

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No.WI-0070726-10-0

Permittee: BNSF Railway Company, 3701 East Itasca Street, Superior, WI, 54880

Facility Where Discharge Occurs: BNSF Railway Company, 1835 N 42nd St

Receiving Water And Location: An unnamed tributary to the Nemadji River and the Nemadji River, within the St. Louis and Lower Nemadji Watershed in the Lake Superior Drainage Basin, Douglas County

Brief Facility Description: BNSF Railway Company operates a taconite trans-shipment facility at Allouez, Wisconsin. The taconite is received by rail and stored on site until it can be shipped out by vessel. Stormwater and dust suppression water runoff from the taconite piles are treated in settling ponds that discharge via Outfall 001 to an unnamed tributary to the Nemadji River. The permittee has indicated that they may choose to work through facility planning, the plan review process and construction to change the outfall location from the unnamed tributary to the Nemadji River to a direct discharge to the Nemadji River. This outfall would be designated as 003 will ultimately replace Outfall 001. Stormwater coming into contact with petroleum products is treated by passing through a grit chamber and oil/water separator, then stored in a concrete lagoon until it is directed to the settling ponds that discharge to Outfall 001 or eventually 003. Stormwater discharge from the facility is regulated under Tier 1 Industrial Stormwater requirements. This information is included in the draft permit.

It is the Department's intention to renew the permit for another term. Limitations and conditions which the Department believes adequately protect the receiving water are included in the proposed permit. Changes from the previous permit include the addition of a new outfall location (003) that may be installed to replace the current Outfall 001.

Permit Drafter's Name, Address, Phone and Email: Sheri A. Snowbank, DNR, 810 W Maple St, Spooner, WI, 54801, (715) 635-4131, Sheri.Snowbank@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Eric de Venecia, DNR, 1701 N 4TH ST, Superior, WI 54880, (715) 685-4155, Eric.DeVenecia@wisconsin.gov

Persons wishing to comment on or object to the proposed permit action, or to request a public hearing, may write to the Department of Natural Resources at the above-named permit drafter's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision when the permit is issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be issued as proposed.

The Department may schedule a public informational hearing if requested by any person and shall schedule a public informational hearing if a petition requesting a hearing is received from 5 or more persons or if response to this notice indicates significant public interest pursuant to s. 283.49, Wis. Stats. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter's office or the above named basin engineer's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 635-4131 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.