

UPDATE: Those who lack the ability to join the virtual hearing may reach out to Bryan Hartsook, DNR Southeast Region Supervisor, at (414) 607-2275 or Bryan.Hartsook@wisconsin.gov in advance of the hearing date to arrange reasonable accommodations at the DNR's Milwaukee Office at 1027 W St Paul Ave, Milwaukee, WI 53233 during the time of the hearing.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING TO MODIFY A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No.WI-0000914-08-2

Permittee: Wisconsin Electric Power Company Oak Creek Power Plant/Elm Road Generating Station, 11060 S. Chicago Road, Oak Creek, WI 53201

Facility Where Discharge Occurs: Wisconsin Electric Power Company Oak Creek Power Plant/Elm Road Generating Station, 11060 S. Chicago Road, Oak Creek, WI 53201

Receiving Water And Location: Lake Michigan shoreline near Oak Creek, Wisconsin.

Brief Facility Description : The facility comprises the Oak Creek Power Plant (OCPP, four subcritical pulverized coal-fired generating units) and Elm Road Generating Station (ERGS, two supercritical pulverized coal-fired generating units). It is operated by Wisconsin Electric Power Company.

Permit Drafter's Name, Address, Phone and Email: Sawyer Hanson, DNR, 101 S. Webster St. PO Box 7921, Madison, WI, 53707, (608) 669-4310, Sawyer.Hanson@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Jacob Wedesky, 1027 W St Paul Ave, Milwaukee, WI 53233, (414) 239-1480, jacob.wedesky@wisconsin.gov

Date of Public Notice of Intent to Modify: September 12, 2023

Date of Public Notice of Public Hearing: October 20, 2023

A notice of 30 days is being provided via the Department's public notice webpage. Notice in writing will be provided as soon as possible, but less than 30 days of written notice are necessary pursuant to s. NR 203.06(2)(L), Wis. Adm. Code, in order to allow for a public hearing, additional public comment period, and an effective modification date preceding the deadline in section 4.1 of the WPDES permit.

Issues to be Considered at the Hearing:

- Segregation of flue gas desulfurization (FGD) wastewater for dedicated treatment with a new wastewater treatment system
- Imposition of new limits on the treated FGD wastewater based on the federal steam electric effluent limitation guidelines
- Addition of sampling point 110 for treated FGD wastewater and changes to existing sampling point 107 to accommodate the above changes

Date, Time, and Location of Hearing: November 20th at 5:00 pm, Virtual via Zoom

Hearing Location (Virtual): The Department of Natural Resources will host a public hearing via a remote, virtual connection made available to the public via the link below. Virtual hearings will be recorded. A virtual hearing is planned because the department was unable to secure a suitable event space in Oak Creek that would be convenient for public attendance and allow for modification of the permit prior to the permit's deadline for commencement of use of the new treatment system. The department will continue to monitor availability of suitable in-person event spaces in the Oak Creek area and will update this online notice (available at <https://dnr.wisconsin.gov/topic/Wastewater/PublicNotices.html>) with the address of an in-person space if one is secured. If such a space is secured, the department will host a hybrid virtual/in-person hearing so that attendees may attend in-person or via the link below.

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Remote Connection for public participation:

Zoom Virtual Participation Registration:

https://us02web.zoom.us/webinar/register/WN_ks7iIdkFRC6yt3e2dNM-Aw

Hearing Officer's Name, Address, and Phone: Kate Hanson, 101 S Webster St., Madison, WI 53703, (608) 400-2206

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced permit action for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to ensure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above named permit drafter's address. All comments or suggestions received from members of the public no later than 8:00 AM on November 27, 2023, along with other information on file and testimony presented at the hearing, will be used in making a final determination. 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.

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 (608) 669-4310 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.

NAME OF PUBLISHING NEWSPAPER: Milwaukee Journal Sentinel

ADDRESS OF PUBLISHING NEWSPAPER: 333 W State Street, Milwaukee, WI 53201

Date Notice Issued: October 20, 2023