WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
PERMIT TO DISCHARGE UNDER THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

Applied Material Solutions Inc Burlington

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to discharge from a facility located at 1956 S Pine St, Burlington, WI
to
the Fox (IL) River (Fox (IL) River Watershed, Fox (IL) River Basin)
in Racine County

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after this expiration date an application shall be filed for reissuance of this permit, according to Chapter NR 200, Wis. Adm. Code, at least 180 days prior to the expiration date given below.

State of Wisconsin Department of Natural Resources
For the Secretary

By __________________________
Bryan Hartsook
Wastewater Field Supervisor

Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE - October 01, 2022
EXPIRATION DATE - September 30, 2027
TABLE OF CONTENTS

1 SURFACE WATER REQUIREMENTS
   1.1 SAMPLING POINT(S) 1
   1.2 MONITORING REQUIREMENTS AND EFFLUENT LIMITATIONS
      1.2.1 Sampling Point (Outfall) 001 - Flush Water & Permeate 1

2 SCHEDULES
   2.1 EFFLUENT LIMITATIONS FOR TOTAL SULFATE 4

3 STANDARD REQUIREMENTS
   3.1 REPORTING AND MONITORING REQUIREMENTS
      3.1.1 Monitoring Results 5
      3.1.2 Sampling and Testing Procedures 5
      3.1.3 Recording of Results 5
      3.1.4 Reporting of Monitoring Results 6
      3.1.5 Records Retention 6
      3.1.6 Other Information 6
      3.1.7 Reporting Requirements – Alterations or Additions 6
   3.2 SYSTEM OPERATING REQUIREMENTS
      3.2.1 Noncompliance Reporting 7
      3.2.2 Bypass 7
      3.2.3 Scheduled Bypass 7
      3.2.4 Controlled Diversions 8
      3.2.5 Proper Operation and Maintenance 8
      3.2.6 Operator Certification 8
      3.2.7 Spill Reporting 8
      3.2.8 Planned Changes 8
      3.2.9 Duty to Halt or Reduce Activity 9
   3.3 SURFACE WATER REQUIREMENTS
      3.3.1 Permittee-Determined Limit of Quantitation Incorporated into this Permit 9
      3.3.2 Appropriate Formulas for Effluent Calculations 9
      3.3.3 Effluent Temperature Requirements 9
      3.3.4 Visible Foam or Floating Solids 10
      3.3.5 Surface Water Uses and Criteria 10
      3.3.6 Compliance with Phosphorus Limitation 10
      3.3.7 Whole Effluent Toxicity (WET) Monitoring Requirements 11
      3.3.8 Whole Effluent Toxicity (WET) Identification and Reduction 11

4 SUMMARY OF REPORTS DUE 12
1 Surface Water Requirements

1.1 Sampling Point(s)

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

<table>
<thead>
<tr>
<th>Sampling Point Designation</th>
<th>Sampling Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Effluent containing flush water and permeate resulting from the concentration of colloidal silica by osmotic membrane filtration. 24-hour composite samples shall be collected directly after the effluent tank and grab samples shall be collected from the manual valve of the effluent tank, prior to combining with stormwater.</td>
</tr>
</tbody>
</table>

1.2 Monitoring Requirements and Effluent Limitations

The permittee shall comply with the following monitoring requirements and limitations.

1.2.1 Sampling Point (Outfall) 001 - Flush Water & Permeate

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limit Type</th>
<th>Limit and Units</th>
<th>Sample Frequency</th>
<th>Sample Type</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flow Rate</td>
<td></td>
<td>MGD</td>
<td>Daily</td>
<td>Continuous</td>
<td></td>
</tr>
<tr>
<td>Suspended Solids, Total</td>
<td></td>
<td>mg/L</td>
<td>Weekly</td>
<td>24-Hr Comp</td>
<td>Narrative limit applies. See 'Total Suspended Solids Limitation' section below.</td>
</tr>
<tr>
<td>pH Field</td>
<td>Daily Min</td>
<td>6.0 su</td>
<td>Daily</td>
<td>Grab</td>
<td></td>
</tr>
<tr>
<td>pH Field</td>
<td>Daily Max</td>
<td>9.0 su</td>
<td>Daily</td>
<td>Grab</td>
<td></td>
</tr>
<tr>
<td>Nitrogen, Ammonia (NH₃-N) Total</td>
<td></td>
<td>mg/L</td>
<td>Monthly</td>
<td>24-Hr Comp</td>
<td></td>
</tr>
<tr>
<td>Chlorine, Total Residual</td>
<td></td>
<td>µg/L</td>
<td>Monthly</td>
<td>Grab</td>
<td>Monitor during calendar year 2026.</td>
</tr>
<tr>
<td>Chloride</td>
<td></td>
<td>mg/L</td>
<td>Monthly</td>
<td>24-Hr Comp</td>
<td></td>
</tr>
<tr>
<td>Sulfate, Total</td>
<td>Daily Max</td>
<td>612 mg/L</td>
<td>Monthly</td>
<td>24-Hr Comp</td>
<td>Monitoring only through September 30, 2027. Limit becomes effective on October 1, 2027. See 'Schedules' section.</td>
</tr>
<tr>
<td>Sulfate, Total</td>
<td>Monthly Avg</td>
<td>612 mg/L</td>
<td>Monthly</td>
<td>24-Hr Comp</td>
<td>Monitoring only through September 30, 2027. Limit becomes effective on October 1, 2027. See 'Schedules' section.</td>
</tr>
<tr>
<td>Phosphorus, Total</td>
<td>Monthly Avg</td>
<td>0.192 mg/L</td>
<td>Weekly</td>
<td>24-Hr Comp</td>
<td>See 'Standard Requirements' section 3.3.2.</td>
</tr>
</tbody>
</table>
### Monitoring Requirements and Effluent Limitations

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limit Type</th>
<th>Limit and Units</th>
<th>Sample Frequency</th>
<th>Sample Type</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phosphorus, Total</td>
<td>6-Month Avg</td>
<td>0.064 mg/L</td>
<td>Weekly</td>
<td>24-Hr Comp</td>
<td>See 'Standard Requirements' section 3.3.2.</td>
</tr>
<tr>
<td>Phosphorus, Total</td>
<td>6-Month Avg</td>
<td>0.059 lbs/day</td>
<td>Weekly</td>
<td>Calculated</td>
<td>See 'Standard Requirements' section 3.3.2.</td>
</tr>
<tr>
<td>Temperature Maximum</td>
<td></td>
<td>deg F</td>
<td>3/Week</td>
<td>Continuous</td>
<td>Monitor during calendar year 2026. See 'Effluent Temperature Monitoring' section below.</td>
</tr>
<tr>
<td>Acute WET</td>
<td>Daily Max</td>
<td>1.0 TU&lt;sub&gt;a&lt;/sub&gt;</td>
<td>See Listed Qtr(s)</td>
<td>24-Hr Comp</td>
<td>See 'WET Testing' section below.</td>
</tr>
<tr>
<td>Chronic WET</td>
<td></td>
<td>TU&lt;sub&gt;c&lt;/sub&gt;</td>
<td>See Listed Qtr(s)</td>
<td>24-Hr Comp</td>
<td>See 'WET Testing' section below.</td>
</tr>
</tbody>
</table>

1.2.1.1 **Total Suspended Solids Limitation**

The discharge shall be controlled so that materials producing color or unsightliness are not introduced into the receiving surface water. Visual observations of the receiving water shall be completed weekly and recorded on the monthly DMR. Any violation of this narrative limit shall be reported to the Department following the noncompliance reporting requirements under Section 3.2.1.

1.2.1.2 **Effluent Temperature Monitoring**

For monitoring temperature continuously, collect measurements in accordance with s. NR 218.04(13). This means that discrete measurements shall be recorded at intervals of not more than 15 minutes during the 24-hour period. Report the maximum temperature measured during the day on the DMR.

1.2.1.3 **Whole Effluent Toxicity (WET) Testing**

**Primary Control Water:** Fox (IL) River upstream and out of the influence of the mixing zone of Outfall 001, and any other known discharges.

**Instream Waste Concentration (IWC):** 2%

**Dilution series:** At least five effluent concentrations and dual controls must be included in each test.

- **Acute:** 100, 50, 25, 12.5, 6.25% and any additional selected by the permittee.
- **Chronic:** 100, 30, 10, 3, 1% and any additional selected by the permittee.

**WET Testing Frequency:**

**Acute** tests shall be conducted **once each year** in rotating quarters in order to collect seasonal information about the discharge. Tests are required during the following quarters:

- **Acute:** January-March 2023, July-September 2024, October-December 2025, April-June 2026, January-March 2027.

Acute WET testing shall continue after the permit expiration date (until the permit is reissued) in accordance with the WET requirements specified for the last full calendar year of this permit. For example, the next test would be required in **April-June 2028**.
Chronic tests shall be conducted **once each year** in rotating quarters in order to collect seasonal information about the discharge. Tests are required during the following quarters:

- **Chronic**: January-March 2023, July-September 2024, October-December 2025, April-June 2026, January-March 2027.

  Chronic WET testing shall continue after the permit expiration date (until the permit is reissued) in accordance with the WET requirements specified for the last full calendar year of this permit. For example, the next test would be required in **April - June 2028**.

**Testing:** WET testing shall be performed during normal operating conditions. Permittees are not allowed to turn off or otherwise modify treatment systems, production processes, or change other operating or treatment conditions during WET tests.

**Reporting:** The permittee shall report test results on the Discharge Monitoring Report form, and also complete the "Whole Effluent Toxicity Test Report Form" (Section 6, "State of Wisconsin Aquatic Life Toxicity Testing Methods Manual, 2nd Edition"), for each test. The original, complete, signed version of the Whole Effluent Toxicity Test Report Form shall be sent to the Biomonitoring Coordinator, Bureau of Water Quality, 101 S. Webster St., P.O. Box 7921, Madison, WI 53707-7921, within 45 days of test completion. The Discharge Monitoring Report (DMR) form shall be submitted electronically by the required deadline.

**Determination of Positive Results:** An acute toxicity test shall be considered positive if the Toxic Unit - Acute (TUₐ) is greater than 1.0 for either species. The TUₐ shall be calculated as follows: TUₐ = 100 ÷ LC₅₀. A chronic toxicity test shall be considered positive if the Toxic Unit - Chronic (TUₖ) is greater than 50 for either species. The TUₖ shall be calculated as follows: TUₖ = 100 ÷ IC₅₀.

**Additional Testing Requirements:** Within 90 days of a test which showed positive results, the permittee shall submit the results of at least 2 retests to the Biomonitoring Coordinator on "Whole Effluent Toxicity Test Report Forms". The 90-day reporting period shall begin the day after the test which showed a positive result. The retests shall be completed using the same species and test methods specified for the original test (see the Standard Requirements section herein).
2 Schedules

2.1 Effluent Limitations for Total Sulfate

This schedule requires the permittee to achieve compliance by the specified date.

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Report on Effluent Discharges:</strong> Submit a report on effluent discharges of Total Sulfate with conclusions regarding compliance.</td>
<td>09/30/2023</td>
</tr>
<tr>
<td><strong>Action Plan:</strong> Submit an action plan for complying with the effluent limitation. If construction is required, include plans and specifications with the submittal.</td>
<td>09/30/2024</td>
</tr>
<tr>
<td><strong>Initiate Actions:</strong> Initiate actions identified in the plan.</td>
<td>09/30/2025</td>
</tr>
<tr>
<td><strong>Status Update:</strong> Provide a status update regarding implementation of action plan.</td>
<td>09/30/2026</td>
</tr>
<tr>
<td><strong>Complete Actions:</strong> Complete actions necessary to achieve compliance with the effluent limitations.</td>
<td>09/30/2027</td>
</tr>
</tbody>
</table>
3 Standard Requirements

NR 205, Wisconsin Administrative Code (Conditions for Industrial Dischargers): The conditions in ss. NR 205.07(1) and NR 205.07(3), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirement section of this permit can be found in ss. NR 205.07(1) and NR 205.07(3).

3.1 Reporting and Monitoring Requirements

3.1.1 Monitoring Results

Monitoring results obtained during the previous month shall be summarized and reported on a Department Wastewater Discharge Monitoring Report. The report may require reporting of any or all of the information specified below under ‘Recording of Results’. This report is to be returned to the Department no later than the date indicated on the form. A copy of the Wastewater Discharge Monitoring Report Form or an electronic file of the report shall be retained by the permittee.

Monitoring results shall be reported on an electronic discharge monitoring report (eDMR). The eDMR shall be certified electronically by a responsible executive or 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. The ‘eReport Certify’ page certifies that the electronic report form is true, accurate and complete.

If the permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be included on the Wastewater Discharge Monitoring Report.

The permittee shall comply with all limits for each parameter regardless of monitoring frequency. For example, monthly, weekly, and/or daily limits shall be met even with monthly monitoring. The permittee may monitor more frequently than required for any parameter.

3.1.2 Sampling and Testing Procedures

Sampling and laboratory testing procedures shall be performed in accordance with Chapters NR 218 and NR 219, Wis. Adm. Code and shall be performed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, Wis. Adm. Code. Groundwater sample collection and analysis shall be performed in accordance with ch. NR 140, Wis. Adm. Code. The analytical methodologies used shall enable the laboratory to quantitate all substances for which monitoring is required at levels below the effluent limitation. If the required level cannot be met by any of the methods available in NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Additional test procedures may be specified in this permit.

3.1.3 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.
3.1.4 Reporting of Monitoring Results

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

- 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.

- For purposes of calculating NR 101 fees, the 2 mg/l lower reporting limits for BOD₅ and Total Suspended Solids shall be considered to be limits of quantitation.

- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a “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.

- If no discharge occurs through an outfall, flow related parameters (e.g. flow rate, hydraulic application rate, volume, etc.) should be reported as “0” (zero) at the required sample frequency specified for the outfall. For example: if the sample frequency is daily, “0” would be reported for any day during the month that no discharge occurred.

3.1.5 Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings or electronic data records for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 3 years from the date of the sample, measurement, report or application, except for sludge management forms and records, which shall be kept for a period of at least 5 years.

3.1.6 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or correct information to the Department.

3.1.7 Reporting Requirements – Alterations or Additions

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is only required when:

- The alteration or addition to the permitted facility may meet one of the criteria for determining whether a facility is a new source.

- The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification requirement applies to pollutants which are not subject to effluent limitations in the existing permit.

- The alteration or addition results in a significant change in the permittee’s sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use of disposal sites not
reported during the permit application process nor reported pursuant to an approved land application plan. Additional sites may not be used for the land application of sludge until department approval is received.

3.2 System Operating Requirements

3.2.1 Noncompliance Reporting

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

A scheduled bypass approved by the Department under the ‘Scheduled Bypass’ section of this permit shall not be subject to the reporting required under this section.

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.

3.2.2 Bypass

Except for a controlled diversion as provided in the ‘Controlled Diversions’ section of this permit, any bypass is prohibited and the Department may take enforcement action against a permittee for such occurrences under s. 283.89, Wis. Stats. 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.

3.2.3 Scheduled Bypass

Whenever the permittee anticipates the need to bypass for purposes of efficient operations and maintenance and the permittee may not meet the conditions for controlled diversions in the ‘Controlled Diversions’ section of this permit,
the permittee shall obtain prior written approval from the Department for the scheduled bypass. A permittee’s written request for Department approval of a scheduled bypass shall demonstrate that the conditions for unscheduled bypassing are met and include the proposed date and reason for the bypass, estimated volume and duration of the bypass, alternatives to bypassing and measures to mitigate environmental harm caused by the bypass. The department may require the permittee to provide public notification for a scheduled bypass if it is determined there is significant public interest in the proposed action and may recommend mitigation measures to minimize the impact of such bypass.

3.2.4 Controlled Diversions
Controlled diversions are allowed only when necessary for essential maintenance to assure efficient operation provided the following requirements are met:

- Effluent from the wastewater treatment facility shall meet the effluent limitations established in the permit. Wastewater that is diverted around a treatment unit or treatment process during a controlled diversion shall be recombined with wastewater that is not diverted prior to the effluent sampling location and prior to effluent discharge;
- A controlled diversion may not occur during periods of excessive flow or other abnormal wastewater characteristics;
- A controlled diversion may not result in a wastewater treatment facility overflow; and
- All instances of controlled diversions shall be documented in wastewater treatment facility records and such records shall be available to the department on request.

3.2.5 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 this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training as required in ch. NR 114, Wis. Adm. Code, 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.

3.2.6 Operator Certification
The wastewater treatment facility shall be under the direct supervision of a state certified operator. In accordance with s. NR 114.53, Wis. Adm. Code, every WPDES permitted treatment plant shall have a designated operator-in-charge holding a current and valid certificate. The designated operator-in-charge shall be certified at the level and in all subclasses of the treatment plant, except laboratory. Treatment plant owners shall notify the department of any changes in the operator-in-charge within 30 days. Note that s. NR 114.52(22), Wis. Adm. Code, lists types of facilities that are excluded from operator certification requirements (i.e. private sewage systems, pretreatment facilities discharging to public sewers, industrial wastewater treatment that consists solely of land disposal, agricultural digesters and concentrated aquatic production facilities with no biological treatment).

3.2.7 Spill Reporting
The permittee shall notify the Department in accordance with ch. NR 706 (formerly NR 158), Wis. Adm. Code, in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations established in this permit, or the spill or accidental release of the material is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07 (1)(s), Wis. Adm. Code.

3.2.8 Planned Changes
In accordance with ss. 283.31(4)(b) and 283.59, 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 permit application, or if the new discharge will not violate the effluent limitations of this 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 this permit to specify and limit any pollutants not previously regulated in the permit.

3.2.9 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.

3.3 Surface Water Requirements

3.3.1 Permittee-Determined Limit of Quantitation Incorporated into this Permit

For pollutants with water quality-based effluent limits below the Limit of Quantitation (LOQ) in this permit, the LOQ calculated by the permittee and reported on the Discharge Monitoring Reports (DMRs) is incorporated by reference into this permit. The LOQ shall be reported on the DMRs, shall be the lowest quantifiable level practicable, and shall be no greater than the minimum level (ML) specified in or approved under 40 CFR Part 136 for the pollutant at the time this permit was issued, unless this permit specifies a higher LOQ.

3.3.2 Appropriate Formulas for Effluent Calculations

The permittee shall use the following formulas for calculating effluent results to determine compliance with average concentration limits and mass limits and total load limits:

**Weekly/Monthly/Six-Month/Annual Average Concentration** = the sum of all daily results for that week/month/six-month/year, divided by the number of results during that time period. [Note: When a six-month average effluent limit is specified for Total Phosphorus the applicable periods are May through October and November through April.]

**Weekly Average Mass Discharge (lbs/day):** Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the week.

**Monthly Average Mass Discharge (lbs/day):** Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the month.

**Six-Month Average Mass Discharge (lbs/day):** Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the six-month period. [Note: When a six-month average effluent limit is specified for Total Phosphorus the applicable periods are May through October and November through April.]

**Annual Average Mass Discharge (lbs/day):** Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the entire year.

**Total Monthly Discharge:** = monthly average concentration (mg/L) x total flow for the month (MG/month) x 8.34.

**Total Annual Discharge:** = sum of total monthly discharges for the calendar year.

**12-Month Rolling Sum of Total Monthly Discharge:** = the sum of the most recent 12 consecutive months of Total Monthly Discharges.

3.3.3 Effluent Temperature Requirements
**Weekly Average Temperature** – The permittee shall use the following formula for calculating effluent results to determine compliance with the weekly average temperature limit (as applicable): Weekly Average Temperature = the sum of all daily maximum results for that week divided by the number of daily maximum results during that time period.

**Cold Shock Standard** – Water temperatures of the discharge shall be controlled in a manner as to protect fish and aquatic life uses from the deleterious effects of cold shock. ‘Cold Shock’ means exposure of aquatic organisms to a rapid decrease in temperature and a sustained exposure to low temperature that induces abnormal behavior or physiological performance and may lead to death.

**Rate of Temperature Change Standard** – Temperature of a water of the state or discharge to a water of the state may not be artificially raised or lowered at such a rate that it causes detrimental health or reproductive effects to fish or aquatic life of the water of the state.

### 3.3.4 Visible Foam or Floating Solids

There shall be no discharge of floating solids or visible foam in other than trace amounts.

### 3.3.5 Surface Water Uses and Criteria

In accordance with NR 102.04, Wis. Adm. Code, surface water uses and criteria are established to govern water management decisions. Practices attributable to municipal, industrial, commercial, domestic, agricultural, land development or other activities shall be controlled so that all surface waters including the mixing zone meet the following conditions at all times and under all flow and water level conditions:

a) Substances that will cause objectionable deposits on the shore or in the bed of a body of water, shall not be present in such amounts as to interfere with public rights in waters of the state.

b) Floating or submerged debris, oil, scum or other material shall not be present in such amounts as to interfere with public rights in waters of the state.

c) Materials producing color, odor, taste or unsightliness shall not be present in such amounts as to interfere with public rights in waters of the state.

d) Substances in concentrations or in combinations which are toxic or harmful to humans shall not be present in amounts found to be of public health significance, nor shall substances be present in amounts which are acutely harmful to animal, plant or aquatic life.

### 3.3.6 Compliance with Phosphorus Limitation

Compliance with the concentration limitation for phosphorus shall be determined as a rolling twelve-month average and shall be calculated as follows:

First, determine the pounds of phosphorus for an individual month by multiplying the average of all the concentration values for phosphorus (in mg/L) for that month by the total flow for the month in Million Gallons times the conversion factor of 8.34.

Then, the monthly pounds of phosphorus determined in this manner shall be summed for the most recent 12 months and inserted into the numerator of the following equation.

\[
\text{Average concentration of P in mg/L} = \frac{\text{Total lbs of P discharged (most recent 12 months)}}{\text{Total flow in MG (most recent 12 months) \times 8.34}}
\]
The compliance calculation shall be performed each month with a reported discharge volume after substituting data from the most recent month(s) for the oldest month(s). A calculated value in excess of the concentration limitation will be considered equivalent to a violation of a monthly average.

3.3.7 Whole Effluent Toxicity (WET) Monitoring Requirements
In order to determine the potential impact of the discharge on aquatic organisms, static-renewal toxicity tests shall be performed on the effluent in accordance with the procedures specified in the "State of Wisconsin Aquatic Life Toxicity Testing Methods Manual, 2nd Edition" (PUB-WT-797, November 2004) as required by NR 219.04, Table A, Wis. Adm. Code. All of the WET tests required in this permit, including any required retests, shall be conducted on the Ceriodaphnia dubia and fathead minnow species. Receiving water samples shall not be collected from any point in contact with the permittee's mixing zone and every attempt shall be made to avoid contact with any other discharge's mixing zone.

3.3.8 Whole Effluent Toxicity (WET) Identification and Reduction
Within 60 days of a retest which showed positive results, the permittee shall submit a written report to the Biomonitoring Coordinator, Bureau of Water Quality, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, which details the following:

- A description of actions the permittee has taken or will take to remove toxicity and to prevent the recurrence of toxicity;
- A description of toxicity reduction evaluation (TRE) investigations that have been or will be done to identify potential sources of toxicity, including some or all of the following actions:
  (a) Evaluate the performance of the treatment system to identify deficiencies contributing to effluent toxicity (e.g., operational problems, chemical additives, incomplete treatment)
  (b) Identify the compound(s) causing toxicity
  (c) Trace the compound(s) causing toxicity to their sources (e.g., industrial, commercial, domestic)
  (d) Evaluate, select, and implement methods or technologies to control effluent toxicity (e.g., in-plant or pretreatment controls, source reduction or removal)
- Where corrective actions including a TRE have not been completed, an expeditious schedule under which corrective actions will be implemented;
- If no actions have been taken, the reason for not taking action.

The permittee may also request approval from the Department to postpone additional retests in order to investigate the source(s) of toxicity. Postponed retests must be completed after toxicity is believed to have been removed.
# 4 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effluent Limitations for Total Sulfate - Report on Effluent Discharges</td>
<td>September 30, 2023</td>
<td>4</td>
</tr>
<tr>
<td>Effluent Limitations for Total Sulfate - Action Plan</td>
<td>September 30, 2024</td>
<td>4</td>
</tr>
<tr>
<td>Effluent Limitations for Total Sulfate - Initiate Actions</td>
<td>September 30, 2025</td>
<td>4</td>
</tr>
<tr>
<td>Effluent Limitations for Total Sulfate - Status Update</td>
<td>September 30, 2026</td>
<td>4</td>
</tr>
<tr>
<td>Effluent Limitations for Total Sulfate - Complete Actions</td>
<td>September 30, 2027</td>
<td>4</td>
</tr>
<tr>
<td>Wastewater Discharge Monitoring Report</td>
<td>no later than the date indicated on the form</td>
<td>5</td>
</tr>
</tbody>
</table>

Report forms shall be submitted electronically in accordance with the reporting requirements herein. Any facility plans or plans and specifications for municipal, industrial, industrial pretreatment and non-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:
Southeast Region, 1027 W. Saint Paul Avenue, Milwaukee, WI 53233