



February 17, 2012

Water Docket  
US Environmental Protection Agency  
Mail Code: 2822T  
1200 Pennsylvania Ave. NW  
Washington DC 20460

**ATTENTION: Docket ID No.: EPA-HQ-OW-2011-0150**

To Whom It May Concern:

Thank you to US Environmental Protection Agency (EPA) for putting in a considerable quality effort on the Draft National Pollutant Discharge Elimination System 2013 Small Vessel General Permit (sVGP). The Wisconsin Department of Natural Resources (Wisconsin DNR) would like to thank EPA for the opportunity to submit formal written comments on the draft sVGP. Wisconsin DNR's interest in this draft permit relates primarily to concerns about the integrity of the Great Lakes and St. Lawrence Seaway ecosystem and preventing the spread of aquatic invasive species within this delicate ecosystem.

The following comments are provided by Wisconsin DNR on the sVGP that was published in the Federal Register on December 8, 2011:

**Effluent Limits and Related Requirements**

Both the terms "minimize" and "to the extent achievable" are vague. The lack of more specific direction may lead to confusion on the part of the permittee. Wisconsin DNR suggests better defining the term "minimize" without using the phrase "to the extent achievable".

**General Requirements**

The term "feasible" is vague and needs to be defined.

**Ballast Water Requirements**

Wisconsin DNR has several questions about some of the ballast water requirements. How is a small vessel operator expected to learn about local infestations, harmful pathogens, algal blooms, sewage outfall locations, dredging operations, poor tidal flushing, etc.? Wisconsin DNR suggests that these requirements be defined in the permit.

**Ballast Water Recordkeeping**

Is any basic recordkeeping of ballasting activities expected to be kept onboard the vessel? Wisconsin recommends that a ballast log be required for location, date and time of ballasting and de-ballasting activities.

**Graywater**

Graywater discharges are only required to be "minimized" in specific areas. Wisconsin DNR requests Section 2.7 of the draft sVGP be revised to clarify that Section 312 of the federal Clean Water Act prohibits "commercial" vessels from discharging graywater when operating on the Great Lakes.

**Standard Permit Conditions**

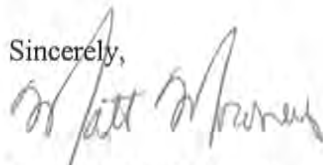
Wisconsin DNR questions the lenient requirement in Section 4.10 of reporting all non-compliance events only once per year for the previous calendar year's violations. Wisconsin DNR recommends that any incidence of non-compliance be reported more frequently, preferably immediately. As watershed management approaches have shifted to allocating total maximum daily loads and waste load allocations of pollutants per waterbody, frequent reports of permit violations may be important in adjusting daily allotments of pollutants.


**Notification of Water Quality Standard Violations**

Wisconsin DNR requests Section 4.11 of the draft sVGP be revised to require vessel owners/operators to immediately notify the relevant state authority (in addition to EPA) when they become aware that a discharge from their vessel causes or contributes to an exceedance of an applicable water quality standard.

Again, thank you for the opportunity to provide comments on this permit proposal. Wisconsin DNR asks that you carefully consider our comments before the finalized permit is issued.

Sincerely,



 Cathy Stepp, Secretary  
Wisconsin Department of Natural Resources