



BUREAU OF WATER QUALITY PROGRAM GUIDANCE

WASTEWATER POLICY MANAGEMENT TEAM

Wisconsin Department of Natural Resources
101 S. Webster Street, P.O. Box 7921
Madison, WI 53707-7921

Guidance for Approval of Design for Blending Requests for Existing Facilities

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

APPROVED:

A handwritten signature in black ink that reads 'Adrian Stocks'.

Adrian Stocks, Director
Bureau of Water Quality

2/14/2020
Date

Guidance for Approval of Design for Blending Requests for Existing Facilities

Rules surrounding blending were promulgated by the Department in 2013. Section NR 210.12 (2), Wis. Adm. Code, states that the Department may approve blending when all of the following conditions are met:

- (a) Blending may be necessary during wet weather and other high flow conditions to avoid severe property damage to the sewage treatment facility.
- (b) The permittee is effectively implementing a CMOM program.
- (c) The permittee demonstrates that there are no feasible alternatives to the use of blending (feasibility can include considerations of cost).
- (d) The design of the sewage treatment facility is approved by the department to operate with blending.

While conditions (a) and (b) are determined at each permit issuance as a part of a substantial compliance determination, (c) and (d) are not expected to change except when there are alterations to the treatment facility and/or service area. Therefore, determinations regarding (c) and (d) are expected to carry over between permit terms. However, any facility previously approved for blending under this rule must reevaluate whether there are any feasible alternatives to blending as a part of any subsequent facility plan if the plan proposes to maintain blending following any upgrades.

If there has not been a recent facilities plan or plan and specification approval that specifically recognizes blending as provided in NR 210.12, the permittee should submit a report that addresses the design requirements for blending in NR 210.

Other than a definition of blending, NR 110 provides no specific design criteria for blending but ss. NR 110.06, NR 110.07 and NR 110.09 do require that detailed design information be provided for reviewable projects. It is expected that the information required to document the need for blending will be readily available to the permittee.

The report should demonstrate that the sewage treatment facility has in place the requisite capability and equipment to implement blending. If not included with WPDES permit application, the report should also demonstrate: 1) the need for blending to avoid severe damage to the treatment plant, and 2) that there are no feasible alternatives to blending.

With respect to facility design, the report should include:

1. A summary of the treatment units and hydraulic capacities of each unit. A description of the configuration and capacities of any channels, conduits, or pumps that allow for blending. A description of the methods used to monitor and record the time, duration and volume of the flow diverted around the biological treatment units. The actual operating capacities of the various units may be different from the original design values or assumed capacities provided by the design criteria in NR 110. The report should explain how the capacity of the various units was determined.
2. A table of the design flows for the treatment plant including the peak design flows and a description of the conditions under which blending would be initiated.
3. A summary of recent flows monitored at the treatment plant. Any blending events should be described including the precipitation that triggered the event.
4. Documentation or calculations that demonstrate that effluent limits were or would be met during a blending event.
5. If not included elsewhere, an explanation as to why the permittee has concluded that there are no feasible alternatives to blending.

Documentation that the permittee is effectively implementing a CMOM program should be submitted with the permit application and evaluated as part of the permit issuance process.

Information on CMOM activities may be included in the blending report. However, approval of the report does not constitute approval of a CMOM program.

The reports will be reviewed like treatment plant re-rating requests. The owner may hire a consulting engineer to prepare the report, but it is not necessary to have the report submitted by a registered professional engineer if no alterations to the treatment facility are proposed.

A transmittal letter, one paper copy of the report, and a CD with a PDF file of the report should be submitted to:

Wastewater Section Chief
Wisconsin Department of Natural Resources
Bureau of Water Quality – WY/3
P.O. Box 7921
Madison, WI 53707-7921

The Plan Review Engineer will forward a copy of the report to the Basin Engineer. A copy will be provided to the Permit Drafter if a permit application has been received. The Plan Review Engineer and the Basin Engineer will review the report. If the report provides an adequate basis for concluding that the provisions of s. NR 210.12 (2) will be met, the Plan Review Engineer will prepare an approval letter (a sample letter is attached). The report and any review documents will be filed in the plan review database.

It is important to note that approval of the report does not constitute approval to blend. Blending is prohibited unless it is also included as a condition in a permit and, thereby, subject to the appropriate reviews and approvals provided under the permit issuance process.

References: Chapter NR 210, Wis. Admin. Code
SSO Rule Implementation Guidance, September 2013 3400-2013-05

Attachment: Sample Approval Letter

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



February 29, 2039

DNR Project No: S-2014-0000

Wendy Wastewater, Clerk
City of Blendovia
987 E. Main Street
P.O.Box 567
Blendovia WI 12345

Subject: Approval of [Title of Report Requesting Blending]

Dear Ms. Wastewater:

The Department has reviewed your [Title of Report Requesting Blending] that was by submitted by Hansom W. Operator, City of Blendovia, and received on March XX, 20XX.

The report demonstrates that the Blendovia Wastewater Treatment Facility has the physical capability and necessary equipment to practice blending and the design of the facility is hereby approved under s. NR 210.12 (2)(d), Wis. Adm. Code.

It is important to note that approval of your report does not by itself constitute approval to implement blending under a WPDES permit. Blending is prohibited unless all the requirements of s. NR 210.12, Wis. Adm. Code are met and blending is included as a condition in your WPDES discharge permit subject to the review processes established for permit issuance. Therefore, this approval is not to be construed as a Department determination on the issuance of a WPDES permit nor is it an opinion as to the ability of these treatment plant to comply with effluent limitations in such a permit.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department on Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.



WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

WY-20-0002

DOCUMENT TITLE

Guidance for Approval of Design for Blending Requests for Existing Facilities

PROGRAM/BUREAU

Water Quality

STATUTORY AUTHORITY OR LEGAL CITATION

Chapters NR 110 and NR 210, Wis. Adm. Code.

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

01/20/2020

DATE FINALIZED

02/11/2020

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

2/14/2020

Signature

Date

