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, Wisconsin Statutes, any facility engaged in

MINERAL (NONMETALLIC) MINING AND/OR PROCESSING

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 storm water and/or wastewaters from these operations to a water of the state in accordance with the conditions set forth in this permit.

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

By

Adrian Stocks
Director, Bureau of Water Quality

Jason Knutson, P.E.
Director, Bureau of Watershed Management

11/22/2024
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE – January 1, 2023 EXPIRATION DATE – December 31, 2027
FIRST MODIFICATION EFFECTIVE DATE – October 1, 2023
SECOND MODIFICATION EFFECTIVE DATE – December 31, 2024

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Note: Information about the department's storm water program, this general permit, forms, and other helpful resources is available at https://dnr.wisconsin.gov/topic/Stormwater and at https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html.

1 Applicability Criteria

This general permit is applicable to the point source discharge of pollutants to a water of the state associated with storm water and wastewater from mineral (nonmetallic) mining operations, mineral processing operations, or other similar activities except those discharge activities excluded from coverage under this permit listed in Section 1.3 and Section 1.4. A permittee meeting the storm water applicability criteria listed below must comply with storm water conditions set forth in this permit. A permittee meeting the wastewater discharge applicability criteria listed below must comply with wastewater conditions set forth in this permit. A discharger may be subject to both storm water and wastewater conditions set forth in this permit if the discharger meets the applicability criteria in Section 1.1 and Section 1.2.

1.1 Storm Water Discharge Activities Covered

This general permit is applicable to point source discharges of storm water associated with industrial activity to a water of the state, either directly or via a separate storm sewer system, originating from any mineral mining, mineral processing, or other similar activity site as defined by SIC Codes 1400 to 1499.

Storm water commingled with a wastewater as described in Section 1.2 is considered wastewater and must comply with wastewater conditions set forth in this general permit.

Storm water collected and used for washing, cleaning, separating, or processing nonmetallic minerals is considered wastewater and must comply with wastewater conditions set forth in this general permit.

1.2 Wastewater Discharge Activities Covered

This general permit is applicable to nonmetallic mineral mining operations, mineral processing operations, or other similar activities as defined by SIC Codes 1400 to 1499 that result in any of the following point source discharges to a water of the state (unless indicated otherwise):

1. Discharge of process generated wastewater from facilities that recycle the process generated wastewater for use in processing. Process generated wastewater means any wastewater used in the slurry transport of mined material, air emissions control, or processing exclusive of mining (e.g. washing, cleaning, drying, or separating minerals). The term also includes any other water (e.g. storm water, sludge decant, dewatering water, mineral (e.g. tailings or sediment) drainage water, vehicle and equipment washwater, dust suppression water, noncontact cooling water, condensates, or boiler blowdown) which becomes commingled with such wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of such wastewater.
2. Discharge of mine dewatering water. Mine dewatering means any water that that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharges of process generated wastewater. For industrial sand and construction sand and gravel facilities, mine dewatering includes any wet pit overflows caused solely by direct rainfall and groundwater seepage . Mine means an area of land, surface or underground, actively used for or resulting from the extraction of a mineral from natural deposits.
3. Discharge of washwater from the outside washing of vehicles, equipment, or other objects at the site to groundwater via seepage.
4. Discharge of dust suppression water from controlling dust at the site to groundwater via seepage.
5. Discharges of other similar wastewaters as determined by the department to be applicable under this general permit on a case-by-case basis.

1.3 Discharge Activities Not Covered

The storm water and wastewater discharge activities listed in this Section are not applicable to this general permit and may require application under another general or individual WPDES permit. In accordance with ss. NR 205.08(5) and NR 216.25(3), Wis. Adm. Code, the department may deny coverage or revoke coverage under this permit and issue an individual WPDES Permit to a mineral mining, mineral processing, or other similar facility if the department determines that discharges are more appropriately covered under an individual WPDES Permit. The following storm water and wastewater discharge activities are not applicable to this general permit:

1. Discharge of wastewater associated with industrial activity to a water of the state, either directly or via a separate storm sewer system, originating from any concrete products operations defined by SIC Codes 3271, 3272 and 3273 that are contiguous to or located within the mineral mining and processing site. The permittee must apply for the Concrete Product Operations WPDES Permit No. WI-0046558 for wastewater discharges.

   Note: Where storm water discharges associated with industrial activity defined by SIC Codes 3271, 3272 and 3273 are not located within the mineral mining and processing site or where discharges are not covered under the mineral mining and processing general permit, a permittee must apply coverage under the Tier 2 Industrial Facilities WPDES Permit No. WI-S067857.

2. Discharge of storm water from construction activities, where one or more acres of land will be disturbed and impervious surfaces constructed necessitating implementation of post-construction performance measures to comply with s. NR 216.47, Wis. Adm. Code and ss. NR 151.121 through NR 151.128, Wis. Adm. Code, must obtain coverage under the Construction Site Storm Water Runoff WPDES Permit No. WI-S067831.

   Note[1]: Land disturbing construction activity is defined in s. NR 216.002(14), Wis. Adm. Code, and means any man−made alteration of the land surface resulting in a change in the topography or existing vegetative or non−vegetative soil cover that may result in storm water runoff and lead to increased soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.

   Persons or Permittees proposing construction activities of one or more acres that will result in impervious surfaces require permitting under a construction site stormwater discharge permit prior to the commencement of land disturbing construction activity. An electronic notice of intent (eNOI) for coverage under the construction site storm water discharge permit WPDES Permit No. WI-S067831 shall be submitted at least 14 working days prior commencement of these activities. The construction site and post-construction standards of chs. NR 216 and NR 151,Wis. Adm. Code, apply.

   Note[2]:With respect to reclamation, the operator (or landowner if different from the operator) is responsible for ensuring that plans to construct impervious surfaces are in compliance with s. NR 135.19, Wis. Adm. Code, and the approved reclamation plan.

3. Discharge of process generated wastewater (does not include mine dewatering water) to surface water or wetlands from facilities that do not recycle the process generated wastewater for use in processing;

4. Discharge of process generated wastewater from facilities processing nonmetallic minerals subject to 40 CFR Part 436 Subparts E to AL. Discharge of mine dewatering water may be allowed under this general permit if 40 CFR Part 436 Subparts E to AL allows the mine dewatering to be discharged to navigable waters and the effluent limits in this general permit are

equally or more stringent than the effluent limit guidelines listed in 40 CFR Part 436 Subparts E to AL;

5. Discharge of process generated wastewater from facilities processing industrial sand where the facility employs hydrofluoric acid flotation processes;
6. Discharge of wastewater from mineral mining, mineral processing, or other similar facility where the facility is required to install a groundwater monitoring system to demonstrate compliance with ch. 283, Wis. Stats.;
7. Discharge of washwater from the outside washing of vehicles, equipment, or other objects to surface water unless commingled with process generated wastewater;
8. Discharge of dust suppression water from controlling dust at the site that results in a discharge of the dust suppression water to a surface water or results in dust suppression water running off the mineral (nonmetallic) mining and processing site;
9. Discharge of process and non-process wastewaters from metallic mining and dressing activities as defined by SIC Codes 1000 to 1099;
10. Discharge of process and non-process wastewaters from coal mining activities as defined by SIC Codes 1200 to 1299;
11. Discharge of process and non-process wastewaters from the manufacturing of cement;
12. Discharge of domestic wastewaters;
13. Discharge from degreasing operations using degreasing agents containing halogenated hydrocarbons;
14. Discharge of contaminated groundwater;
15. Discharge of petroleum contaminated storm water;
16. Discharge of storm water from paved surfaces that will be initially sealed or re-sealed with coal-tar sealants;
17. Discharge of any water from dewatering sediment or sludge removed during maintenance of storm water best management practices or wastewater treatment and storage facilities directly to surface water unless commingled with process generated wastewater;
18. Discharge of carriage water and/or interstitial water associated with mechanical or hydraulic dredging of sediment from the beds of navigable waterways returned directly back to the waterway;
19. Landspreading of any industrial liquid wastes, by-product solids, or sludges regulated under ch. NR 214, Wis. Adm. Code;
20. Discharge of wastewater from any accidental or unplanned release, spill, leak, or overflow except for wet pit overflows and overflows covered under Sections 1.2 and 4.1.4 of the general permit;

    Note: Any accidental or unplanned release, spill, leak, or overflow of wastewater must be reported by the permittee under the noncompliance and other reporting requirements in Section 8.2.16 unless it is a discharge of a hazardous substance required to be reported under ch. NR 706, Wis. Adm. Code.

21. Discharge of storm water or wastewater 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. A list of approved additives and allowable usage rates can be found on the department additives webpage: https://dnr.wisconsin.gov/topic/Wastewater/Additives.html.

22. Discharge of storm water or wastewater to a wetland where the department determines that the discharge of pollutants does not comply with the wetland water quality standards in ch. NR 103, Wis. Adm. Code;

23. Discharge of wastewater directly to an outstanding resource water (ORW) 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 ORWs;

24. Discharge of wastewater directly to an exceptional resource water (ERW) 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 ERWs;

25. New or increased discharge of storm water or wastewater where the department determines that the facility does not have the treatment capability to treat any proposed new or increased discharge of pollutants and maintain treatment levels sufficient to meet the effluent limitations or performance standards in this general permit;

26. New or increased discharge of storm water or wastewater where the department determines that the proposed new or increased storm water or wastewater discharge will result in the significant lowering of water quality in fish and aquatic life waters identified in s. NR 102.13, Wis. Adm. Code, or Great Lakes system waters. This exclusion also applies if the new or increased discharge is to a variance water identified in ss. NR 104.05 through NR 104.10, Wis. Adm. Code where the department determines there is a significant lowering of water quality in a downstream fish and aquatic life water or Great Lakes system water;

27. Discharge of storm water or wastewater to a 303(d) listed waterbody where the department determines that the discharge contains a pollutant of concern that contributes to the impairment of a 303(d) listed impaired water that does not have a federally approved TMDL for the pollutant of concern; or if there is a federally approved TMDL for the listed waterbody, where the department determines the discharge is inconsistent with the wasteload allocation for general permits in the federally approved TMDL;

28. Discharge of a hazardous substance required to be reported under ch. NR 706, Wis. Adm. Code;

    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**.

29. Discharge of storm water or wastewater 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;

30. Discharge of storm water or wastewater 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.;

31. Discharge of storm water and wastewater within Indian Country;

    Note: Indian Country is defined under 18 USC §1151 and includes all lands within the exterior boundaries of federally recognized Indian reservations and on lands held in federal trust status. Facilities that are located within Indian Country shall contact the United States Environmental Protection Agency (USEPA) to apply for permit coverage. Dischargers that previously held permit coverage under previous versions of this permit after September 30, 2001, are no longer eligible for coverage under this permit and must contact USEPA to apply for permit coverage.

    The following USEPA website contains information on USEPA's Multi-Sector General Permit (MSGP): https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-epas-2021-msgp. Facilities shall verify eligibility for coverage under the MSGP or determine if an individual permit is needed. Information on how to apply for the MSGP can be accessed here: https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-ereporting.

32. Discharge of storm water or wastewater 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 103, NR 104, and NR 105, Wis. Adm. Code, or other applicable surface water quality standards. This also includes the discharge of wastewater to groundwater where pollutants in the discharge reach surface waters and have reasonable potential to exceed applicable surface water quality standards; and

33. Discharge of storm water or wastewater containing substances where the department determines that the discharge of pollutants to groundwater will exceed the groundwater quality standards in ch. NR 140, Wis. Adm. Code.

1.4 Permit Exclusions

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

1. Discharge of wastewater to a holding tank that is pumped and hauled to a publicly owned treatment works;

2. Discharge of wastewater to a sanitary sewer system that conveys the wastewater to a publicly owned treatment works;

3. Disposal of any sludges, solids, spoils, tailings, or pond fines removed from wastewater treatment facilities, including settling ponds, at nonmetallic mining and processing sites and the exclusive disposal of the removed sludges, solids, spoils, tailings, or pond fines at the mine site under a reclamation plan or lands outside of the mine site that are subject to regulation under chs. NR 135 and NR 500 to 538, Wis. Adm. Code;

    Note: Any sludges, solids, spoils, tailings, or pond fines removed from wastewater treatment facilities, including settling ponds, at nonmetallic mining and processing sites and the exclusive disposal of the removed sludges, solids, spoils, tailings, or pond fines at the mine site under a reclamation plan or lands outside of the mine site must be managed in accordance with all applicable solid waste and nonmetallic mining reclamation regulations. The removed sludges, solids, spoils, tailings, or pond fines may be eligible for the conditional exemption under s. NR 500.08(2)(b), Wis. Adm. Code, but a case-by-case analysis is necessary to determine how these materials are regulated under the NR 500 administrative code chapters. Any questions concerning

mine waste disposal should be directed to the department's Waste & Materials Management Program.

4. Discharge of storm water from areas located on plant lands that are segregated from the industrial activities of the plant, such as office buildings and accompanying parking lots, if the storm water drainage from the segregated areas is not mixed with contaminated storm water drainage.

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 that proposes a new or existing discharge that was not previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 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 14 working days prior to initiating any land disturbing construction activities or industrial operations and discharging to a water of the 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 department shall notify the applicant in writing, and the applicant shall apply for and obtain coverage under an individual WPDES permit (or alternative general permit, if available) prior to discharging to a water of the state. The necessary steps to apply for coverage under an individual permit can be found at the department website: https://dnr.wisconsin.gov/topic/Wastewater/PermitApplications.html.

2.1.3 Content of the NOI

The applicant shall provide the following on the NOI:

- Legal permittee name;
- Permittee and facility contact information;
- Facility location and type information;
- Applicability and operations 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 eNOI submittal:

1. A site map with clearly marked discharge and receiving water locations;
2. A process flow diagram showing all mineral mining processes that generate wastewater and any wastewater treatment and storage systems;

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 or storm water control practices; and
4. A storm water pollution prevention plan (SWPPP) or SWPPP summary as required under Section 3.3 of this general permit unless the facility site has been determined to be internally drained in accordance with Section 3 of this permit.

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 within 30 days from receipt of notification by the department.

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, unless the department has otherwise notified the permittee of the need for additional information as identified in Sections 2.1.2 and 2.1.5 or the department determines that the permittee is ineligible for coverage under this general permit. The applicant may not commence a point source discharge of pollutants to a water of the state associated with storm water or wastewater from mineral mining, mineral processing, or other similar activity 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 include 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-A046515-06-0 or WI-B046515-06-0 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 permit from the department's Internet website. Alternatively, a hard copy of the permit may be mailed to the permittee upon request.

3 Storm Water Requirements

This section only applies to storm water discharges associated with industrial activity. See Section 4 for wastewater discharge requirements.

Mineral mining, mineral processing, or other similar activity site meeting the applicability criteria in Section 1.1 that have storm water contact with overburden, raw materials, intermediate products, final products, waste materials, by-products, material handling equipment or other nonmetallic mining machinery shall implement storm water best management practices and meet the requirements in this section as specified below.

- **Internally drained site :** Under s. NR 216.30(2), Wis. Adm. Code, a mineral mining, mineral processing, or other similar activity site is internally drained if all storm water that contacts disturbed areas or excavated material is directed to onsite infiltration areas that are entirely confined and retained within the property boundaries of the site. For the purposes of this permit, a nonmetallic mining operation is internally drained if all storm water up to the 25-year, 24-hour frequency storm that falls directly on disturbed areas or comes into contact with excavated material and containing only sediment is entirely captured and contained or infiltrated within the nonmetallic mining operation. To verify internal drainage, the department may request technical information used by an applicant or permittee to claim internal drainage and inspect the nonmetallic mining operation. For an internally drained nonmetallic mining operation, the permittee shall comply with Sections 3.1 and 3.2 but is exempt from Sections 3.3 to 3.7.

  Note: Haul roads are considered part of the nonmetallic mine facility. If haul roads are stable and their associated ditches and conveyances are well vegetated and in a stable condition, the department may exclude them from consideration of the internally drained determination. If haul roads and ditches are not stable, the department shall include them for consideration of the internally drained determination.

  Un-stabilized portions of new or expanded facilities that have stormwater contact with dikes and berms which are not stabilized with vigorous perennial vegetation are considered externally drained for the purposes of this section.

  Materials meeting the exemptions in s. NR 500.08, Wis. Adm. Code, where only clean soil, brick, building stone, concrete or reinforced concrete not painted with lead-based paint, broken pavement, and wood not treated or painted with preservatives or lead-based paint are stored may be considered internally drained on a site-by-site basis.

- **Externally drained site:** For an externally drained mineral mining, mineral processing, or other similar activity site, the permittee shall comply with Sections 3.1 to 3.7.

3.1 Physical Controls

The permittee shall implement the following physical controls to prevent the discharge of storm water contaminants.

3.1.1 Minimum Source Area Pollution Prevention

All permittees shall comply with the following minimum source area pollution prevention requirements. Source areas that have the potential to contaminate storm water are described in s. NR 216.27(3)(e), Wis. Adm. Code. The permittee shall install, to the maximum extent practicable, source area pollution prevention controls that are designed to prevent contaminated storm water at the site prior to discharge. Source area pollution prevention controls include:

1. Practices that prevent and control soil erosion and sediment movement including, but not limited to, practices to stabilize soil such as expeditious revegetation, structural practices to divert overland

storm flow away from exposed soil and material stockpiles, and minimization of tracking on access roads. Sound engineering principles and practices shall be utilized to minimize erosion and movement of sediment by storm water. Both temporary and permanent best management practices (BMPs) for the control of soil erosion and sedimentation shall be designed, installed, and maintained in accordance with the construction site performance standards in s. NR 151.11(6m), Wis. Adm. Code, and in accordance with the department's Construction Site Erosion and Sediment Control Technical Standards or equivalent methodology. BMPs shall be located so that treatment occurs beforerunoff enters waters of the state and installed prior to beginning land disturbances.

Note: The Construction Site Erosion and Sediment Control Technical Standards are available at the department website: http://dnr.wisconsin.gov/topic/stormwater/standards/const_standards.html.

2. Practices that manage and control residual contaminants from the outside washing of vehicles, equipment, or other objects consistent with Section 4.2.2.
3. Practices that prevent contaminated storm water as a result of contact with maintenance fluids, fuels, and lubricants associated with vehicles and machinery, including good house-keeping measures, appropriate storage, diversion of off-site storm water, preventative maintenance measures, proper management of waste materials and dumpsters/compactors, visual inspections, spill/leak prevention and response measures, and spill reporting described in Section 8.3.2 of this permit.
4. Structures or materials that cover or otherwise enclose salt handling areas or storage piles so that neither direct precipitation nor storm water runoff comes into contact with the salt. Any salt spillage resulting from activities such as loading or unloading, shall be immediately cleaned up to minimize contact with storm water. Permittees shall have a means of diverting salt contaminated storm water to a brine treatment system to facilitate reuse.
5. If applicable, use a combination of storm water contact control or containment, drainage controls, or diversions to control SARA Title III Section 313 "Water Priority Chemicals" (42 USC §11023(c)) potentially discharged through the action of storm water runoff, leaching, or wind.
6. Containment and protection practices for petroleum products and chemical bulk storage structures that prevent loss of the material to surface water or groundwater.
7. Minimize dust and off-site tracking of soil, raw materials, intermediate products, final products, or waste materials.
8. Minimize exposure of pollutants associated with the potential sources of storm water contamination identified in s. NR 216.27(3)(e), Wis. Adm. Code.
9. Maintain both structural and non-structural control measures.
10. Train and raise awareness of employees as appropriate on storm water pollution prevention, the requirements of this permit, and their specific responsibilities in implementing any of the requirements, practices, or activities of this permit.
11. Ensure that all material backfilled or deposited on the site contains only clean material. Including materials considered to be exempt under s. NR 500.08 Wis. Adm. Code where only clean soil, brick, building stone, concrete or reinforced concrete not painted with lead-based paint, broken pavement, and wood not treated or painted with preservatives or lead-based paint are disposed.

3.1.2 Storm Water Best Management Practices (BMPs)

When the permittee determines that source area pollution prevention controls are not feasible, are not cost effective or are inadequate to control storm water contamination, or when the department notifies the permittee that source area pollution prevention controls are inadequate to achieve a water quality standard, contaminated storm water shall be treated to reduce pollutant levels prior to discharge to waters

of the state. Areas of the mineral mining, mineral processing, or other similar activity site that are exposed to direct precipitation or storm water runoff shall implement storm water BMPs as follows:

1. Storm water containing sediment shall be contained on the nonmetallic mining site to the maximum extent practicable to facilitate evaporation or infiltration, so the sediment is removed prior to discharge. The tracking of sediment onto local roads shall be minimized by the use of storm water BMPs such as an asphalt or concrete approach, good housekeeping BMPs, rumble strip or other trackout control BMP.
2. Storm water discharges shall be treated with appropriate storm water BMPs to reduce the amount of sediment discharged. The storm water BMPs may include settling, infiltration, sedimentation, filtration, and/or modifications to retain sediment at drainage inlets (e.g., storm sewer grates or drainage pipe openings) where they occur.

   Note: Technical standards developed in accordance with ch. NR 151, Wis. Adm. Code, such as #1063 Sediment Trap, #1001 Wet Detention Pond, and #1064 Sediment Basin are available to provide guidance for sediment and pollutant control. The technical standards may be obtained by contacting the department or by searching for keyword "storm water" on the department's website. The Storm Water Construction Technical Standards are available at the following department website: http://dnr.wisconsin.gov/topic/stormwater/standards/const_standards.html. The Storm Water Post-Construction Technical Standards are available at the following department website: http://dnr.wisconsin.gov/topic/stormwater/standards/postconst_standards.html.

3.2 Annual Facility Site Compliance Inspections

The permittee shall conduct an annual facility site compliance inspection required under s. NR 216.28(2), Wis. Adm. Code, for each calendar year of coverage under this permit and document the results by February 15 for the previous calendar reporting year. The permittee or SWPPP contact identified in Section 3.3.3 shall perform and/or coordinate the inspections. The permittee or SWPPP contact shall verify that all pollution sources are correctly identified and that the site drainage pattern description remains accurate. If not, the permittee shall amend the SWPPP and notify the department. The permittee or SWPPP contact shall also ensure that appropriate source area pollution prevention controls and storm water BMPs have been chosen, and the practices are being implemented, properly operated, and adequately maintained. For sites that the department has verified are internally drained, the permittee or SWPPP contact shall confirm and document that the conditions for internal drainage remain in place. If the site is no longer internally drained, the permittee shall develop a SWPPP and notify the department. The timing of inspections shall include seasonal or cyclical activities at the facility, so the inspections are representative of the full range of activities at the site. An annual facility site compliance inspection report shall be completed for each inspection and shall include the inspection date, inspection personnel, scope of the inspection, major observations, and a schedule for implementing any further actions needed to control storm water contaminants. The annual facility site compliance inspection reports shall be retained for 5 years beyond the date the record was made and shall be provided to the department upon request.

Note: The annual facility site compliance inspection report form (Form 3400-176) is available on the department website at: https://dnr.wisconsin.gov/topic/Stormwater/industrial/forms.html.

3.3 Storm Water Pollution Prevention Plan (SWPPP)

Unless the mineral mining, mineral processing, or other similar activity site has been determined to be internally drained as specified in Section 3 above, the permittee shall operate in compliance with a site-specific SWPPP. Any potential source areas of storm water contamination shall be included in the SWPPP or, for an existing site without a SWPPP, necessitate that a SWPPP be developed. The SWPPP and any amendments thereto shall be maintained at the nonmetallic mining site or local company headquarters and shall be provided to the department upon request. The permittee shall amend the

SWPPP and notify the department in the event of any facility operational changes that could result in additional significant storm water contamination. Additionally, facilities proposing to modify their SWPPP as a result of a lateral expansion in operations shall notify the department via submittal of an amended SWPPP or SWPPP summary.

3.3.1 SWPPP Required

In accordance with ss. NR 216.27 and NR 216.29(1), Wis. Adm. Code, the owner or operator of a facility requiring coverage under this permit shall prepare a SWPPP. An owner or operator applying for initial permit coverage in accordance with Section 2.1.1, shall prepare the SWPPP prior to applying for permit coverage under s. NR 216.22, Wis. Adm. Code. An owner or operator receiving permit coverage in accordance with Section 2.2.1 shall prepare a SWPPP as follows:

1. For a facility that operated as externally drained and was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0, as of the **Effective Date** of this permit.
2. For a facility that operated as internally drained and was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 but that no longer qualifies as internally drained, within 90 days of the **Effective Date** of this permit.

3.3.2 Purpose and Content of the SWPPP

The SWPPP is a written document that identifies sources of contaminated storm water; prescribes appropriate source area pollution prevention controls and storm water BMPs designed to prevent or minimize storm water contamination; prescribes storm water BMPs to reduce storm water contaminants prior to discharge; prescribes actions to identify non-storm water discharges that are either regulated under the wastewater requirements of this permit or to remove these discharges from the storm drainage system; and includes schedules, as necessary, to ensure that the storm water management actions prescribed in the SWPPP are implemented and evaluated on a regular basis.

Source area pollution prevention controls and storm water BMPs shall be utilized to minimize sediment discharge to waters of the state. Control of other pollutants, such as salt, petroleum products, nutrients or other materials potentially hazardous to groundwater or surface water shall be controlled through the use of source area pollution prevention controls and storm water BMPs.

3.3.3 SWPPP Contact

The SWPPP shall identify by job title the specific individual who has primary responsibility for coordinating all aspects of SWPPP development and implementation and identify any other individuals concerned with SWPPP development or implementation, and their respective roles. The specific individual who has primary responsibility shall develop, evaluate, maintain, and revise the SWPPP; and carry out and/or coordinate the specific management actions identified in the SWPPP, including maintenance practices, monitoring activities, inspections, preparing and submitting reports, and serving as facility contact for the department.

3.3.4 Site Description and Drainage Base Map

The SWPPP shall contain a drainage base map that depicts how storm water drains on, through, and from the nonmetallic mining site to surface waters, and wetlands, or infiltrates to groundwater. The drainage base map shall show the following: site property boundaries; the storm drainage collection and disposal system (including all known surface and subsurface conveyances, with the conveyances named); any secondary containment structures; roadways (paved and unpaved); groundcover features (i.e., grass, wooded areas, etc.); the location of all water discharge outfall pipes (including any outfalls permitted under another WPDES permit) numbered for reference, that discharge channelized flow to surface water, groundwater, or wetlands; the drainage area boundary for each outfall; the approximate surface area in acres draining to each outfall; the name and location of any surface water features within ¼ mile of the site; source area pollution prevention controls; and storm water BMPs that are in place at the facility.

The permittee shall also identify on the drainage base map any potential sources of pollution (materials or activities) and areas susceptible to erosion that have the potential to result in sediment-laden storm water. Such sources may include disturbed areas with no stabilizing vegetative cover; product or waste stockpiles; truck loading and washing areas, haul roads; equipment storage and maintenance areas; fuel storage areas; and rail lines or access roads and associated areas.

3.3.5 Description of Storm Water Controls

The SWPPP shall describe in a narrative form, with accompanying figures, plan sheets, or diagrams as necessary all source area pollution prevention controls and storm water BMPs that are in place or will be implemented for the operation.

3.3.6 SWPPP Submittal

The owner or operator of a new nonmetallic mining operation requiring coverage under this permit shall submit the SWPPP summary to the department in accordance with Sections 2.1.3 and 2.1.4. Additionally, an owner or operator has the option to submit their full SWPPP in lieu of the SWPPP summary when applying for coverage. The complete SWPPP for any permittee shall also be submitted to the department upon request.

3.3.7 SWPPP Implementation

The SWPPP shall be implemented continually as of the **Start Date** of permit coverage until the site is restored and stabilized to the satisfaction of the department or considered reclaimed in accordance with chs. NR 135 and/or NR 340, Wis. Adm. Code, by the appropriate regulatory authority.

3.4 Certification of SWPPP Completion

The SWPPP shall be signed in accordance with s. NR 216.22(7), Wis. Adm. Code, and contain the following statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

3.5 SWPPP Amendments

The permittee shall amend the SWPPP in accordance with this section and submit an updated SWPPP or SWPPP summary to the department documenting any amendments made to the SWPPP under the circumstances described below. The SWPPP or SWPPP summary documenting the amendments shall be submitted to the department prior to commencing any work necessitated by the SWPPP amendments.

1. When expansion, production increases, process modifications, changes in material handling or storage or other activities are planned which will result in a significant increase in the exposure of pollutants to storm water discharged to waters of the state or to storm water BMPs. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to minimize pollutant loads, an estimate of the new or increased discharge of pollutants following treatment, and a description of any treatment system modifications needed to manage the storm water contaminants.
2. When the comprehensive annual facility site compliance inspection, quarterly visual inspection of storm water quality, or other information reveals that the provisions of the SWPPP are ineffective in controlling storm water pollutants discharged to waters of the state.

3. When, upon written notice, the department finds the storm water controls to be ineffective in achieving the conditions of this permit.
4. When the facility proposes a lateral expansion that may result in impacts to endangered and threated resources, archeological or historical sites, or wetlands.

Note: The permittee is encouraged to contact the department to discuss proposed SWPPP amendments early in the process.

3.6 Compliance with SWPPP Requirements

1. Mineral mining, mineral processing, or other similar activity site with existing WPDES general permit coverage for industrial storm water discharges prior to the **Effective Date** of this permit that have previously submitted a SWPPP or SWPPP summary to the department may be considered to be in compliance with the SWPPP requirements specified in Sections 3.3 and 3.4 above if the SWPPP meets the requirements of this permit.
2. For existing mineral mining, mineral processing, or other similar activity site found to be discharging without an industrial storm water WPDES permit, the department may, through an appropriate enforcement action or stipulation, agree to cover the operation under this permit and specify a schedule for SWPPP development, implementation and certification within the shortest time practicable.
3. New mineral mining, mineral processing, or other similar activity site covered under this permit shall comply with the SWPPP requirements of this permit and shall submit a SWPPP or SWPPP summary to the department in accordance with Sections 2.1.3 and 2.1.4.

3.7 Quarterly Visual Inspections

1. The permittee shall perform and document the results of the quarterly visual inspections required under s. NR 216.28(3), Wis. Adm. Code, for all nonmetallic mining operations covered under this permit. The SWPPP contact shall perform and/or coordinate the inspections. The SWPPP contact or SWPPP contact designee shall check that site drainage conditions and potential pollution sources identified in the SWPPP remain accurate, and that appropriate storm water pollution prevention controls and storm water BMPs are being implemented, properly operated and adequately maintained. Documentation of each quarterly visual inspection shall be completed and shall include the inspection date, inspection personnel, scope of the inspection, major observations, possible sources of any observed contaminated storm water, any appropriate revisions needed to the SWPPP, and a schedule for implementing any further actions needed to control storm water contaminants. Quarterly visual inspection documentation shall be included with the annual facility site compliance inspection report required in Section 3.2. Quarterly visual inspection documentation shall be provided to the department upon request.
2. Once per quarter, the SWPPP contact or SWPPP contact designee shall perform and document quarterly visual inspections of storm water discharge quality at each outfall. Inspections shall be conducted within the first 30 minutes or as soon thereafter as practical, but not to exceed 60 minutes, after runoff begins discharging at an outfall. A visual observation record shall be created for each visual check that includes the discharge outfall location and any observations of color, odor, turbidity, floating solids, foam, oil sheen, or other obvious indicators associated with contaminated storm water. The visual observation record shall be included with the quarterly visual inspection documentation described above. Visual observation records shall also be provided to the department upon request.

   Note: The Quarterly Visual Inspection Field Sheet (Form 3400-176A) is available on the department website at: https://dnr.wisconsin.gov/topic/Stormwater/industrial/forms.html.

3. A quarterly visual inspection and/or visual check is not required if any of the following apply: (1) the SWPPP contact or SWPPP contact designee could not reasonably be present at the time of a storm water event; (2) the permittee determined that attempts to complete the inspection would endanger employee safety or well-being; (3) no storm water events large enough to conduct a visual check at an outfall occurred; (4) the quarterly visual inspection or visual check is impractical or unnecessary at an inactive or remote facility and an alternate inspection frequency of at least once every three years is established; or (5) the permittee determined that a source of contaminated storm water was outside the site's property boundary and is not associated with the permittee's activities. Quarterly visual inspections and/or visual checks not performed for any reason listed above shall be documented and included with the annual facility site compliance inspection report required in Section 3.2.

4 Wastewater Discharge Requirements

This section only applies to wastewater discharges. See Section 3 for storm water discharge requirements.

4.1 Surface Water Discharge Requirements

The requirements of this section only apply to surface water discharges. Surface water 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 wastewater to surface waters within the state of Wisconsin. Any discharge to a wetland is considered a surface water discharge.

4.1.1 Sampling Points

The discharges shall be limited to the waste types designated for the listed generalized sampling points. The department may state the specific location of sampling points in the coverage letter to the permittee.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
001	Sampling Point 001 applies to the discharge of mine dewatering water from any dimension stone, crushed stone, or construction sand and gravel facility to surface water or wetlands. The permittee shall sample the mine dewatering water following treatment (if applicable) at the end of pipe, or if the end of the pipe is not accessible, prior to entering any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will discharge to surface water or wetland via Outfall 001. The permittee shall take representative samples of the discharge that consists solely of the mine dewatering 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 4.6.1 and 4.6.2.
002	Sampling Point 002 applies to the discharge of mine dewatering water from any industrial sand facility to surface water or wetlands. The permittee shall sample the mine dewatering water following treatment (if applicable) at the end of pipe or, if the end of the pipe is not accessible, prior to entering any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will discharge to surface water or wetlands via Outfall 002. The permittee shall take representative samples of the discharge that consists solely of the mine dewatering 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 4.6.1 and 4.6.2.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
003	Sampling Point 003 applies to the discharge of process generated wastewater from any dimension stone, crushed stone, or construction sand and gravel facility that recycle the wastewater for use in the processing to surface water or wetlands. The permittee shall sample the process generated wastewater following treatment (if applicable) at the end of pipe, or if the end of the pipe is not accessible, prior to entering any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will discharge to surface water or wetlands via Outfall 003. The permittee shall take representative samples of the discharge that consist solely of the process generated wastewater 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 4.6.1 and 4.6.2. Any other water (e.g. storm water, sludge decant, dewatering water, mineral (e.g. tailings or sediment) drainage water, vehicle and equipment washwater, dust suppression water, noncontact cooling water, condensates, or boiler blowdown) commingled with process generated wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of the process generated wastewater is deemed to be process generated wastewater.
004	Sampling Point 004 applies to the discharge of process generated wastewater to surface water or wetlands from any industrial sand facility that recycle the wastewater for use in the processing. The permittee shall sample the process generated wastewater following treatment (if applicable) at the end of pipe prior to discharge, or if the end of the pipe is not accessible, prior to entering any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will discharge to surface water or wetlands via Outfall 004. The permittee shall take representative samples of the discharge that consists solely of the process generated wastewater 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 4.6.1 and 4.6.2. Any other water (e.g. storm water, sludge decant, dewatering water, mineral (e.g. tailings or sediment) drainage water, vehicle and equipment washwater, dust suppression water, noncontact cooling water, condensates, or boiler blowdown) commingled with process generated wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of the process generated wastewater is deemed to be process generated wastewater.

4.1.2 Monitoring Requirements and Effluent Limitations for Mine Dewatering

The permittee shall comply with the following monitoring requirements and effluent limitations for mine dewatering discharges at each applicable outfall at the facility site.

4.1.2.1 Sampling Point (Outfall) 001 – Mine Dewatering Discharge to Surface Water from Non-Industrial Sand Facilities

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 Sections 4.1.2.4, 4.1.2.5, 4.1.6, and 4.1.7
Suspended Solids, Total	Daily Max	40 mg/L	Quarterly	Grab	Quarterly	See Sections 4.1.6, and 4.1.7
pH Field	Daily Min	6.0 s.u.	Quarterly	Grab	Quarterly	See Sections 4.1.6 and 4.1.7
	Daily Max	9.0 s.u.				

4.1.2.2 Sampling Point (Outfall) 002 – Mine Dewatering Discharge to Surface Water from Industrial Sand Facilities

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 Sections 4.1.2.4, 4.1.2.5, 4.1.6, and 4.1.7
Suspended Solids, Total	Daily Max	40 mg/L	Monthly	Grab Comp	Monthly	See Sections 4.1.5, 4.1.6, and 4.1.7
	Monthly Avg	25 mg/L				
pH Field	Daily Min	6.0 s.u.	Monthly	Grab	Monthly	See Sections 4.1.6 and 4.1.7
	Daily Max	9.0 s.u.				

4.1.2.3 Additional Monitoring Requirements to Outfall 001 and Outfall 002

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

Monitoring Requirements and Effluent Limitations						
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Reporting Frequency**	**Notes**
Phosphorus, Total	-	mg/L	Quarterly	Grab	Quarterly	See Section 4.1.2.3.1
Water Treatment Additives - Specify	TBD	TBD	Monthly	Grab	Monthly	**For industrial sand facilities.** See Section 6.
Water Treatment Additives – Specify	**TBD**	**TBD**	**Quarterly**	**Grab**	**Quarterly**	**For non-industrial sand facilities. See Section 6.**

4.1.2.3.1 Total Phosphorus Monitoring

If the permittee discharges to a surface water with a federally approved TMDL where total phosphorus is listed as a pollutant of concern, and if the TMDL assigns a total phosphorus wasteload allocation to general permit facilities, the permittee shall sample the discharge for total phosphorus and comply the applicable sections in Section 5 of this general permit.

4.1.2.4 Flow Rate

The permittee shall estimate the total daily flow rate of the mine dewatering 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.

4.1.2.5 Flow Rate Control

The permittee shall control the flow rate to minimize the erosion of the stream bank, resuspension of sediment, downstream flooding, or property damage.

4.1.3 Monitoring Requirements and Effluent Limitations for Process Generated Wastewaters

The permittee shall comply with the following monitoring requirements and effluent limitations for process generated wastewater discharges to surface water at each applicable outfall at the facility site.

4.1.3.1 Sampling Point (Outfall) 003 – Process Generated Wastewater Discharge to Surface Water from Non-Industrial Sand Facilities

Monitoring Requirements and Effluent Limitations						
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Reporting Frequency**	**Notes**
Flow Rate		gpd	Daily	Continuous	Monthly	See Section 4.1.3.5
Suspended Solids, Total	Daily Max	40 mg/L	Monthly	Grab Comp	Monthly	See Sections 4.1.5, 4.1.6, and 4.1.7
pH Field	Daily Min	6.0 s.u.	Monthly	Grab	Monthly	See Sections 4.1.6 and 4.1.7
	Daily Max	9.0 s.u.				

4.1.3.2 Sampling Point (Outfall) 004 – Process Generated Wastewater Discharge to Surface Water from Industrial Sand Facilities

Monitoring Requirements and Effluent Limitations						
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Reporting Frequency**	**Notes**
Flow Rate		gpd	Daily	Continuous	Monthly	See Section 4.1.3.5
Suspended Solids, Total	Daily Max	40 mg/L	Monthly	Grab Comp	Monthly	See Sections 4.1.5, 4.1.6, and 4.1.7
	Monthly Avg	25 mg/L				
pH Field	Daily Min	6.0 s.u.	Monthly	Grab	Monthly	See Sections 4.1.6 and 4.1.7
	Daily Max	9.0 s.u.				

4.1.3.3 Additional Monitoring Requirements to Outfall 003 and Outfall 004

The permittee shall comply with the following additional monitoring requirements and limitations for process generated wastewater discharges to surface water at each applicable outfall at the facility site if the department determines that these monitoring requirements are necessary to assess compliance with surface water quality standards. The department will specify the additional monitoring requirements in the coverage letter to the permittee.

Monitoring Requirements and Effluent Limitations						
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Reporting Frequency**	**Notes**
Phosphorus, Total	-	mg/L	Quarterly	Grab	Quarterly	See Section 4.1.3.3.1
Water Treatment Additives - Specify	TBD	TBD	Monthly	Grab	Monthly	See Section 6

4.1.3.3.1 Total Phosphorus Monitoring

If the permittee discharges to a surface water with a federally approved TMDL where total phosphorus is listed as a pollutant of concern, and if the TMDL assigns a Total Phosphorus Waste Load Allocation to general permit facilities, the permittee shall sample the discharge for total phosphorus and comply the applicable sections in Section 5 of this general permit.

4.1.3.4 Discharge Screening Requirements

The permittee shall sample the process generated wastewater discharge for the parameters provided below. The department will determine if the discharge screening results for any parameter has the reasonable potential to exceed 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 water quality standards. The department will assess if the discharge is still eligible for coverage under this general permit based on the results and the applicability criteria in Section 1 of this general permit.

Discharge Screening Requirements				
Parameter	**Units**	**Sample Type**	**Number of Samples**	**Notes**
Oil & Grease	mg/L	Grab	1	See Sections 4.1.3.4.1 and 4.1.3.4.2
Temperature, Maximum	°F	Grab	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.3.4.3
Nitrogen, Ammonia (NH_3-N) Total	mg/L	Grab	1	See Sections 4.1.3.4.1 and 4.1.3.4.2
Sulfate	mg/L	Grab	1	See Sections 4.1.3.4.1 and 4.1.3.4.2

Discharge Screening Requirements				
Parameter	**Units**	**Sample Type**	**Number of Samples**	**Notes**
Chloride	mg/L	Grab	1	See Sections 4.1.3.4.1 and 4.1.3.4.2
Arsenic, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Cadmium, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Chromium, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Copper, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Lead, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Nickel, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Zinc, Total Recoverable	µg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, and 4.1.5
Hardness, Total as $CaCO_3$	mg/L	Grab Comp	1	See Sections 4.1.3.4.1, 4.1.3.4.2, 4.1.3.4.4, and 4.1.5

4.1.3.4.1 New Permittee

Any new permittee that proposes a new discharge during the permit term that was not previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the Effective Date of this general permit, shall submit the discharge screening results with the NOI. In lieu of providing the discharge screening results with the NOI, the permittee shall sample the discharge after start-up to fulfill the discharge screening requirement above. The permittee shall submit the discharge screening results after start-up within 90 days of the date on the letter granting coverage under this general permit or commencement of the discharge, whichever is later, to the department general permit contact for their county.

4.1.3.4.2 Existing Permittee

Any existing permittee that had an existing discharge that was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit, shall provide the discharge screening results within **180** days of the effective date of this general permit to the department general permit contact for their county.

4.1.3.4.3 Maximum Temperature

For maximum temperature, the permittee shall collect a grab sample that is representative of the highest effluent temperature known or expected to occur on any day under normal operating conditions.

4.1.3.4.4 Total Hardness

The permittee shall require analyses be performed on the same sample for total recoverable metals and total hardness.

4.1.3.5 Continuous Flow Rate Monitoring

4.1.3.5.1 New Permittees

Any new permittee that was not previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit, shall continuously measure the effluent flow rate of process generated wastewater prior to being discharged to surface water with a department approved continuous recording device specified in s. NR 218.05(1), Wis. Adm. Code. Devices used for continuously measuring flow shall be calibrated and the calibration rechecked at least annually using one of the methods specified in s. NR 218.06(1), Wis. Adm. Code.

4.1.3.5.2 Existing Permittees

Any existing permittee that was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit that does not have a continuous flow recording device installed to measure the effluent flow rate of process generated wastewater prior to being discharged to surface water shall comply with the compliance schedule in Section 7.2 to install a continuous flow recording device.

4.1.4 Overflows from Facilities Covered By Permit

Any overflow from facilities covered by this general permit shall not be subject to the limitations of Section 4.1.2 and Section 4.1.3 if the facilities are designed, constructed and maintained to contain or treat the volume of wastewater which would result from a 10-year 24-hour precipitation event. The term "10-year 24-hour precipitation event" shall mean the maximum 24-hour precipitation event with a probable reoccurrence interval of once in 10 years.

Note: This information is available in "Weather Bureau Technical Paper No. 40," May 1961 and "NOAA Atlas 14 Volume 8 Version 2, *Precipitation-Frequency Atlas of the United States, Midwestern States"*, and may be obtained from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce or the following website: https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html.

4.1.5 Grab Composite Samples

When grab composite is listed as the sample type, the permittee shall create grab composite samples by combining at least 3 individual grab samples of equal volume taken at approximately 1-hour intervals over a 3-hour period.

4.1.6 Sampling and Reporting Frequency

4.1.6.1 New Permittees

Any new permittee that was not previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit, shall comply with the sampling and reporting frequencies listed in either Sections 4.1.2.1 to 4.1.2.3 or 4.1.3.1 to 4.1.3.3. The permittee may request a sampling and reporting reduction if the conditions of Section 4.1.7 are met.

4.1.6.2 Existing Permittees

For any existing permittee that was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit, the sampling and reporting frequency shall be quarterly for the applicable parameters, except flow rate, for facilities listed in either Sections 4.1.2.1 to 4.1.2.3 or 4.1.3.1 to 4.1.3.3. If limit exceedances occur for parameters listed in either Sections 4.1.2.1 to 4.1.2.3 or 4.1.3.1 to 4.1.3.3, the department may increase the sampling frequency and provide notice by letter for that parameter to monthly. The permittee may request a sampling and reporting reduction if the conditions of Section 4.1.7 are met.

4.1.6.2.1 Sampling and Reporting Frequency for Flow Rate

For any existing permittee that was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit, the sampling frequency and reporting frequency shall be as specified in this section for flow rate for facilities listed under either Sections 4.1.2.1 or 4.1.2.2. This section does not apply to facilities that are required to continuously measure the flow rate under Sections 4.1.3.1 and 4.1.3.2. The department may require a permittee to comply with the sampling and reporting frequencies listed in Sections 4.1.2.1 or 4.1.2.2 and provide notice by letter if more frequent flow rate monitoring is necessary to comply with the effluent limitations at the site. The permittee shall maintain a daily log of daily flows at the facility and retain the records pursuant to Section 8.2.5 except for remote and unmanned sites, which shall at least maintain and retain a monthly log of total monthly flows at the facility. The permittee shall furnish the flow log to the department upon request.

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Reporting Frequency	Notes
Flow Rate	-	gal/qtr	Quarterly	Total Quarterly	Quarterly	

4.1.7 Sampling and Reporting Frequency Reduction

The department may approve in writing a sampling and reporting frequency reduction for total suspended solids, pH, or other specified water treatment additives. To qualify for reduced sampling and reporting frequency, the permittee must comply with the following conditions:

1. To allow a reduced sampling and reporting frequency of quarterly for TSS or additives, the permittee must have collected 24 consecutive representative samples of the discharge, and the average of the monitoring results must be less than 50% of the discharge limitations for total suspended solids or other specified water treatment additives. To allow reduced sampling and reporting frequency of quarterly for pH, the average pH concentration must be between 6.0 to 9.0 s.u. Sampling and reporting frequency for flow rate may be reduced in accordance with Section 4.1.6.2.1.
2. To allow a reduced sampling and reporting frequency of once per six months for TSS or additives, the permittee must have collected 24 consecutive representative samples of the discharge and the average of the monitoring results must be less than 25% of the discharge limitations for total suspended solids or other specified water treatment additives. To allow a reduced sampling and reporting frequency of quarterly for pH, the average pH concentration must be between 6.5 to 8.5 s.u. Sampling and reporting frequency for flow rate may be reduced in accordance with Section 4.1.6.2.1.
3. Permittees requesting reduced sampling and reporting frequencies must submit a sampling and reporting frequency reduction request to the department general permit contact for their county (https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html) with supporting monitoring results, or request that the department evaluate any electronically submitted data.

Permittees may use historical discharge data predating the effective date of this permit, if available, in the sampling and reporting frequency reduction request.

4. Permittees may only receive reduced sampling and reporting frequencies if they are in substantial compliance with the permit and have not violated any permit limitations during the two-year period or after taking 24 consecutive representative samples.
5. Sampling and reporting frequency reductions are only valid for the term of the permit. Permittees shall reapply each permit term.
6. If limit exceedances occur, the department may increase the sampling frequency for that parameter to monthly until the permittee can demonstrate compliance with conditions 1. to 4. above. Any such increase will be communicated to the permittee in a letter.

4.1.8 Surface Water Narrative Requirements

In accordance with s. NR 102.04, Wis. Adm. Code, 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 on 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.

4.1.9 Wetland Narrative Requirements

In accordance with s. NR 103.01, Wis. Adm. Code, 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.

4.2 Groundwater Discharge Requirements

The requirements of this section only apply to groundwater discharges. Groundwater 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 wastewater to a permeable surface, unlined lagoon, absorption pond, or seepage cell system that infiltrates or seeps the wastewater into the soil.

4.2.1 Sampling Points

The discharges shall be limited to the waste types designated for the listed generalized sampling points. The department may state the specific location of sampling points in the coverage letter to the permittee.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
005	Sampling Point 005 applies to the separate discharge of either mine dewatering water; washwater from outside washing of vehicles, equipment, or other objects; or dust suppression water to groundwater via infiltration at any mineral (nonmetallic) mining operations, mineral processing operations, or other similar activities The permittee shall comply with the best management practices listed in Section 4.2.2 for each type of wastewater.
006	Sampling Point 006 applies to the discharge from process generated wastewater treatment facilities to groundwater via infiltration from any active industrial sand mineral (nonmetallic) mining operations, industrial sand mineral processing operations, or other similar industrial sand facility activities, which are commonly categorized under Standard Industrial Code (SIC) 1446 pursuant to federal Occupational Health and Safety Administration (OSHA) regulations. The permittee shall sample the process generated wastewater in the treatment facility at a point and in a manner that will yield representative results of the wastewater that may enter groundwater via Outfall 006. Any other water (e.g. storm water, sludge decant, dewatering water, mineral (e.g. tailings or sediment) drainage water, vehicle and equipment washwater, dust suppression water, noncontact cooling water, condensates, or boiler blowdown) commingled with process generated wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of the process generated wastewater is deemed to be process generated wastewater. The permittee is not required to sample process generated wastewater treatment facilities while the site is temporarily inactive and sits idle per Section 4.5. NOTE: Sampling Point 006 does not apply to discharges from other nonmetallic mining facilities, including quarries, as defined in Wis. Stat. § 66.0441(2)(g), that produce crushed stone or other nonmetallic mineral products such as sand and gravel used in transportation and other construction projects and that are not classified under SIC 1446, industrial sand facilities.

4.2.2 Best Management Practices for Mine Dewatering, Vehicle Washwater, and Dust Suppression Water

The permittee shall comply with the following best management practices for mine dewatering, vehicle washwater, and dust suppression water discharges to groundwater via infiltration at each applicable outfall at the facility site.

4.2.2.1 Winter Operations

The permittee may discharge to groundwater during frozen conditions provided infiltration is adequate to prevent runoff and long-term ponding or pooling of water. Since infiltration decreases in the winter, the department may require storage during cold weather when feasible.

4.2.2.2 Rainfall Events

The permittee may not discharge during any rainfall events that cause runoff from the site into surface waters, unless the infiltration area is located such that runoff from the area cannot enter a surface water.

4.2.2.3 Mine Dewatering Activities

If the discharge of mine dewatering water is directed to and commingled with any other wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of wastewater, the wastewater is deemed to be process generated wastewater and required to be monitored in accordance with either Section 4.1.3 or Section 4.2.3.

4.2.2.4 Outside Washing Activities

The permittee shall comply the following BMPs specific to discharges from outside washing of vehicles, equipment, and other objects.:

1. Biodegradable detergents or soaps are used during washing and a record of the biodegradable detergents or soaps used at the site is maintained by the facility;
2. Road deicing chemicals (e.g. road salt) that have accumulated on vehicles and equipment are physically removed to the extent practical and disposed as solid waste.
3. The number of vehicles and equipment containing significant amounts of road deicing chemicals washed at a site is limited to the maximum extent practicable; and
4. Any visible oil and grease are physically removed from vehicles, equipment, or other objects to the maximum extent feasible and disposed as a solid waste prior to washing.
5. Vehicle maintenance is not performed in vehicle washing areas that drain to groundwater.

If the discharge of vehicle or equipment washwater is directed to and commingled with any other wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of wastewater, the wastewater is deemed to be process generated wastewater and required to be monitored in accordance with either Section 4.1.3 or Section 4.2.3.

4.2.2.5 Dust Suppression Control

The permittee shall comply the following BMPs specific to discharges from dust suppression control.

1. The permittee shall conduct dust suppression practices that will not result in a discharge of the dust suppression water to a surface water or result in dust suppression water running off the mineral mining and processing site.
2. The permittee may reuse collected storm water, mine dewatering water, or process generated wastewater, for dust suppression activities provided the water is evenly distributed and the water use is limited to the maximum extent practicable to control the dust.

If the discharge of dust suppression water is directed to and commingled with any other wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of wastewater, the wastewater is deemed to be process generated wastewater and required to be monitored in accordance with either Section 4.1.3 or Section 4.2.3.

Note: Further guidance is available from the *Wisconsin Transportation Bulletin No. 13, Dust Control on Unpaved Roads,* at:
https://epd.wisc.edu/tic/wp-content/uploads/sites/3/2019/12/Bltn_013_DustControl.pdf.

4.2.3 Monitoring Requirements and Effluent Limitations for Process Generated Wastewater Treatment Facility

The permittee shall comply with the following monitoring requirements and limitations for each process generated wastewater treatment facility at the facility site. Process generated wastewater treatment facility means any pit, pond, lagoon, mine, series of ponds or other facility used for treatment of process generated wastewater. Any discharge to a process generated wastewater treatment facility is considered a discharge to groundwater and is subject to the monitoring requirements and limitations specified in this section unless the permittee can demonstrate under Section 4.2.3.1.3 that the discharge to groundwater from the process generated wastewater treatment facility is prevented or minimized to the extent technically and economically feasible.

4.2.3.1 Sampling Point (Outfall) 006 – Process Generated Wastewater Treatment Facility

Monitoring Requirements and Effluent Limitations						
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Reporting Frequency**	**Notes**
COD	-	mg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4
pH Field	-	s.u.	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4
Nitrogen, Nitrate + Nitrite Total	-	mg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4
Chloride	-	mg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4
Sulfate, Total	-	mg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4
Aluminum, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Arsenic, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Cadmium, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Chromium, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Copper, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.

Monitoring Requirements and Effluent Limitations						
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Reporting Frequency**	**Notes**
Iron, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Lead, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Manganese, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Nickel, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.
Zinc, Dissolved	-	µg/L	Annual	Grab Comp	Annual	See Sections 4.2.3.1.1 to 4.2.3.1.4 and 4.6.2.

4.2.3.1.1 Grab Composite Samples

The permittee shall create grab composite samples of the wastewater in the process generated wastewater treatment facility by combining at least three individual grab samples of equal volume taken at three locations across the process generated wastewater treatment facility. At least one of those grab samples shall be taken near the inlet to the process generated wastewater treatment facility.

4.2.3.1.2 Waiver from Sampling and Reporting for Certain Parameters

The department may approve a sampling and reporting waiver from the sampling and reporting requirements for certain parameters listed in Section 4.2.3.1 if the permittee has collected representative samples of the wastewater in the process generated wastewater treatment facility in two consecutive years and the concentrations of the parameter are equal to or less than the preventive action level for that parameter in ch. NR 140, Wis. Adm. Code. The permittee must submit a sampling and reporting waiver request to the department general permit contact for their county with supporting monitoring data. If any changes occur at the nonmetallic mining and/or processing site that could impact this waiver approval, the permittee must notify the department to determine if the waiver approval is still valid. The sampling and reporting waiver is only valid for the term of the permit. Permittees shall reapply each permit term.

4.2.3.1.3 Waiver from All Sampling and Reporting Requirements

The department may approve a sampling and reporting waiver from the sampling and reporting requirements in Section 4.2.3.1 if one of the following criteria are met. The permittee must submit a sampling and reporting waiver request to the department general permit contact for their county with supporting information provided below. If any changes occur at the nonmetallic mining and/or processing site that could impact this waiver approval, the permittee must notify the department to determine if the waiver approval is still valid. The sampling and reporting waiver is only valid for the term of the permit. Permittees shall reapply each permit term. The permittee must demonstrate that the process generated wastewater treatment facility will comply with one of the following:

1. **Exfiltration Rate:**

Perform an engineered analysis of the existing process wastewater treatment facility to determine the average wastewater lost to groundwater via exfiltration during active and inactive processing from the process generated wastewater treatment facility. If the average exfiltration rate from the process generated wastewater treatment facility is at or below 500 gallons per acre per day, then the permittee may be exempt from the sampling and reporting requirements in Section 4.2.3.1. If the average exfiltration rate from the process generated wastewater treatment facility is greater than 500 gallons per acre per day, then permittee shall comply with the sampling and reporting requirements in Section 4.2.3.1 or demonstrate qualification for the exemption under subs. 2, 3, or 4 below.

2. Wastewater Treatment Facility Upgrades:

The process generated wastewater facility was modified or upgraded in accordance ch. NR 213, Wis. Adm. Code to prevent exfiltration to groundwater to the extent technically and economically feasible. Any plans and specifications for modifications or upgrades to a process generated wastewater treatment facility shall be reviewed and approved by the department in accordance with s. 281.41, Wis. Stats.

3. Site Specific and Background Conditions:

a. That increases of substances in the groundwater from the process generated wastewater treatment facility at the site will be minimized to the extent technically and economically feasible; and

b. That applicable enforcement standards and/or preventive action limits will not be exceeded.

Information to include to demonstrate site specific and background conditions are met:

1. Physical characteristics of the site, such as soil texture, soil permeability, direction and rate of groundwater flow, depth to groundwater and depth to and type of bedrock.
2. Age and condition of existing structures.
3. Background and downgradient groundwater concentrations.
4. The quantity and composition of the materials stored or treated at the facility.
5. The compatibility between the materials stored or treated and the bottom of the process generated wastewater treatment facility.
6. Any other information relevant to the environmental impacts of the facility's operations.

4. Inactive Site:

Inactive mines must only sample process generated wastewater ponds for the parameters specified in section 4.2.3.1 in the second year of the permit. Following collection of an initial sample, permittees may notify the department that the mine is inactive using the process in Section 4.5 and be exempt from future monitoring and reporting for process generated wastewater while inactive. If the mine becomes active again, the mine must notify the department, and this waiver is no longer valid.

4.2.3.1.4 Potential Violation of Groundwater Standards in ch. NR 140, Wis. Adm. Code

If representative sampling results of the process generated wastewater collected from the treatment facility include exceedances of an enforcement standard in two consecutive reporting periods for any

parameter under ch. NR 140, Wis. Adm. Code, the department may require, or permittee may request, any of the following actions:

1. Revoke coverage under this general permit and apply for an individual WPDES permit to the owner or operator of the nonmetallic mining and/or processing operation that may specify groundwater monitoring requirements.
2. Modify or upgrade the treatment facility in accordance ch. NR 213, Wis. Adm. Code to prevent exfiltration to groundwater and to prevent continued exceedances of groundwater standards. Any plans and specifications for modifications or upgrades to a process generated wastewater treatment facility shall be reviewed and approved by the department in accordance with s. 281.41, Wis. Stats.
3. Perform an engineered analysis of the existing process wastewater treatment facility to determine the average wastewater lost to groundwater via exfiltration during active and inactive processing from the process generated wastewater treatment facility. If the average exfiltration rate from the process generated wastewater treatment facility is at or below 500 gallons per acre per day then the permittee may remain eligible for this general permit if the department determines that groundwater standards will be met at the point of standards application. If the average exfiltration rate from the process generated wastewater treatment facility is greater than 500 gallons per acre per day, the department may request that the facility perform one of the actions listed above under condition 1. and 2.

4.2.3.1.5 Polyacrylamide

If a polyacrylamide product is used as a water treatment additive, the permittee shall limit the amount of acrylamide monomer in the additive to no more than 0.05% by weight. The permittee shall certify to the department in writing the additive name and manufacturer, and that the acrylamide monomer content does not exceed 0.05% by weight within 30 calendar days of the effective date of this permit or prior to use of a polyacrylamide product. The permittee may use a third-party or manufacturer's certification to verify the percent of acrylamide content. The permittee shall limit the maximum dose of polyacrylamide product used to no more than necessary to achieve effective sedimentation in the treatment process.

Note: The 0.05% acrylamide monomer content by weight in a polyacrylamide water treatment additive is consistent with the USEPA's requirement for drinking water treatment. See http://water.epa.gov/drink/contaminants/basicinformation/acrylamide.cfm.

4.3 Dewatering of Sediment and Sludge

The permittee shall not discharge any water from dewatering sediment removed during maintenance of storm water BMPs or from sludge removed during maintenance of wastewater treatment facilities directly to surface water. The permittee shall recycle this water as process wastewater and may discharge the process wastewater in accordance with Sections 4.1.3 or 4.2.3.

4.4 Oil & Grease Best Management Practices

The permittee shall implement best management practices to eliminate the release or leak of oil and grease from vehicles and equipment to a water of the state.

4.5 Notification of Temporarily Inactive Site

The permittee shall notify the department when a mine and/or processing site will be temporarily inactive for a prolonged period of time and when the site becomes active again with a discharge to a water of the state. The department will inactivate the electronic discharge monitoring reports (eDMR) for the site until the site and discharge become active again. The permittee is not required to sample process generated wastewater treatment facilities while the site is temporarily inactive and sits idle, except in the second year of the permit term. The permittee must collect the annual sample required under section 4.2.3.1 for a given year if the mine is active at any point during that calendar year.

4.6 Wastewater Reporting Requirements

The permittee shall comply with the following wastewater reporting requirements.

4.6.1 Reporting of Monitoring Results

The permittee shall submit wastewater discharge monitoring data as required by Section 4.1 and/or Section 4.2 on an electronic discharge monitoring report (eDMR) form in accordance with s. NR 205.07(1)(r), Wis. Adm. Code upon on the **Effective Date** of this general permit. The eDMR form is available through the Switchboard (https://dnr.wisconsin.gov/topic/Switchboard). The eDMRs are due 21 days following the end of the reporting period. For instance, if a parameter is to be sampled quarterly, the eDMRs are due 21 days following the end of each quarter. **The eDMR shall be submitted to the department regardless whether or not there is a discharge during any reporting period and the flow rate shall be reported consistent with Section 4.6.2 when there is no flow or discharge on a day. 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.

4.6.2 Reporting of Metals Monitoring Results

The reporting period for metals monitoring data from Outfall 006 – Process Generated Wastewater Treatment Facility – shall begin one year following the Effective Date of this general permit, January 1, 2024. Metals sampling is not required in the first year of the permit term (January 1, 2023-December 31, 2023) at Sampling Point 006.

4.6.3 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 or discharge, the flow rate shall be reported as “0” on those days.

5 Antidegradation, Impaired Waters & TMDLs, and Wetland Requirements

5.1 Antidegradation Standard and Procedures

Any permittee proposing a new discharge of wastewater or new or increased discharge of storm water to surface water of the state is in compliance with the antidegradation standard in s. NR 102.05(1)(a), Wis. Adm. Code and antidegradation evaluation procedures in ch. NR 207, Wis. Adm. Code when the department determines that the discharge is authorized for coverage under this general permit via letter. Any increased discharge of storm water or wastewater would not be applicable to antidegradation evaluation procedures in ch. NR 207, Wis. Adm. Code if the discharge is in compliance with the effluent limitations or performance standards in this general permit. However, any proposed new or increased discharge of storm water to an ORW or ERW must also comply with Section 5.1.1 prior to discharge to demonstrate compliance with the antidegradation standard in s. NR 102.05(1)(a), Wis. Adm. Code and antidegradation evaluation procedures in ch. NR 207, Wis. Adm. Code.

5.1.1 New or Increased Discharge of Storm Water to ERW or ORW

Any permittee proposing new or increased discharge of storm water to an ORW or an ERW or discharges of storm water that would lower the water quality of downstream ORWs or ERWs, the permittee shall comply with the following requirements:

a. The new or increased discharge of storm water is controlled to discharge pollutants equal to or less than background levels of the pollutants immediately upstream of the discharge site upon the **Start Date** of coverage under this permit;

b. The SWPPP, as required under Section 3 of this permit, includes storm water control practices designed to remove pollutants equal to or less than background levels of the pollutants immediately upstream of the discharge site; and

c. The permittee demonstrates in writing how the proposed new or increased storm water discharge will accommodate important economic or social development in any of the ways listed in s. NR 207.04(1)(c), Wis. Adm. Code.

5.2 Impaired Waters & TMDL Requirements

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. General permit discharges located inside of a permitted Municipal Separate Storm Sewer System (MS4) may be included in the wasteload allocation for MS4s pursuant to the approved TMDL.

5.2.1 Impaired Water and TMDL Compliance

5.2.1.1 Wastewater Discharges

The permittee shall comply with the pollutant wasteload allocation assigned to general permit discharges in any USEPA approved TMDLs. The permittee shall assess whether the TMDL requirementsare being met based on current practices. If additional control measures are necessary to consistently meetthe TMDL wasteload allocations, the permittee shall implement such controls and reduce the pollutant of concern loadings or concentrations to meet the wasteload allocation for general permits.

Note: The department will specify whether the discharge is within a federally approved TMDL in the coverage letter to the permittee.

5.2.1.2 Storm Water Discharges

If the permittee will have a storm water discharge with a detectable pollutant of concern to a surface water with a federally approved TMDL, the permittee is required to include a written section in the SWPPP for the facility that specifically identifies source area pollution prevention controls and storm water BMPs that will collectively be used to reduce, with the goal of eliminating, the pollutant of concern in the storm water discharge and explain why these controls and practices were chosen as opposed to other alternatives within 180 calendar days of the effective date of this permit. The permittee must comply with the pollutant wasteload allocation granted to general permit discharges in any USEPA approved TMDLs.

5.2.2 Department Determinations

The permittee may not commence a new discharge of a pollutant of concern to a surface water with a federally approved TMDL until the department has determined that the proposed discharge is consistent with the wasteload allocation specified in a federally approved TMDL. The department will make this determination by granting coverage of the discharge under this general permit by letter. If the department determines, by notification to the permittee, that the proposed discharge is inconsistent with the wasteload allocation in a federally approved TMDL, the permittee must perform one of the following actions and notify the department of the selected option:

1. Apply for coverage under an individual permit;
2. Find an alternative discharge location (e.g., discharging to groundwater or sanitary sewer). If the alternative discharge location is to another water of the state, the department will determine if the discharge will be eligible and granted coverage under this general permit by letter; or
3. Reduce or eliminate loadings or concentrations of the pollutant of concern so that the discharge meets the wasteload allocation in the approved TMDL for general permits. The department will determine if the discharge will be eligible and granted coverage under this general permit by letter.

5.3 Wetland Requirements

Note: Activities performed in or near wetlands, floodplains, or shorelands may require approvals or permits pursuant to other applicable Wisconsin administrative codes or statutes or by other federal, state, or local agencies.

5.3.1 Practicable Alternatives Analysis

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

1. That no practicable 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.

5.3.2 Department Determinations

The permittee may not establish a new discharge to a wetland until the department has determined that the proposed discharge meets the wetland requirements in Section 5.3.1 and ch. NR 103, Wis. Adm. Code, including that 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. The department will make this determination by granting coverage of the discharge under this general permit by letter. If the department determines, by notification to the permittee, that the

proposed discharge will not meet the wetland requirements in Section 5.3.1 and ch. NR 103, Wis. Adm. Code, the permittee must do one of the following actions and notify the department of the selected option:

1. Apply for coverage under an individual permit;
2. Find an alternative discharge location (e.g., discharging to groundwater or sanitary sewer). If the alternative discharge location is to another water of the state, the department will determine if the discharge will be eligible and granted coverage under this general permit by letter; or
3. Reduce or eliminate pollutant concentrations in the discharge so that the discharge does not result in adverse impacts to wetland functional values, significant adverse impacts to water quality, or other significant adverse environmental consequences. The department will determine if the discharge will be eligible and granted under this general permit by letter.

6 Water Treatment Additives

6.1 Use of Water Treatment Additives

The permittee shall not add any substance or water treatment additive to the storm water and/or wastewater 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 and approval by the department is necessary for substances that may enter surface water without receiving treatment or substances that are used in a water treatment process but are not expected to be removed by wastewater treatment or storm water control practices.

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/or the department's public notice webpage as required by ch. NR 203, Wis. Adm. Code. The effluent limitations, limit type, and sample type for substances will be stated in the additive use approval letter.

7 Schedules

7.1 Submittal of Discharge Information for Existing Permittees

This schedule applies to existing permittees that had a wastewater discharge that was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the **Effective Date** of this general permit.

Required Action	Due Date
Discharge Information Submittal: Any existing permittee shall submit a detailed description of all wastewater discharge activities that occur at the mineral mining and processing site to the department. The discharge information submittal shall include the status of the site, storm water discharge location, wastewater discharge type, wastewater discharge location, water sources used at the facility, water treatment additives used, and the discharge monitoring contact. The department will provide a discharge information form to the permittee to complete upon reissuance of this general permit.	January 31, 2023

7.2 Continuous Effluent Flow Monitoring Device Installation

This schedule applies to any existing permittee that was previously covered under WPDES Permit No. WI-A046515-06-0 or WI-B046515-06-0 prior to the Effective Date of this general permit that does not have a continuous flow recording device installed to measure the effluent flow rate of process generated wastewater at the end of pipe prior to being discharged to surface water.

Required Action	Due Date
Final Plans and Specifications: The permittee shall submit a brief engineering design report with final construction plans and specifications to the department for approval pursuant to s. 281.41, Wis. Stats., specifying the installation of a continuous effluent flow monitoring device to measure the flow rate of process generated wastewater discharged to surface water in compliance with s. NR 218.05(1), Wis. Adm. Code.	June 30, 2023
Complete Construction: The permittee shall complete construction and installation of the continuous effluent flow monitoring device.	December 31, 2023

8 Standard Requirements

The conditions in ss. NR 205.07(1), NR 205.07(3), NR 205.08(3), and NR 216.30, Wis. Adm. Code and 40 CFR Part 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 the ch. NR 216 and ss. NR 205.07(1), 205.07(3), 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 submit a completed delegation of signature authority (DSA) request (Form 3400-220) or equivalent to the department for a duly authorized representative to submit specific permit documents on the behalf of the responsible executive or municipal officer, manager, partner or proprietor of a permitted discharge. A responsible executive or municipal 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 permittee shall specify the name of the individual or the employment position that has the signature authority and responsibility on the DSA. The permittee must submit the DSA to the department with the NOI or together with the submittal of any required documents. If there are any changes to this request, the permittee shall submit a new DSA request to the department.

Note: The DSA form (Form 3400-220) is available on the department website: https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html.

8.1.2 Permit Coverage Transfers

A permit is not transferrable to any person except after notice to the department. Any permittee that wishes to transfer general permit coverage to a new permittee who will control the industrial facility must submit a completed Transfer of Coverage (TOC, Form 3400-222) to the department. All TOCs shall be completed by both the existing and new permittees. The department may require additional information including an NOI to be filed prior to transferring permit coverage. Permit coverage is not transferred until the department sends notification of transfer approval to the new permittee.

Note: Existing permittees must submit all required reporting to the department before permit coverage can be transferred. The TOC form (Form 3400-222) is available on the department website: https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html.

8.1.3 Permit Coverage Terminations

At the conclusion of successful reclamation and when the permittee no longer wishes to claim coverage under this permit, the permittee shall submit a signed Notice of Termination (NOT, Form 3400-221) to the department in accordance with s. NR 216.32, Wis. Adm. Code.

Note: Permittees must submit all required reporting to the department before permit coverage can be terminated. The NOT form (Form 3400-221) is available on the department website: https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html.

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 three 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 five 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 s. 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.wisconsin.gov/topic/labCert/certified-lab-lists. The following parameters and tests are excluded from this requirement:

- 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 as specified in ch. NR 219, Wis. Adm. Code 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:

1. When the effluent limitation is less than the LOD, effluent levels less than the LOD are in compliance with the effluent limitation.
2. 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.
3. 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), Wis. Adm. Code, if the permittee monitors any parameter more frequently than required by the permit, using test procedures specified in ch. NR 204 or NR 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 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;
- 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 five 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 five 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.

NOTE: Section 292.11(2)(a), Wisconsin Statutes, requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the Department of Natural Resources 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.

8.2.17 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 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.

8.3.2 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.

8.3.3 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.

8.3.4 Abandonment Conditions

Lagoons, storage structures and treatment structures which will no longer be used, shall be properly abandoned within two years of the date on which waste material was last stored, treated, or applied. A plan outlining the proposed method of abandonment shall be submitted to the department for approval prior to abandonment pursuant to s. NR 213.07 Wis. Adm. Code.

8.4 General Conditions for Storm Water WPDES Permits

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

8.4.1 Permit Fee

A storm water discharge permit fee shall be paid annually for each facility covered under this permit, except under s. NR 216.30(2), Wis. Adm. Code, no fee will be charged for a facility that the department concurs is internally drained and no pollutants are exposed that could contaminate groundwater. The permittee will be billed by the department annually in May of each year and the fee is due by June 30 of each year in accordance with s. NR 216.30, Wis. Adm. Code. A permittee may be referred to the Wisconsin Department of Revenue for the collection of any unpaid storm water fee.

9 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Due Date	Page
Notice of Intent (NOI)	**New Permittees:** 14 working days prior to initiating industrial operations and discharging to a water of state. **Existing Permittees**: Automatically granted coverage under this general permit upon the Effective Date.	7
Annual Facility Site Compliance Inspection Reports	Record results by February 15th for the previous calendar year. Reports shall be provided to the department upon request.	11
Storm Water Pollution Prevention Plan (SWPPP)	**New Permittees:** Submitted with the NOI **Existing Permittees:** SWPPP as of the Effective Date of permit coverage and implemented until final site reclamation. **Note:** SWPPP is not required if site is internally drained.	11
Quarterly Visual Inspections	Once per quarter, record results of visual inspections of storm water discharge quality at each outfall. Records shall be provided to the department upon request. **Note:** Not required if the site is internally drained.	14
Discharge Screening Results	**New Permittees:** Submitted with the NOI or after start-up within 90 days of the date on the letter granting coverage under this general permit or commencement of the discharge, whichever is later, **Existing Permittees:** Within 180 days of the effective date of this general permit	21

Description	Due Date	Page
Polyacrylamide Certification	Certify that the acrylamide monomer content does not exceed 0.05% by weight within 30 calendar days of the Effective Date of this permit or prior to use of a polyacrylamide product.	33
Electronic Discharge Monitoring Reports (eDMRs)	21 days following the end of the reporting frequency	34
Discharge Information Submittal	January 31, 2023	39
Continuous Effluent Flow Monitoring Device Installation – Final Plans & Specifications	June 30, 2023	39
Continuous Effluent Flow Monitoring Device Installation – Complete Construction	December 31, 2023	39
Delegation of Signature Authority (Form 3400-220)	Submitted with the NOI or together with the submittal of any required documents	40
Notice of Termination (Form 3400-221)	After discontinuing permitted discharge	40
Transfer of Coverage (Form 3400-222)	Prior to the proposed transfer of the permitted facility	40
Noncompliance Notification and 5-Day Written Report	Notification within 24 hours after becoming aware of the noncompliance and written report (if required) within five days after becoming aware of the noncompliance	43
Planned Changes	Prior to any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants	45
Storm Water Fee	June 30 of each year	45

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 the general permit contacts for each region with mailing addresses and phone numbers can be found at https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html.