



WPDES PERMIT

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

PHILLIPS PLATING CORPORATION

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

984 N LAKE AVENUE, PHILLIPS, WISCONSIN

to

**ELK LAKE WITHIN THE ELK RIVER WATERSHED IN THE UPPER CHIPPEWA RIVER DRAINAGE
BASIN IN PRICE 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 for Modification

PERMIT TERM: EFFECTIVE DATE - April 01, 2024
EFFECTIVE DATE OF MODIFICATION: October 01, 2026

EXPIRATION DATE - March 31, 2029

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1 In-Plant Requirements

1.1 Sampling Point(s)

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)
102	At least one mercury field blank shall be collected for each day a sample of mercury is collected via inplant sample point 101. The purpose of the field blank is to determine whether the field or sample transporting procedures and environment have contaminated the sample.

1.2 Monitoring Requirements and Limitations

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

1.2.1 Sampling Point 102 - MERCURY FIELD BLANK

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Mercury, Total Recoverable		ng/L	Quarterly	Grab	

1.2.1.1 Mercury Monitoring

The permittee shall collect and analyze all mercury samples according to the data quality requirements of ss. NR 106.145(9) and (10), Wisconsin Administrative Code. The limit of quantitation (LOQ) used for the effluent and field blank shall be less than 1.3 ng/L, unless the samples are quantified at levels above 1.3 ng/L. The permittee shall collect at least one mercury field blank for each set of mercury samples (a set of samples may include combinations of intake, influent, effluent or other samples all collected on the same day). The permittee shall report results of samples and field blanks to the Department on Discharge Monitoring Reports.

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).

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)
001	Representative samples shall be collected from the separate wastewater discharges from the City of Phillips and Phillips Plating Company and combined for testing. Both the City of Phillips and Phillips Plating Company are responsible for conducting the acute and chronic WET monitoring requirements on the combined discharge and may share costs and efforts to that end. The same monitoring requirements are contained in the City's permit. Duplicate WET test results will be entered on both facilities' DMRs.
101	Representative samples shall be collected from the Company's treated process wastewaters (from the effluent collection tank after treatment) prior to mixing with the effluent from the City of Phillips municipal wastewater treatment plant and prior to discharge to Elk Lake via outfall 001.

2.2 Monitoring Requirements and Effluent Limitations

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

2.2.1 Sampling Point (Outfall) 001 - COMBINED EFFLUENT

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Acute WET		TU _a	See Listed Qtr(s)	24-Hr Flow Prop Comp	See the "Whole Effluent Toxicity Testing" section for monitoring schedule.
Chronic WET		TU _c	See Listed Qtr(s)	24-Hr Flow Prop Comp	See the "Whole Effluent Toxicity Testing" section for monitoring schedule.
pH Field		su	Quarterly	Grab	Monitoring is required July 1, 2026 to June 30, 2027. See schedule section "Combined Effluent pH Monitoring" for details.

2.2.1.1 Whole Effluent Toxicity (WET) Testing

Primary Control Water: Elk Lake

Instream Waste Concentration (IWC): 9%

Acute Mixing Zone Concentration: N/A

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

- **Acute:** 100, 50, 25, 12.5, 6.25% and any additional selected by the permittee.

- **Chronic:** 100, 30, 10, 3, 1% and any additional selected by the permittee.

WET Testing Frequency:

Acute and **Chronic** tests are required during the following quarters:

- **2025** - October 1 to December 31 (4th quarter)
- **2026** - July 1 to September 30 (3rd quarter)
- **2027** - April 1 to June 30 (2nd quarter)
- **2028** - January 1 to March 31 (1st quarter)
- **2029** - October 1 to December 31 (4th quarter)
- **2030** - July 1 to September 30 (3rd quarter)

Acute and Chronic WET testing shall continue after the permit expiration date (until the permit is reissued) in accordance with the WET testing quarterly rotation. For example, if the permit reissuance is not on time the next test in 2029 would be required during the 4th quarter; 2030 would be in the 3rd quarter and 2031 in the 2nd quarter.

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

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

Determination of Positive Results: An acute toxicity test shall be considered positive if the Toxic Unit - Acute (TU_a) is greater than **1.0** for either species. The TU_a shall be calculated as follows: $TU_a = 100 \div LC_{50}$. A chronic toxicity test shall be considered positive if the Toxic Unit - Chronic (TU_c) is greater than **11.1** for either species. The TU_c shall be calculated as follows: $TU_c = 100 \div IC_{25}$.

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

2.2.2 Sampling Point (Outfall) 101 - INPLANT EFFLUENT

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Flow Rate		MGD	Daily	Continuous	
pH Field	Daily Min	6.0 su	Daily	Grab	
pH Field	Daily Max	9.0 su	Daily	Grab	
Chromium, Total Recoverable	Daily Max	2.77 mg/L	Weekly	24-Hr Flow Prop Comp	
Chromium, Total Recoverable	Monthly Avg	1.71 mg/L	Weekly	24-Hr Flow Prop Comp	
Nickel, Total Recoverable	Daily Max	3.98 mg/L	Weekly	24-Hr Flow Prop Comp	

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nickel, Total Recoverable	Weekly Avg	3.69 mg/L	Weekly	24-Hr Flow Prop Comp	
Nickel, Total Recoverable	Monthly Avg	2.38 mg/L	Weekly	24-Hr Flow Prop Comp	
Nickel, Total Recoverable	Weekly Avg	0.86 lbs/day	Weekly	Calculated	
Suspended Solids, Total	Daily Max	60 mg/L	Weekly	24-Hr Flow Prop Comp	
Suspended Solids, Total	Monthly Avg	31 mg/L	Weekly	24-Hr Flow Prop Comp	
Phosphorus, Total	Rolling 12 Month Avg	3.9 mg/L	Weekly	24-Hr Flow Prop Comp	Effective upon reissuance, this limit will be retained beyond the effective date of the final limits as it represents a minimum control level. See Water Quality Trading (WQT) sections for more information.
Phosphorus, Total		lbs/day	Weekly	Calculated	Report daily mass discharged using Equation 1a in the Water Quality Trading (WQT) section.
WQT Credits Used (TP)		lbs/month	Monthly	Calculated	Report WQT TP Credits used per month using Equation 2b in the 'Water Quality Trading (WQT)' section. Available TP Credits are specified in Table 2 and in the approved Water Quality Trading Plan.
WQT Computed Compliance (TP)	Monthly Avg	0.09 mg/L	Monthly	Calculated	Report the WQT TP Computed Compliance value using Equation 3a in the Water Quality Trading (WQT) section. Value entered on the last day of the month.
WQT Computed Compliance (TP)	6-Month Avg	0.03 mg/L	Monthly	Calculated	Value entered on the last day of June and December. Compliance with the six-month average limit is evaluated at the end of the six-month period on June 30 and Dec 31.

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
WQT Computed Compliance (TP)	Annual Total	2.1 lbs/yr	Annual	Calculated	Report the WQT TP Computed Compliance value using Equation 3b in the Water Quality Trading (WQT) section. Compliance is measured in December.
WQT Credits Used (TP)	Annual Total	244.8 lbs/yr	Annual	Calculated	The annual total of monthly credits used (Equation 2b) may not exceed annual available credits shown in Table 2. The result of Equation 2c may not exceed annual available credits shown in Table 2.
BOD ₅ , Total		mg/L	Monthly	24-Hr Flow Prop Comp	
Nitrogen, Ammonia (NH ₃ -N) Total		mg/L	Monthly	24-Hr Flow Prop Comp	
PFOS		ng/L	1/ 2 Months	Grab	Monitoring only. See PFOS/PFOA Minimization Plan Determination of Need schedule.
PFOA		ng/L	1/ 2 Months	Grab	Monitoring only. See PFOS/PFOA Minimization Plan Determination of Need schedule.
Cadmium, Total Recoverable	Daily Max	330 µg/L	Quarterly	24-Hr Flow Prop Comp	
Cadmium, Total Recoverable	Weekly Avg	140 µg/L	Quarterly	24-Hr Flow Prop Comp	
Cadmium, Total Recoverable	Monthly Avg	140 µg/L	Quarterly	24-Hr Flow Prop Comp	
Cadmium, Total Recoverable	Daily Max	0.17 lbs/day	Quarterly	Calculated	
Cadmium, Total Recoverable	Weekly Avg	0.05 lbs/day	Quarterly	Calculated	
Copper, Total Recoverable	Daily Max	290 µg/L	Quarterly	24-Hr Flow Prop Comp	
Copper, Total Recoverable	Monthly Avg	290 µg/L	Quarterly	24-Hr Flow Prop Comp	
Copper, Total Recoverable	Daily Max	0.15 lbs/day	Quarterly	Calculated	
Cyanide, Amenable	Daily Max	420 µg/L	Quarterly	Grab	
Cyanide, Amenable	Monthly Avg	420 µg/L	Quarterly	Grab	
Cyanide, Amenable	Daily Max	0.22 lbs/day	Quarterly	Calculated	

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Oil & Grease (Hexane)	Daily Max	52 mg/L	Quarterly	Grab	
Oil & Grease (Hexane)	Monthly Avg	26 mg/L	Quarterly	Grab	
Hardness, Total as CaCO ₃		mg/L	Quarterly	24-Hr Flow Prop Comp	
Mercury, Total Recoverable		ng/L	Quarterly	Grab	
Nitrogen, Total Kjeldahl		mg/L	Quarterly	24-Hr Flow Prop Comp	
Nitrogen, Nitrite + Nitrate Total		mg/L	Quarterly	24-Hr Flow Prop Comp	
Nitrogen, Total		mg/L	Quarterly	Calculated	Total Nitrogen = Total Kjeldahl Nitrogen + Total Nitrite + Nitrate Nitrogen.
Lead, Total Recoverable	Daily Max	0.69 mg/L	1/ 6 Months	24-Hr Flow Prop Comp	
Lead, Total Recoverable	Monthly Avg	0.43 mg/L	1/ 6 Months	24-Hr Flow Prop Comp	
Silver, Total Recoverable	Daily Max	0.43 mg/L	1/ 6 Months	24-Hr Flow Prop Comp	
Silver, Total Recoverable	Monthly Avg	0.24 mg/L	1/ 6 Months	24-Hr Flow Prop Comp	
Zinc, Total Recoverable	Daily Max	2.2 mg/L	1/ 6 Months	24-Hr Flow Prop Comp	
Zinc, Total Recoverable	Monthly Avg	1.48 mg/L	1/ 6 Months	24-Hr Flow Prop Comp	
Zinc, Total Recoverable	Daily Max	1.2 lbs/day	1/ 6 Months	Calculated	

2.2.2.1 Total Metals Analyses

Unless specified otherwise in the table above, metals analyses shall measure metals as total recoverable. Measurements of total metals and total recoverable metals shall be considered as equivalent.

2.2.2.2 Total Toxic Organics Requirements

TTO Summation: Total Toxic Organics (TTO) means the sum of all quantifiable effluent concentrations greater than 10 ug/L of the toxic organic pollutants listed s. NR 215.03(1)-(5), Wis. Adm. Code.

TTO Certification: The permittee shall make a TTO certification statement monthly, in lieu of monitoring, as printed on the Discharge Monitoring Report form, in accordance with s. NR 261.13(1)(a), Wis. Adm. Code, which states the following: "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation for total toxic organics, I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to the Department".

Identified Toxic Organics: When monitoring TTO, the permittee may limit testing to the toxic organic(s) identified in the table above as a TTO parameter if not utilizing the TTO certification statement.

Process Modification/Planned Changes: Use of a toxic organic other than those identified in the table above as a TTO parameter, that is listed in s. NR 215.03(1)-(5) and that has the potential for entering wastewaters discharged, is classified by the Department as a process modification. The permittee shall report such process modifications in accordance with the Standard Requirements section herein (see "Planned Changes" in the "System Operating Requirements" subsection of Standard Requirements), and include the toxic organic with those listed in the above table when monitoring TTO.

2.2.2.3 Phosphorus Water Quality Trading (WQT)

The permittee may use water quality trading to demonstrate compliance with WQBELs for total phosphorus (TP) of a 0.09 mg/L monthly average and 0.03 mg/L 6-month average and 2.1 lbs/year annual total. Pollutant reduction credits for total phosphorus are available as specified in Water Quality Trading Plan **WQT-2022-0004** or approved amendments thereof.

Table 2. Available Phosphorus Credits per WQT-2022-0004

Year	Available TP Credits (lbs/yr) – Total
2025	244.8
2026	244.8
2027	244.8
2028	244.8
2029*	244.8

*In the event that this permit is not reissued prior to the expiration date, 244.8 lbs/yr of credit will be available in subsequent year(s).

Only those pollutant reduction credits established by a water quality trading plan approved by the Department may be used by the permittee to demonstrate compliance with the WQBELs identified in this subsection. If the permittee wishes to use pollutant reduction credits not identified in an approved water quality trading plan, the permittee must amend the plan or develop a new plan and obtain Department approval of the amended or new plan prior to use of the new pollutant reduction credits. Prior to Department approval, the amended or new water quality trading plan will be subject to notice and opportunity for public comment. Any change in the number of available credits requires a permit modification.

In the event pollutant reduction credits as defined in the approved water quality trading plan are no longer generated, the permittee shall comply with the WQBELs for TP contained in this subsection. The sum of available interim and long-term credits shown in Table 2 may be used to demonstrate compliance for a given year. Interim credits are subject to duration limits and may not be used past the duration defined in Water Quality Trading Plan **WQT-2022-0004**.

2.2.2.0 Demonstrating Compliance with TP WQBELs Using Water Quality Trading

Use the following methods to demonstrate compliance with the TP WQBELs contained in the Water Quality Trading subsection above.

TOTAL POLLUTANT DISCHARGED

Use the following equations to calculate the amount of pollutant discharged for Monthly Avg TP [lbs/day].

(Eq. 1a) $\text{TP Discharged [lbs/day]} = \text{TP Discharged [mg/L]} \times \text{Daily Flow [MGD]} \times 8.34$

(Eq. 1b) $\text{Monthly or Weekly Avg} = \Sigma \text{ daily results} \div \# \text{ of results}$

(Eq. 1c) $\text{Annual Total TP Discharged [lbs/year]} = \text{Average of daily results [lbs/day]} \times \text{annual days of discharge}$

WQT CREDITS USED (TOTAL PHOSPHORUS)

Use the following method to calculate the credits to be used expressed as a mass in lbs/month:

(Eq. 2a) $\text{WQT TP Credits Needed [lbs/day]} = (\text{Monthly Avg TP [mg/L]} - 0.03 \text{ [mg/L]}) \times \text{Monthly Avg Flow [MGD]} \times 8.34$

(Eq. 2b) $\text{WQT TP Credits Used [lbs/month]} = \text{WQT TP Credits Needed [lbs/day]} \times \# \text{ of days of discharge/month}$

Use the following method to calculate the credits to be used expressed as a mass in lbs/month:

(Eq. 2c)
$$\text{WQT TP Credits Used Annual Total [lbs/year]} = \text{Annual Total TP Discharged [lbs/year]} - 2.1 \text{ lbs/year}$$

WQT COMPUTED COMPLIANCE (TOTAL PHOSPHORUS)

Use the following method to demonstrate compliance with TP WQBELs expressed as a concentration in mg/L:

(Eq. 3a)
$$\text{WQT TP Computed Compliance [mg/L]} = \text{Monthly Avg TP [mg/L]} - [\text{WQT TP Credits Needed [lbs/day]}^* \div (\text{Monthly Avg Flow [MGD]} \times 8.34)]$$

*Use the result from Equation 2a.

Note: Negative computed compliance values should be entered as zero - "0".

Use the following method to demonstrate compliance with TP WQBELs expressed as a mass in lbs/year:

(Eq. 3b)
$$\text{WQT TP Computed Compliance [lbs/year]} = \text{Annual Total TP Discharged [lbs/year]} - \text{WQT TP Credits Used [lbs/year]}^{**}$$

**Use the result from Equation 2c.

2.2.2.1 Additional Water Quality Trading Requirements

When using water quality trading to demonstrate compliance with WQBELs for TP, the permittee shall comply with the following:

- Failure to implement any of the terms or conditions of the approved water quality trading plan is a violation of this permit.
- Each month the permittee shall certify that the nonpoint source management practices installed to generate pollutant reduction credits are operated and maintained in a manner consistent with that specified in the approved water quality trading plan. Such a certification may be made by including the following statement as a comment on the monthly discharge monitoring report:

I certify that management practices identified in the approved water quality trading plan as the source of pollutant reduction credits are installed, established and properly maintained.

- At least once a year the permittee or the permittee's agent shall inspect each nonpoint source management practice that generates pollutant reduction credits to confirm the implementation of the management practice and their appropriate operation and adequate maintenance.
- The permittee shall notify WDNR by telephone within 24 hours or next business day of becoming aware that pollutant reduction credits used or intended for use by the permittee are not being implemented or generated as defined in the approved trading plan. A written notification shall be submitted to the Department within 5 days regarding the status of the permittee's pollutant reduction credits.
- The permittee shall provide WDNR written notice within 7 days of the trade agreement upon which the approved water quality trading plan is based being amended, modified, or revoked. This notification shall include the details of any amendment or modification in addition to the justification for the changes.
- The permittee shall not use pollutant reduction credits for the demonstration of compliance when pollutant reduction credits are not being generated.

2.2.2.2 Water Quality Trading Reopener Clause

Under any of the following conditions as provided by s. 283.53(2), Wis. Stats. and ss. NR 203.135 and 203.136, Wis. Adm. Code, the Department may modify or revoke and reissue this permit to modify or eliminate permit terms and conditions related to water quality trading:

- The permittee fails to implement the water quality trading plan as approved;
- The permittee fails to comply with permit terms and conditions related to water quality trading;

- New information becomes available that would change the number of credits available for the water quality trade or would change the Department's determinations that water quality trading is an acceptable option.

2.2.2.3 Submittal of Permit Application for Next Reissuance and Pollutant Trading Plan

The permittee shall submit the permit application for the next reissuance at least 6 months prior to expiration of this permit.

The permittee has submitted a Water Quality Trading Plan that was approved by WDNR on April 22, 2022. If the permittee intends to pursue pollutant trading to achieve compliance in a future permit term, an updated water quality trading plan is due with the application for the next reissuance. If system upgrades will be used in combination with pollutant trading the permittee shall submit plans for any system upgrade.

2.2.2.4 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 performed, these results shall be reported in the comments section of the eDMR and shall also be documented in the reports submitted as part of the PFOS/PFOA Minimization Plan Determination of Need schedule of the permit.

2.2.2.5 PFOS/PFOA Minimization Plan Determination of Need

The permittee shall monitor PFOS and PFOA as specified in the table above and report on the effluent concentrations including trends in monthly and annual average PFOS and PFOA concentrations as specified in the PFOS/PFOA Minimization Plan Determination of Need Schedule.

If, after reviewing the data, the Department determines that a minimization plan for PFOS and PFOA is necessary based on the procedures in s. NR 106.98(4), Wis. Adm. Code, the Department will notify the permittee in writing that a PFOS and PFOA minimization plan that satisfies the requirements in s. NR 106.99, Wis. Adm. Code, is required.

The permittee shall submit an initial plan for Department approval no later than 90 days after written notification was sent from the Department in accordance with s. NR 106.985(2)(a), Wis. Adm. Code. Pursuant to s. NR 106.985(2)(b), Wis. Adm. Code, as soon as possible after Department approval of the PFOS and PFOA minimization plan, the Department will modify or revoke and reissue the permit in accordance with public notice procedures under ch. 283, Wis. Stats., and ch. NR 203, Wis. Adm. Code, to include the PFOS and PFOA minimization plan and other related terms and condition.

If, however, the Department determines that a PFOS and PFOA minimization plan is unnecessary based on the procedures in s. NR 106.98(4), Wis. Adm. Code, the Department shall notify the permittee that no further action is required. Per s. NR 106.98(3)(a), Wis. Adm. Code, the Department may reduce monitoring frequency to once every 3 months (quarterly) on a case-by-case basis, but only after at least 12 representative results have been generated. If the permittee requests a reduction in monitoring and the Department agrees a reduction would be appropriate, the permit may be modified in accordance with public notice procedures under ch. 283, Wis. Stats., and ch. NR 203, Wis. Adm. Code, to incorporate this change.

2.2.2.6 Mercury Monitoring

The permittee shall collect and analyze all mercury samples according to the data quality requirements of ss. NR 106.145(9) and (10), Wis. Adm. Code. The limit of quantitation (LOQ) used for the effluent and field blank shall be less than 1.3 ng/L, unless the samples are quantified at levels above 1.3 ng/L. The permittee shall collect at least one mercury field blank for each set of mercury samples (a set of samples may include combinations of intake, influent, effluent or other samples all collected on the same day). The permittee shall report results of samples and field blanks to the Department on Discharge Monitoring Reports.

3 Schedules

3.1 PFOS/PFOA Minimization Plan Determination of Need

Required Action	Due Date
Report on Effluent Discharge: Submit a report on effluent PFOS and PFOA concentrations and include an analysis of trends in monthly and annual average PFOS and PFOA concentrations. This analysis should also include a comparison to the applicable narrative standard in s. NR 102.04(8)(d), Wis. Adm. Code. This report shall include all additional PFOS and PFOA data that may be collected including any influent, intake, in-plant, collection system sampling, and blank sample results.	03/31/2025
Report on Effluent Discharge and Evaluation of Need: Submit a final report on effluent PFOS and PFOA concentrations and include an analysis of trends in monthly and annual average PFOS and PFOA concentrations of data collected over the last 24 months. The report shall also provide a comparison on the likelihood of the facility needing to develop a PFOS/PFOA minimization plan. This report shall include all additional PFOS and PFOA data that may be collected including any influent, intake, in-plant, collection system sampling, and blank sample results. The permittee shall also submit a request to the department to evaluate the need for a PFOS/PFOA minimization plan. If the Department determines a PFOS/PFOA minimization plan is needed based on a reasonable potential evaluation, the permittee will be required to develop a minimization plan for Department approval no later than 90 days after written notification was sent from the Department. The Department will modify or revoke and reissue the permit to include PFOS/PFOA minimization plan reporting requirements along with a schedule of compliance to meet WQBELs. Effluent monitoring of PFOS and PFOA shall continue as specified in the permit until the modified permit is issued. If, however, the Department determines there is no reasonable potential for the facility to discharge PFOS or PFOA above the narrative standard in s. NR 102.04(8)(d), Wis. Adm. Code, no further action is required and effluent monitoring of PFOS and PFOA shall continue as specified in the permit.	03/31/2026

3.2 Combined Effluent pH Monitoring

Required Action	Due Date
Submit a plan: Submit a sampling plan for department approval that was developed in cooperation with Phillip's Plating Company with the goal to monitor pH levels in the combined effluent (sample point 003) once per week for one year. The plan may include either sampling the combined effluent directly or through flow proportional mixing.	12/31/2025
Begin Monitoring: Implement sampling of the combined effluent for one year beginning July 1, 2026, through June 30, 2027. The City of Phillips and Phillips Plating Company are jointly responsible for conducting the pH monitoring for the combined discharge. Monitoring and this schedule will also be contained in the reissued permit for Phillips Plating Company. Duplicate pH test results will be entered on both facilities' DMRs.	07/01/2026

3.3 Annual Water Quality Trading (WQT) Report

Required Action	Due Date
Annual WQT Report: Submit an annual WQT report that shall cover the first year of the permit term. The WQT Report shall include: The number of pollutant reduction credits (lbs/month) used each month of the previous year to demonstrate compliance; The source of each month's pollutant reduction credits by identifying the approved water quality trading plan that details the source; A summary of the annual inspection of each nonpoint source management practice that generated any of the pollutant reduction credits used during the previous year; and Identification of noncompliance or failure to implement any terms or conditions of this permit with respect to water quality trading that have not been reported in discharge monitoring reports.	01/31/2025
Annual WQT Report #2: Submit an annual WQT report that shall cover the previous year.	01/31/2026
Annual WQT Report #3: Submit an annual WQT report that shall cover the previous year.	01/31/2027
Annual WQT Report #4: Submit the 4th annual WQT report. If the permittee wishes to continue to comply with phosphorus limits through WQT in subsequent permit terms, the permittee shall submit a revised WQT plan including a demonstration of credit need, compliance record of the existing WQT, and any additional practices needed to maintain compliance over time.	01/31/2028
Annual WQT Report Required After Permit Expiration: In the event that this permit is not reissued by the expiration date, the permittee shall continue to submit annual WQT reports by January 31 each year covering the total number of pollutant credits used, the source of the pollution reduction credits, a summary of annual inspection reports performed, and identification of noncompliance or failure to implement any terms or conditions of the approved water quality trading plan for the previous calendar year.	

4 Standard Requirements

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

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.

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 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.

4.1.3 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.

4.1.4 Reporting of Monitoring Results

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

- Pollutant concentrations less than the limit of detection shall be reported as < (less than) the value of the limit of detection. For example, if a substance is not detected at a detection limit of 0.1 mg/L, report the pollutant concentration as < 0.1 mg/L.
- Pollutant concentrations equal to or greater than the limit of detection, but less than the limit of quantitation, shall be reported and the limit of quantitation shall be specified.
- For purposes of calculating NR 101 fees, the 2 mg/l lower reporting limits for BOD5 and Total Suspended Solids shall be considered to be limits of quantitation
- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a "0" (zero) for any pollutant concentration that is less than the limit of detection. However, if the effluent limitation is less than the limit of detection, the department may substitute a value other than zero for results less than the limit of detection, after considering the number of monitoring results that are greater than the limit of detection and if warranted when applying appropriate statistical techniques.
- If no discharge occurs through an outfall, flow related parameters (e.g. flow rate, hydraulic application rate, volume, etc.) should be reported as "0" (zero) at the required sample frequency specified for the outfall. For example: if the sample frequency is daily, "0" would be reported for any day during the month that no discharge occurred.

4.1.5 Records Retention

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

4.1.6 Other Information

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

4.1.7 Reporting Requirements – Alterations or Additions

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

- The alteration or addition to the permitted facility may meet one of the criteria for determining whether a facility is a new source.
- The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification requirement applies to pollutants which are not subject to effluent limitations in the existing permit.
- The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use of disposal sites not reported during the permit application process nor reported pursuant to an approved land application plan. Additional sites may not be used for the land application of sludge until department approval is received.

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 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.

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 Spill Reporting

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

4.2.8 Planned Changes

In accordance with ss. 283.31(4)(b) and 283.59, Stats., the permittee shall report to the Department any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants. The report shall either be a new permit application, or if the new discharge will not violate the effluent limitations of this permit, a written notice of the new, different or increased discharge. The notice shall contain a description of the new activities, an estimate of the new, different or increased discharge of pollutants and a description of the effect of the new or increased discharge on existing waste treatment facilities. Following receipt of this report, the Department may modify this permit to specify and limit any pollutants not previously regulated in the permit.

4.2.9 Duty to Halt or Reduce Activity

Upon failure or impairment of treatment facility operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment facility operations are restored or an alternative method of treatment is provided.

4.2.10 Flow Augmentation Prohibited

The permittee shall not augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with metal finishing technology based limitations

4.3 Surface Water Requirements

4.3.1 Permittee-Determined Limit of Quantitation Incorporated into this Permit

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

4.3.2 Appropriate Formulas for Effluent Calculations

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

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

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

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

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

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

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

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

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

4.3.3 Visible Foam or Floating Solids

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

4.3.4 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.

4.3.5 Compliance with Phosphorus Limitation

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

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

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

$$\text{Average concentration of P in mg/L} = \frac{\text{Total lbs of P discharged (most recent 12 months)}}{\text{Total flow in MG (most recent 12 months)} \times 8.34}$$

The compliance calculation shall be performed each month with a reported discharge volume after substituting data from the most recent month(s) for the oldest month(s). A calculated value in excess of the concentration limitation will be considered equivalent to a violation of a monthly average.

4.3.6 Whole Effluent Toxicity (WET) Monitoring Requirements

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

4.3.7 Whole Effluent Toxicity (WET) Identification and Reduction

Within 60 days of a retest which showed positive results, the permittee shall submit a written report to the Biomonitoring Coordinator, Bureau of Water Quality, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, which details the following:

- A description of actions the permittee has taken or will take to remove toxicity and to prevent the recurrence of toxicity;

- A description of toxicity reduction evaluation (TRE) investigations that have been or will be done to identify potential sources of toxicity, including the following actions:
 - a) Evaluate the performance of the treatment system to identify deficiencies contributing to effluent toxicity (e.g., operational problems, chemical additives, incomplete treatment)
 - b) Identify the compound(s) causing toxicity. Conduct toxicity screening tests on the effluent at a minimum of once per month for six months to determine if toxicity recurs. Screening tests are WET tests using fewer effluent concentrations conducted on the most sensitive species. If any of the screening tests contain toxicity, conduct a toxicity identification evaluation (TIE) to determine the cause. TIE methods are available from USEPA “Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures (EPA/600/6-91/003) and “Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I” (EPA/600/6-91/005F).
 - c) Trace the compound(s) causing toxicity to their sources (e.g., industrial, commercial, domestic)
 - d) Evaluate, select, and implement methods or technologies to control effluent toxicity (e.g., in-plant or pretreatment controls, source reduction or removal)
- Where corrective actions including a TRE have not been completed, an expeditious schedule under which corrective actions will be implemented;
- If no actions have been taken, the reason for not taking action.

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

4.3.8 PFOS and PFOA Requirements

The laboratory performing the analysis on any samples shall be certified for the applicable PFAS compounds in the aqueous matrix by the Wisconsin Laboratory Certification Program established under s. 299.11, Wis. Stats., in accordance with s. NR 149.41, Wis. Adm. Code. If the EPA Office of Water publishes a 1600 series isotope dilution method for the analysis of PFAS in wastewater, the department recommends the use of the EPA method.

The Department may reject any sample results if results are produced by a laboratory that is not in compliance with certification requirements under ch. NR 149, Wis. Adm. Code.

5 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
PFOS/PFOA Minimization Plan Determination of Need -Report on Effluent Discharge	March 31, 2025	11
PFOS/PFOA Minimization Plan Determination of Need -Report on Effluent Discharge and Evaluation of Need	March 31, 2026	11
Combined Effluent pH Monitoring -Submit a plan	December 31, 2025	11
Combined Effluent pH Monitoring -Begin Monitoring	July 1, 2026	11
Annual Water Quality Trading (WQT) Report -Annual WQT Report	January 31, 2025	12
Annual Water Quality Trading (WQT) Report -Annual WQT Report #2	January 31, 2026	12
Annual Water Quality Trading (WQT) Report -Annual WQT Report #3	January 31, 2027	12
Annual Water Quality Trading (WQT) Report -Annual WQT Report #4	January 31, 2028	12
Annual Water Quality Trading (WQT) Report -Annual WQT Report Required After Permit Expiration	See Permit	12
Wastewater Discharge Monitoring Report	no later than the date indicated on the form	12

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