WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

PERMIT TO DISCHARGE UNDER THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

ENBRIDGE ENERGY, LIMITED PARTNERSHIP

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to discharge from a facility located at

2800 EAST 21ST STREET, SUPERIOR, WISCONSIN

to

THE NEMADJI RIVER WITHIN THE ST. LOUIS AND LOWER NEMADJI RIVERS WATERSHED IN THE LAKE SUPERIOR DRAINAGE BASIN IN DOUGLAS 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 _____
Michelle BalkLudwig
Wastewater Field Supervisor

_____
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE - January 01, 2027 **EXPIRATION DATE - December 31, 2031**

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1 In-Plant Requirements

1.1 Sampling Point(s)

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)**
105	Grab samples shall be collected prior to discharge to the approved pond system(s) (West Ponds, South Ponds and/or East Ponds and associated facility drainage). Sampling locations will vary depending on the source and type of water to be discharged to the approved pond system(s).
103	Sample point used only when there are multiple testing events on the same day and sample point 105 or 107 is already in use. Grab samples shall be collected prior to discharge to the approved pond system(s) (West Ponds, South Ponds and/or East Ponds and associated facility drainage). Sampling locations will vary depending on the source and type of water to be discharged to the approved pond system(s).
107	Grab samples shall be collected from excavation dewatering discharges that occur within areas of the terminal that have been identified as having PFAS contamination. Excavation water may be discharged to groundwater via an upland site, treated by an on-site mobile carbon-filtration unit then discharged to the approved pond system and associated facility drainage or transferred to a WPDES permitted wastewater treatment facility. A map of designated areas of the site with potential PFAS contamination is included in the approved Water Management Plan.

1.2 Monitoring Requirements and Limitations

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

1.2.1 Sampling Point 105 - PRIMARY DISCHARGE TO PONDS and 103- ADDITIONAL DISCHARGE

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow Rate		MGD	See Permit Note	Estimated	
Suspended Solids, Total	Daily Max	30 mg/L	See Permit Note	Grab	
pH Field	Daily Max	9.0 su	See Permit Note	Grab	
pH Field	Daily Min	6.0 su	See Permit Note	Grab	
Oil & Grease (Hexane)	Daily Max	15 mg/L	See Permit Note	Grab	
Oil & Grease (Hexane)	Weekly Avg	10 mg/L	See Permit Note	Grab	
BETX, Total	Daily Max	750 µg/L	See Permit Note	Grab	
Benzene	Monthly Avg	50 µg/L	See Permit Note	Grab	
PAHs	Monthly Avg	0.1 µg/L	See Permit Note	Grab	
Naphthalene	Monthly Avg	70 µg/L	See Permit Note	Grab	
Benzo(a)pyrene	Monthly Avg	0.1 µg/L	See Permit Note	Grab	

Phosphorus, Total		mg/L	See Permit Note	Grab	
PFOS	Monthly Avg	8.0 ng/L	See Permit Note	Grab	See the PFOS/PFOA Sampling and Reporting Requirements section for more information.
PFOA		ng/L	See Permit Note	Grab	See the PFOS/PFOA Sampling and Reporting Requirements section for more information.

1.2.1.1 Sample Frequency and Recording

Sampling shall be conducted after completion of a "test" (tank hydrostatic pressure test water; on-site and incoming mainline pipeline hydrostatic pressure test water; prover calibration test water and other discharges from terminal-specific piping and facilities) or after the on-site treatment (as applicable pending post-test sample results) and prior to discharge to the approved ponds and/or their associated drainage areas (refer to drainage area maps included in the Water Management Plan). The sampling frequency and procedures shall correspond with the criteria identified in the approved Water Management Plan.

Sample results shall be recorded on the electronic discharge monitoring report (eDMR) under in-plant sample point 105. If two sampling events occur on the same day in different locations, the facility shall record the second set of results under sample point 103 on the eDMR. The location and date of all sampling events shall be noted in the comment section of the eDMR.

Wastewater with high contaminant levels that is not directed through a mobile carbon-filtration treatment unit shall be transferred to a WPDES permitted wastewater treatment facility.

1.2.1.2 Analysis Methods

The following test methods shall be used unless an alternative, equivalent method is approved by a letter from the Department. EPA methods 602, 624, 8020, 8021, 8240, or 8260 shall be used for determination of aromatic volatile organics such as: benzene, ethylbenzene, toluene and total xylenes. EPA method 610, 8310 (HPLC) or SW method 846 or 8270B shall be used for the determination of polynuclear aromatic hydrocarbons. EPA method 413.1 or 1664 (Standard Methods 17 edition, 2530 C) shall be used for determination of oil and grease. EPA Method 160.2 (Standard Methods 209 C) shall be used for determination of total suspended solids. EPA Method 1633A shall be used for determination of PFAS / PFOA.

1.2.1.3 BETX

Demonstrate compliance with the BETX effluent limit by reporting the total sum of benzene, ethylbenzene, toluene and total xylenes concentrations of less than or equal to 750 µg/L.

1.2.1.4 PAH Group of Ten

Polycyclic aromatic hydrocarbons (PAHs) shall include a summation of the following ten individual compounds: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, fluoranthene, indeno(1,2,3-cd)pyrene, phenanthrene, and pyrene. Compliance with the monthly average PAH limit can be demonstrated by reporting a no detect of all these PAH compounds, or by reporting the sum of the PAH individual compounds equal to or less than 0.1 µg/L. If a PAH compound is detected between the level of detection (LOD) and level of quantitation (LOQ) the value shall be reported on the eDMR, but it is not considered an exceedance if the LOQ is greater than 0.1 µg/L.

In determining compliance with the 0.1 µg/L limit, the permittee may use the toxicity equivalent factors shown below. For calculating the concentration for the PAH group of 10, multiply the concentration of each PAH compound by the corresponding TEF value and then sum the results. For results <LOD, a zero may be used for the concentration. Refer to the permit standard requirement for the reporting of monitoring results.

	PAH Compounds	TEF – Toxicity Equivalent Factor
1	Benzo(a)anthracene	0.1
2	Benzo(b)fluoranthene	0.1
3	Benzo(g,h,i)perylene	0.01
4	Benzo(k)fluoranthene	0.01
5	Chrysene	0.001
6	Dibenzo(a,h)anthracene	1.0
7	Fluoranthene	0.001
8	Indeno(1,2,3-cd)pyrene	0.1
9	Phenanthrene	0.001
10	Pyrene	0.001

1.2.1.5 Benzo(a)pyrene

The PAH compound benzo(a)pyrene is regulated separately. Compliance can be demonstrated by reporting no detect, or by reporting a detected amount equal to or less than 0.1 µg/L.

1.2.1.6 Naphthalene

The PAH compound naphthalene is regulated separately. Compliance can be demonstrated by reporting no detect, or by reporting a detected amount equal to or less than 70 µg/L.

1.2.1.7 PFOS/PFOA Sampling and Reporting Requirements

For grab samples, as defined per s. NR 218.04(10), Wis. Adm. Code, a single sample at a location as defined by the sample point description shall be taken during the time of the day most representative to capture all potential discharges. If extra equipment besides the sample bottle is used to collect the sample, it is recommended that a one-time equipment blank is collected with the first sample. An equipment blank would be collected by passing laboratory-verified PFAS-free water over or through field sampling equipment before the collection of a grab sample to evaluate potential contamination from the equipment used during sample.

If any equipment blanks are analyzed, these results shall be reported in the comments section of the eDMR.

1.2.2 Sampling Point 107 – DEWATERING DISCHARGE

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow		MGD	See Permit Note	Estimate	
PFOS	Monthly Avg	8.0 ng/L	See Permit Note	Grab	See the PFOS/PFOA Sampling and Reporting Requirements section for more information.
PFOA		ng/L	See Permit Note	Grab	See the PFOS/PFOA Sampling and Reporting Requirements section for more information.

1.2.2.1 Sample Frequency and Recording

During maintenance projects that involve dewatering which occurs within the area of the terminal identified as having PFAS contamination the dewatering discharges may be

- Stored and monitored for PFAS + PFOA.

- If PFOS levels are above the limit the water may be treated on-site by a mobile carbon-filtration unit or transferred to a WPDES permitted wastewater treatment facility. Water treated on-site may be discharged to the approved pond system and associated facility drainage.
- Discharges with PFOS levels below the limit that are not treated shall be discharged to groundwater in an upland location per the approved Water Management Plan. (See the paragraph below for dewatering outside of the terminal identified as having PFAS contamination for more information.)

- Immediately treated on-site by a mobile carbon-filtration unit and sampled prior to discharge to the approved pond system and associated facility drainage or transferred to a WPDES permitted wastewater treatment facility if the treated effluent still exceeds limits.
- Transferred to a WPDES permitted wastewater treatment facility in lieu of monitoring.

During maintenance projects that involve dewatering which occur outside the area of the terminal identified as having PFAS contamination, monitoring for PFOS + PFOA is not required, but shall be visually inspected for an oil sheen. If a sheen is present the water shall be treated or transferred to a WPDES permitted wastewater treatment facility. If a sheen is not present the water is authorized for discharge using the methods described in the Superior Terminal Water Management Plan for Construction Dewatering Events.

The sampling frequency and procedures shall correspond with the criteria identified in the approved Water Management Plan. Sample results shall be recorded on the electronic discharge monitoring report (eDMR) under in-plant sample point 107. If two sampling events occur on the same day in different locations, the facility shall record the second set of results under sample point 103 on the eDMR. The location, date and fate of the discharge for all dewatering discharge events originating from the area of the terminal identified as having PFAS contamination shall be noted in the comment section of the eDMR.

1.2.2.2 PFOS/PFOA Sampling and Reporting Requirements

For grab samples, as defined per s. NR 218.04(10), Wis. Adm. Code, a single sample at a location as defined by the sample point description shall be taken during the time of the day most representative to capture all potential discharges. If extra equipment besides the sample bottle is used to collect the sample, it is recommended that a one-time equipment blank is collected with the first sample. An equipment blank would be collected by passing laboratory-verified PFAS-free water over or through field sampling equipment before the collection of a grab sample to evaluate potential contamination from the equipment used during sample.

If any equipment blanks are analyzed, these results shall be reported in the comments section of the eDMR.

2 Surface Water Requirements

2.1 Sampling Point(s)

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

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
004	The permittee is authorized to discharge to the Nemadji River from the west pond system (Ponds 1, 2, 4, 6, 7 and 9). When required representative samples shall be collected as near as possible to the control structure.
005	The permittee is authorized to discharge to the Nemadji River from the south pond system (Ponds 3, 5 and emergency discharge(s) from the fire pond). When required representative samples shall be collected as near as possible to the control structure.
006	The permittee is authorized to discharge to the Nemadji River from the east pond system (Ponds 11, 12, 13 and 14). When required representative samples shall be collected as near as possible to the control structure

2.1.1.1 Sampling Requirements

At this time sampling at the outfalls (004, 005 and 006) is not required. In case of an emergency, the parameters found in section 1.2.1 of this permit may be required by the Department and/or facility.

2.1.1.2 Authorized Discharges to the Approved Ponds

Local potable water, water originating from within the property boundary are approved as source water for pipeline, prover, and storage tank testing. The requirements in the permit to prevent the transport and spread of invasive species meet requirements equivalent to those of NR 40 and constitutes an NR 40 approval as specified in NR 40.06(7) Wis. Adm. Code. To protect the receiving water from invasive species, other potential source waters will need Department approval through NR 40 Wis. Adm. Code prior to withdrawal.

The following are acceptable discharges to the approved pond systems (West Ponds (004) South Ponds (005), East Ponds (006)): on-site pit/trench dewatering water, tank hydrostatic pressure test water; on-site and incoming mainline pipeline hydrostatic pressure test water; prover calibration test water and other discharges resulting from testing of terminal specific piping and facilities. It is recognized that stormwater will also flow to the pond systems and may comingle with approved discharges.

2.1.1.3 Annual Reporting

A summary of each year's waste removal and disposal from the treatment system shall be submitted by January 31st, annually. Residual product and solids removed from the treatment systems shall be disposed of at a site or operation licensed by the Department under chs. NR 500 to 522, Wis. Adm. Code (solid waste regulations), or chs.NR 600 to 685, Wis. Adm. Code (hazardous waste regulations). The following documentation shall be maintained on site regarding the removal and disposal of these wastes: (a) the amount removed, (b) date of removal, (c) person or company who hauled the waste, and (d) disposal site for the waste.

3 Schedules

3.1 Waste Summary

Required Action	Due Date
Summary Report: Submit a summary of each year's waste removal and disposal from the treatment system as described under permit section 2.1.1.3.	01/31/2027
Summary Report: Submit a summary of each year's waste removal and disposal from the treatment system as described under permit section 2.1.1.3.	01/31/2028
Summary Report: Submit a summary of each year's waste removal and disposal from the treatment system as described under permit section 2.1.1.3.	01/31/2029
Summary Report: Submit a summary of each year's waste removal and disposal from the treatment system as described under permit section 2.1.1.3.	01/31/2030
Summary Report: Submit a summary of each year's waste removal and disposal from the treatment system as described under permit section 2.1.1.3.	01/31/2031
Continued Summary Report: In the event of a delay in permit reissuance continue to submit a summary of each year's waste re-moval and disposal from the treatment system as described under permit section 2.1.1.3 by January 31 until the permit is reissued.	

3.2 Water Management Plan

Required Action	Due Date
Updated Plan: Provide an updated Superior Terminal Water Management Plan for approval. Include any changes to the implementation of sampling, approved discharges, outfall locations, sampling requirements, sample frequencies, the active PFAS Remedial Investigation Area map(s), contaminated water disposal options, spill reporting and emergency response procedures.	12/31/2027
Updated Plan:	12/31/2028
Updated Plan:	12/31/2029
Updated Plan:	12/31/2030
Update Plan:	12/31/2031
Continued Updated Plan: In the event the permit is not reissued on time continue to submit updates to the Water Management Plan by December 31st of each year.	

4 Standard Requirements

Chapter 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), Wis. Adm. Code.

4.1 Reporting and Monitoring Requirements

4.1.1 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 pursuant s. NR 205.07(1)(r)2., Wis. Adm. Code.

For the purpose of meeting sampling frequency requirements, a week is defined as a calendar week, which begins on Sunday and ends on Saturday. The calendar week shall be used as the basis for reporting monitoring data on discharge monitoring reports.

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.

4.1.2 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 completed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, Wis. Adm. Code. Groundwater sampling shall be performed in accordance with procedures contained in s. NR 140.16, Wis. Adm. Code, and the WDNR publications, Groundwater Sampling Desk Reference (PUBL-DG-037-96) and Groundwater Sampling Field Manual (PUBL-DG-038-96). The analytical methodologies used shall enable the laboratory to quantitate all substances for which monitoring is required at levels below the effluent limitation and/or groundwater standard. 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 this permit.

4.1.3 Sample Types

The permittee shall use the following definitions from s. NR 218.04, Wis. Adm. Code as prescribed in the WPDES permit for the appropriate method and manner of obtaining samples:
24-hour Composite Sample: A combination of individual samples taken at intervals of not more than one hour such that the volumes of each of the individual samples and of the combination are proportional to the volumes of flow during each interval and during the 24-hour period respectively.

- **24-hour Flow Proportional Composite Sample:** A combination of individual grab samples taken over a 24-hr period, where the individual grab samples are of equal volume and taken at intervals after a specified volume of discharge has occurred.
- **24-hour Time Proportional Composite Sample:** A combination of individual grab samples taken over a 24-hr period, where the individual grab samples are of equal volume and taken at consistent intervals not exceeding 15 minutes.

Composite Sample: A combination of individual samples of equal volume taken at approximately equal intervals not exceeding one hour over a specified period of time.

- **3-hr Composite Sample:** A combination of three (3) individual grab samples of equal volume taken at one-hour intervals.

Continuous Sample: A composite of successive individual samples of equal volume taken automatically at equal intervals not exceeding 15 minutes. Where the term is used in connection with monitoring temperature or pH it means continuous in-line recording or monitoring at intervals of not more than 15 minutes.

Continuous sample is synonymous with in-line measurements and may apply to flow, temperature, pH, and dissolved oxygen measurements only. The in-line instrument takes automatic readings at intervals of not more than 15 minutes during a 24-hour period.

Grab Sample: A single sample taken at one moment of time or a combination of several smaller samples of equal volume taken in less than a 2-minute period. Where the term is used in connection with monitoring temperature or pH it means a single measurement.

4.1.4 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.

4.1.5 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 fees under ch. NR 101, Wis. Adm. Code, a reporting limit of 2.0 mg/L for BOD_5 and 2.5 mg/L 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.

4.1.6 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.

4.1.7 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.

4.1.8 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.

4.2 System Operating Requirements

4.2.1 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.**

4.2.2 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 preventive 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.

4.2.3 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.

4.2.4 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.

4.2.5 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.

4.2.6 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).

4.2.7 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.

4.2.8 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.

5 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Waste Summary -Summary Report	January 31, 2027	6
Waste Summary -Summary Report	January 31, 2028	6
Waste Summary -Summary Report	January 31, 2029	6
Waste Summary -Summary Report	January 31, 2030	6
Waste Summary -Summary Report	January 31, 2031	6
Waste Summary -Continued Summary Report	See Permit	6
Water Management Plan -Updated Plan	December 31, 2027	6
Water Management Plan -Updated Plan	December 31, 2028	6
Water Management Plan -Updated Plan	December 31, 2029	6
Water Management Plan -Updated Plan	December 31, 2030	6
Water Management Plan -Update Plan	December 31, 2031	6
Water Management Plan -Continued Updated Plan	See Permit	6
Wastewater Discharge Monitoring Report	no later than the date indicated on the form	7

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: Northern Region - Spooner, 810 W. Maple St, Spooner, WI 54801-1255.