



# WPDES PERMIT

## *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, Wis. Stats., any facility engaged in a

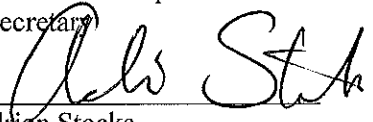
#### **LOW-IMPACT DISCHARGE**

located in the State of Wisconsin and meeting the applicability criteria listed in this General Permit, is permitted to discharge these wastewaters directly to surface waters of the state and/or indirectly to groundwaters of the state in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

State of Wisconsin Department of Natural Resources (hereafter department)

For the Secretary

By

  
Adrian Stocks  
Director, Bureau of Water Quality

2/28/2020  
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE – March 1, 2020

EXPIRATION DATE – February 28, 2025

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# 1 Applicability Criteria

## 1.1 Discharges Covered

This general permit is applicable to low-impact discharges to the waters of the state that meet all of the following conditions:

1. The department determines that the discharge does not contain pollutants in concentrations that cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standards in chs. NR 102, NR 103, NR 104, NR 105, NR 106, NR 207, and NR 217 Wis. Adm. Code or any applicable groundwater quality standards in ch. NR 140, Wis. Adm. Code;
2. The permittee submits a complete and timely Notice of Intent (NOI) to the department in accordance with Section 2 and receives a letter from the department granting them coverage under this general permit;
3. The permittee submits discharge screening results from Section 3 with the NOI and the department determines that the discharge passes the screening levels and narrative requirements in Section 3; and
4. The permittee submits a complete best management practice (BMP) plan in accordance with Section 6 with the NOI to the department for approval.

This general permit may cover the following low-impact discharge activities:

1. Maple syrup derived wastewaters discharged to groundwater via infiltration or seepage;
2. The following outside washing activities:
  - a. Recurring washing of vehicles or equipment at car dealerships, truck companies, construction companies, implements, highway departments, golf courses, truck terminals, or petroleum bulk stations;
  - b. Recurring washing of recreational vessels, boats, trailers, and other aquatic equipment at marinas or boatyards;
  - c. Washing of trucks or other construction equipment containing inert or readily biodegradable materials (i.e. dirt, sand, or gravel) at construction sites or storage areas;
  - d. Mobile commercial power washing or contract washers;
  - e. Nonemergency steam or high-pressure water degreasing of an average of one or less engines or oily pieces of equipment per month at a site in any 6-month period;
  - f. Emergency degreasing associated with equipment malfunction; and
  - g. Washing of vehicles, equipment, and/or other objects inside permanent structures on a commercial basis if the washwater is directed outside.
3. Noncontact cooling waters, boiler blowdown, condensates discharged to groundwater via infiltration or seepage;
4. Public swimming pool and water attraction wastewater discharged to groundwater via infiltration or seepage;
5. Air conditioning/compressor condensates uncontaminated by oil and grease; or
6. Other low-impact discharge activities that meet the applicability conditions above as approved by the department.

## 1.2 Discharges Not Covered

The discharges listed in this section are not applicable to this general permit and may require application under another general or individual WPDES permit. The following discharges are not applicable to this general permit:

- Discharges that are more appropriately covered under another general permit;
- Discharges requiring permanent treatment to meet the discharge screening levels in Section 3 and the installation or construction of the treatment system requires review and approval by the department in accordance with s. 281.41, Wis. Stats.;
- Discharges of petroleum contaminated water;
- Discharges from hydrostatic testing of water supply systems (i.e. watermains, water storage tanks, water towers) or petroleum transportation or storage infrastructure (i.e. pipelines, petroleum storage tanks, pressure vessels);
- Discharges from occasional vehicle washing at not-for-profit fund-raising events;
- Discharges from noncommercial washing at individual residences;
- Discharges from commercial automatic car washes;
- Discharges of washwater to a subsurface soil absorption system (e.g. septic tank and drain field);
- Discharges from nonemergency steam or high-pressure water degreasing of an average of more than one engine or oily piece of equipment per month at a given site in any given 6-month period;
- Discharges from degreasing operations using degreasing agents containing halogenated hydrocarbons;
- Discharges from washing activities covered under the Nonmetallic Mining Operations WPDES General Permits (Nos. WI-A046515 and WI-B046515);
- Discharge from washing activities covered under the Concrete Product Operations WPDES General Permit (No. WI-0046507) including mobile or portable concrete operations;
- Discharges from swimming pools or water attractions at individual private residences that do not directly discharge through a permanent conveyance structure to surface waters. Residential swimming pools that directly discharge to surface waters will be evaluated on a case-by-case basis for coverage under this general permit;
- Discharges of filter backwash from swimming pools or water attractions with diatomaceous earth filters;
- Discharges containing contaminated groundwater or stormwater;
- Discharges containing municipal wastewaters, domestic wastewaters, or manure;
- Discharges containing industrial process wastewater that require limits from chs. NR 221 to NR 297, Wis. Adm. Code;
- Discharges of industrial liquid wastes, by-product solids, or sludges to a landspreading or sludge spreading system as defined under ch. NR 214, Wis. Adm. Code. Discharges to other land treatment systems as defined under ch. NR 214, Wis. Adm. Code will be evaluated for coverage under this general permit on a case-by-case basis;

- Discharges from any accidental or unplanned release, spill, leak, or overflow;
- Discharges containing water treatment additives where the additive use is not approved in writing by the department or water treatment additives requiring a usage restriction and effluent limits except for those additives already present in the source water from the public water supply;
- Discharges that will contain a pollutant in a measurable amount that will contribute to the impairment of a 303(d) listed impaired water or be in noncompliance with an approved Total Daily Maximum Load (TMDL). Wisconsin's 303(d) listed impaired waters or waters with approved TMDLs can be found at <https://dnr.wi.gov/topic/impairedwaters/>. Facilities that are found to be discharging the listed pollutant(s) of concern for any impaired water may be required to obtain coverage under another general or individual WPDES permit;
- Discharges to a wetland where the department has determined that the discharge of pollutants will not meet the wetland protection requirements of ch. NR 103, Wis. Adm. Code;
- Discharges directly to an outstanding resource water as defined in s. NR 102.10, Wis. Adm. Code, or discharges that would lower the water quality of downstream outstanding resource waters;
- Discharges directly to an exceptional resource water as defined in s. NR 102.11, Wis. Adm. Code, or discharges that would lower the water quality of downstream exceptional water resources;
- Discharges that result in the significant lowering of water quality in fish and aquatic life waters identified in s. NR 102.13, Wis. Adm. Code, Great Lakes system waters, and variance waters identified within ss. NR 104.05 through 104.10, Wis. Adm. Code;
- Increased discharges to fish and aquatic life waters identified in s. NR 102.13, Wis. Adm. Code, Great Lakes system waters, and variance waters identified within ss. NR 104.05 through 104.10, Wis. Adm. Code.
- Discharges containing toxic or hazardous pollutants (such as phenolics, metals, solvents, lubricants, biocides, pesticides, bioaccumulative organics, etc.) that are required to be reported under ch. NR 706, Wis. Adm. Code.
- Discharges that will adversely impact endangered and threatened species, including causing an incidental take, unless the department determines that the discharges comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm. Code.
- Discharges that will adversely affect any historic property that is listed property, or on the inventory or on the list of locally designated historic places under s. 44.45, Wis. Stats., unless the department determines that the discharges will not have an adverse effect on any historic property pursuant to s. 44.40(1), Wis. Stats.
- Discharges from properties within tribal lands. The Tribe or United States Environmental Protection Agency (EPA) regulates discharges within tribal lands (land owned by or held in trust for the tribes and land within recognized reservation boundaries);
- Discharges containing substances that will have a reasonable potential to exceed the surface water quality standards in chs. NR 102, NR 104, NR 105, NR 106, NR 207, and NR 217 Wis. Adm. Code, or other applicable surface water quality standards; and
- Discharges containing substances that will have a reasonable potential to exceed the groundwater quality standards in ch. NR 140, Wis. Adm. Code.

### **1.3 Permit Exclusions**

The discharges listed below are excluded from requiring coverage under this WPDES permit:

- Discharges to a holding tank that are pumped and hauled to a publicly-owned treatment works;
- Discharges to a sanitary sewer system that conveys the wastewater to a publicly-owned treatment works; and
- Discharges to a sanitary sewer system that conveys the wastewater to a privately-owned treatment works.

### **1.4 Permit Coverage Area**

Coverage under this permit may apply statewide or within a specific coverage area for applicants. Statewide coverage applies only to facilities that perform operations with temporary discharges at multiple locations across the state of Wisconsin. Permittees who perform operations across the state of Wisconsin do not need to reapply for permit coverage each time a discharge to a water of the state occurs within the coverage area.

## 2 Obtaining Permit Coverage

An applicant shall comply with the following requirements to obtain coverage and authorization to discharge to the waters of the state under this general permit.

### 2.1 Submittal of a Notice of Intent

The applicant must submit a complete notice of intent (NOI) under this general permit to the department at least thirty (30) business days before the expected start date of discharge. The NOI can be found at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. NOIs must be submitted electronically, if made available by the department, or mailed to the attention of “Wastewater General Permits” at the headquarters office of the region in which the project is located unless otherwise indicated on the department’s webpage. A list of the department general permit reviewers for each region with contact information can be found at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

**Note:** The department is in the process of developing and requiring electronic submissions of NOIs to discharge under this general permit. Once the NOIs are online, paper copies will be no longer be accepted. The department will post this update on our general permit webpage

### 2.2 Incomplete NOI

The department may require an applicant to submit additional information if the department determines a NOI is incomplete. The applicant shall submit the requested information.

### 2.3 Granting of Coverage

All applicants meeting the applicability requirements of this general permit must receive a letter from the department granting coverage under this general permit prior to commencing discharge to the waters of the state. If the applicant has not received a coverage letter from the department granting coverage under this general permit, an applicant may not discharge to the waters of the state until the receipt of the coverage letter issued by the department.

**Note:** If the department notifies an applicant that a discharge is ineligible for coverage under this general permit but still requires WPDES permit coverage, the applicant shall apply for and obtain coverage under an individual WPDES permit (or alternative general permit, if available) prior to discharging to the waters of the state. The necessary steps to apply for coverage under an individual permit can be found at the department website: <http://dnr.wi.gov/topic/wastewater/PermitApplications.html>.

### 3 Discharge Screening Requirements

The applicant shall comply with the following discharge screening requirements.

#### 3.1 Discharge Screening Levels

The applicant shall certify that the discharge complies with the following screening levels and narrative requirements in the NOI.

##### 3.1.1 Discharge Sampling Requirements

The applicant shall sample the discharge for the parameters provided below. However, for certain discharge activities listed in Section 3.4, the department requires only a limited set of parameters to be sampled as part of this screening effort, as specified in Section 3.4. Applicants may use historical discharge data, if available, for screening results. The applicant shall provide the laboratory reports if the discharge sample was analyzed by a commercial laboratory.

Parameter	Units	Screening Value	Sample Type
pH Field or Lab	s.u.	Between 6.0 – 9.0	Measure
Suspended Solids, Total	mg/L	≤ 8.0	Grab
BOD <sub>5</sub> , Total	mg/L	≤ 6.0	Grab
Chlorine, Total Residual	mg/L	< 0.019 or < Limit of Detection (LOD) using an acceptable analytical test method that produces the lowest LOD and Limit of Quantitation (LOQ) available	Measure
Oil & Grease (Hexane)	mg/L	≤ 3.0	Grab
Maximum Temperature for Surface Water	°F	The department determines that the discharge does not have reasonable potential to cause or contribute to an exceedance of water quality standards for temperature in ch. NR 102, Wis. Adm. Code	Measure
Maximum Temperature for Groundwater	°F	< 120	Measure



Parameter	Units	Screening Value	Sample Type
Dissolved Oxygen	mg/L	The department determines that the discharge does not have reasonable potential to cause or contribute to an exceedance of water quality standards for dissolved oxygen in ss. NR 102.04(4)(a) and (b), Wis. Adm. Code	Measure
Chloride for Surface Water	mg/L	≤ 79	Grab
Chloride for Groundwater	mg/L	< 125	Grab
Phosphorus, Total	mg/L	The department determines that the discharge does not have reasonable potential to cause or contribute to an exceedance of water quality standards for phosphorus in s. NR 102.06, Wis. Adm. Code	Grab
Nitrogen, Ammonia (NH <sub>3</sub> -N) Total	mg/L	The department determines that the discharge does not have reasonable potential to cause or contribute to an exceedance of water quality standards for ammonia in ch. NR 105, Wis. Adm. Code	Grab

### 3.1.2 Narrative Discharge Requirements

The applicant shall certify that the discharge complies with the following narrative requirements in the NOI. The application shall evaluate the discharge based on data or knowledge of discharge collected by the applicant or on behalf of the applicant. During the permit term, the permittee shall evaluate the discharge narrative requirements based on visual inspection of the discharge.

Parameter	Units	Screening Value	Sample Type
Oil Sheen or Film	-	Absent	Certify/Record
Odor Color	-	Not Objectionable	Certify/Record

Parameter	Units	Screening Value	Sample Type
Floating Solids Submerged Solids Foam Scum Debris Other Indicators of Pollution	-	Absent	Certify/Record
Water Treatment Additives	-	Discharge does not contain any unapproved additives except those already found in the source water	Certify/Report
Bacteria/Coliform	-	Discharge shall be absent coliform organisms associated with human and animal wastes	Certify/Report
Metals	-	Discharge is absent any metals from chs. NR 105 or NR 140, Wis. Adm. Code which may be harmful to humans and the environment	Certify/Report
Bioaccumulative Chemical of Concern	-	Discharge is absent any bioaccumulative chemical of concern	Certify/Report
Other Toxic or Hazardous Substances	-	Discharge is absent other toxic or hazardous substances that may be harmful to humans or the environment	Certify/Report

### 3.2 Submittal of Discharge Screening Results Prior to Expiration

Discharge screening results are only valid for the term of the permit. Permittees shall screen their discharge for the parameters listed in Section 3.1 once every permit term hereafter. Permittees shall certify and submit the screening results 180 days (~6 months) prior to the expiration date of this general permit. Existing permittees may not submit historical discharge data for screening results.

### 3.3 Changes in Facility Operations

If the permittee makes any changes in their facility operations that may affect the discharge, the permittee shall retest the discharge for the parameters in Section 3.1 and submit the discharge screening results to the department. The department will then determine if the facility may remain covered under this general permit based on the new discharge screening results.

### 3.4 Sampling for Certain Discharge Activities

The table below lists the parameters to be sampled for the low-impact discharge activities listed in Section 1.1, which may be covered under this general permit. At a minimum, applicants shall sample the discharge for the parameters listed below based on their discharge activity and discharge location. The applicant shall contact the department prior to submittal of NOI to request a waiver from sampling for certain discharge screening parameters below. The department will compare the results to the discharge screening levels in Section 3.1.1.

<b>Discharge Activity</b>	<b>Parameters for Surface Water Dischargers</b>	<b>Parameters for Groundwater Dischargers</b>
Maple Syrup Derived Wastewaters	pH Field or Lab, Total BOD <sub>5</sub> , Total Suspended Solids, Oil & Grease, Total Residual Chlorine	Oil & Grease
Washwater from outside washing of vehicles, equipment, and/or other objects	Narrative Discharge Requirements Only	Narrative Discharge Requirements Only
Noncontact cooling waters, boiler blowdown, other condensates	Case-by-Case for Parameters in Section 3.1	Maximum Temperature and Oil & Grease
Public swimming pool and water attraction wastewater	Case-by-Case for Parameters in Section 3.1	Chloride and Maximum Temperature
Air conditioning/Compressor condensates	pH Field or Lab, Total BOD <sub>5</sub> , Total Suspended Solids, Total Residual Chlorine, Maximum Temperature, Ammonia, Total Phosphorus, Oil & Grease	Maximum Temperature and Oil & Grease
Other Low-Impact Discharge Activities	Case-by-Case for Parameters in Section 3.1	Case-by-Case for Parameters in Section 3.1

### 3.5 Sampling for Statewide Coverage

Permittees with statewide coverage that perform statewide operations shall collect at least one set of samples for the parameters listed in Section 3.4 from one discharge event that will be representative of all discharges occurring from standard operating procedures during the term of the permit.

## **4 Discharge Requirements**

The permittee shall comply with the following discharge requirements.

### **4.1 Surface Water Discharge Requirements**

The permittee shall meet the following requirements for surface water discharges. Surface water discharge means any discernible, confined and discrete conveyance system, including but not limited to any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will carry wastewater to surface water within the state of Wisconsin.

#### **4.1.1 Objectionable Deposits**

The discharge shall not contain pollutants that will cause objectionable deposits on the shore or in the bed of a body of water in such amounts as to interfere with public rights in waters of the state.

#### **4.1.2 Floating or Submerged Material**

The discharge shall not contain pollutants that will cause floating or submerged debris, oil, scum or other material in such amounts as to interfere with public rights in waters of the state.

#### **4.1.3 Unsightliness**

The discharge shall not contain pollutants that will produce color, odor, taste or unsightliness in such amounts as to interfere with public rights in waters of the state.

#### **4.1.4 Toxic Substances**

The discharge shall not contain substances in concentrations or combinations which are toxic or harmful to humans 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.

#### **4.1.5 Discharge Rate**

The discharge flow rate shall be controlled along the discharge path to prevent the addition of sediment or turbidity from entering the receiving water.

#### **4.1.6 Erosion Control**

The discharge flow rate shall be controlled to prevent erosion at the end of pipe and within the receiving water.

#### **4.1.7 Visible Oil Sheen or Film**

The discharge shall not contain any visible oil sheen or film.

#### **4.1.8 Visible Solids or Foam**

The discharge shall not contain any visible solids or foam.

### **4.2 Groundwater Discharge Requirements**

The permittee shall meet the following requirements for groundwater discharges. Groundwater discharge means any wastewater that is allowed to infiltrate or seep into the soil from a permeable surface that may impact groundwater quality.

#### **4.2.1 Discharge Location**

The groundwater discharge shall occur on grass, soil, gravel areas, or seepage areas to the extent possible and infiltration of the discharge shall be maximized.

#### **4.2.2 Discharge Rate**

The discharge flow rate shall be limited to a rate that can infiltrate into the soil surface when discharged.

#### **4.2.3 Runoff Control**

The discharge flow rate shall be controlled to prevent runoff from the site into surface waters.

#### **4.2.4 Rainfall Events**

The water may not be discharged during any rainfall events that cause runoff from the site into surface waters except if the infiltration area is located such that runoff from the area cannot enter a surface water.

#### **4.2.5 Erosion Control**

The discharge flow rate shall be limited to prevent erosion when the vegetative cover has not developed sufficiently to anchor the soil and create the filter mat necessary for effective infiltration.

#### **4.2.6 Winter Operations**

Discharges to groundwater may be allowed during frozen conditions provided infiltration is adequate to prevent long term ponding or pooling of water. Since infiltration decreases in the winter, the department may require storage during cold weather when feasible.

#### **4.2.7 Toxic Substances**

The discharge shall not contain substances in concentrations or combinations which are toxic or harmful to humans in amounts found to be of public health significance, nor shall substances be present in amounts that will have a significant damaging effect on groundwater quality.

#### **4.2.8 Groundwater Quality**

The concentration of any wastewater parameter that may impact groundwater quality shall be limited at the point of discharge to a value that will minimize the concentration of the substance in the groundwater to the extent technically and economically feasible and prevent exceedance of the preventive action limit (PAL) in the groundwater.

### **4.3 Wetland Discharge Requirements**

The permittee may discharge to wetlands if the permittee meets the following requirements to protect and preserve the wetland functional values or uses identified in s. NR 103.03(1), Wis. Adm. Code and other waters of the state influenced by wetlands. Wetland discharge means any discernible, confined and discrete conveyance system, including but not limited to any pipe, ditch, channel, tunnel, conduit, swale, or storm sewer that will carry wastewater to wetlands within the state of Wisconsin.

#### **4.3.1 No Practical Alternative Disposal**

No practicable alternative disposal exists which would avoid discharge to the wetlands.

#### **4.3.2 All Practical Measures to Minimize Impacts**

All practicable measures to minimize adverse impacts of the affected wetlands have been taken.

#### **4.3.3 Liquids, Fill or Other Solids**

The discharge shall not contain any liquids, fill or other solids or gas present in such amounts which may cause significant adverse impacts to wetlands.

#### **4.3.4 Floating or Submerged Material**

The discharge shall not contain pollutants that will cause floating or submerged debris, oil, scum or other material in such amounts as to interfere with public rights or interests or that may cause significant adverse impacts to wetlands.

#### **4.3.5 Unsightliness**

The discharge shall not contain pollutants that will produce color, odor, taste or unsightliness in such amounts that may cause significant adverse impacts to wetlands.

#### **4.3.6 Toxic Substances**

The discharge shall not contain substances in concentrations or combinations that are toxic or harmful to humans, animal or plant life and are present in such amounts that individually or cumulatively may cause significant impacts to wetlands.

#### **4.3.7 Hydrological Conditions**

The discharge shall be controlled to protect hydrological conditions necessary to support the biological and physical characteristics naturally present in wetlands and to prevent significant adverse impacts on the following:

- Water currents, erosion or sedimentation patterns;
- Water temperature variations;
- The chemical, nutrient and dissolved oxygen regime of the wetland;
- The movement of aquatic fauna;
- The pH of the wetland; and
- Water levels or elevations

#### **4.3.8 Wetland Habitats, Animals, and Vegetation**

The discharge shall be controlled to maintain existing habitats and the populations of wetland animals and vegetation by:

- Protecting food supplies for fish and wildlife;
- Protecting reproductive and nursery areas; and
- Preventing conditions conducive to the establishment or proliferation of nuisance organisms.

## **5 Best Management Practice (BMP) Requirements**

The permittees shall comply with the following BMP requirements to ensure the discharge is consistent with the discharge requirements in Section 4.

### **5.1 Facility Site Evaluation and Assessment**

The permittee shall identify potential pollutant sources at the facility site which could release pollutants during discharge and identify appropriate preventive measures. Each facility component or system must be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to surface waters or groundwaters because of equipment failure, improper operation, and natural phenomena such as rain or snowfall. The examination must include all normal operations and ancillary activities including material storage areas, plant site runoff, in-plant transfer, process and material handling areas, loading or unloading operations, spillage or leaks, sludge and waste disposal, or drainage from raw material storage.

### **5.2 Inspection Program**

The permittee shall develop an inspection program and conduct visual inspections of those equipment and facility areas identified during the facility site evaluation and assessment as having the highest potential for environmental releases. The permittee shall specify the different types of inspections and the scope of each inspection type that will be conducted as a part of the inspection program in the BMP plan.

#### **5.2.1 Discharge Visual Inspections**

As a part of the inspection program, the permittee shall conduct visual inspections of the permitted discharge and record observations of the discharge in a visual inspection log. The discharge visual inspections shall be conducted at a frequency specified in the BMP plan approved by the department. The visual inspection frequency may not be less frequent than monthly. The permittee shall keep visual inspection logs on file and the logs shall be made available upon department inspection or submitted to the department upon request. The following parameters shall be visually inspected and recorded on the discharge:

- Color;
- Odor;
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen/film;
- Erosion;
- Debris and trash;
- Level of accumulated solids;
- Soil infiltration rate; and
- Other obvious indicators of pollution.

### **5.2.2 Discharge Inconsistencies**

If the permittee observes any indicators of pollution in the permitted discharges as stated in Sections 5.2.1 which result in an inconsistency with the discharge requirements in Section 4 or discharge screening requirements in Section 3, the permittee shall not discharge until the inconsistency is corrected. The permittee shall specify treatment measures necessary to correct the discharge inconsistency in the BMP plan.

### **5.3 Security Plan**

The permittee shall develop a security plan that describes the system installed to prevent accidental or intentional entry to the facility which might result in vandalism, theft, sabotage, or other improper or illegal use of the facility. The security plan shall be included in the BMP plan. The security program as part of the BMP plan shall cover security in a general fashion and discuss in detail only the practices that focus on preventing environmental releases.

### **5.4 Employee BMP Training Program**

The permittee shall develop an employee BMP training program. The BMP training program shall train employees on their responsibilities and proper implementation of the BMPs. The BMP training program shall also educate employees about the general importance of preventing the release of pollutants to water, air, and land. The employee BMP training program shall be included in the BMP plan and be conducted as part of the BMP plan. Employee training shall focus only on those employees with direct impact on BMP plan implementation.

### **5.5 Good Housekeeping Program**

The permittee shall develop a good housekeeping program at the facility and discharge location, which describes the maintenance of a clean and orderly work environment. The permittee shall detail the good housekeeping program in the BMP plan.

### **5.6 Preventative Maintenance Program**

The permittee shall develop a preventative maintenance program at the facility and discharge location to prevent environmental releases. The program shall describe a method of periodically inspecting, maintaining, and testing BMPs, equipment and systems at the facility to uncover conditions that may cause breakdowns or failures. The permittee shall detail the preventative maintenance program in the BMP plan. The preventative maintenance program as a part of the BMP plan shall evaluate any existing preventative maintenance program and recommend changes, if needed, to address concerns raised as part of the facility site evaluation and assessment in Section 5.1 and the inspection program in Section 5.2.

### **5.7 Erosion and Sediment Control Practices**

The permittee shall implement controls that will be designed to minimize erosion, scouring, sedimentation, or other effects on the receiving water of the state. The permittee shall specify the erosion and sediment control practices in the BMP plan.

### **5.8 Dechlorination Methods**

The permittee shall implement dechlorination methods that will reduce the chlorine concentration prior to discharge to surface waters or wetlands. Dechlorination is only necessary if the source water is from a chlorinated public water supply or if adding chlorine-based compounds. If the source water is groundwater from private wells located at the facility and chlorine-based compounds are not added to the water, then dechlorination is not necessary. The permittee shall specify the dechlorination methods in the BMP plan.



## **5.9 Treatment Control Practices**

If treatment is necessary to correct the discharge inconsistency observed in Section 5.2, the permittee shall implement temporary treatment practices that will control the effluent quality prior to discharge to a water of the state. At a minimum, the temporary treatment practices shall be able to meet the discharge screening levels in Section 3. The permittee shall specify the treatment control practices in the BMP plan.

## **5.10 Contingency Plan**

The permittee shall develop a contingency plan that describes procedures to minimize the discharge duration during system failures (e.g. line breaks, leaks, and overflows) or spills. The permittee shall train employees on the contingency plan. The permittee shall include the contingency plan in the BMP plan.

This general permit does not authorize discharges from any accidental or unplanned release, spill, leak, or overflow to a water of the state.

## **5.11 Recordkeeping and Reporting Program**

The permittee shall develop a recordkeeping and reporting program. The program shall describe a system to keep and maintain records that are relevant to discharge activities and any environmental releases and a system to report actual or potential problems, violations, or noncompliance to appropriate personnel and regulatory agencies. The recordkeeping and reporting program shall be consistent with the requirements in Section 8.1 and Section 8.3.5. The permittee shall detail the recordkeeping and reporting program in the BMP plan.

Records to be kept and maintained shall include the notice of intent, any discharge screening results, information gathered for the BMP plan, the BMP plan, inspection reports, preventative maintenance records, employee training materials, and other relevant information. Records shall be made available for department inspection and submitted to the department upon request.

## **5.12 BMPs for Outside Washing of Vehicles, Equipment, and other Objects**

The following BMPs are specific to discharges from outside washing of vehicles, equipment, and other objects.

### **5.12.1 Washing Location**

Washing activities shall occur on grass, soil, or gravel areas to the extent possible and infiltration of washwater shall be maximized.

### **5.12.2 Washing on Impervious Surfaces**

Washing activities that occur primarily on impervious surfaces shall implement any of the following prior to washing;

- 1 Direct washwater to a settling basin, tank, or other settling device to remove suspended solids and particulates prior to discharge to surface waters or an infiltration area;
- 2 Temporarily block, barricade, or plug areas of channeled flow to surface waters, such as storm sewers, and allow suspended solids and particulate matter to settle prior to discharge to a surface water or an infiltration area; or
- 3 Direct washwater to grass, soil, or gravel areas where the water and accompanying material can infiltrate.

### **5.12.3 Building Washing**

Building washing activities that produce solids or particulate matter such as dirt, paint, and other particles that may contain toxic substances shall implement any of the following prior to washing:

- 1 To the maximum extent feasible, prevent direct discharges to surface waters and divert this washwater to a holding tank or sanitary sewer system for disposal;
- 2 To the maximum extent feasible, direct the washwater to grass, soil, or gravel areas where the washwater can infiltrate and separate and collect the solids from the washwater after infiltration and properly dispose of the solids as a solid waste.

### **5.12.4 Washing of Oily Equipment or Objects**

Nonemergency steam or high-pressure water degreasing of engines or oily pieces of equipment or objects shall implement any of the following prior to washing:

- 1 To maximum extent feasible, the washing activity shall occur on an impermeable surface (concrete, asphalt, thick plastic sheeting, or other impermeable barrier) and the washwater shall be treated with an oil/water separator or oil absorbent material prior to discharge to surface water or an infiltration area;
- 2 To maximum extent feasible, the washing activity shall occur on an impermeable surface (concrete, asphalt, thick plastic sheeting, or other impermeable barrier) and the washwater shall be diverted to a holding tank or sanitary system for disposal; or
- 3 All oil and grease shall be physically removed to the maximum extent feasible and disposed of as a solid waste or recycled prior to washing.

### **5.12.5 Detergents**

Detergents in discharges to surface waters shall not be present in amounts that cause visible foam in other than trace amounts by implementing one or more of the following BMPs:

- 1 Only biodegradable soaps and detergents shall be used. The quantity of soaps and detergents used shall be limited to the minimum amount needed to clean the object; or
- 2 Only low (less than 0.5%) phosphate or non-phosphate soaps and detergents shall be used if the wastewater discharges directly to surface waters.

### **5.12.6 Degreasing Chemicals**

Degreasing chemicals that contain halogenated hydrocarbons shall not be added to washing solutions.

### **5.12.7 Chemical Brighteners/Cleaners**

Any chemical brighteners or cleaners, such as hydrofluoric acid on stainless steel, shall be limited to maintain the pH of the washwater discharge between 6.0 and 9.0 standard units, inclusive.

### **5.12.8 Road Deicing Agents**

Deicing agents that have accumulated on vehicles and equipment associated with road deicing activities shall be physically removed to the extent practical and disposed as solid waste or returned to material storage. The number of vehicles and equipment containing significant amounts of these materials and washed at a site shall be limited to the maximum extent practicable.

## **5.13 BMPs for Statewide Coverage**

The following BMPs are specific to facilities who perform statewide operations with temporary discharges.

### **5.13.1 Discharge Management Practices**

The permittee shall develop discharge management practices for all discharge types (i.e. groundwater, surface waters, and wetlands) covered by this general permit. The permittee shall include the discharge management practices in the BMP plan.

### **5.13.2 Impaired Waters, Wetlands, Outstanding or Exceptional Resource Waters**

The permittee shall develop procedures to properly identify and screen for impaired waters, wetlands, outstanding resource waters, and exceptional resource waters during statewide operations. The permittee shall include the impaired waters, wetlands, outstanding resource waters, and exceptional resource waters identification procedures in the discharge management plan.

### **5.13.3 Alternative Disposal Procedures**

The permittee shall develop alternative disposal procedures to avoid discharging to impaired waters, wetlands, outstanding resource waters, and exceptional resource waters. The permittee may discharge to wetlands if the requirements in Section 4.3 are met. The permittee may discharge to impaired waters if the discharge does not contain a pollutant of concern that will significantly contribute to the impairment of the impaired water or be in noncompliance with the approved TMDL. The permittee shall include the alternative disposal procedures in the BMP plan.

### **5.13.4 Seven (7)-Day Discharge Notification**

The permittee shall notify the department at least seven (7) calendar days prior to the discharge to the waters of state if the permittee has been granted statewide coverage under this permit. Permittees with coverage at one or multiple facilities with recurring discharges at a single site do not need to notify the department prior to discharge to the waters of the state. The method of notification (phone message, email, letter, etc.) will be a process agreed upon by the permittee and the department. The notification shall include a description of their discharge strategies and discharge location. The BMP plan shall contain a description of this seven-day discharge notification and the agreed upon method of notification. On a case-by-case basis the department may by letter require the permittee to submit additional information regarding a wastewater discharge which is covered by a general permit. The permittee shall also notify the department seven (7) calendar days after discontinuing the discharge.

## **6 Best Management Practice (BMP) Plan Requirements**

The permittee shall comply with the following BMP plan requirements.

### **6.1 Implementation**

The permittee shall develop and implement a best management practice (BMP) plan for their discharge(s) to a water of the state. Alternatively, permittees with statewide coverage for temporary discharges, or entities with coverage at multiple facilities with continuous/recurring discharges at a single site may need only to prepare one BMP plan if the BMP plan includes all applicable discharge types (i.e. groundwater, surface waters, and wetlands). The permittee shall operate the facility consistent with a department approved BMP plan and in accordance with subsequent amendments to the plan.

### **6.2 Purpose**

Through implementation of the BMP plan the permittee must prevent or minimize the generation and the potential for the release of pollutants from the facility to a water of the state through normal operations and ancillary activities.

### **6.3 Objective**

The permittee shall develop and amend the BMP plan consistent with the following objectives:

- The number and quantity of pollutants and the toxicity of effluent generated, discharged, or potentially discharged at the facility shall be minimized or eliminated by the permittee to the extent technically and economically feasible by managing each waste stream in the most appropriate manner.
- Under the BMP plan, and any Standard Operating Procedures (SOPs) included in the plan, the permittee shall ensure proper operation and maintenance of all facilities and systems of treatment and control as required by Section 8.3.7.
- The permittee shall establish and document specific BMPs to meet the BMP requirements in Section 5 to ensure the discharge is consistent with the discharge requirements in Section 4 and meets the discharge screening levels in Section 3.

### **6.4 BMP Plan Committee**

The permittee shall establish a BMP plan committee that will be responsible for establishing and carrying out the BMP plan.

### **6.5 BMP Plan Submittal**

Applicants shall submit a complete BMP plan with the submittal of the NOI to the department for approval. The department permit coverage letter will explicitly indicate the approval of the BMP plan.

### **6.6 BMP Plan Content**

The BMP plan shall include at least the following information:

- Name and location of facility;
- Statement of BMP policy and objectives;
- Structure and role of the BMP Committee;
- Facility contact information;
- Description of facility site evaluation and assessment;

- Inspection program with an example log;
- Security Plan;
- Employee BMP training program;
- Good housekeeping program;
- Preventative maintenance program;
- Description of erosion and sediment control practices;
- Description of dechlorination methods (if necessary);
- Description of treatment control practices when necessary;
- Description of seven-day discharge notification (if necessary);
- Discharge management procedures for discharges to groundwater, surface waters, and wetlands;
- Identification procedures of impaired waters, wetlands, outstanding resource waters, and exceptional resource waters (if necessary);
- Alternative discharge procedures for encountered impaired waters, wetlands, outstanding resource waters, and exceptional resource waters (if necessary);
- Contingency plan;
- Recordkeeping and reporting program; and
- Any necessary plans and specifications, drawings or site maps showing the facility location and the location of each outfall developed in accordance with good engineering practices.

## **6.7 Documentation**

The permittee shall maintain a copy of the BMP plan at the facility and must make the plan available to department inspection or submitted to the department upon request. All offices of the permittee, which are required to maintain a copy of the general permit, must also maintain a copy of the BMP plan. The permittee shall ensure that on-site personnel directly involved with discharge activities have access to the BMP plan at all times while at the facility and discharge location(s).

## **6.8 BMP Plan Review**

The permittee shall include provisions in the BMP plan concerning periodic or as needed review of the BMP plan by the BMP plan committee. The BMP plan committee shall evaluate the need to update or modify the BMP plan and evaluate the effectiveness of the BMP plan in preventing and mitigating releases of pollutants.

## **6.9 BMP Plan Modification**

The permittee shall amend the BMP plan whenever there is a change in the facility, or in the operation of the facility, that materially increases the generation of pollutants or their release or potential release to the receiving waters. The permittee must also amend the plan, as appropriate, when plant operations covered by the BMP plan change. Any such changes to the BMP plan shall be consistent with this general permit. The permittee shall notify the department when the BMP plan is amended to determine if the amendment requires department approval.

### **6.10 Modification for Ineffectiveness**

If at any time the BMP plan proves to be ineffective in achieving the general objective of preventing, eliminating, or minimizing the generation of pollutants and their release and potential release to the waters of the state and/or the specific requirements in this general permit, the general permit and/or the BMP plan shall be subject to modification to incorporate revised BMP requirements.

## **7 Water Treatment Additives**

### **7.1 Use of Water Treatment Additives**

Permittees shall not add any substance or water treatment water treatment additive to the discharge unless the use of the water treatment additive is reviewed and approved, in writing, by the department. Examples of water treatment water treatment additives include biocides (i.e. algacides, microbicides, fungicides, molluscicides, etc.), water quality conditioners (i.e. scale and corrosion inhibitors, pH adjustment chemicals, oxygen scavengers, conditioning agents, and water softening compounds, etc.), erosion control products, and clarifying agents.

### **7.2 Approval of Water Treatment Additives Usage**

A water treatment additive review and approval is necessary for substances that may enter a water of the state without receiving treatment or substances that are used in a water treatment process but are not expected to be removed by wastewater treatment. For each water treatment additive used, the permittee shall submit a copy of the Additive Review Worksheet (Form 3400-213) to the department for written approval. Upon approval, the permittee shall comply with the conditions specified in the approval.

In the event that the permittee wishes to commence use of a new water treatment additive or increase the usage of an approved water treatment additive, the permittee shall submit a written request and receive written approval from the department prior to initiating such changes. For more information on the water treatment additive review process, see the guidance document titled [Water Quality Review Procedures for Additives](#).

Water treatment additive discharge concentrations shall comply with applicable secondary values and standards in ss. NR 102.04, NR 103.03, and NR 105.05, Wis. Adm. Code, for surface water and wetland discharges, and shall comply with human health standards in ch. NR 140, Wis. Adm. Code, for discharges to groundwater.

### **7.3 Water Treatment Additive Usage Record**

The permittee shall maintain records of the monthly water treatment additive usage including the water treatment additive name, manufacturer, and daily maximum and monthly average amount used. Water treatment additive use may be recorded as the quantity of the pollutant added to the discharge.

## 8 Standard Requirements

The conditions in ss. NR 205.07(1), 205.07(3), and 205.08(3), Wis. Adm. Code and 40 CFR 122 are included by reference in this permit. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirements can be found in the ss. NR 205.07(1), 205.07(3), and 205.08, Wis. Adm. Code and 40 CFR 122.

### 8.1 Reporting Requirements

The permittee shall comply with the following reporting requirements.

#### 8.1.1 Reporting Conventions

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

- 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 unless otherwise noted.
- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a value of 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.
- For days with no flow, the flow rate shall be reported as “0” on those days.

#### 8.1.2 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 within 5 calendar 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 calendar 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 as specified in s. NR 205.07(1)(u)2, Wis. Adm. Code, shall not be subject to the reporting required under this section.



### 8.1.3 Spill Reporting

The permittee shall notify the department in accordance with ch. NR 706 (formerly ch. 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 the permit, or the spill or accidental release of the material is unregulated in the permit, unless the spill or release of pollutants has been reported to the department under this section.

**Note:** Section 292.11(2)(a), Wis. Stats., requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the department **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.**

### 8.1.4 Planned Changes

In accordance with ss. 283.31 (4) (b) and 283.59 (1), Wis. 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 general permit notice of intent or, if the new discharge will not violate the effluent limitations of the general 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 the general permit coverage letter to specify any discharges of pollutants not previously covered by the general permit.

## 8.2 General Conditions for General Permits

The permittee shall comply with the following general conditions for general permits.

### 8.2.1 Delegation of Signature Authority

The permittee must provide a delegation of signature authority (DSA) request (Form 3400-220, Delegation of Signature Authority) or equivalent for a duly authorized representative to submit specific documents on the behalf of a responsible executive or municipal officer, manager, partner, or proprietor of a permitted discharge. A responsible executive or municipal officer, manager, partner, or proprietor can only delegate signature authority to a duly authorized representative if that person is responsible for the overall operation of the facility or activity regulated by this general permit. The DSA request shall specify the name of the individual and their employment position. The DSA request must be submitted to the department with the NOI or together with the submittal of any required documents. If there are any changes to this request, a new DSA request shall be submitted to the department.

### 8.2.2 Permit Coverage Transfers

A permit is not transferrable to any person except after notice to the department. Permittees that wish to transfer general permit coverage to a new permittee must submit a Transfer of Coverage (TOC, Form 3400-222). The TOC must be submitted at least thirty (30) calendar days in advance of the proposed transfer date. All TOCs shall be completed by both the existing and new permittees including the "Certification & Signature" section and sent via mail or email to the department. The department will then send a letter to the existing permittee stating that their coverage is terminated under this general permit.

If the quality or quantity of the discharge has not changed at the facility, the department will send a letter of determination that grants coverage to the new permittee under this general permit. If there have been significant changes at the permitted facility, the new permittee shall submit a new NOI to the department.

### **8.2.3 Permit Coverage Terminations**

Permittees that wish to terminate their general permit coverage must submit a Notice of Termination (NOT, Form 3400-221) to the department. All NOTs must be completed by the permittee and including the "Certification & Signature" section and sent via mail or email to the department. The department will then send a termination letter to the permittee stating that their coverage is terminated under this general permit.

### **8.2.4 Continuation of an Expired General Permit**

If a permittee submitted a complete and timely NOI to be covered by this general permit, all conditions of an expired general permit shall continue to apply until the effective date of a reissued general permit.

## **8.3 General Conditions for WPDES Permits**

### **8.3.1 Duty to Comply**

The permittee shall comply with all conditions of the permit. Any permit noncompliance is a violation of the permit and is grounds for enforcement action; permit coverage termination; or denial of reapplying for permit coverage. If a permittee violates any terms of the permit, the permittee is subject to the penalties established in ch. 283, Wis. Stats.

### **8.3.2 Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.

### **8.3.3 Inspection and Entry**

The permittee shall allow an authorized representative of the department, upon the presentation of credentials, to:

- Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records are required under the conditions of the permit;
- Have access to and copy, at reasonable times, any records that are required under the conditions of the permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and
- Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

### **8.3.4 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.

### **8.3.5 Records Retention**

The permittee shall retain records of all visual inspections logs, additive usage logs, monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the NOI for the permit for a period of at least 3 years from the date of the sample, measurement, report or application. All notice of intent information and other documents specified in the permit shall be retained for a minimum of 5 years.

### **8.3.6 Signatory Requirement**

All permit notice of intents, reports and other information requested by the department shall be signed 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 NR 205.07(1)(g)2, Wis. Adm. Code.

### **8.3.7 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 the permit.

### **8.3.8 Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent the likelihood of any adverse impacts to public health, the waters of the state, or the environment resulting from noncompliance with the permit.

### **8.3.9 Duty to Provide Information**

The permittee shall furnish the department, within a reasonable time, any information which the department may request to determine whether cause exists for modifying, terminating, suspending, revoking or reissuing the permit or to determine compliance with the permit. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall also furnish the department, upon request, copies of records required to be kept by the permittee.

### **8.3.10 Need to Halt or Reduce Activity Not a Defense**

It is not a defense for a permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

### **8.3.11 Sampling Procedures**

The permittee shall take samples and measurements that are representative of the volume and nature of the monitored discharge at points specified in the permit using sample types specified in the permit. The permittee shall also follow the effluent flow measurement and sample collection procedures in ch. NR 218, Wis. Adm. Code.

### **8.3.12 Testing Procedures**

Samples collected under this permit shall be tested for the parameters listed in this permit and follow approved test methods and procedures specified in ch. NR 219, Wis. Adm. Code. If the required level cannot be met by any of the methods available in ch. NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Additional test procedures may be specified in the permit.

### **8.3.13 Laboratory Certification or Registration**

Samples collected under this permit shall be tested and analyzed by a laboratory certified or registered under ch. NR 149, Wis. Adm. Code. A list of Wisconsin DNR accredited laboratories can be found here: <https://dnr.wi.gov/regulations/labCert/LabLists.html>. The following tests are excluded from this requirement:

- Temperature;
- Turbidity;
- Bacteria tests in wastewater effluent and sludges;
- pH;
- Chlorine residual;
- Specific conductance;
- Physical properties of soils and sludges;
- Nutrient tests of soils and sludges; and
- Flow measurements.

### **8.3.14 Effluent Limits Less than LOD or LOQ**

When an effluent limitation for any substance in this permit is less than the limit of detection (LOD) or the limit of quantitation (LOQ), the following conditions shall apply:

- (a) The permittee shall perform monitoring required in this permit using an acceptable analytical methodology for that substance in the effluent which produces the lowest LOD and LOQ.
- (b) The permittee shall determine the LOD and LOQ using a test method specified in ch. NR 219, Wis. Adm. Code.
- (c) Compliance with concentration limitations shall be determined as follows:
  1. When the effluent limitation is less than the LOD, effluent levels less than the LOD are in compliance with the effluent limitation.
  2. When the effluent limitation is less than the LOD, effluent levels greater than the LOD, but less than the LOQ are in compliance with the effluent limitation except when analytically confirmed and statistically confirmed by a sufficient number of analyses of multiple samples and use of appropriate statistical techniques.
  3. When the effluent limitation is greater than the LOD, but less than the LOQ effluent levels less than the LOD or less than the LOQ are in compliance with the effluent limitation.

### **8.3.15 Other Information**

Where the permittee becomes aware that it failed to submit any relevant facts in a notice of intent or submitted incorrect information in a notice of intent or in any report to the department, it shall promptly submit such facts or correct information to the department.

### **8.3.16 Permit as Enforcement Shield**

Compliance with a permit during its term constitutes compliance for purposes of enforcement with 33 USC 1311, 1312, 1316, 1317, 1328, and 1345 (a) and (b), except for any toxic effluent standard or prohibition, and standards for sewage sludge use or disposal. If a new or revised toxic effluent standard or toxic prohibition becomes effective during the term of the permit, the permittee may be subject to enforcement action if the discharge exceeds the new or revised effluent standard for the toxic pollutant even though the discharge is in compliance with the existing permit. The permittee may also be subject to enforcement action standards for sewage sludge use or disposal. However, a permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in ch. 283, Wis. Stats., and ch. NR 203, Wis. Adm. Code.

### **8.3.17 Severability**

The provisions of this permit are severable, and if any provisions of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

### **8.3.18 Removed Substances**

Solids, sludges, filter backwash or other pollutants removed from or resulting from treatment or control of wastewaters or intake waters shall be stored and disposed of in a manner to prevent any pollutant from the materials from entering the waters of the state. Land disposal or application of treatment plant solids and sludges shall be at a site or operation licensed by the department under chs. NR 500 to NR 538, Wis. Adm. Code or chs. NR 660 to NR 670, Wis. Adm. Code or in accordance with ch. NR 204 or NR 214, Wis. Adm. Code.

### **8.3.19 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.

## 9 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Notice of Intent	30 business days before the expected start date of discharge	5
Certified Discharge Screening Results	Together with the NOI and 180 days prior to the expiration date of this general permit	8
Best Management Practice Plan	Together with the NOI	18
Delegation of Signature Authority (Form 3400-220)	Submitted with the NOI or together with the submittal of any required documents	23
Transfer of Coverage (Form 3400-222)	30 days in advance of the proposed transfer date	23
Notice of Termination (Form 3400-221)	After discontinuing permitted discharge	24

All submittals required by this permit shall be submitted to the department regional general permit reviewer. A listing of the general permit reviewers for each region with mailing addresses and phone numbers can be found at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.