	16
Reporting of Monitoring Results for Pervious Permit	August 21, 2021	16
Delegation of Signature Authority (Form 3400-220)	Submitted with the NOI or together with the submittal of any required documents	22
Notice of Termination (Form 3400-221)	After discontinuing permitted discharge	22
Transfer of Coverage (Form 3400-222)	30 days in advance of the proposed transfer date	22
Noncompliance Notification and 5-Day Written Report	Notification within 24 hours after becoming aware of the noncompliance and written report within 5 days after becoming aware of the noncompliance	25
Planned Changes	Prior to any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants	27

Report forms shall be submitted electronically in accordance with the reporting requirements herein. Any facility plans or plans and specifications of industrial wastewater systems shall be submitted to the Bureau of Water Quality, P.O. Box 7921, Madison, WI 53707-7921. All other submittals required by this permit shall be submitted to the department regional general permit contact. A listing of department contacts for each general permit with email addresses and phone numbers can be found at:

<https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html>.