

***STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES***

**GENERAL PERMIT TO DISCHARGE UNDER THE
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of Chapter 283, Wisconsin Statutes, any facility discharging


DOMESTIC WASTEWATER TO A SUBSURFACE SOIL ABSORPTION SYSTEM

located in the State of Wisconsin and which meets the applicability criteria listed in this General Permit, and having a letter from the Department authorizing coverage under this permit, is permitted to discharge domestic wastewater

to groundwaters of the state

in accordance with the requirements and conditions set forth in this permit.

State of Wisconsin Department of Natural Resources
For the Secretary

By 
Russell A. Rasmussen, Director
Bureau of Watershed Management

02/01/2005
Date of Signature

EFFECTIVE DATE: February 1, 2005

EXPIRATION DATE: December 31, 2009

1 APPLICABILITY CRITERIA

1.1 Facilities Covered: This permit applies to:

1.1.1 Discharges to groundwater of the State from private onsite wastewater treatment systems (POWTS) that meet all of the following conditions:

1.1.1.1 The discharge is to a new¹ or upgraded² large scale subsurface soil absorption system treating and discharging domestic wastewater as defined in NR 205.03(14), Wis. Adm. Code,

1.1.1.2 The design capacity of the system, as determined under NR 200.03(3)(d), NR 200.03(4) and NR 200.03(5), Wis. Adm. Code, is greater than 12,000 gallons per day,

1.1.1.3 The wastewater, prior to discharge to the subsurface soil absorption system, has been treated by a wastewater treatment component designed to remove nitrogen and is approved by the Department of Commerce, including concurrence by the Department of Natural Resources as provided in s. Comm 83.22(2)(b)6, Wis. Adm. Code.

1.1.1.4 The design of the subsurface soil absorption or dispersal component of the system meets the design requirements of Comm 83, Wis. Adm. Code, in addition to the nitrogen removal requirements in part 1.1.1.3 above.

1.1.2 Discharges to groundwater of the state from publicly owned treatment works that discharge via a subsurface soil absorption system that meet the requirements of NR 110 and NR 206, Wis. Adm. Code, unless the Department determines that an individual permit is necessary, or

1.1.3 Discharges that meet the applicability criteria contained in part 1.1.1 or 1.1.2 and that contain a mixture of domestic and non-domestic wastewater that the Department determines is substantially equivalent to domestic wastewater.

1.2 Facilities Not Covered: This permit does not apply to systems that discharge within a source water protection area for a public drinking water system using groundwater as designated under the source water assessment program approved by the U.S. Environmental Protection Agency under 42 USC 300j-13. The Department may waive this requirement on a case-by-case basis if the Department determines that the proposed facility will not adversely affect the safety of the public water system.

¹ For purposes of this permit, a new POWTS is a system that serves residential dwellings or a commercial operation the construction of which occurs simultaneously with the construction of the POWTS.

² For purposes of this permit, an upgraded POWTS is a system that serves residential dwellings or a commercial operation served by an existing POWTS that may or may not be covered by an existing WPDES permit, that exceeds or will increase in size to exceed the threshold capacities as determined in NR 200.03(3), and that meets the terms and conditions of this permit.

1.3 Granting of Coverage: All facilities meeting the applicability requirements of this permit must receive a letter from the Department granting coverage under this permit, prior to commencing a discharge.

2 OPERATION AND PERFORMANCE REQUIREMENTS

2.1 Design and Operation. The permittee shall operate the system in accordance with the design parameters for the system as defined by the construction plan approvals granted by the Department of Natural Resources under s. 281.41, Stats., or the Department of Commerce under Comm 83, Wis. Adm. Code. Systems that are designed and constructed to meet the requirements of Comm 83 and that meet the applicability criteria in part 1.1.1 of this permit may operate under the terms of this permit.

2.1.1 A POWTS receiving approval by the Department of Commerce under Comm 83, Wis. Adm. Code, and subject to coverage under his permit shall be operated in compliance with that approval and any attached conditions and requirements.

[Note: This permit does not establish a specific nitrogen removal requirement. The purpose of the permit is to assure that large systems under this permit employ nitrogen removal technology that is technically and economically feasible.]

2.2 Management Plan. The permittee shall operate and maintain the system in accordance with the approved management plan. The management plan for privately owned wastewater treatment systems (see s. Comm 83.54(1), Wis. Adm. Code) is approved by the Department of Commerce. The management plan for publicly owned wastewater treatment systems (see s. NR 206.07(2)(h), Wis. Adm. Code) is approved by the Department of Natural Resources. A copy of the management plan shall be retained by the permittee at the property on which the system is located and the plan shall be available for Department inspection. Whenever the permittee intends to make changes to operational practices that were established in an approved management plan, the management plan shall be revised and be submitted to the respective agency for approval prior to implementing such changes (see s. Comm 83.54(1)(d) and s. NR 206.07(2)(h), Wis. Adm. Code).

2.3 Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems that are installed or used by the permittee to achieved compliance with the requirements of this permit. The operation of back-up or auxiliary facilities or similar systems is required when necessary to achieve compliance with the conditions of this permit.

[Note: Proper operation and maintenance may include effective performance, adequate funding, adequate operator staffing and training and adequate process controls.]

2.4 Operator Requirements. All subsurface land disposal systems covered by this permit that are publicly owned treatment works shall be operated under the supervision of a state certified operator as required in ch. NR 114 and s. NR 108.06(2), Wis. Adm. Code.

2.5 Design Hydraulic Loading Rate. The volume of wastewater discharged to the land disposal system shall not exceed the approved design capacity of the system.

2.6 Discharge to Ground Surface. The permittee may not allow wastewater to reach the ground surface prior to or after discharge to the subsurface soil absorption system.

2.7 Toxic Substances. The permittee may not discharge liquid wastes to the subsurface soil absorption system that contain toxic or hazardous substances at levels exceeding those normally present in domestic wastewater.

2.8 Discharge to Drain Tiles. The permittee may not allow wastewater from the subsurface soil absorption system to reach agricultural drain tiles or other drainage systems that discharge to surface waters.

2.9 Septage/Sludge. Septage, sludge and scum shall be removed from the treatment component of the system as established in the management plan. Any septage, sludge and scum removed may be transported by a hauler licensed under ch. NR 113, Wis. Adm. Code, to a publicly owned wastewater treatment works. Land application of septage from any treatment component shall be in accordance with ch. NR 113. Land application of sludge shall be in accordance with ch. NR 204, Wis. Adm. Code. The methods used for the disposal of septage or sludge shall be as provided in the approved management plan required under section 2.2 of this permit.

2.10 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:

2.10.1 Wastes that create a fire or explosion hazard in the treatment system;

2.10.2 Wastes that cause corrosive structural damage to the treatment system;

2.10.3 Solid or viscous substances in amounts which cause obstructions to the flow in sewers or interference with the proper operation of the treatment system;

2.10.4 Wastewater at a flow rate or pollutant loading which is excessive over relatively short time periods so as to cause a loss of treatment efficiency; or

2.10.5 Changes in discharge volume or composition from contributing sources which overload the treatment works or cause a loss of treatment efficiency.

2.11 Unscheduled Bypassing. Any unscheduled diversion or bypass of wastewater at the treatment works or collection system is prohibited, and the Department may take enforcement action against a permittee for such occurrences under s. 283.89, Stats., unless:

2.11.1 The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2.11.2 There were no feasible alternatives to the bypass, such that the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

2.11.3 The permittee notified the Department as required in Section 2.12.

2.12 Unscheduled Bypass Reporting. Within 24 hours, the permittee shall report any unscheduled bypass event by a telephone call, fax or e-mail to the Department's regional office. A written report containing the unscheduled bypass event details, as specified in NR 205.07(1)(u)3., shall also be submitted to the Department's regional office within 5 days, unless the Department has granted a waiver from this reporting.

2.13 Scheduled Bypassing. Any construction or maintenance activities that result in a bypass of wastewater from a treatment system are prohibited unless authorized by the Department in writing. Each request for approval of a scheduled bypass shall specify the following minimum information:

2.13.1 proposed date of the bypass, and evaluation of alternatives to bypassing,

2.13.2 estimated duration and volume of the bypass, and

2.13.3 measures to mitigate environmental harm that could be caused by the bypass.

3 OTHER REPORTING REQUIREMENTS

3.1 Compliance Maintenance Annual Report. All subsurface soil absorption systems subject to this permit shall complete a Compliance Maintenance Annual Report (CMAR) using information obtained over each calendar year regarding the wastewater and conveyance system. The CMAR shall be submitted in accordance with NR 208, Wis. Adm. Code, using a report form provided by the Department. The CMAR shall be completed and signed by a duly authorized representative. In the case of a publicly owned treatment works, the municipality's governing body shall submit a resolution accompanying the CMAR, that deals with how the permittee will address the problems identified.

3.2 Department of Commerce Monitoring or Reporting Requirements. Any required reporting of information to the Department of Commerce for a large POWTS shall also be provided to the Department of Natural Resources, unless the Department of Natural Resources indicates in writing that the submittal of information is not necessary.

4 STANDARD REQUIREMENTS

4.1 Application by Reference. 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, except for s. NR 205.07(1)(n), which does not apply to facilities covered under general permits. A system that is a large POWTS shall also comply with the requirements of the plan approval issued by either the Department of Commerce or the Department of Natural Resources, and the sanitary permit. Selected NR 205.07 requirements are provided in this part for convenience.

4.2 Inspection and Entry. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to enter the permittee's premises, have access to records, and inspect and monitor the discharge as described in s. NR 205.07(1)(d).

4.3 Property Rights. As set forth in s. NR 205.07(1)(c), this permit does not convey any property rights of any sort, or any exclusive privilege.

4.4 Planned Changes. The permittee shall report to the Department any facility expansion or process modifications that will result in new, different or increased discharges of pollutants as set forth in s. NR 205.07(3)(c).

4.5 Spill Reporting for Hazardous Substances. The permittee shall immediately notify the Department of an accidental release or spill of any hazardous substance to the environment, as specified in the ch. NR 706, Wis. Adm. Code.

4.6 Duty to Halt or Reduce Activity. Upon failure or impairment of treatment facility operation, the permittee shall, as required in NR 205.07(3)(e) and 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.

4.7 Continuation of an Expired General Permit. As provided in s. NR 205.08(9), the terms and conditions of this general permit shall continue to apply until this general permit is reissued or revoked or until an individual permit is issued for the discharge to which the general permit applied.