



# WPDES PERMIT

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

**VILLAGE OF LOWELL**

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to discharge from a facility  
located at  
N3503 HWY KW, LOWELL, WISCONSIN  
to

**BEAVER DAM RIVER (BEAVER DAM RIVER WATERSHED – UPPER ROCK RIVER BASIN) IN  
DODGE 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 \_\_\_\_\_  
Thomas Bauman  
Wastewater Field Supervisor

\_\_\_\_\_  
Date Permit Signed/Issued

**PERMIT TERM: EFFECTIVE DATE - April 01, 2021**

**EXPIRATION DATE - March 31, 2026**

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# 1 Influent Requirements

## 1.1 Sampling Point(s)

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)
702	Representative influent samples shall be collected at the end of the force main prior to the flow meter.

## 1.2 Monitoring Requirements

The permittee shall comply with the following monitoring requirements.

### 1.2.1 Sampling Point 702 - INFLUENT - RSF

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Flow Rate		MGD	Daily	Continuous	
BOD <sub>5</sub> , Total		mg/L	2/Month	24-Hr Flow Prop Comp	
Suspended Solids, Total		mg/L	2/Month	24-Hr Flow Prop Comp	

## 2 Surface Water Requirements

### 2.1 Sampling Point(s)

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
003	Representative effluent samples shall be collected after the ultraviolet disinfection unit prior to discharge to the Beaver Dam River.

### 2.2 Monitoring Requirements and Effluent Limitations

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

#### 2.2.1 Sampling Point (Outfall) 003 - EFFLUENT - RSF

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Flow Rate		MGD	Daily	Continuous	
BOD <sub>5</sub> , Total	Weekly Avg	45 mg/L	Weekly	24-Hr Flow Prop Comp	
BOD <sub>5</sub> , Total	Monthly Avg	30 mg/L	Weekly	24-Hr Flow Prop Comp	
Suspended Solids, Total	Weekly Avg	45 mg/L	Weekly	24-Hr Flow Prop Comp	
Suspended Solids, Total	Monthly Avg	30 mg/L	Weekly	24-Hr Flow Prop Comp	
Suspended Solids, Total	Weekly Avg	32 lbs/day	Weekly	24-Hr Flow Prop Comp	Limit effective upon reissuance for the months of January, March, April, May, June, July, August, September, October, November, and December.
Suspended Solids, Total	Weekly Avg	35 lbs/day	Weekly	24-Hr Flow Prop Comp	Limit effective upon reissuance for the month of February
Suspended Solids, Total	Monthly Avg	19 lbs/day	Weekly	24-Hr Flow Prop Comp	Limit effective upon reissuance for the months of January, March, April, May, June, July, August, September, October, November, and December.
Suspended Solids, Total	Monthly Avg	21 lbs/day	Weekly	24-Hr Flow Prop Comp	Limit effective upon reissuance for the month of February
pH Field	Daily Max	9.0 su	Weekly	Grab	

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
pH Field	Daily Min	6.0 su	Weekly	Grab	
Nitrogen, Ammonia Variable Limit		mg/L	Weekly	24-Hr Flow Prop Comp	Using the daily pH result look up the applicable ammonia limit in the pH Dependent Daily Max Ammonia Table in 2.2.1.2 below & report the variable limit on the daily record (DMR).
Nitrogen, Ammonia (NH <sub>3</sub> -N) Total	Daily Max - Variable	mg/L	Weekly	24-Hr Flow Prop Comp	Enter the daily ammonia result on the daily record (DMR) and compare the Nitrogen, Ammonia Variable Limit to determine compliance.
Nitrogen, Ammonia (NH <sub>3</sub> -N) Total	Weekly Avg	108 mg/L	Weekly	24-Hr Flow Prop Comp	
Nitrogen, Ammonia (NH <sub>3</sub> -N) Total	Monthly Avg	108 mg/L	Weekly	24-Hr Flow Prop Comp	
Fecal Coliform	Geometric Mean - Monthly	400 #/100 ml	Weekly	Grab	Interim limit effective May - September annually until the final E. coli limit goes into effect per the "Effluent Limitations for E. coli" Schedule.
E. coli		#/100 ml	Weekly	Grab	Monitoring only May - September annually until the final limit goes into effect per the "Effluent Limitations for E. coli" Schedule.
E. coli	Geometric Mean - Monthly	126 #/100 ml	Weekly	Grab	Limit Effective May - September annually per the "Effluent Limitations for E. coli" Schedule.
E. coli	% Exceedance	10 Percent	Monthly	Grab	Limit Effective May - September annually per the "Effluent Limitations for E. coli" Schedule. See the "E. coli Percent Limit" section below. Enter the result in the DMR on the last day of the month.
Phosphorus, Total	Monthly Avg	4.6 mg/L	Monthly	24-Hr Flow Prop Comp	

<b>Monitoring Requirements and Effluent Limitations</b>					
<b>Parameter</b>	<b>Limit Type</b>	<b>Limit and Units</b>	<b>Sample Frequency</b>	<b>Sample Type</b>	<b>Notes</b>
Phosphorus, Total	Monthly Avg	0.64 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the months of January, June, and November beginning June 1, 2023.
Phosphorus, Total	Monthly Avg	0.86 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of February beginning February 1, 2024.
Phosphorus, Total	Monthly Avg	0.88 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of March beginning March 1, 2024.
Phosphorus, Total	Monthly Avg	0.71 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of April beginning April 1, 2023.
Phosphorus, Total	Monthly Avg	0.66 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of May beginning May 1, 2023.
Phosphorus, Total	Monthly Avg	0.53 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of July beginning July 1, 2023.
Phosphorus, Total	Monthly Avg	0.65 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of August beginning August 1, 2023.
Phosphorus, Total	Monthly Avg	0.7 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the months of September and October beginning September 1, 2023.
Phosphorus, Total	Monthly Avg	0.56 lbs/day	Monthly	24-Hr Flow Prop Comp	Limit effective for the month of December beginning December 1, 2023.
Nitrogen, Nitrite + Nitrate Total		mg/L	See Listed Qtr(s)	24-Hr Flow Prop Comp	Annual in rotating quarters. See Nitrogen Series Monitoring section below.
Nitrogen, Total Kjeldahl		mg/L	See Listed Qtr(s)	24-Hr Flow Prop Comp	Annual in rotating quarters. See Nitrogen Series Monitoring section below.
Nitrogen, Total		mg/L	See Listed Qtr(s)	Calculated	Annual in rotating quarters. See Nitrogen Series Monitoring section below. Total Nitrogen shall be calculated as the sum of reported values for Total Kjeldahl Nitrogen and Total Nitrite + Nitrate Nitrogen.

### 2.2.1.1 Annual Average Design Flow

The annual average design flow of the permittee's wastewater treatment facility is 0.04 MGD.

### 2.2.1.2 pH Dependent Nitrogen Ammonia Limits

Effluent pH s.u.	Limit mg/L	Effluent pH s.u.	Limit mg/L	Effluent pH s.u.	Limit mg/L
6.0 ≤ pH ≤ 6.1	108	7.0 < pH ≤ 7.1	66	8.0 < pH ≤ 8.1	14
6.1 < pH ≤ 6.2	106	7.1 < pH ≤ 7.2	59	8.1 < pH ≤ 8.2	11
6.2 < pH ≤ 6.3	104	7.2 < pH ≤ 7.3	52	8.2 < pH ≤ 8.3	9.4
6.3 < pH ≤ 6.4	101	7.3 < pH ≤ 7.4	46	8.3 < pH ≤ 8.4	7.8
6.4 < pH ≤ 6.5	98	7.4 < pH ≤ 7.5	40	8.4 < pH ≤ 8.5	6.4
6.5 < pH ≤ 6.6	94	7.5 < pH ≤ 7.6	34	8.5 < pH ≤ 8.6	5.3
6.6 < pH ≤ 6.7	89	7.6 < pH ≤ 7.7	29	8.6 < pH ≤ 8.7	4.4
6.7 < pH ≤ 6.8	84	7.7 < pH ≤ 7.8	24	8.7 < pH ≤ 8.8	3.7
6.8 < pH ≤ 6.9	78	7.8 < pH ≤ 7.9	20	8.8 < pH ≤ 8.9	3.1
6.9 < pH ≤ 7.0	72	7.9 < pH ≤ 8.0	17	8.9 < pH ≤ 9.0	2.6

### 2.2.1.3 *E. coli* Percent Limit

No more than 10 percent of *E. coli* bacteria samples collected in any calendar month may exceed 410 #/100 ml. Bacteria samples may be collected more frequently than required. All samples shall be reported on the monthly discharge monitoring reports (DMRs). The following calculation should be used to calculate percent exceedances.

$$\frac{\text{\# of Samples greater than 410 \#/100}}{\text{Total \# of samples}} \times 100 = \% \text{ Exceedance}$$

### 2.2.1.4 Nitrogen Series Monitoring

Monitoring for Total Kjeldahl Nitrogen (TKN), Nitrite + Nitrate Nitrogen, and Total Nitrogen 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.

- **July – September 2021; October – December 2022; January – March 2023; April – June 2024; July – September 2025**

Nitrogen Series monitoring shall continue after the permit expiration date (until the permit is reissued) in accordance with the monitoring requirements specified in the last full calendar year of this permit. For example, the next test would be required in **July – September 2026**.

**Testing:** Monitoring 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 testing.

## 3 Septage Management Requirements

### 3.1 Sampling Point(s)

The discharge(s) shall be limited to land application for the listed sampling point(s) on Department approved land application sites, or by hauling to another permitted facility.

<b>Sampling Point Designation</b>	
<b>Sampling Point Number</b>	<b>Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)</b>
990	All septic tank solids shall be managed in compliance with chapter NR 113, Wis. Adm. Code, for servicing septic tanks.

### 3.2 Record Keeping Requirements and Limitations

The permittee shall comply with the following record keeping requirements and limitations.

#### 3.2.1 Sampling Point 990 - SEPTAGE

##### 3.2.1.1 System Maintenance

To ensure proper system maintenance, the accumulated solids in the septic tank(s) shall be removed regularly, consistent with the recommended removal rates in the operations and maintenance manual. The permittee shall obtain the following copies of records from the licensed septage hauler and they shall be retained for at least five years and made available to the Department on request. The records shall include: the licensed hauler used; the volume of waste pumped; dates when the waste was removed; the land application site DNR number and the method used to satisfy the pathogen and vector attraction control (injection, incorporation, or pH adjustment) requirements of ch. NR 113; Wis. Administrative Code, and/or the treatment plant where it was disposed. Winter application is not allowed.

NOTE: The contents of the septic system must be removed and disposed of by a licensed and certified septage hauler in accordance with chapter NR 113, Wis. Adm. Code. If the permittee intends to manage the septage directly then advance notice to the Department is required. The Standard Requirements section herein specifies land application requirements for septage when managed directly by the permittee.

## 4 Schedules

### 4.1 Total Phosphorus - TMDL Derived WQBELs for TP

The permittee shall comply with the TMDL (Total Maximum Daily Load) derived WQBELs (Water Quality Based Effluent Limits) for TP as specified.

Required Action	Due Date
<b>Treatment Plant Upgrade to Meet WQBELs:</b> The permittee shall initiate construction of the upgrades. The permittee shall obtain approval of the final construction plans and schedule from the Department pursuant to s. 281.41, Stats. Upon approval of the final construction plans and schedule by the Department pursuant to s. 281.41, Stats., the permittee shall construct the treatment plant upgrades in accordance with the approved plans and specifications.	12/31/2021
<b>Construction Upgrade Progress Report #1:</b> The permittee shall submit a progress report on construction upgrades.	06/30/2022
<b>Complete Construction:</b> The permittee shall complete construction of wastewater treatment system upgrades.	02/28/2023
<b>Achieve Compliance:</b> The permittee shall achieve compliance with final TP WQBELs.	03/31/2023

### 4.2 Effluent Limitations for E. coli

The permittee shall comply with surface water limitations for E. coli as specified. No later than 14 days following each compliance date, the permittee shall notify the Department in writing of its compliance or noncompliance. If a submittal is required, a timely submittal fulfills the notification

Required Action	Due Date
<b>Status Update:</b> The permittee shall submit information within the discharge monitoring report (DMR) comment section documenting the steps taken in preparation for properly monitoring and testing for E. coli including, but not limited to, selected test method and location of sampling.	05/21/2021
<p><b>Operational Evaluation Report:</b> The permittee shall prepare and submit an Operational Evaluation Report to the Department for review and approval. The report shall include an evaluation of collected effluent data and proposed operational improvements that will optimize efficacy of disinfection at the treatment plant during the period prior to complying with final E. coli limitations and, to the extent possible, enable compliance with the final E. coli limitations. The report shall include a plan and schedule for implementation of the operational improvements. These improvements shall occur as soon as possible, but not later than April 30, 2022. The report shall state whether the operational improvements are expected to result in compliance with the final E. coli limitations.</p> <p>The permittee shall implement the operational improvements in accordance with the approved plan and schedule specified in the Operational Evaluation Report and in no case later than April 30, 2022.</p> <p>If the Operational Evaluation Report concludes that the operational improvements are expected to result in compliance with the final E. coli limitations, the permittee shall comply with the final E. coli limitations by April 30, 2022 and the permittee is not required to comply with subsequent milestones identified below in this compliance schedule ('Submit Facility Plan', 'Final Plans and Specifications', 'Treatment Plant Upgrade to Meet Limitations', 'Construction Upgrade Progress Report', 'Complete Construction', 'Achieve Compliance').</p> <p>FACILITY PLAN - If the Operational Evaluation Report concludes that operational improvements alone are not expected to result in compliance with the final E. coli limitations, the permittee shall</p>	11/30/2021

<p>initiate development of a facility plan for meeting final E. coli limitations and comply with the remaining required actions in this schedule of compliance.</p> <p>If the Department disagrees with the conclusion of the report, and determines that the permittee can achieve final E. coli limitations using the existing treatment system with only operational improvements, the Department may reopen and modify the permit to include an implementation schedule for achieving the final E. coli limitations sooner than April 30, 2025.</p>	
<p><b>Submit Facility Plan:</b> If the Operational Evaluation Report concluded that the permittee cannot achieve final E. coli limitations with operational improvements alone, the permittee shall submit a Facility Plan per s. NR 110.09, Wis. Adm. Code. The permittee may submit an abbreviated facility plan if the Department determines that the modifications are minor.</p>	04/30/2022
<p><b>Final Plans and Specifications:</b> The permittee shall submit final construction plans to the Department for approval pursuant to ch. NR 108, Wis. Adm. Code, specifying treatment plant upgrades that must be constructed to achieve compliance with final E. coli limitations and a schedule for completing construction of the upgrades by the complete construction date specified below.</p>	03/31/2023
<p><b>Treatment Plant Upgrade to Meet Limitations:</b> The permittee shall initiate bidding, procurement, and/or construction of the project. The permittee shall obtain approval of the final construction plans and schedule from the Department pursuant to s. 281.41, Stats., prior to initiating activities defined as construction under ch. NR 108, Wis. Adm. Code. Upon approval of the final construction plans and schedule by the Department pursuant to s. 281.41, Stats., the permittee shall construct the treatment plant upgrades in accordance with the approved plans and specifications.</p>	09/30/2023
<p><b>Construction Upgrade Progress Report:</b> The permittee shall submit a progress report on construction upgrades.</p>	09/30/2024
<p><b>Complete Construction:</b> The permittee shall complete construction of wastewater treatment system upgrades.</p>	03/31/2025
<p><b>Achieve Compliance:</b> The permittee shall achieve compliance with final E. coli limitations.</p>	04/30/2025

## 5 Standard Requirements

**NR 205, Wisconsin Administrative Code:** The conditions in ss. NR 205.07(1) and NR 205.07(2), 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(2).

### 5.1 Reporting and Monitoring Requirements

#### 5.1.1 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 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. 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.

#### 5.1.2 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.

#### 5.1.3 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.

#### 5.1.4 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 BOD<sub>5</sub> 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.

### **5.1.5 Compliance Maintenance Annual Reports**

Compliance Maintenance Annual Reports (CMAR) shall be completed using information obtained over each calendar year regarding the wastewater conveyance and treatment system. The CMAR shall be submitted and certified by the permittee in accordance with ch. NR 208, Wis. Adm. Code, by June 30, each year on an electronic report form provided by the Department.

In the case of a publicly owned treatment works, a resolution shall be passed by the governing body and submitted as part of the CMAR, verifying its review of the report and providing responses as required. Private owners of wastewater treatment works are not required to pass a resolution; but they must provide an Owner Statement and responses as required, as part of the CMAR submittal.

The CMAR shall be certified electronically 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. The certification verifies that the electronic report is true, accurate and complete.

### **5.1.6 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. All pertinent sludge information, including permit application information and other documents specified in this permit or s. NR 204.06(9), Wis. Adm. Code shall be retained for a minimum of 5 years.

### 5.1.7 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.

### 5.1.8 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.

## 5.2 System Operating Requirements

### 5.2.1 Noncompliance Reporting

Sanitary sewer overflows and sewage treatment facility overflows shall be reported according to the 'Sanitary Sewer Overflows and Sewage Treatment Facility Overflows' section of this permit.

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's regional office 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.**

### 5.2.2 Flow Meters

Flow meters shall be calibrated annually, as per s. NR 218.06, Wis. Adm. Code.

### 5.2.3 Raw Grit and Screenings

All raw grit and screenings shall be disposed of at a properly licensed solid waste facility or picked up by a licensed waste hauler. If the facility or hauler are located in Wisconsin, then they shall be licensed under chs. NR 500-555, Wis. Adm. Code.

### 5.2.4 Sludge Management

All sludge management activities shall be conducted in compliance with ch. NR 204 "Domestic Sewage Sludge Management", Wis. Adm. Code.

### 5.2.5 Prohibited Wastes

Under no circumstances may the introduction of wastes prohibited by s. NR 211.10, Wis. Adm. Code, be allowed into the waste treatment system. Prohibited wastes include those:

- which create a fire or explosion hazard in the treatment work;
- which will cause corrosive structural damage to the treatment work;
- solid or viscous substances in amounts which cause obstructions to the flow in sewers or interference with the proper operation of the treatment work;
- wastewaters at a flow rate or pollutant loading which are excessive over relatively short time periods so as to cause a loss of treatment efficiency; and
- changes in discharge volume or composition from contributing industries which overload the treatment works or cause a loss of treatment efficiency.

### 5.2.6 Bypass

This condition applies only to bypassing at a sewage treatment facility that is not a scheduled bypass, approved blending as a specific condition of this permit, a sewage treatment facility overflow or a controlled diversion as provided in the sections titled 'Scheduled Bypass', 'Blending' (if approved), 'SSO's and Sewage Treatment Facility Overflows' and 'Controlled Diversions' of this permit. Any other bypass at the sewage treatment facility 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.

### 5.2.7 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 bypassing specified in the above section titled 'Bypass' 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.

### **5.2.8 Controlled Diversions**

Controlled diversions are allowed only when necessary for essential maintenance to assure efficient operation. Sewage treatment facilities that have multiple treatment units to treat variable or seasonal loading conditions may shut down redundant treatment units when necessary for efficient operation. The following requirements shall be met during controlled diversions:

- Effluent from the sewage 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 does not include blending as defined in s. NR 210.03(2e), Wis. Adm. Code, and as may only be approved under s. NR 210.12. 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 sewage treatment facility records and such records shall be available to the department on request.

### **5.2.9 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.

### **5.2.10 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).

## **5.3 Sewage Collection Systems**

### **5.3.1 Sanitary Sewage Overflows and Sewage Treatment Facility Overflows**

### 5.3.1.1 Overflows Prohibited

Any overflow or discharge of wastewater from the sewage collection system or at the sewage treatment facility, other than from permitted outfalls, is prohibited. The permittee shall provide information on whether any of the following conditions existed when an overflow occurred:

- The sanitary sewer overflow or sewage treatment facility overflow was unavoidable to prevent loss of life, personal injury or severe property damage;
- There were no feasible alternatives to the sanitary sewer overflow or sewage treatment facility overflow such as the use of auxiliary treatment facilities or adequate back-up equipment, retention of untreated wastes, reduction of inflow and infiltration, or preventative maintenance activities;
- The sanitary sewer overflow or the sewage treatment facility overflow was caused by unusual or severe weather related conditions such as large or successive precipitation events, snowmelt, saturated soil conditions, or severe weather occurring in the area served by the sewage collection system or sewage treatment facility; and
- The sanitary sewer overflow or the sewage treatment facility overflow was unintentional, temporary, and caused by an accident or other factors beyond the reasonable control of the permittee.

### 5.3.1.2 Permittee Response to Overflows

Whenever a sanitary sewer overflow or sewage treatment facility overflow occurs, the permittee shall take all feasible steps to control or limit the volume of untreated or partially treated wastewater discharged, and terminate the discharge as soon as practicable. Remedial actions, including those in NR 210.21 (3), Wis. Adm. Code, shall be implemented consistent with an emergency response plan developed under the CMOM program.

### 5.3.1.3 Permittee Reporting

Permittees shall report all sanitary sewer overflows and sewage treatment overflows as follows:

- The permittee shall notify the department by telephone, fax or email as soon as practicable, but no later than 24 hours from the time the permittee becomes aware of the overflow;
- The permittee shall, no later than five days from the time the permittee becomes aware of the overflow, provide to the department the information identified in this paragraph using department form number 3400-184. If an overflow lasts for more than five days, an initial report shall be submitted within 5 days as required in this paragraph and an updated report submitted following cessation of the overflow. At a minimum, the following information shall be included in the report:
  - The date and location of the overflow;
  - The surface water to which the discharge occurred, if any;
  - The duration of the overflow and an estimate of the volume of the overflow;
  - A description of the sewer system or treatment facility component from which the discharge occurred such as manhole, lift station, constructed overflow pipe, or crack or other opening in a pipe;
  - The estimated date and time when the overflow began and stopped or will be stopped;
  - The cause or suspected cause of the overflow including, if appropriate, precipitation, runoff conditions, areas of flooding, soil moisture and other relevant information;
  - Steps taken or planned to reduce, eliminate and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
  - A description of the actual or potential for human exposure and contact with the wastewater from the overflow;
  - Steps taken or planned to mitigate the impacts of the overflow and a schedule of major milestones for those steps;
  - To the extent known at the time of reporting, the number and location of building backups caused by excessive flow or other hydraulic constraints in the sewage collection system that occurred

concurrently with the sanitary sewer overflow and that were within the same area of the sewage collection system as the sanitary sewer overflow; and

◦The reason the overflow occurred or explanation of other contributing circumstances that resulted in the overflow event. This includes any information available including whether the overflow was unavoidable to prevent loss of life, personal injury, or severe property damage and whether there were feasible alternatives to the overflow.

**NOTE:** A copy of form 3400-184 for reporting sanitary sewer overflows and sewage treatment facility overflows may be obtained from the department or accessed on the department's web site at <http://dnr.wi.gov/topic/wastewater/SSOreport.html>. As indicated on the form, additional information may be submitted to supplement the information required by the form.

- The permittee shall identify each specific location and each day on which a sanitary sewer overflow or sewage treatment facility overflow occurs as a discrete sanitary sewer overflow or sewage treatment facility overflow occurrence. An occurrence may be more than one day if the circumstances causing the sanitary sewer overflow or sewage treatment facility overflow results in a discharge duration of greater than 24 hours. If there is a stop and restart of the overflow at the same location within 24 hours and the overflow is caused by the same circumstance, it may be reported as one occurrence. Sanitary sewer overflow occurrences at a specific location that are separated by more than 24 hours shall be reported as separate occurrences; and
- A permittee that is required to submit wastewater discharge monitoring reports under NR 205.07 (1) (r) shall also report all sanitary sewer overflows and sewage treatment facility overflows on that report.

#### **5.3.1.4 Public Notification**

The permittee shall notify the public of any sanitary sewer and sewage treatment facility overflows consistent with its emergency response plan required under the CMOM (Capacity, Management, Operation and Maintenance) section of this permit and s. NR 210.23 (4) (f), Wis. Adm. Code. Such public notification shall occur promptly following any overflow event using the most effective and efficient communications available in the community. At minimum, a daily newspaper of general circulation in the county(s) and municipality whose waters may be affected by the overflow shall be notified by written or electronic communication.

#### **5.3.2 Capacity, Management, Operation and Maintenance (CMOM) Program**

- The permittee shall have written documentation of the Capacity, Management, Operation and Maintenance (CMOM) program components in accordance with s. NR 210.23(4), Wis. Adm. Code. Such documentation shall be available for Department review upon request. The Department may request that the permittee provide this documentation or prepare a summary of the permittee's CMOM program at the time of application for reissuance of the WPDES permit.
- The permittee shall implement a CMOM program in accordance with s. NR 210.23, Wis. Adm. Code.
- The permittee shall at least annually conduct a self-audit of activities conducted under the permittee's CMOM program to ensure CMOM components are being implemented as necessary to meet the general standards of s. NR 210.23(3), Wis. Adm. Code.

#### **5.3.3 Sewer Cleaning Debris and Materials**

All debris and material removed from cleaning sanitary sewers shall be managed to prevent nuisances, run-off, ground infiltration or prohibited discharges.

- Debris and solid waste shall be dewatered, dried and then disposed of at a licensed solid waste facility.
- Liquid waste from the cleaning and dewatering operations shall be collected and disposed of at a permitted wastewater treatment facility.

- Combination waste including liquid waste along with debris and solid waste may be disposed of at a licensed solid waste facility or wastewater treatment facility willing to accept the waste.

## 5.4 Surface Water Requirements

### 5.4.1 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.

### 5.4.2 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.

### 5.4.3 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.

#### **5.4.4 Visible Foam or Floating Solids**

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

#### **5.4.5 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.

#### **5.4.6 Percent Removal**

During any 30 consecutive days, the average effluent concentrations of BOD<sub>5</sub> and of total suspended solids shall not exceed 15% of the average influent concentrations, respectively. This requirement does not apply to removal of total suspended solids if the permittee operates a lagoon system and has received a variance for suspended solids granted under NR 210.07(2), Wis. Adm. Code.

#### **5.4.7 Fecal Coliform**

The monthly limit for fecal coliform shall be expressed as a geometric mean. In calculating the geometric mean, a value of 1 is used for any result of 0.

#### **5.4.8 *E. coli***

The monthly limit for *E. coli* shall be expressed as a geometric mean. In calculating the geometric mean, a value of 1 is used for any result of 0.

#### **5.4.9 Seasonal Disinfection**

Disinfection shall be provided from May 1 through September 30 of each year. Monitoring requirements and the limitations for Fecal Coliform (interim) and *E. coli* apply only during the period in which disinfection is required. Whenever chlorine is used for disinfection or other uses, the limitations and monitoring requirements for residual chlorine shall apply. A dechlorination process shall be in operation whenever chlorine is used.

### **5.5 Land Application Requirements**

#### **5.5.1 Land Application Report for Septage**

Land Application Report Form 3400-55 shall be submitted by January 31, each year whether or not septage is land applied by the permittee.

### **5.5.2 Other Methods of Disposal or Distribution Report for Septage**

The permittee shall submit Report Form 3400-52 by January 31, each year whether or not septage is hauled to another facility by the permittee.

### **5.5.3 Approval to Land Apply Septage**

Septage may not be applied to a land application site by the permittee without a written site approval letter or Form 3400-122 from the Department.

### **5.5.4 Land Application Site Evaluation for Septage**

The permittee may use land application sites provided the sites meet all applicable provisions of Wisconsin Administrative Code Chapter NR 113 and have been approved in writing by this Department. If the permittee wishes to have approval for additional sites, application shall be made using Landspreading Site Evaluation Form 3400-53. Complete information shall be submitted about each site, including plat, topographical and soil maps, aerial photograph of the site, any soil analyses results, and other information showing that the site complies with all application requirements. Land application may commence on a new site when a proposed site has been approved by the Department. The Department may issue a written notice to withdraw approval for any site that is found to be environmentally unacceptable or violates the conditions of this permit. A permittee may not land apply septage on sites that have been withdrawn by the department or that have not been approved by the department.

It is the permittee's responsibility to locate land application sites that meet the land application criteria set forth in ch. NR 113, Wis. Adm. Code.

### **5.5.5 Septage Hauling**

The permittee is required to submit Form 3400-52 to the Department. If septage is hauled to another facility, information shall include the quantity of septage hauled, the name, address, phone number, contact person, and permit number of the receiving facility. Form 3400-52 shall be submitted annually by January 31 each year whether or not septage is hauled by the permittee.

## 6 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

<b>Description</b>	<b>Date</b>	<b>Page</b>
Total Phosphorus - TMDL Derived WQBELs for TP -Treatment Plant Upgrade to Meet WQBELs	December 31, 2021	7
Total Phosphorus - TMDL Derived WQBELs for TP -Construction Upgrade Progress Report #1	June 30, 2022	7
Total Phosphorus - TMDL Derived WQBELs for TP -Complete Construction	February 28, 2023	7
Total Phosphorus - TMDL Derived WQBELs for TP -Achieve Compliance	March 31, 2023	7
Effluent Limitations for E. coli -Status Update	May 21, 2021	7
Effluent Limitations for E. coli -Operational Evaluation Report	November 30, 2021	7
Effluent Limitations for E. coli -Submit Facility Plan	April 30, 2022	8
Effluent Limitations for E. coli -Final Plans and Specifications	March 31, 2023	8
Effluent Limitations for E. coli -Treatment Plant Upgrade to Meet Limitations	September 30, 2023	8
Effluent Limitations for E. coli -Construction Upgrade Progress Report	September 30, 2024	8
Effluent Limitations for E. coli -Complete Construction	March 31, 2025	8
Effluent Limitations for E. coli -Achieve Compliance	April 30, 2025	8
Compliance Maintenance Annual Reports (CMAR)	by June 30, each year	13
Land Application Report Form 3400-55	by January 31, each year whether or not septage is land applied by the permittee	20
Report Form 3400-52	by January 31, each year whether or not septage is hauled to another facility by the permittee	21
Wastewater Discharge Monitoring Report	no later than the date indicated on the form	12