

Permit Fact Sheet

General Information

Permit Number:	WI-0047341-05-0
Permit Name:	General Permit - Satellite Sewage Collection System
Permittee	Owners of satellite sewage collection systems are eligible for this general permit. A satellite sewage collection system is tributary to another sewerage system that treats the wastewater.
Discharge Location:	Statewide
Receiving Water:	Surface water or groundwater in the state of Wisconsin

Section 283.35, Wis. Stats. authorizes the Department to issue Wisconsin Pollutant Discharge Elimination System (WPDES) general permits for categories of point source discharges. It is more efficient for the Department to cover multiple facilities under a general permit (GP) with generic requirements rather than issuing individual permits for each facility when no special circumstances warrant site specific permit requirements or limitations. The GP program is intended to minimize effort for the permittee and the Department.

When a GP is issued all facilities meeting eligibility requirements may be covered by the GP. The Department sends a letter granting coverage and a copy of the permit and fact sheet (may be sent by email). A permittee may need to be covered under more than one GP, depending on the different types of waste streams that a facility discharges.

If the Department determines it's necessary or appropriate to withhold or withdraw coverage by a GP, an individual site specific WPDES permit may be issued containing additional limitations to regulate the discharge because it has characteristics that are not typical for the GP category and the pollutants could exceed a water quality standard. A written request from the discharger to voluntarily withdraw from coverage under the GP may also be requested.

Description

Sanitary sewer overflows (SSO's) from sewage collection systems include all discharges of untreated sewage to waters of the state or to the land surface. Such overflows may occur from sewage pumping stations, sanitary manhole structures, portable pumping equipment, and other places within the sewage collection system (excluding the wastewater treatment plant). An overflow may result from plugged or broken sanitary sewers, equipment failure or damage, power outage, and excessive infiltration and/or inflow (I/I) of clearwater (groundwater and storm water runoff) into sanitary sewers. Also, some communities in the state have collection systems with permanently installed overflow structures or pipes specifically designed to discharge sewage during surcharging or other high wastewater flow conditions. Or, portable pumps may be used to relieve excess flow in the sewage collection system (if the pumped sewage is into another sanitary sewer or a storage structure it's not a SSO).

The Department is authorized by ch. 283, Wis. Stats. to establish and administer the WPDES permit program, which regulates wastewater discharges, including SSO's. The Satellite Sewage Collection System GP may be used to regulate all applicable municipal and non-municipal entities that own and maintain a sewage collection system. The permit provides standard procedures for monitoring and reporting SSO occurrences statewide. The satellite sewage collection systems covered under this GP are tributary to a regional municipal sewerage facility that receives and treats the wastewater from surrounding tributary collection systems. A satellite sewage collection system could also discharge into another satellite sewage collection system. An individual WPDES permit is issued to the regional municipal sewerage treatment system that discharges the treated wastewater to waters of the state.

The Department requires all municipal and non-municipal entities tributary to a regional sewerage system to adopt and participate in a coordinated on-going program of infiltration/inflow source identification and removal, and routine sewage collection system maintenance to minimize the potential for conditions that cause SSO's through the development of a capacity, management, operation and maintenance program (CMOM). The new subchapter IV in ch. NR 210, Wis. Adm.

Code (effective August 1, 2013) contains the CMOM requirements to prevent or reduce SSO's and basement back-ups. Frequent or chronic SSO's and basement back-ups from sewage collection systems or within the downstream portions of regional sewerage systems are a serious problem. Enforcement action may be taken if there are violations of this permit, and if necessary an individual permit may be issued with a schedule for taking corrective action to address problems with the collection system. The provision in ch. NR 110, Wis. Adm. Code that allowed the Department to ban sewer extensions if an existing collection system had significant SSO's was repealed because it was difficult to implement. Instead, the sewer ban concept will be used in enforcement actions. Sanitary sewer extensions shall still be denied to the sewage collection system if the regional sewerage treatment facility violates its BOD₅ and total suspended solids limits.

1 Applicability Criteria

This section of the GP describes the facilities that were intended to be eligible for coverage. Definitions are provided for what is satellite sewage collection system and what constitutes a SSO.

1.1 Covered Facilities

The Satellite Sewage Collection System GP applies to municipalities (as defined in s. 283.01(7), Wis. Stats.) that own and operate an individual sewage collection system that is tributary to a regional municipal sewerage treatment system that provides wastewater treatment. The permit also covers select non-municipal tributary sewage collection systems that may include certain industrial or commercial entities such as mobile home parks and health care facilities, which, in the Department's judgment, may pose a reasonable potential for a sewage overflow. Non-municipal entities that would be considered for coverage include those who own and maintain a private sewage collection system with flow rates greater than a typical residence, have one or more sewage pumping stations, and lateral sewers lengths in excess of 200 feet.

Sewage collection systems that actually discharge pollutants require a WPDES permit. This includes collection systems that have had a SSO at any time in the past, or a permanently installed overflow structure or pipe exists. An overflow structure or pipe located at a specific location allows for a diversion of sewage that is designed to discharge to the environment, such as into a ditch, into a storm sewer, directly into a river or lake, or onto the land surface. Such a diversion would occur when the sewer is surcharged and high wastewater flow exceeds the capacity of the sewer. Portable pumps to relieve sewer flows, or discharges from locations not intended to overflow such as manholes or pumping stations, are not considered permanently installed overflow structures.

1.2 Facilities Not Covered

This GP is not applicable to private residences, and facilities that are issued an individual WPDES permit. Individual permits similarly regulate SSO's from sewage collection systems.

A federal court ruling (*Waterkeeper Alliance et al. v. EPA*, 399 F.3d 486, 2nd Cir. 2005) has determined that under federal law NPDES permitting rules do not apply to "potential" discharges, but only to actual discharges of pollutants. If this decision applies to WPDES permittees in Wisconsin, the Department may lack the authority to issue a permit to a potential discharger, and some satellite sewage collection system owners could therefore decline coverage under the GP. If the satellite sewage collection system has never experienced a SSO in the past, and the owner does not foresee any circumstances in the future when a SSO could occur, then a permit may not be required. The satellite sewage collection system owner is responsible for this determination.

Satellite sewage collection system owners may elect to decline coverage under this GP. However, if the satellite sewage collection system experiences a SSO at any location and for any reason, and the owner does not hold a WPDES permit, the discharge of pollutants is unlawful, and a violation of s. 283.31, Wis. Stats. Even if a satellite sewage collection system owner does not hold a permit, the owner must, under the provisions of s. 283.55 (1) (dm), Wis. Stats., report any discharge of untreated sewage to the Department. The Department encourages all satellite sewage collection system owners to seek coverage under the Satellite Sewage Collection System GP as protection from being cited for discharging without a permit. A note in this section states the consequences of not having a permit. If a facility wishes to decline GP coverage, submit written notification to the office issuing the permit to request that permit coverage be withdrawn.

2 Permit Conditions

2.1 Sanitary Sewer Overflows Prohibited

SSO's are prohibited and subject to enforcement action. Noncompliance with the terms of the GP may result in the following Department actions:

- (a) Referral of the violation to the Department of Justice.
- (b) Withdrawal of coverage under the general permit and issuance of an individual permit with a schedule requiring corrective action to eliminate SSO's
- (c) Require a system evaluation and capacity assurance plan (SECAP) to eliminate the occurrence of SSO's in accordance with the new provisions in s. NR 210.24, Wis. Adm. Code.

2.2 Contributing Circumstances

Some SSO's may be attributed to circumstances beyond the control of the permittee. An explanation of the contributing circumstances for the occurrence of a SSO must be documented and reported to the Department. When a SSO occurs information on whether any of the following four conditions existed will help explain why:

- (a) Unavoidable to prevent loss of life, injury or severe property damage.
- (b) No feasible alternative.
- (c) Unusual or severe weather conditions.
- (d) Accidental or other factor beyond reasonable control.

2.3 Permittee Response to SSO

The permit specifies actions the permittee must take when a SSO occurs, which consists of the following:

- (a) Manage the SSO to minimize and terminate the discharge as soon as practicable.
- (b) Implement remedial actions to intercept, reroute or recover wastewater to minimize environmental impacts.
- (c) Report each SSO according to section 3.

2.4 Capacity, Management, Operation and Maintenance Program

The new CMOM requirements in s. NR 210.23, Wis. Adm. Code requires all satellite sewage collection systems to implement a CMOM program by August 1, 2016 (within three years after publication of the rule revisions). For satellite sewage collection systems that are granted coverage under this GP for the first time, because the sewage collection system is new or it's not currently covered under the GP, a CMOM program is required within three years after being granted permit coverage. The goal of the CMOM program is to reduce or prevent the likelihood of SSO's and basement back-ups, and to ensure the long-term viability of the sewage collection system. The CMOM program components are identified in the permit.

2.5 Rain Gauge

Collection of rainfall data is one of the reporting requirements because unusual or serve weather is often a contributing circumstance for a SSO. This information must be reported on the SSO reporting form 3400-184. In specified instances, a rain gauge must be provided within the area of the sewage collection system where SSO's occur. Alternatively, the nearest existing rain gauging station may be acceptable (preferably less than 5 miles away).

2.6 Sanitary Sewer Overflow Structures

Some sewage collection systems include the installation of permanently installed overflow structures as a means to manage and mitigate SSO's and basement back-ups. The design of such structure is regulated in s. NR 110.13 (6), Wis. Adm. Code; but, the use is not approved in the permit because SSO's are prohibited. Overflow structure may be either manually or automatically operated. Automatically operated overflow structures must have a monitoring system and are subject to inspection requirements. Overflow structures are intended to relieve a surcharged sewage collection system to prevent property damage, and to release the surcharge in a controlled manner at a specific location. While this remains an undesirable scenario, it may be wise to include an overflow structure to handle extreme flows that exceeds the sewage collection system's design capacity because it's preferred to an uncontrolled SSO that could occur anywhere in the collection and cause basement or building back-ups (we don't want these to occur).

An explanatory note advises permittees that sewage collection systems with overflow structures may require greater oversight with an individual WPDES permit, especially if there's a history of SSO's with significant flow volumes. In addition, the Department may request that permittees in this situation conduct monitoring of overflow structures in order to determine the significance of the discharge and its potential impact on the environment.

3 Reporting Requirements

The permit defines a SSO occurrence, when to report it, and what information to report to the Department and other entities that should be aware of SSO's because of potential impacts that may affect them and the public.

3.1 Notification within 24 Hours

When a SSO occurs the permittee must notify the Department within 24 hours. The wastewater engineer or specialist in the regional office assigned to the permit should be telephoned. Alternative messages such as FAX or email are also acceptable. Section 5 of the permit listing the summary of reports due contains information on who to contact at the Department and how to obtain that information.

3.2 Report within 5 Days

After the notification within 24 hours a follow-up written report must be sent to the Department within 5 days. The report must describe the situation that caused the SSO and what is proposed to prevent future occurrences. To provide all the needed information on the SSO to fulfill the reporting requirement form 3400-184 should be completed. The form has been revised to reflect items 1 to 11 in the permit that lists the minimum information to provide in accordance with s. NR 210.21 (4) (b), Wis. Adm. Code. Supplemental information may be provided in addition to the form when needed. The 3400-184 form is available as a fillable PDF on the Department's web site at the following link:

http://dnr.wi.gov/topic/wastewater/documents/3400-184_SSOReportForm.pdf

In the future the permittee will be able to submit an electronic reporting form. When the Department has this system available permittees will be notified.

3.3 Public Notification

The new public notification requirements are described in s. NR 210.21 (5), Wis. Adm. Code. This is effective immediately upon publication of the rule on August 1, 2013. Note the applicability of the public notification is prior to the CMOM program implementation date of no later than August 1, 2016. The minimum requirement is notification of the daily newspaper of general circulation in the area, and other means the permittee identifies in their CMOM overflow emergency response plan required in s. NR 210.23 (4) (f), Wis. Adm. Code. This may include the notification of public health officials, posting information on a web site, and notification of media outlets.

3.4 Sewerage System Owner Notification

The new sewerage system owner notification requirements are described in s. NR 210.21 (4) (e), Wis. Adm. Code. The regional sewerage treatment facility receiving the wastewater, and any other sewage collection system the satellite sewage collection system is connected to, must be copied for informational purposes when submitting the SSO report form 3400-184 and CMAR.

3.5 Drinking Water Intake Owner Notification

The drinking water intake notification requirements are described in s. NR 210.21 (6), Wis. Adm. Code. This is not a new permit requirement, it's included in the current GP, but it's now codified. If there is a drinking water intake in Lake Michigan, Lake Superior, or Lake Winnebago that could be impacted by a SSO, the permittee must notify the owner of the water intake as soon as possible within 8 hours after becoming aware of a SSO. A table lists which water intakes are in the vicinity for each regional treatment sewerage system that must be notified, without exception. This notification applies to even a minor SSO that discharges onto the ground and may never reach the surface water. This eliminates the need to make any subjective judgments on whether a SSO may or may not enter the surface water supply.

3.6 Compliance Maintenance Annual Report

The Compliance Maintenance Annual Report requirements are described in s. NR 208, Wis. Adm. Code. Both wastewater treatment facilities and satellite sewage collection systems are required to submit a CMAR. The CMAR will summarize the status of the satellite sewage collection system and any SSO's that occurred during the year. The CMAR program is a tool to collect data on the collection system to help the Department determine permit compliance. The CMAR contains collection system performance indicators and trend graphs that aid both the permittee and Department in evaluating the effectiveness of the CMOM programs.

4 Standard Requirements

The standard requirements applicable to all permittees are contained in ch. NR 205, Wis. Adm. Code. The highlighted standard requirements in the GP consist of permittee obligations for records retention, calibrating flow meters, proper handling of sewer cleaning debris and materials, identifies wastes that are prohibited from entering the sewerage system, and the continuation of coverage under the GP.

5 Summary of Reports Due

For informational purposes a table lists the reports required under this permit, when they're due, and a page reference for the permit requirement. The DNR regional office for submitting reports can be found on the letter granting permit coverage, or by finding the regional office on the referenced web site based on the geographical location of the satellite sewage collection system.

Proposed Expiration Date:

September 30, 2018

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