

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF ISSUANCE OF A CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR THE US EPA DRAFT 2013 SMALL VESSEL GENERAL PERMIT

Applicant: US Environmental Protection Agency (EPA) Region 5, 77 West Jackson Boulevard, Chicago, IL 60604-3590. EPA's Director for the Water Division, Tinka G. Hyde, requested in a letter received December 8, 2011 that the Wisconsin Department of Natural Resources make a determination regarding certification under Section 401 of the Federal Clean Water Act that the proposed EPA Draft 2013 Small Vessel General Permit (sVGP) complies with state water quality standards.

Permitted Activity: Discharges incidental to the normal operation of non-military and non-recreational vessels less than 79 feet in length that meet the applicability criteria in the sVGP.

General Permit Description: The proposed permit incorporates ballast water management as well as supplemental requirements for vessels. If finalized, the permit would replace the current moratorium, which will expire on December 18, 2013. Additionally, this permit would implement requirements for seven other management areas including fuel management, engine and oil controls, solid and liquid waste management, deck washdown and runoff above water line hull cleaning, vessel hull maintenance, graywater and fish hold effluent. Additionally, the proposed sVGP includes requirements for monitoring and recordkeeping.

Receiving Water and Location: Waters of the State of Wisconsin.

Department of Natural Resources Determination: The Department has made a preliminary determination to conditionally grant a Clean Water Act Section 401 water quality certification for the EPA sVGP. The purpose of the state's certification is to inform EPA whether the proposed VGP, which EPA is issuing for the state, will comply with Wisconsin's water quality standards, and whether the Department believes any conditions more stringent than those contained in the permit are necessary. The Department's certification contains additional general and specific conditions to protect water quality that are consistent with other states' conditions.

Contested Case Hearing: Any person whose substantial interests may be affected by the Department's determination may, within 30 days after publication of the notice, request in writing a contested case hearing on the matter under ch. 227, Wis. Stats. A request for a contested case hearing shall include a written statement giving specific reasons why the proposed activity violates the standards under s. NR 299.04(1)(b), Wis. Adm. Code, and provide specific information explaining why the petitioner's interests are adversely affected by the Department's determination, in accordance with s. NR 299.05(5), Wis. Adm. Code. Unless a written request for a hearing is filed with the Department within 30 days after publication of the notice, the Department's decision will become final.

Department Contact: Laura D. Madsen, Bureau of Water Quality WQ/3, 101 South Webster Street, PO Box 7921, Madison, WI 53707-7921; Telephone (608) 264-6285; or Email [Laura.Madsen@Wisconsin.gov](mailto:Laura.Madsen@Wisconsin.gov)

Information on file for the Clean Water Act Section 401 water quality certification, including the general permit and fact sheet may be inspected and copied at either the above named Department contact's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Information on this permit action may also be obtained by calling the Department contact or by writing to the Department. Reasonable costs (usually 20 cents per page) will be charged for copies of information in the file other than the Section 401 water quality certification, general permit and fact sheet. Information is also available for downloading from the internet using a World Wide Web browser at the following link:

EPA website on "Vessel Discharges": [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=350](http://cfpub.epa.gov/npdes/home.cfm?program_id=350)

Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPERS:

Milwaukee Journal Sentinel – PO Box 661, Milwaukee, WI 53201-0661  
Superior Telegram – 1226 Ogden Ave., Superior, WI 54880-1590  
Wisconsin State Journal – PO Box 8056, Madison, WI 53708-8056

Date Notice Issued: May 25, 2012