



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

**GENERAL PERMIT TO DISCHARGE UNDER THE WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM
WPDES GENERAL PERMIT NO. WI-S066800-1**

In compliance with the provisions of ch. 283.33(4m), Wis. Stats., and chs. NR 151 and 216, Wis. Adm. Code, the Wisconsin Department of Transportation is permitted to discharge storm water from its

TRANSPORTATION SEPARATE STORM SEWER SYSTEM (TS4)

to waters of the state in accordance with the conditions set forth in this general permit.

The **Start Date** of coverage of the Wisconsin Department of Transportation TS4 under this general permit is the effective date indicated below.

State of Wisconsin Department of Natural Resources
For the Secretary

A handwritten signature in black ink, appearing to read 'Michael C. Thompson'.

Michael C. Thompson
Watershed Management Program Director
External Services Division

PERMIT EFFECTIVE DATE: June 30, 2018

EXPIRATION DATE: May 31, 2023

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1. APPLICABILITY CRITERIA

1.1 Permitted Area

This permit covers all areas within the jurisdiction and control of the Wisconsin Department of Transportation (DOT) that contribute to storm water discharges from the transportation separate storm sewer system (TS4), as defined in section 5.14, that is owned, operated, and maintained by the DOT and located within the boundaries of a municipality covered under a municipal separate storm sewer system (MS4) permit issued by the Wisconsin Department of Natural Resources (DNR) pursuant to ss. NR 216.02 or 216.025, Wis. Adm. Code, but not including connecting highways under s. 86.32, Wis. Stats. Specifically, the DOT is responsible for storm water discharges from a TS4 within a United States Environmental Protection Agency (USEPA) designated Urbanized Area and the area of any incorporated municipality separate from an Urbanized Area (Appendix A, Table 1) requiring an MS4 permit from the DNR (Appendix A, Table 2). The DOT is not responsible for a separate storm sewer system that drains a connecting highway. The DOT is only responsible for storm water discharges of runoff that originate within the DOT right-of-way (ROW).

Note: In addition to Attachment A, municipalities covered under an MS4 permit can be acquired from the DNR's Internet site at: <http://dnr.wi.gov/topic/stormwater/data/Municipal/>.

1.2 Authorized Discharges

1.2.1 This permit authorizes storm water point source discharges from a TS4 within the permitted area to waters of the state.

1.3 Water Quality Standards

1.3.1 This permit specifies the conditions under which storm water may be discharged to waters of the state for the purpose of achieving water quality standards contained in chs. NR 102 through 105, NR 140, and NR 207, Wis. Adm. Code. For the term of this permit, compliance with water quality standards will be addressed by adherence to the requirements in this permit.

1.3.2 This permit does not authorize discharges that the DNR determines will cause or have reasonable potential to cause or contribute to a violation of any applicable water quality standards. Where such determinations have been made, the DNR may notify the DOT that an individual permit is necessary. However, the DNR may authorize coverage under this permit where the storm water management programs required under this permit will include appropriate controls and implementation procedures designed to bring the storm water discharge into compliance with water quality standards.

1.4 Outstanding and Exceptional Resource Waters

1.4.1 The DOT shall determine whether any part of its TS4 discharges to an outstanding resource water (ORW) or exceptional resource water (ERW). ORWs and ERWs are listed in ss. NR 102.10 and 102.11, Wis. Adm. Code.

Note: An unofficial list of ORWs and ERWs may be found on the DNR's Internet site at: <http://dnr.wi.gov/topic/SurfaceWater/orwerw.html>.

1.4.2 The DOT may not establish a new TS4 discharge of pollutants to an ORW or an ERW unless the storm water management programs required under this permit are designed to ensure

that any new TS4 discharge of pollutants to an ORW or ERW will not exceed background levels within the ORW or ERW.

1.4.2.1 “New TS4 discharge of pollutants” or “new TS4 discharge of a pollutant” means a TS4 discharge that would first occur after the start date of coverage under this permit to a surface water to which the DOT did not previously discharge storm water, and does not include an increase in a discharge to a surface water to which the DOT discharged on or before effective date of this permit.

1.4.3 Where the DOT has an existing TS4 discharge to an ERW, it may increase the discharge of pollutants if the increased discharge would not result in a violation of water quality standards.

1.4.4 Where the DOT has an existing TS4 discharge to an ORW, it may increase the discharge of pollutants provided all of the following are met:

1.4.4.1 The pollutant concentration within the receiving water and under the influence of the existing discharge would not increase as compared to the level that existed prior to coverage under this permit.

1.4.4.2 The increased discharge would not result in a violation of water quality standards.

1.5 Impaired Waterbodies and Total Maximum Daily Load (TMDL) Requirements

1.5.1 Beginning by March 31, 2019, and by March 31 of each odd-numbered year thereafter, the DOT shall determine whether any part of its TS4 discharges to an impaired water body listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC §1313(d)(1)(C), and the implementing regulation of the USEPA, 40 CFR §130.7(c)(1).

Note: Every two years, the DNR updates and publishes a list of waters considered impaired under the Clean Water Act. The list is updated in even-numbered years. A list of Wisconsin impaired waterbodies may be found on the DNR’s Internet site at:
<http://dnr.wi.gov/topic/impairedwaters/>.

1.5.2 Where the TS4 discharges to an impaired waterbody, the DOT shall include a written section in its storm water management program that discusses the management practices and control measures it will implement as part of its program to reduce, with the goal of eliminating, the discharge of pollutant(s) of concern that contribute to the impairment of the waterbody. This section of the DOT’s program shall specifically identify control measures and practices that will collectively be used to try to eliminate the TS4’s discharge of pollutant(s) of concern that contribute to the impairment of the waterbody and explain why these control measures and practices were chosen as opposed to alternatives.

1.5.3 After the effective date of this permit, the DOT may not establish a new TS4 discharge of a pollutant of concern to an impaired waterbody or increase the discharge of a pollutant of concern to an impaired waterbody unless the new or increased discharge causes the receiving water to meet applicable water quality standards, or the DNR and the USEPA have a total maximum daily load (TMDL) for the impaired waterbody. If there is an approved TMDL for the receiving water, the DOT shall comply with Section 1.5.4 below. “New TS4 discharge of a pollutant” has the meaning specified under section 1.4.2.1 of this permit.

1.5.4 A TS4 assigned a specific wasteload allocation in a federally approved TMDL shall meet the requirements for the TMDL, in order of priority, by reach shed, upstream reach sheds, and then drainage basin. For a TS4 which is not specifically identified as having a wasteload allocation in a TMDL approved by the DNR and the USEPA, the DOT shall comply with the TMDL by using the same percent reduction for a pollutant of concern, that originates within the ROW, as the permitted MS4 in which the TS4 is physically located.

1.6 Wetlands

The DOT's TS4 discharge shall comply with the wetland requirements established under s. 30.2022(2), Wis. Stats.

1.7 Endangered and Threatened Resources

The DOT's TS4 discharge shall comply with the endangered and threatened species protection requirements established under s. 29.604(6r), Wis. Stats.

1.8 Historic Property

The DOT's TS4 discharge shall comply with the historic property requirements under s. 44.40, Wis. Stats.

1.9 General Storm Water Discharge Limitations

In accordance with s. NR 102.04, Wis. Adm. Code, 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:

1.9.1 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.

1.9.2 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.

1.9.3 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.

1.9.4 Substances in concentrations or 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.

1.10 Start of Permit Coverage

Coverage of the DOT TS4 under this permit shall commence upon the effective date indicated on the cover page (page 1).

1.11 Implementation

1.11.1 To the maximum extent practicable (see definition under section 5.7), implementation of the requirements of this permit shall be carried out pursuant to the interdepartmental liaison procedures established under s. 30.2022(2), Wis. Stats.

1.11.2 TS4 discharges subject to this general permit that are regulated by an administrative rule administered by the DOT, where the DNR determines in writing that the rule meets or exceeds the performance standards of subch. IV of ch. NR 151, Wis. Adm. Code, and is implemented in

accordance with the administrative rule provisions shall be deemed to meet the requirements of the portions of subch. IV of ch. NR 151, Wis. Adm. Code, determined by the DNR.

1.12 Exclusions

The following are excluded from coverage and are not regulated under this permit:

1.12.1 Combined Sewer and Sanitary Sewer Systems

Discharges of storm water from the TS4 to a sanitary sewer or a combined sewer system conveying both sanitary and storm water.

1.12.2 Non-storm Water Discharges

A discharge that is not composed entirely of storm water.

1.12.3 Indian Country

Storm water discharges within Indian Country. The federal Clean Water Act requires that owners and operators of storm water discharges within Indian Country in Wisconsin to obtain permit coverage directly from the USEPA.

2. PERMIT CONDITIONS

This permit establishes the following measurable goals, with an implementation schedule in section 3, for achieving compliance with the minimum control measures described under sections 2.1 through 2.6.

2.1 Public Education and Outreach

The DOT Public Education and Outreach program establishes measurable goals to increase awareness of storm water runoff pollution impacts on waters of the state and to encourage changes in public behavior to reduce such impacts. The program includes the following elements:

2.1.1 After December 31, 2019, the DOT shall provide storm water quality training for DOT staff annually within the term of this permit. The training shall address the design, implementation, and maintenance of best management practices (BMPs) for construction erosion control and post-construction storm water quality. The training shall be presented to appropriate design and construction DOT staff. Training shall be relevant to staff position and responsibilities.

2.1.2 After December 31, 2019, the DOT shall present a summary to the general public of its storm water management program at 100% of the mega-major and 50% of the major construction project public information meetings held by the DOT annually.

2.1.3 To facilitate section 2.1.2, the DOT shall develop one educational pamphlet that shall be distributed at all storm water related trainings, public information meetings for 100% of the mega-major and 50% of the major construction projects, and other appropriate outreach activities annually. The pamphlet shall provide information on the DOT's storm water management program. Details will include the impact to water quality from illicit discharges and improper waste disposal into the TS4 and contact information for the public to report spills or illicit discharges. The pamphlet information shall be updated annually.

2.1.4 The DOT shall promote funding of storm water BMP research for transportation-related issues conducted through funding for research administered by the Transportation Pooled Fund Program.

2.1.5 The DOT shall support local outreach and educational opportunities, including but not limited to, interaction with university students as part of senior design or capstone projects related to transportation facilities and storm water management.

2.1.6 The DOT shall participate on all Wisconsin Standards Oversight Council committees applicable to transportation design and construction as it applies to storm water quality, as staffing allows.

Note: For example, the DOT has participated in the development of the vegetated swale and the ditch check technical standards. The Standards Oversight Council (SOC) is an inter-agency collaboration that facilitates a team approach in developing and maintaining technical standards for soil and water conservation practices in Wisconsin. The technical standards are documents that specify the minimum criteria for conservation practices or system of practices to provide a predicted benefit to soil and water resources. More information about the SOC is available at the following Internet site: <http://socwisconsin.org/>.

2.1.7 The appropriate DOT staff shall continue to participate on National Cooperative Highway Research Program research committee panels related to storm water quality, as well as other appropriate environmental committee panels.

2.2 Public Involvement and Participation

The DOT Public Involvement and Participation program establishes measurable goals to notify the public of activities required by this permit and to encourage input and participation from the public regarding these activities. The public involvement and participation process complies with applicable state and local public notice requirements under ch. 19, Wis. Stats., and the DOT's internal policies in the *Facilities Development Manual Chapter 9, Public Involvement*, and includes the following elements:

2.2.1 After December 31, 2019, the DOT shall provide informational displays or brochures at public involvement meetings or public hearings for DOT projects. Informational material shall show how installation of post-construction BMPs reduce the pollutant load of storm water runoff within the ROW. This information shall be made available at water resource related public meetings for 100% mega-major and 50% major construction projects within the TS4 that contain post-construction BMPs annually.

2.2.2 The DOT project staff or consultant shall be available at Public Information Meetings to take questions and provide responses to storm water questions for individual projects.

2.2.3 The DOT shall maintain an Adopt-A-Highway program that encourages individuals or groups to volunteer to remove litter and debris along the ROW. The goal is for each Adopt-A-Highway sponsor to pick up litter two times per year.

2.2.4 The DOT shall provide an opportunity through the DOT's website for the general public to review and comment on the annual report for each year within the term of this permit.

2.3 Illicit Discharge Detection and Elimination

The DOT Illicit Discharge Detection and Elimination program establishes measurable goals to detect and remove illicit connections and discharges to the TS4. The program includes the following elements:

2.3.1 The DOT shall notify the DNR within 24-hours whenever any suspected illicit discharge is identified by DOT field screening activities. The DOT shall work cooperatively with the DNR as appropriate to identify and eliminate illicit discharges to or from the TS4.

2.3.2 During the 5-year duration of this permit, the DOT shall perform a one-time dry weather visual screening of all major outfalls of the DOT TS4 to detect suspected illicit discharges. This screening effort will be limited to major outfalls that have not been previously screened or mapped. The dry weather screening shall, to the extent reasonable and practicable, identify suspected illicit discharges to or from the TS4.

2.3.2.1 The screening shall consist of visual observation of a major outfall during a dry weather period. A visual observation shall include a narrative description of visual observations including color, odor, turbidity, oil sheen or surface scum, flow rate, and any other relevant observations regarding the potential presence of non-storm water discharges or illicit dumping. Dry weather period is considered a minimum 48 hours without precipitation.

2.3.2.2 Screening shall be completed during the initial field data collection effort to support the development of the DOT storm sewer maps under section 2.8 of this permit.

2.3.3 The DOT shall perform a dry weather visual rescreen of 10% of all major outfalls annually that have a high risk of an illicit discharge during the term of this permit. Major outfalls that are considered to be high risk are adjacent to industrial facilities or active construction sites. Major outfalls that were previously screened and identified as low risk for significant water quality impacts from illicit discharges prior to the effective date of this permit do not require re-inspection during the term of this permit.

Note: Some major outfall screening has previously occurred per the terms of the interdepartmental liaison procedures between the DOT and the DNR.

2.3.4 The DOT shall provide suspected illicit discharge training for appropriate DOT staff and consultants. Training shall include procedures for identification and reporting of suspected illicit discharges.

2.3.5 The DOT shall continue to document suspected illicit discharges in their standard report form. The DOT shall maintain the database for confirmed illicit discharges. A list of confirmed illicit discharges shall be provided with the annual report, including if an illicit discharge is still ongoing or if the cause has been addressed.

2.3.6 The DOT shall, to the extent provided by state law, prevent unauthorized discharges to and from a TS4 covered by this permit. The DOT's authority may be created by a statute, administrative rule, or permit.

2.4 Construction Site Pollutant Control

The DOT Construction Site Pollutant Control program establishes measurable goals to reduce the discharge of sediment and construction materials from construction sites. The program includes the following elements:

2.4.1 Construction site pollutant control for DOT projects that will disturb one acre or more of land shall be implemented in accordance with WPDES General Permit No. WI-S066796.

Note: WPDES General Permit No. WI-S066796 is available from the DNR's Internet site at: <https://dnr.wi.gov/topic/Sectors/Transportation.html>.

2.4.2 The DOT shall continuously review and update as appropriate the *Facilities Development Manual Chapter 10, Erosion Control and Stormwater Quality* to provide guidance to DOT staff, contractors, and consultants.

Note: The *Facilities Development Manual Chapter 10, Erosion Control and Stormwater Quality*, is available at the DOT's Internet site at: <http://wisconsindot.gov/rdwy/fdm/fd-10-00toc.pdf>.

2.4.3 The DOT shall continue to participate in the inter-agency Cooperative Agreement between the DNR and the DOT (CoA). The CoA serves both as the basic guidance and policy direction for the liaison procedures for coordination of transportation projects, established pursuant to s. 30.2022, Wis. Stats., and as the basis for interagency coordination in larger scale policy and planning efforts of either agency. The CoA establishes the specific guidelines, policies, and procedures for the coordination of planning and review of construction site erosion control and

post-construction storm water management for DOT transportation projects. The CoA establishes the following measurable goals for carrying out and maintaining the transportation liaison process:

2.4.3.1 The agencies annually negotiate a funding agreement whereby DOT provides dedicated funding to the DNR to support permanent full-time DNR transportation liaison staff.

2.4.3.2 The DOT internally supports permanent full-time storm water and erosion control engineer staff to coordinate projects with the DNR transportation liaison staff.

2.4.3.3 The roles and responsibilities of the DNR transportation liaison staff and the DOT storm water and erosion control engineer staff are as follows:

2.4.3.3.1 Ensure that all DOT transportation projects are planned, designed, constructed, and maintained in accordance with all applicable environmental standards per ch. 30.2022, Wis. Stats., as well as WPDES General Permit No. WI-S066796.

2.4.3.3.2 At the earliest possible date, the DOT informs the DNR of proposed construction projects by providing pertinent inter-departmental communication and preliminary plans indicating the location and nature of the work at the conceptual phase.

2.4.3.3.3 The DOT and the DNR meet at least semi-annually to evaluate work scheduling and project prioritization for DNR review, including a timetable and target end-dates for the DNR to complete reviews.

2.4.3.3.4 The DNR reviews proposed projects and makes the recommendations necessary for the DOT to comply with applicable environmental and regulatory requirements.

2.4.3.3.5 The DOT considers the DNR recommendations related to project location, design, construction and maintenance of facilities. If the DOT determines that it is not practicable to comply with the DNR recommendations, interagency liaison staff meet to resolve any differences, as outlined in the CoA.

2.4.3.3.6 The DOT's Design Study Report contains the final design of the construction project with incorporation of agreed upon DNR recommendations.

2.4.3.3.7 To ensure that environmental regulations are complied with, the commitments made in the planning and design phase are included in construction contracts. Throughout construction, the DOT monitors the activities of the contractor(s) to ensure that the environmental commitments and regulatory requirements for the project are being met.

2.5 Post-Construction Storm Water Management

The DOT Post-Construction Storm Water Management program establishes measurable goals to control the quality of discharges from areas of new development and redevelopment, after construction is completed. The program includes the following elements:

2.5.1 Post-construction storm water management for DOT projects shall be implemented in accordance with WPDES General Permit No. WI-S066796.

Note: WPDES General Permit No. WI-S066796 is available from the DNR's Internet site at: <https://dnr.wi.gov/topic/Sectors/Transportation.html>

2.5.2 The DOT shall continuously review and update as appropriate the *Facilities Development Manual Chapter 10, Erosion Control and Stormwater Quality* to provide guidance to DOT staff, contractors, and consultants.

Note: The *Facilities Development Manual Chapter 10, Erosion Control and Stormwater Quality*, is available at the DOT's Internet site at: <http://wisconsin.dot.gov/rdwy/fdm/fd-10-00toc.pdf>

2.5.3 The DOT shall continue to participate in the CoA with the DNR as described in section 2.4.3 above.

2.6 Pollution Prevention

Under section 2.6.1, the DOT's Pollution Prevention program establishes measurable goals to prevent or reduce pollutant runoff from the TS4 to waters of the state. Under sections 2.6.2 to 2.6.6, the DOT shall establish measurable goals to develop and implement additional elements of the pollution prevention program in accordance with section 2.6.7.

2.6.1 The DOT shall continue to implement their storm water quality management program. This program shall maintain compliance with the 20% reduction in total suspended solids developed urban area performance standard for the TS4 described in section 1.1. The program includes the following elements:

2.6.1.1 Within 2 years of the effective date of this permit, to the maximum extent practicable (see definition under section 5.7), the DOT shall implement storm water management practices necessary to achieve a 20% reduction in the annual average mass of total suspended solids discharging from the TS4 to surface waters of the state as compared to implementing no storm water management controls. The DOT may elect to meet the 20% total suspended solids standard on a watershed or regional basis by working with other MS4 permittee(s) to provide regional treatment that collectively meets the standard.

2.6.1.2 The DOT shall evaluate DOT owned or operated structural flood control facilities to determine the feasibility of retrofitting to increase total suspended solids removal from runoff. Within 2 years of the effective date of this permit, the DOT shall submit the evaluation to the DNR. The evaluation shall include a facility inventory, a feasibility analysis addressing low cost modifications, and a performance analysis to determine total suspended solids reduction. Construction of any selected facility will occur as part of an appropriate highway construction project.

2.6.1.3 To assess compliance with the 20% total suspended solids performance standard, the DOT shall conduct a pollutant-loading analysis using a model such as WinSLAMM, P8 or equivalent methodology approved by the DNR. At a minimum, the average annual total suspended solids and phosphorus loads shall be determined for the cumulative discharge from all outfalls for the controls and no controls conditions. For purposes of evaluating the modeling, pollutant loads from grouped drainage areas as modeled shall be

reported. The modeling shall calculate the theoretical annual average mass of total suspended solids generated for the entire area served by a TS4 with no controls or BMPs applied. Modeling to reflect the current state of controls and BMPs shall be judged against the no controls condition to determine the percent of reduction. A storm water infiltration system is considered to be a control or BMP. Controls and BMPs that exist at the time of permit issuance may be used to achieve this reduction. The pollutant level reduction requirement applies only to total suspended solids. Within 2 years of the effective date of this permit, the DOT shall submit the assessment to the DNR.

2.6.1.4 Source area controls, structural storm water management practices, and non-structural control practices implemented to achieve the 20% reduction in total suspended solids shall be maintained.

2.6.2 The DOT shall develop a program for highway runoff management including, to the maximum extent practicable as defined under section 5.7, the activities described below associated with DOT highway maintenance:

2.6.2.1 Street cleaning after snow melt to remove materials that accumulated during the winter.

2.6.2.2 Cleaning of catch basins with sumps as required for efficient performance.

2.6.2.3 Proper disposal of street sweeping and catch basin cleaning waste.

2.6.2.4 Designing of highway ROWs with appropriate perennial or low growth vegetation needing minimal maintenance.

2.6.2.5 A salt minimization program for DOT TS4 highways, roads, and bridges with due consideration given for safety and possible loss of life or property. The DOT Bureau of Highway Maintenance manual shall be referenced for guidance.

2.6.2.6 Application of pesticides and herbicides by a licensed applicator in accordance with applicable requirements administered by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

2.6.3 The DOT shall develop an inventory of the DOT owned or operated storm water management control practices.

2.6.4 The DOT shall develop a schedule of routine inspection and maintenance of the DOT owned or operated storm water management control practices.

Note: Chapter NR 528, Wis. Adm. Code, *Management of Accumulated Sediment from Storm Water Management Structures*, establishes a process to regulate sediment removal and use to help storm water pond owners manage storm water pond sediment. Information on NR 528 and managing accumulated sediment from storm water ponds is available through the DNR's Internet site at: <http://dnr.wi.gov/topic/waste/nr528.html>.

2.6.5 The DOT shall develop storm water pollution prevention plans (SWPPPs) for DOT garages, storage areas and other sources of storm water pollution from non-highway DOT facilities within the ROW. Information on storm water pollution prevention activities shall include:

2.6.5.1 Location of each facility and contact information for the individual(s) with overall responsibility for each facility.

2.6.5.2 A map of each facility, drawn to scale, and including the following features:

2.6.5.2.1 The locations of major activities and storage areas.

2.6.5.2.2 Identification of drainage patterns, potential sources of storm water contamination, and discharge points.

2.6.5.2.3 Identification of nearby receiving waters or wetlands.

2.6.5.2.4 Identification of connections to the TS4.

2.6.5.3 A description of good housekeeping activities and any BMPs installed to reduce or eliminate storm water contamination.

2.6.5.4 Information on inspections of the facility to identify and address potential sources of storm water contamination.

2.6.5.5 Employee training on storm water pollution prevention at the facility.

2.6.5.6 Spills prevention and response procedures.

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 DNR 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 the DNR's 24-hour HOTLINE at 1-800-943-0003.

2.6.6 The DOT shall develop training modules for appropriate DOT staff and other personnel involved in implementing the pollution prevention program to prevent and reduce storm water pollution from activities open space maintenance, fleet and building maintenance, and maintenance of the TS4 and related storm water BMPs.

2.6.7 The pollution prevention program elements described in sections 2.6.2 to 2.6.6 shall be developed and submitted to the DNR for review by December 31, 2022, and implemented by June 30, 2023.

2.7 Storm Sewer System Maps

By geographic area, the DOT or a municipality on behalf of the DOT shall define the limits and major features of each DOT drainage system located within the TS4 permitted area. This information shall be submitted on maps with a border defining the relevant permitted area and all borders of municipalities abutting or lying within the permitted area. The maps shall be sufficiently sized and detailed with a scale suited for the level of detail depicting the following information:

2.7.1 The DOT TS4:

2.7.1.1 Identification and outline of the TS4 shall be provided upon completion of the updated statewide drainage system map and the development of the supporting database.

2.7.1.2 List and delineation of all drainage areas within the ROW, and the location of all identifiable major outfalls that discharge to waters of the state. A uniform numbering system shall be developed and used to identify major outfalls within the permitted area.

2.7.1.3 Location of major structural controls for storm water discharges including detention basins and major infiltration devices.

2.7.2 The DOT shall submit the initial storm sewer system map to the DNR by September 30, 2019, and annually thereafter by September 30 of each year of the term of this permit if any changes or updates.

2.8 Annual Report

The DOT shall submit an annual report for each calendar year to the DNR by September 30 of the following year. Municipalities, interest groups and the general public shall be encouraged to review and comment on the annual report as specified in section 2.2.4. The annual report shall include:

2.8.1 The status of implementing the permit requirements and status of meeting the measurable goals of the DOT's program.

2.8.2 A fiscal analysis that includes an estimate of the annual expenditures and budget for the reporting year, and the budget for the next year.

2.8.3 A summary of the number and nature of inspections and other actions conducted to ensure compliance with this permit.

2.8.4 Identification of any known water quality improvements or degradation in the receiving water to which the TS4 discharges. Where degradation is identified, identify why and what actions are being taken to improve the water quality of the receiving water.

2.8.5 An evaluation of program compliance, the appropriateness of identified BMPs, and progress towards achieving identified measurable goals. Any program changes made, as a result of this evaluation, shall be identified and described in the annual report, including a summary of revisions made or proposed to the storm water management program.

2.8.6 If applicable, notice that the DOT is relying on another municipality to satisfy any of the permit requirements and a description of the arrangement where a permit requirement is being met in this manner.

2.8.7 A review of the storm water quality control research program projects currently in progress or completed within the past year.

2.8.8 A duly authorized representative of the DOT shall sign and certify the annual report and include a statement that the appropriate level of management has reviewed or been apprised of the content of the annual report. A signed copy of the annual report shall be submitted to: Wisconsin DNR, Storm Water Program – WT/3, P.O. Box 7921, Madison, WI 53707-7921.

2.9 Amendments

The DOT shall amend a program required under this permit as soon as practicable if the DOT becomes aware that it does not meet a requirement of this permit. Subject to the CoA, the DOT shall amend its program if notified by the DNR that a program or procedure is insufficient or ineffective in meeting a requirement of this permit. The DNR notice to the DOT may include a deadline for amending and implementing the amendment.

3. IMPLEMENTATION SCHEDULE

The DOT shall comply with the specific permit conditions contained in sections 1 and 2 in accordance with the schedule in Table 3 – Implementation Schedule. The compliance date is when the DOT shall submit a program element to the DNR for review. The implementation date is when the DOT shall implement the program element.

TABLE 3. Implementation Schedule

PERMIT SECTION	ACTIVITY	COMPLIANCE DATE	IMPLEMENTATION DATE
Section 1.5.1	Discharges to an impaired water body	March 31, 2019, and by March 31 of each odd-numbered year thereafter	
Section 2.1	Public Education and Outreach		January 1, 2020
Section 2.2	Public Involvement and Participation		January 1, 2020
Section 2.3	1. Illicit Discharge Detection and Elimination – section 2.3.2, complete initial screening		During the 5-year duration of this permit, supporting the development of the storm sewer system maps
	2. Illicit Discharge Detection and Elimination – section 2.3.3, complete on-going field screening		During the 5-year duration of this permit
	3. Illicit Discharge Detection and Elimination – section 2.3.5, submit suspected illicit discharges report	Include with annual report	
Section 2.6	1. Pollution Prevention – storm water quality management section 2.6.1.1, implement storm water management program		Within 2 years of the effective date of this permit
	2. Pollution Prevention – storm water quality management section 2.6.1.2, submit evaluation of flood control structures	Within 2 years of the effective date of this permit	
	3. Pollution Prevention – storm water quality management section 2.6.1.3, submit assessment of compliance	Within 2 years of the effective date of this permit	

	4. Pollution Prevention – section 2.6.2, complete a highway runoff management program	December 31, 2022	June 30, 2023
	4. Pollution Prevention – section 2.6.3, complete an inventory of DOT owned or operated storm water management control practices	December 31, 2022	June 30, 2023
	6. Pollution Prevention – section 2.6.4, complete a schedule of routine inspection and maintenance of DOT owned or operated storm water management control practices	December 31, 2022	June 30, 2023
	7. Pollution Prevention – section 2.6.5, complete SWPPPs for DOT facilities	December 31, 2022	June 30, 2023
	8. Pollution Prevention – section 2.6.6, training modules for DOT staff	December 31, 2022	June 30, 2023
Section 2.7	TS4 Map – submit TS4 map	September 30, 2019	
Section 2.8	Annual Report	September 30 of each year, reporting on the previous calendar year	

4. GENERAL CONDITIONS

The general conditions in s. NR 205.07(1), (3), and (5), Wis. Adm. Code, are hereby incorporated by reference into this permit, except for s. NR 205.07(1)(n) and(3)(b), Wis. Adm. Code.

Note: Chapter NR 205, Wis. Adm. Code, is available at the following website:

http://docs.legis.wisconsin.gov/code/admin_code/nr/200.

4.1 Liabilities under Other Laws Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the DOT from any responsibilities, liabilities, or penalties to which the DOT is or may be subject under Section 311 of the federal Clean Water Act (33 USC §1321), any applicable federal, state, or local law or regulation under authority preserved by Section 510 of the Clean Water Act (33 USC §1370).

4.2 Continuation of the Expired General Permit The DNR's goal is to reissue this general permit prior to its expiration date. However, in accordance with s. NR 216.09, Wis. Adm. Code, a permittee shall reapply to the DNR at least 180 days prior to the expiration date for continued coverage under this permit after its expiration. If the permit is not reissued by the time the existing permit expires, the existing permit remains in effect. To reapply for permit coverage, a permittee shall send a letter to the DNR that includes proposed changes to the storm sewer system map, storm water management program and any other relevant change.

4.3 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 remainder of this permit shall not be affected thereby.

4.4 Submitting Records Unless otherwise specified, any reports submitted to the DNR in accordance with this permit shall be submitted to the appropriate DNR regional storm water contact or to the Wisconsin DNR, Storm Water Program – WT/3, Box 7921, Madison, WI 53707-7921.

4.5 Enforcement Any violation of s. 283.33, Wis. Stats., ch. NR 216, Wis. Adm. Code, or this permit is enforceable under s. 283.89, Wis. Stats. and the liaison procedures established pursuant to s. 30.2022, Wis. Stats.

5. DEFINITIONS USED IN THIS PERMIT

Definitions for some of the terms found in this permit are as follows:

5.1 Connecting Highways means certain marked routes of the state trunk highway system over the streets or highways in any municipality for which the municipality is responsible for maintenance and traffic control pursuant to s. 86.32, Wis. Stats.

5.2 DOT right-of-way or ROW means land, property, or interest in land or property acquired by the DOT for or devoted to transportation purposes.

5.3 Illicit Discharge means any discharge to a TS4 that is not composed entirely of storm water except discharges authorized by a WPDES permit or other discharge not requiring a WPDES permit such as landscape irrigation, individual residential car washing, fire fighting, diverted stream flows, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, lawn watering, flows from riparian habitats and wetlands, and similar discharges.

5.4 Impaired water means a waterbody impaired in whole or in part and listed by the DNR pursuant to 33 USC §1313(d)(1)(A) and 40 CFR §130.7, for not meeting a water quality standard, including a water quality standard for a specific substance or the waterbody's designated use.

5.5 Major Outfall means a TS4 outfall of a single pipe with an inside diameter of 36 inches or more, or an equivalent conveyance with a cross sectional area of 1,018 inch² which is associated with a drainage area of more than 50 acres.

5.6 Major construction project means a project with an estimated total cost below \$500 million can also be designated by the Federal Highway Administration (FHWA) as a Federal Major Project if FHWA determines the project will require a substantial portion of the transportation agency's program resources; has a high level of public or congressional interest; is unusually complex; has extraordinary implications for the national transportation system; or is likely to exceed \$500 million in total cost.

5.7 Maximum Extent Practicable means the highest level of performance that is achievable but is not equivalent to a performance standard identified in subch. IV of ch. NR 151, Wis. Adm. Code. Maximum extent practicable applies when the DOT demonstrates to the DNR's satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the maximum extent practicable, the DOT shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

5.8 Mega-major construction project means a project that is a recipient of Federal financial assistance with an estimated total cost of \$500 million or more.

5.9 Municipality means any city, town, village, county, county utility district, town sanitary district, town utility district, school district or metropolitan sewage district or any other public entity created pursuant to law and having authority to collect, treat or dispose of sewage, industrial wastes, storm water or other wastes.

5.10 Municipal Separate Storm Sewer System or MS4 means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

5.10.1 Owned or operated by a municipality.

5.10.2 Designed or used for collecting or conveying storm water.

5.10.3 Which is not a combined sewer conveying both sanitary and storm water.

5.10.4 Which is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment.

5.11 Outfall means the point at which storm water is discharged to waters of the state or to a municipal or private storm sewer (i.e., leaves one municipality and enters another).

5.12 Pollutant(s) of concern means a pollutant that is causing impairment of a waterbody.

5.13 Total maximum daily load or TMDL means the amount of pollutants specified as a function of one or more water quality parameters, that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.

5.14 Transportation Separate Storm Sewer System or TS4 means an MS4 owned, operated, and maintained by the DOT.

5.15 Urbanized Area means a place and the adjacent densely settled surrounding territory that together have a minimum population of 50,000 people, as determined by the U.S. bureau of the census based on the latest decennial federal census.

5.16 Waters of the State includes those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person, pursuant to s. 283.01(20), Wis. Stats.

5.17 WPDES Permit means a Wisconsin Pollutant Discharge Elimination System permit issued pursuant to ch. 283, Wis. Stats.

APPENDIX A – Permitted MS4s

TABLE 1. List of permitted MS4s located within an Urbanized Area

Urbanized Area	MS4 Permittee	Type	County
Appleton, WI	Appleton, City	City	Outagamie
	Buchanan, Town	Town	Outagamie
	Calumet County	County	Calumet
	Clayton, Town	Town	Winnebago
	Combined Locks, Village	Village	Outagamie
	Fox Crossing, Village	Village	Winnebago
	Grand Chute, Town	Town	Outagamie
	Greenville, Town	Town	Outagamie
	Harrison, Town & Village	Village	Calumet
	Kaukauna, City	City	Outagamie
	Kimberly, Village	Village	Outagamie
	Little Chute, Village	Village	Outagamie
	Menasha, City	City	Winnebago
	Neenah, City	City	Winnebago
	Neenah, Town	Town	Winnebago
	Outagamie County	County	Outagamie
	Sherwood, Village	Village	Calumet
	Vinland, Town	Town	Winnebago
	Winnebago County*	County	Winnebago
Beloit, WI--IL	Beloit, City	City	Rock
	Beloit, Town	Town	Rock
	Rock County*	County	Rock
	Rock, Town*	Town	Rock
	Turtle, Town	Town	Rock
Duluth, MN--WI	Oliver, Village	Village	Douglas
	Superior, Village	Village	Douglas
	Superior, City	City	Douglas
	University of Wisconsin Superior	Nontraditional	Douglas
Eau Claire, WI	Altoona, City	City	Eau Claire
	Anson, Town	Town	Chippewa
	Chippewa County	County	Chippewa
	Chippewa Falls, City	City	Chippewa
	Eagle Point, Town	Town	Chippewa
	Eau Claire County	County	Eau Claire
	Eau Claire, City	City	Eau Claire
	LaFayette, Town	Town	Chippewa
	Lake Hallie, Village	Village	Chippewa
	Seymour, Town	Town	Eau Claire
	University of Wisconsin Eau Claire	Nontraditional	Eau Claire
	Washington, Town	Town	Eau Claire

Urbanized Area	MS4 Permittee	Type	County
Fond du Lac, WI	Eden, Village	Village	Fond Du Lac
	Empire, Town	Town	Fond Du Lac
	Fond du Lac County	County	Fond Du Lac
	Fond du Lac, City	City	Fond Du Lac
	Fond du Lac, Town	Town	Fond Du Lac
	Friendship, Town	Town	Fond Du Lac
	North Fond du Lac, Village	Village	Fond Du Lac
	Taycheedah, Town	Town	Fond Du Lac
Green Bay, WI	Allouez, Village	Village	Brown
	Ashwaubenon, Village	Village	Brown
	Bellevue, Village	Village	Brown
	Brown County	County	Brown
	De Pere, City	City	Brown
	Green Bay, City	City	Brown
	Howard, Village	Village	Brown
	Lawrence, Town	Town	Brown
	Ledgeview, Town	Town	Brown
	Scott, Town	Town	Brown
	Suamico, Village	Village	Brown
	University of Wisconsin Green Bay	Nontraditional	Brown
Janesville, WI	Harmony, Town	Town	Rock
	Janesville, City	City	Rock
	Janesville, Town	Town	Rock
	Milton, City	City	Rock
	Rock County*	County	Rock
	Rock, Town*	Town	Rock
Kenosha, WI--IL	Kenosha County*	County	Kenosha
	Kenosha, City	City	Kenosha
	Pleasant Prairie, Village	Village	Kenosha
	Somers, Village & Town	Town	Kenosha
	University of Wisconsin Parkside	Nontraditional	Kenosha
La Crosse, WI	Campbell Town	Town	La Crosse
	Holland, Town	Town	La Crosse
	Holmen, Village	Village	La Crosse
	La Crosse County	County	La Crosse
	La Crosse, City	City	La Crosse
	Onalaska, City	City	La Crosse
	Onalaska, Town	Town	La Crosse
	Shelby, Town	Town	La Crosse
	University of Wisconsin La Crosse	Nontraditional	La Crosse
West Salem, Village	Village	La Crosse	

Urbanized Area	MS4 Permittee	Type	County
Madison, WI	Blooming Grove, Town	Town	Dane
	Bristol, Town	Town	Dane
	Burke, Town	Town	Dane
	Cottage Grove, Town	Town	Dane
	Cottage Grove, Village	Village	Dane
	Cross Plains, Village	Village	Dane
	Dane County	County	Dane
	DeForest, Village	Village	Dane
	Dunkirk, Town	Town	Dane
	Dunn, Town	Town	Dane
	Fitchburg, City	City	Dane
	Madison, City	City	Dane
	Madison, Town	Town	Dane
	Maple Bluff, Village	Village	Dane
	McFarland, Village	Village	Dane
	Middleton, City	City	Dane
	Middleton, Town	Town	Dane
	Monona, City	City	Dane
	Pleasant Springs, Town	Town	Dane
	Shorewood Hills, Village	Village	Dane
	Stoughton, City	City	Dane
	Sun Prairie, City	City	Dane
	University of Wisconsin - Madison	Nontraditional	Dane
	Verona, City	City	Dane
	Waunakee, Village	Village	Dane
	Westport, Town	Town	Dane
	Windsor, Town	Town	Dane
Milwaukee, WI	Bayside, Village	Village	Milwaukee
	Big Bend, Village	Village	Waukesha
	Brookfield, City	City	Waukesha
	Brookfield, Town	Town	Waukesha
	Brown Deer, Village	Village	Milwaukee
	Butler, Village	Village	Waukesha
	Cedarburg, City	City	Ozaukee
	Cedarburg, Town	Town	Ozaukee
	Cudahy, City	City	Milwaukee
	Delafield, City	City	Waukesha
	Delafield, Town	Town	Waukesha
	Dousman, Village	Village	Waukesha
	Elm Grove, Village	Village	Waukesha
	Fox Point, village	village	Milwaukee
	Franklin, City	City	Milwaukee

Urbanized Area	MS4 Permittee	Type	County
Milwaukee, WI cont.	Genesee, Town	Town	Waukesha
	Germantown, Village	Village	Washington
	Glendale, City	City	Milwaukee
	Grafton, Town	Town	Ozaukee
	Grafton, Village	Village	Ozaukee
	Greendale, Village	Village	Milwaukee
	Greenfield, City	City	Milwaukee
	Hales Corners, Village	Village	Milwaukee
	Hartland, Village	Village	Waukesha
	Ixonia, Town	Town	Jefferson
	Lannon, Village	Village	Waukesha
	Lisbon, Town	Town	Waukesha
	Menomonee Falls, Village	Village	Waukesha
	Mequon, City	City	Ozaukee
	Merton, Town	Town	Waukesha
	Merton, Village	Village	Waukesha
	Milwaukee County	County	Milwaukee
	Milwaukee, City	City	Milwaukee
	Muskego, City	City	Waukesha
	Nashotah, Village	Village	Waukesha
	New Berlin, City	City	Waukesha
	North Prairie, Village	Village	Waukesha
	Norway, Town	Town	Racine
	Oak Creek, City	City	Milwaukee
	Oconomowoc, City	City	Waukesha
	Oconomowoc, Town	Town	Waukesha
	Ozaukee County	County	Ozaukee
	Pewaukee, City	City	Waukesha
	Pewaukee, Village	Village	Waukesha
	Port Washington, City	City	Ozaukee
	Richfield, Village	Village	Washington
	River Hills, Village	Village	Milwaukee
	Saint Francis, City	City	Milwaukee
	Sauville, Village	Village	Ozaukee
	Shorewood, Village	Village	Milwaukee
	South Milwaukee, City	City	Milwaukee
	Southeast WI Prof Baseball Park District	Nontraditional	Milwaukee
	Summit, Village	Village	Waukesha
	Sussex, Village	Village	Waukesha
	Thiensville, Village	Village	Ozaukee
Vernon, Town	Town	Waukesha	
Wales, Village	Village	Waukesha	

Urbanized Area	MS4 Permittee	Type	County
Milwaukee, WI cont.	Waterford, Town	Town	Racine
	Waukesha County	County	Waukesha
	Waukesha, City	City	Waukesha
	Waukesha, Town	Town	Waukesha
	Wauwatosa, City	City	Milwaukee
	West Allis, City	City	Milwaukee
	West Milwaukee, Village	Village	Milwaukee
	Whitefish Bay, Village	Village	Milwaukee
	Wisconsin State Fair Park	Nontraditional	Milwaukee
Minneapolis--St. Paul, MN--WI	St Joseph, Town	Town	St. Croix
Oshkosh, WI	Algoma, Town	Town	Winnebago
	Black Wolf, Town	Town	Winnebago
	Nekimi, Town	Town	Winnebago
	Omro, Town	Town	Winnebago
	Oshkosh, City	City	Winnebago
	Oshkosh, Town	Town	Winnebago
	University of Wisconsin Oshkosh	Nontraditional	Winnebago
	Winnebago County*	County	Winnebago
Racine, WI	Caledonia, Village	Village	Racine
	Mount Pleasant, Village	Village	Racine
	Racine County	County	Racine
	Racine, City	City	Racine
	Sturtevant, Village	Village	Racine
	Wind Point, Village	Village	Racine
Round Lake Beach--McHenry--Grayslake, IL--WI	Bloomfield, Village	Village	Walworth
	Bristol, Village	Village	Kenosha
	Genoa City, Village	Village	Walworth
	Kenosha County*	County	Kenosha
	Paddock Lake, Village	Village	Kenosha
	Randall, Town	Town	Kenosha
	Salem Lakes, Village	Village	Kenosha
Twin Lakes, Village	Village	Kenosha	
Sheboygan, WI	Howards Grove, Village	Village	Sheboygan
	Kohler, Village	Village	Sheboygan
	Sheboygan County	County	Sheboygan
	Sheboygan Falls, City	City	Sheboygan
	Sheboygan, City	City	Sheboygan
	Sheboygan, Town	Town	Sheboygan
	Wilson, Town	Town	Sheboygan
Wausau, WI	Kronenwetter, Village	Village	Marathon
	Marathon County	County	Marathon

Urbanized Area	MS4 Permittee	Type	County
Wausau, WI cont.	Mosinee, City	City	Marathon
	Rib Mountain, Town	Town	Marathon
	Rothschild, Village	Village	Marathon
	Schofield, City	City	Marathon
	Wausau, City	City	Marathon
	Weston, Village	Village	Marathon
West Bend, WI	Hartford, Town	Town	Washington
	Hartford, City	City	Washington
	Jackson, Village	Village	Washington
	Kewaskum, Village	Village	Washington
	Slinger, Village	Village	Washington
	Washington County	County	Washington
	West Bend, Town	Town	Washington
	West Bend, City	City	Washington

*Indicates a MS4 permittee that is located in more than one Urbanized Area.

TABLE 2. List of permitted MS4s separate from an Urbanized Area

MS4 Permittee	Type	County
Baraboo City	City	Sauk
Beaver Dam City	City	Dodge
Burlington City	City	Racine
Elkhorn City	City	Walworth
Fort Atkinson City	City	Jefferson
Hudson City	City	St. Croix
Manitowoc, City	City	Manitowoc
Marinette, City	City	Marinette
Marshfield, City	City	Wood
Menomonie, City	City	Dunn
Merrill, City	City	Lincoln
Monroe City	City	Green
Mukwonago, Village	Village	Waukesha
Platteville City	City	Grant
Portage City	City	Columbia
Rice Lake City	City	Barron
River Falls, City	City	Pierce
Stevens Point, City	City	Portage
Two Rivers, City	City	Manitowoc
University of Wisconsin Platteville*	Nontraditional	Grant
University of Wisconsin River Falls*	Nontraditional	Pierce
University of Wisconsin Stevens Point*	Nontraditional	Portage
University of Wisconsin Stout*	Nontraditional	Dunn
University of Wisconsin Whitewater*	Nontraditional	Walworth
Watertown City	City	Jefferson
Waupun City	City	Dodge
Whitewater, City	City	Walworth
Wisconsin Rapids, City	City	Wood

*Indicates an MS4 permittee that is located inside of another MS4 permittee's boundaries. For example, the University of Wisconsin Platteville is located in the city of Platteville, and both entities are MS4 permittees.