



# 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, Wisconsin Statutes, any vessel entering Lake Michigan, Lake Superior or other waters where a vessel may transit located within the boundaries of Wisconsin, meeting the applicability criteria listed in this general permit, is permitted to discharge

#### **Ballast Water**

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

State of Wisconsin Department of Natural Resources  
For the Secretary

By Sharon L. Gayan  
Sharon L. Gayan  
Director, Bureau of Water Quality

March 9, 2018  
Date Permit Signed/Issued

**PERMIT TERM: EFFECTIVE DATE – April 1, 2015**

**EXPIRATION DATE – March 31, 2020**

**PERMIT MODIFICATION EFFECTIVE DATE – July 26, 2017**

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# 1 Applicability

## 1.1 Vessels Covered

Oceangoing vessels and Great Lakes vessels required to obtain the US Environmental Protection Agency (EPA) 2013 Vessel General Permit (VGP), that operate within waters of the State of Wisconsin, and which weigh 300 gross tons or more, or have a ballast tank capacity of at least 2113 gallons (8 cubic meters) and are 79 feet (24.1 meters) in length or more, shall obtain coverage under WPDES general permit WI-0063835-02-2. Vessels that qualify for exclusion under Subsection 1.3 are not required to obtain this permit.

## 1.2 Authorized Discharges

Ballast water discharges are authorized by this permit provided the discharges are in compliance with the ballast water treatment monitoring requirements and limitations specified in Section 4, and all other requirements contained in this permit. The discharge may not contain aquatic invasive species (AIS) or diseases (such as Viral Hemorrhagic Septicemia, or VHS) at a level that would violate the designated use of the waterbody; constitute a threat to public health, safety, or welfare; or contribute to a violation of water quality standards. The discharge must also comply with ch. NR 40, Wis. Adm. Code, the Department of Natural Resources' administrative rule to identify, classify and control invasive species in Wisconsin.

A copy of this permit shall be retained on board the permitted vessel when transiting Wisconsin waters.

*Note: The Wisconsin Ballast Water Discharge General Permit is in addition to the requirements of the VGP applicable to commercial vessels greater than 79 feet in length, including Wisconsin's Water Quality Certification of the VGP under the federal Clean Water Act (CWA) Section 401. This permit incorporates language from the VGP, New York's CWA Section 401 Water Quality Certification of the VGP, and Minnesota's ballast water discharge permit, in order to be consistent with ballast water regulations throughout the Great Lakes region.*

## 1.3 Exclusions

This general permit is not required for vessels that enter Wisconsin waters if any of the criteria in Subsections 1.3.1 through 1.3.5 are met.

### 1.3.1 Sealed Ballast Tanks

Vessels that carry ballast water in permanently sealed ballast water tanks that are not subject to discharge.

### 1.3.2 Captain of the Port Zone

Vessels that only operate within a Captain of the Port (COTP) zone established by the U.S. Coast Guard (USCG). The COTP is defined as the USCG officer designated as the COTP, or a person designated by that officer, for the COTP zone covering the U.S. port of destination. These COTP zones are listed in 33 CFR Part 3.

### 1.3.3 Off-Ship Treatment

Vessels that only discharge their ballast water to an on-shore ballast water treatment facility or to another vessel that either provides treatment or conveys the ballast water to an on-shore treatment facility.

### 1.3.4 Flow-Through Ballast

Vessels that implement approved flow-through or flush ballast water management techniques.

### **1.3.5 Military Vessels**

Military vessels of the U.S. Armed Forces, as defined in section 312 of the CWA, are exempt in accordance with the Uniform National Discharge Standards program that applies to discharges incidental to the normal operation of vessels of the Armed Forces.

## **2 Permit Coverage**

### **2.1 Automatic Coverage**

The owner or operator of a vessel that meets the applicability criteria in Subsection 1.1, upon submittal of a Notice of Intent (NOI) in accordance with Subsection 2.2 to request coverage under this WPDES general permit, is automatically authorized to discharge under this permit in accordance with all permit conditions.

### **2.2 Submittal of Notice of Intent (NOI)**

To obtain authorization under this WPDES general permit, submit a copy of your VGP NOI to the Department of Natural Resources (Department). Vessels that currently have permit coverage under this permit shall submit a NOI every five years from the original permit coverage date. The EPA NOI will serve to request coverage under WPDES general permit WI-0063835-02-2. Refer to the compliance schedule in Section 5 for NOI submission deadlines. The NOI form is available at the following website as a PDF document that allows data to be entered and saved on the form: [http://www.epa.gov/npdes/pubs/vessel\\_vgp\\_noi.pdf](http://www.epa.gov/npdes/pubs/vessel_vgp_noi.pdf)

An electronic Notice of Intent (eNOI) may be accessed at the following website:

<https://ofmpub.epa.gov/apex/vgpenoi/f?p=114:101:826865259956>

### **2.3 Notice of Coverage**

All vessels with discharges meeting the applicability criteria in Subsection 1.1 must receive a letter from the Department granting coverage for 5 years under this permit. The Department may not grant permit coverage until the applicant has submitted the VGP NOI form under Section 2.2.

### **2.4 Notice of Termination (NOT)**

The permittee shall inform the Department in writing if an NOT is filed with EPA requesting discontinuing coverage under the VGP. If termination of coverage under this permit is also required, the permittee shall submit a copy of the NOT or an explanation in writing to the Department stating the reason permit coverage is no longer required. Coverage under WPDES general permit WI-0063835-02-2 will automatically be terminated upon this notice being submitted to the Department or for failure to pay application and or annual fees.

## **3 Prohibited Discharges**

### **3.1 Intake Filtration Residuals and Separated Solids**

Separated solids from the sea chest intake that may accumulate on ballast water intake filters, screens or other devices that remove debris and aquatic life, shall be removed and disposed of in a manner to prevent any pollutant from the material from entering the waters of the State, in accordance with s. NR 205.07(3)(a), Wis. Adm. Code. The permittee may discharge the intake backwash for cleaning the filters or screen, provided the backwash only contains fine filtration residuals that originated from the lake water intake (sand, silt, small vegetation or aquatic life). This prohibition is applicable to both oceangoing vessels and Great Lakes vessels.

### 3.2 Disposal of Solids Removed from Ballast Tanks or by Treatment System

Any accumulated solids, sediment, or biological material removed from the ballast tanks or generated by the treatment system may not be discharged into surface water. If sediment is removed by re-suspension with water during cleaning, the sediment-laden water may not discharge from the ballast tank to surface water. Any existing sediment management practices that consist of a discharge to surface water shall be discontinued immediately. This prohibition is applicable to both oceangoing vessels and Great Lakes vessels.

*Note: If the disposal of solids occurs in Wisconsin, solids shall be disposed of according to any applicable Solid and Hazardous Waste Regulation at a site or operation licensed by the Department under chs. NR 500 to 590, Wis. Adm. Code (solid waste regulations), or chs. NR 600 to 690, Wis. Adm. Code (hazardous waste regulations).*

The permittee shall maintain documentation on the removal and disposal of these solid wastes that occur within the jurisdiction of Wisconsin, and shall provide the following information each year with the annual discharge monitoring report (DMR) form required in Subsection 4.8.2:

- (a) Date when ballast tanks are cleaned.
- (b) The amount of solid wastes removed.
- (c) Person or company who hauled the solid waste for disposal.
- (d) Disposal site for the solid waste.

*Note: The prohibition on the discharge of solids from ballast tanks does not mean the ballast tanks may not be cleaned. Ballast tanks should continue to be cleaned as needed to minimize the accumulation of sediment. Vessel operators should make every effort to prevent the accumulation of sediment in ballast tanks by minimizing the intake of sediment with ballast water. This can be accomplished by taking on ballast water in locations that are very low in suspended solids, and by relocating the intake sea chest from the bottom of the hull to the side of the hull to prevent the disturbance of sediment in shallow waters.*

### 3.3 Seawater

Discharge of ballast water from vessels containing seawater in other than insignificant residual amounts that remain in the ballast tanks that cannot be pumped or drained out (no ballast on board, or NOBOB) is prohibited, unless the vessel can demonstrate the discharge will comply with Wisconsin chloride limits (Subchapter VII of ch. NR 106, Wis. Adm. Code). The daily maximum discharge limit for chloride is 1514 mg/L (1.5 parts per thousand, or ppt). The equivalent limit expressed as salinity is 2.7 ppt. Vessels shall collect a sample for chloride from each ballast tank prior to discharge in Wisconsin waters to ensure the salinity levels are below 2.7 ppt. This information shall be documented on the National Ballast Information Clearinghouse (NBIC) reporting form and the ballast log book.

*Note: To express the chloride concentration in terms of salinity, the chloride concentration is multiplied by 1.8. This is based on an average seawater salinity concentration of 35 ppt, of which chloride is 55% of the dissolved constituents, or 19.2 ppt. The ratio of salinity to chloride is 1.8:1 ( $35 \div 19.2$ ). The ballast tank water may not be discharged if the salinity exceeds 2.7 ppt ( $1.5 \text{ ppt chloride limit} \times 1.8 \text{ salinity conversion factor}$ ).*

*The limitation on seawater does not mean that oceangoing vessels may not discharge in Wisconsin waters, if they exchange or flush their ballast tanks in the ocean to comply with the USCG and Transport Canada requirements for salinity of at least 30 ppt. Before a vessel partially ballasted with seawater may discharge, it would need to take on freshwater ballast to dilute the seawater, at a ratio of at least 11:1 ( $30 \text{ ppt} \div 2.7 \text{ ppt}$ ). For example, if a ballast tank contains 10,000 gallons of 30 ppt seawater, the addition of 111,000 gallons of freshwater would be needed for dilution. The ballast water would then comply with the chloride limit to prevent acute aquatic toxicity at the point of discharge. **A discharge of only seawater is not permitted.***

## 4 Ballast Water Requirements

### 4.1 Ballast Water Treatment

The discharge of ballast water shall comply with the following requirements applicable to the vessel covered under this permit.

*Note the following definitions for terms in the permit:*

*“BMP” means a Best Management Practice, used in conjunction with other measures to better manage ballast water.*

*“cfu” means colony forming unit.*

*“Composite Sample” means a combination of individual samples of equal volume taken at approximately equal intervals not to exceed one hour over a specified period of time.*

*“Constructed” means the same as the definition in Appendix A of the VGP when defining a new vessel.*

*Note: The definition of “constructed” in Appendix A of the VGP is “a state of construction of a vessel at which—*

- ‘the keel is laid;’*
- ‘construction identifiable with the specific vessel begins;’*
- ‘assembly of the vessel has begun comprising at least 50 tons or 1 percent of the estimated mass of all structural material of the vessel, whichever is less;’ or*
- ‘the vessel undergoes a major conversion;’ [patterned after the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004, regulation A-1(4)]”.*

*“Exchange” means to replace the water in a ballast tank using one of the following methods:*

- ‘Empty/refill exchange’ means to pump out as close to 100 percent of the ballast water taken on in ports, estuarine, or territorial waters, as is safe to do so, until the tank is empty, then refill it with water from the mid-ocean or coastal exchange zone, as applicable.*
- ‘Flow through exchange’ means to flush out ballast water by pumping in water from the mid-ocean or coastal exchange zone, as applicable, into the bottom of the tank and continuously overflow the tank from the top until three full volumes of water have been changed to minimize the number of original organisms remaining in the tank.*

*“Flushing” means the addition of mid-ocean or coastal exchange zone water to empty ballast water tanks; the mixing of the added water with residual ballast water and sediment through the motion of the vessel; and the discharge of the mixed water until loss of suction, such that the resulting residual water in the tank has either a salinity greater than or equal to 30 ppt or a salinity concentration equal to the ambient salinity of the location where the uptake of the added water took place.*

*“Great Lakes Vessel” means a bulk carrier vessel that operates exclusively in the Great Lakes, their connecting channels, including all other bodies of water within the drainage basin of such lakes and connecting channels, and within the U.S. and Canadian Exclusive Economic Zones (EEZ).*

*“IMO Standard” means the International Maritime Organization’s proposed Regulation D-2 performance standards for the discharge of ballast water.*

*“Oceangoing Vessel” means a vessel which has taken on ballast water in areas less than 200 nautical miles from any shore after operating beyond the EEZ as defined in 33 CFR 151.2025.*

*“VGP” means the Vessel General Permit issued by EPA on March 28, 2013.*

*“Viable Organism” means an organism that is living and able to reproduce.*

Vessel Requirements

Reference	Application	Discharge Standard	Effective Date
Table A 4.2.1	New Oceangoing Vessels	IMO Standard	For vessels constructed after Dec. 1, 2013, on delivery.
Table A 4.2.1	Existing Oceangoing Vessels	IMO Standard	First scheduled dry-docking after January 1, 2016, provided that if freshwater ballast water treatment systems (BWTSs) are approved by the USCG and commercially available and compatible for a specific vessel before the first scheduled dry-docking after January 1, 2016, the vessel owner will make reasonable efforts to install a treatment system at the earliest practicable date.
Table A 4.2.1	Great Lakes Vessels	Discharge Requirements for Great Lakes Vessels in the VGP	Immediately
Table B 4.2.2	All Vessels	Biocide limits according to ch. NR 106, Wis. Adm. Code	Immediately.
4.4	All Vessels	BMPs	Immediately.

#### 4.1.1 Oceangoing Vessel Requirements

Oceangoing vessels are subject to the applicable ballast water discharge standards in Table A, and shall also follow their Ballast Water and Sediment Management Plan (refer to Subsection 4.3) to prevent the introduction or spread of any AIS or diseases (such as VHS) in the Great Lakes. Treatment systems must be type approved by the USCG and meet IMO standards in freshwater.

Ballast water exchange on vessels containing ballast, and ballast water flushing on vessels with no ballast onboard (NOBOB), shall continue to be conducted beyond the EEZ, at least 200 nautical miles from any shore, and in water at least 2,000 meters in depth, resulting in a salinity level of at least 30 ppt. These requirements remain in effect even after an onboard BWTS becomes operational. The ballast water exchange or flushing management practices will provide the first step in a combined treatment process to minimize the introduction of any non-indigenous species into the Great Lakes.

#### 4.1.2 Great Lakes Vessel Requirements

Vessels that operate exclusively within the Great Lakes and St. Lawrence Seaway System are subject to the discharge standard in Table A, and shall also follow their Ballast Water and Sediment Management Plan (refer to Subsection 4.3) to prevent the spread of any AIS or diseases (such as VHS) in the Great Lakes.



### 4.1.3 USCG Type Approval Delay

Permittees who demonstrate that there is no USCG-approved system that is commercially available and compatible for the permittee's vessel by the scheduled compliance date, shall submit such documentation with the application for permit reissuance. Thereafter, the permittee shall evaluate the availability of BWTSs on an annual basis and submit an annual report to the Department no later than February 1<sup>st</sup> of each year. The permit application and subsequent reports shall either state the BWTS technology that will be installed on the vessel and the date that it will be installed, or certify that no such BWTS has yet been approved that is commercially available and compatible for the permittee's vessel, and estimate the expected date of approval, if possible. The report(s) shall be signed by a principal executive officer or other duly authorized representative. In the interim, the permittee shall comply with all other portions of this permit, as applicable.

## 4.2 Monitoring Requirements and Effluent Limitations

Permitted vessels shall comply with the ballast water discharge requirements in Subsections 4.2.1 and 4.2.2 to comply with technology-based effluent limits and state water quality standards.

### 4.2.1 Ballast Water Discharge Standards

Table A  
IMO Standard

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Organisms > 50 µm in minimum dimension	Daily Average	< 10 Viable organisms per m <sup>3</sup>	To be determined	Composite
Organisms 10 - 50 µm in minimum dimension	Daily Average	< 10 Viable organisms per ml	To be determined	Composite
Escherichia coli	Daily Average	< 250 cfu per 100 ml	To be determined	Composite
Intestinal enterococci	Daily Average	< 100 cfu per 100 ml	To be determined	Composite
Vibrio cholerae	Daily Average	< 1 cfu per 100 ml	To be determined	Composite

## 4.2.2 Biocides

### 4.2.2.1 Effluent Limits for Biocide Treatment

Discharges of ballast water from vessels employing BWTS using chlorine or other biocides shall be monitored to comply with the effluent limits in Table B or in the Department's written approval of a biocide. The use of biocides is also subject to the requirements in Part 2.2 of the VGP.

Table B  
Biocide Effluent Limits

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Halogen Oxidants, Total Residual	Daily Maximum	38 µg/L, as total residual chlorine	Quarterly	Grab
Biocide – Specify	Daily Maximum	As approved by the Department	As approved by the Department	Grab

### 4.2.2.2 Effluent Limits for Other Biocide Treatments

Discharges containing biocides or other water treatment additives that may be added to the ballast water are prohibited under this general permit unless their use is approved in writing by the Department prior to initiating discharge. Any subsequent changes in biocide or water treatment additive usage must be approved prior to use. The permittee shall maintain records of the monthly biocide and other water treatment additive(s) used, including the name, manufacturer, and daily maximum dosage. The use of chlorine or other halogen biocides must comply immediately upon issuance of this permit with the effluent limit for total residual chlorine in Table B, or the use restriction the Department calculates in the approval of other biocides or water treatment additives.

The permittee shall provide the following information to receive Department approval:

- Commercial name of the additive, function, and the Material Safety Data Sheet (MSDS).
- Additive dosage concentration.
- Anticipated additive discharge concentration.
- Discharge frequency reported as hours per day and days per year.
- Removal treatment to deactivate the biocide prior to discharge if necessary to comply with the use restriction.
- Aquatic toxicity information consisting of at least one 48-hour LC<sub>50</sub> or EC<sub>50</sub> value for daphnia magna or ceriodaphnia dubia, and at least one 96-hour LC<sub>50</sub> or EC<sub>50</sub> value for either fathead minnow, rainbow trout, or bluegill (this information is usually included in the MSDS). The Department will only consider toxicity information on the whole product, not just the active ingredient or component of a product.

*Note: Biocides used to treat ballast water may need to be registered with the EPA as a new use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The permittee must obtain any necessary approval from EPA.*

## 4.3 Ballast Water and Sediment Management Plan

The permittee shall maintain a Ballast Water and Sediment Management Plan for each vessel covered under the permit. A copy of the plan (in English) shall be made available to the Department upon request. The plan must be updated to reflect the vessel's current ballast water management practices that are designed to minimize the discharge of AIS. The following elements, but not limited to, must be included in the plan:

- Operation and maintenance procedures for the vessel and crew associated with ballast water management.

- (b) Ballast tank cleaning and sediment removal practices.
- (c) Actions taken to implement ballast water treatment requirements to comply with the discharge standards in this permit.
- (d) The designated position or officer on board the vessel in charge of ensuring the plan is properly implemented.

*Note: The plan may be developed in accordance with Appendix A of the current USCG Navigation and Vessel Inspection Circular.*

#### **4.4 Best Management Practices (BMPs)**

All vessels shall implement best management practices (BMPs) for ballast water uptake and discharge in accordance with Part 2.2.3 of the VGP. In addition to the BMPs in the VGP, the following BMPs, but not limited to, are required of all vessels in order to minimize and prevent the spread of any AIS or diseases (such as VHS) in the Great Lakes:

- (a) Annually inspect and replace, as necessary, ballast sea chest screens.
- (b) Lighten the ship as much as practical to elevate water intakes before ballasting to minimize sediment uptake and increase water flow.
- (c) Ballast water taken aboard in VHS affected waters shall be the minimum needed to ensure the safety of the crew and vessel.
- (d) Ballast water shall always be taken aboard or discharged via the pumps and never “gravity” fed or drained.

#### **4.5 Monitoring Plan**

Permittees that treat their ballast water to meet the requirements of Tables A or B shall prepare a monitoring plan consistent with the monitoring needs to efficiently operate the treatment system. The monitoring plan shall be completed prior to treating ballast water. A copy of the plan (in English) shall be made available to the Department upon request. The monitoring plan must be revised as necessary to reflect any significant changes that may occur in the future. The plan shall describe the following:

- (a) Information on number of ballast tanks, tank capacities, discharge locations, sampling point locations, the monitoring parameters, and monitoring frequency.
- (b) Ballast water discharge monitoring for determining compliance with the requirements in Subsection 4.2.
- (c) Monitoring necessary for the efficient operation of the onboard BWTS.

When "to be determined" is shown as the monitoring frequency in Table A, the monitoring frequency shall be consistent with the USCG protocol for monitoring and treatment system operation or with another protocol approved by the Department in writing.

*Note: The Department reserves the right to conduct a vessel inspection for evaluating the ballast water discharge, and may collect ballast water samples as allowed under s. NR 205.07(1)(d), Wis. Adm. Code.*

#### **4.6 BWTS Approval**

Onboard BWTSs for the removal or destruction of AIS and disease must be type approved by the USCG for use in freshwater.

## 4.7 Safety Exemption

An exemption to any regularly scheduled ballast water treatment, monitoring, or other activity required by this permit is automatically granted if at any time conditions exist due to weather, seas, other extenuating circumstances or emergency that would place the vessel, vessel's crew, or anyone else in danger. When a safety exemption is needed, the vessel shall document the circumstances in the ballast log book described in Subsection 4.8.1. The required permit actions shall be resumed when conditions allow for them to be safely conducted.

## 4.8 Record Keeping and Reporting

### 4.8.1 Ballast Water Log Book

The vessel shall maintain a ballast water log book (in English) on board, which shall be made available for examination by the Department upon request. The log book shall include the following documentation:

- (a) Ballast discharge – date of the discharge, estimated volume, location where the discharge occurred with start and stop location if the vessel is in transit, and the ballast uptake it is linked to.
- (b) Ballast uptake – date ballast was taken onboard, and the source of the ballast water with the name of the harbor or other defined location in the waterbody where the ballast water originated.
- (c) Sediment – date ballast tanks were cleaned, estimated volume of sediment removed, and where the sediment was disposed.
- (d) Treatment – date ballast water treatment occurred, the dosage of any chemicals, reaction or holding time to complete the treatment, and any other related activities conducted to comply with the permit's monitoring requirements and effluent limitations.
- (e) Safety exemption – date unsafe conditions occurred, circumstances that existed to cause the suspension of a permit-required activity, what activities were suspended, and when the activity was resumed.

### 4.8.2 Discharge Monitoring Reports

The permittee shall submit a DMR to the Department on an annual basis no later than February 1<sup>st</sup>. A DMR is not required in years prior to the date when an onboard BWTS becomes operational. If the Department does not provide a form with the specified information to report on, the permittee shall prepare a report to summarize the following information:

- (a) Data collected in accordance with the monitoring plan in Subsection 4.5.
- (b) The required monitoring in accordance with the applicable requirements in Subsection 4.2 when a BWTS becomes operational.
- (c) Documentation on the disposal of solids removed from ballast tanks or by a treatment system, as described in Subsection 3.2.

## 5 Schedules of Compliance

### 5.1 Permit Coverage

To obtain coverage under WPDES general permit WI-0063835-02-2-2, the NOI form for the VGP shall be submitted to the Department.

Required Action	Date Due
<b>Vessels Not Previously Permitted:</b> Existing vessels not previously authorized under this permit shall submit an NOI at least 30 days prior to entering waters of the state.	30 days prior to entering Wisconsin waters
<b>Vessels Currently Permitted:</b> Vessels that have permit coverage under this permit shall submit an NOI at least 30 days prior to the 5-year anniversary of the original permit coverage date.	30 days prior to 5 years of permit coverage
<b>New Vessels:</b> New vessels shall submit an NOI at least 30 days prior to entering waters of the state.	30 days prior to entering Wisconsin waters
<b>Transfer in Ownership/Operator:</b> For vessels whose discharge was previously authorized under this permit, an NOI shall be submitted by the date of transfer of ownership or operation.	Date of transfer

## 5.2 Monitoring Requirements and Effluent Limitations

The applicable ballast water discharge standards in Subsection 4.2 shall be met according to the schedule below.

Required Action	Date Due
<p><b>Discharge Standards – New Vessels:</b> New oceangoing vessels constructed on or after December 1, 2013, which meet the applicability criteria in Subsection 1.1, shall comply with the IMO standards in Table A of Subsection 4.2.1.</p>	<p>December 1, 2013</p>
<p><b>Discharge Standards – Existing Oceangoing Vessels:</b> Oceangoing vessels constructed prior to December 1, 2013 which meet the applicability criteria in Subsection 1.1, shall comply with the IMO standards in Table A of Subsection 4.2.1.</p>	<p>First scheduled dry-docking after January 1, 2016, provided that if BWTSS are approved and commercially available and compatible for a specific vessel before the first scheduled dry-docking after January 1, 2016, the vessel owner will make reasonable efforts to install a treatment system at the earliest practicable date.</p>
<p><b>Discharge Standards – Existing Great Lakes Vessels:</b> Great Lakes vessels shall comply with discharge requirements for Great Lakes vessels in the VGP.</p>	<p>Immediately</p>
<p><b>Biocide Effluent Limits:</b> Oceangoing and Great Lakes vessels meeting the applicability criteria in Subsection 1.1, and choosing to utilize a biocide water treatment additive, shall comply with the Table B biocide effluent limits and other applicable requirements in Subsection 4.2.2. The effluent limit for total residual chlorine, or a use restriction determined by the Department for other biocides, is effective immediately and whenever the biocide is used.</p>	<p>Immediately</p>

### 5.3 Treatment System Approval

Required Action	Date Due
<b>BWTS Type Approval:</b> The permittee shall submit to the Department the name of the onboard BWTS and verification of type approval certification by the USCG.	Prior to BWTS installation or use in Wisconsin waters

### 5.4 Monitoring Plan

Required Action	Date Due
<b>Prepare Monitoring Plan:</b> The permittee shall prepare a monitoring plan prior to treating ballast water, in accordance with Subsection 4.5.	Prior to BWTS installation or use in Wisconsin waters

## 6 Standard Requirements

**NR 205, Wisconsin Administrative Code (Conditions for Industrial Dischargers):** The conditions in ss. NR 205.07(1) and (3), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements except s. NR 205.07(1)(n), which does not apply to facilities or vessels covered under general permits. Some of these requirements are outlined in this section of the permit. Requirements not specifically outlined in this section of the permit can be found in ss. NR 205.07(1) and (3).

### 6.1 Reporting and Monitoring Requirements

#### 6.1.1 Monitoring Results

Monitoring results obtained during the calendar year shall be summarized and reported by the permittee on a DMR. The DMR may require reporting of any or all of the information specified below under Recording of Results. The permittee shall submit the DMR to the Department no later than the date indicated in Subsection 4.8.2. When submitting a paper DMR form, the original and one copy of the DMR form shall be submitted to the Department. A copy of the DMR form or an electronic file of the report shall be retained by the permittee.

If the permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be included on the DMR.

The permittee shall comply with all limits for each parameter regardless of monitoring frequency. For example, monthly, weekly, and/or daily limits shall be met even with monthly monitoring. The permittee may monitor more frequently than required for any parameter.

DMRs shall be signed by a principal executive officer or other duly authorized representative.

#### 6.1.2 Sampling and Testing Procedures

Effluent sampling and laboratory testing procedures shall be performed in accordance with Chapters NR 218 and NR 219, Wis. Adm. Code, and shall be performed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, Wis. Adm. Code. The analytical methodologies used shall enable the laboratory to

quantitate all substances for which monitoring is required at levels below the effluent limitation. If the required level cannot be met by any of the methods available in NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Additional test procedures may be specified in this permit.

### 6.1.3 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.

### 6.1.4 Reporting of Monitoring Results

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

- Pollutant concentrations less than the method's 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.
- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a 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.

### 6.1.5 Records Retention

The permittee shall retain records of all 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 application for the permit, for a period of at least three years from the date of the sample, measurement, report or application, except for sludge management forms and records, which shall be kept for a period of at least five years.

### 6.1.6 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or correct information to the Department.

## 6.2 System Operating Requirements

### 6.2.1 Noncompliance Notification

- The permittee shall report the following types of noncompliance by a telephone call to one of the Department's regional offices within 24 hours after becoming aware of the noncompliance:
  - a. Any noncompliance which may endanger health or the environment;



- b. Any violation of an effluent limitation resulting from an unanticipated bypass;
  - c. Any violation of an effluent limitation resulting from an upset; or
  - d. Any violation of a maximum discharge limitation for any of the pollutants listed by the Department in this permit.
- A written report describing the noncompliance shall also be submitted to one of the Department's regional offices within five 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 five 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 recurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.
  - The permittee shall give advance notice to the Department of any planned changes in the permitted vessel or activity which may result in noncompliance with permit requirements.

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

### **6.2.2 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 this permit. If the treatment control system has been type approved by the USCG, a state certified operator is not necessary for operation of the treatment system.

### **6.2.3 Spill Reporting**

The permittee shall notify the Department in accordance with ch. NR 706, 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 this permit, or the spill or accidental release of the material is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07(1)(s), Wis. Adm. Code.

### **6.2.4 Planned Changes**

In accordance with ss. 283.31(4)(b) and 283.59, Wis. Stats., the permittee shall report to the Department any vessel or treatment system expansion, process modifications or any other changes which will result in new, different or increased discharges of pollutants at frequencies or levels in excess of the maximum discharges described in this permit.

### **6.2.5 Duty to Halt or Reduce Activity**

Upon failure or impairment of BWTS operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment system operations are restored or an alternative method of treatment is provided.

### 6.3 Continuation of an Expired General Permit

As provided in s. NR 205.08(9), Wis. Adm. Code, the terms and conditions of this general permit shall continue to apply until this general permit is reissued or revoked or until an individual permit is issued for the discharge to which the general permit applied. The status of expired general permits and forms for requesting continued permit coverage can be accessed at: <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

### 6.4 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.

## 7 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Permit Coverage – Vessels Not Previously Permitted	See Permit	10
Permit Coverage – New Vessels	See Permit	10
Continued Permit Coverage – Vessels with Existing Permit Coverage	See Permit	10
Permit Coverage – Transfer in Ownership/Operator	See Permit	10
Monitoring Requirements and Effluent Limitations – Discharge Standards — New Vessels	See Permit	11
Monitoring Requirements and Effluent Limitations – Discharge Standards — Existing Vessels	See Permit	11
Monitoring Requirements and Effluent Limitations – Biocide Effluent Limits	See Permit	11
Treatment System Plan Approval – Plans and Specifications	See Permit	12
Monitoring Plan – Prepare Monitoring Plan	See Permit	12
DMR	See Permit	12

The NOI request for permit coverage, DMR forms, the engineering report for plans and specifications for a BWTS, and any other submittals required by this permit shall be submitted to:

Wisconsin Department of Natural Resources  
Bureau of Water Quality – Permits Section, WQ/3  
101 South Webster Street  
PO Box 7921  
Madison, WI 53707-7921