

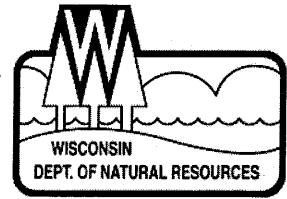
State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

RECEIVED

AUG 18 2011

MADISON METROPOLITAN
SEWERAGE DISTRICT

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711



August 15, 2011

001326
D. Michael Mucha
MADISON METROPOLITAN SEWERAGE DISTRICT WWTF
1610 Moorland Rd
Madison, WI 53713

DNR Region: SC
County: Dane
FIN: 7291
FID: 113002230

Subject: Reissued General WPDES Industrial Storm Water Discharge Permit Coverage for
Facility: MADISON METROPOLITAN SEWERAGE DISTRICT
Location: 1610 Moorland Road, City of MADISON
Permit: General WPDES Storm Water Industrial Tier 2 Permit, Permit No. WI-S067857-3

Dear Permittee:

Pollutants carried in storm water runoff from industrial sites threaten or degrade water quality in many areas of the state. Because of this problem, state and federal laws require that certain dischargers of industrial storm water have coverage under a water pollution discharge permit. The purpose of the permit is to identify conditions under which industrial storm water can be discharged so that the quality of surface waters, wetlands and groundwater will be protected.

According to the Department of Natural Resources (Department) records, your facility is currently covered under the General Wisconsin Pollutant Discharge Elimination System (WPDES) Storm Water Industrial Tier 2 Permit. This letter serves as notification that this permit was reissued by the Department on May 13, 2011, and that your facility is now covered under the reissued General WPDES Storm Water Industrial Tier 2 Permit, Permit No. WI-S067857-3 (general permit). Accordingly, industrial storm water discharges at your facility must comply with the terms and conditions of the reissued general permit. The reissued general permit and fact sheet are available from the Department's website at: <http://dnr.wi.gov/runoff/stormwater/industrialforms.htm>. If, for any reason, you are unable to access the general permit over the Internet, please contact the Department at the telephone number at the end of this letter for assistance.

The Effective Date for coverage under the general permit at your facility is May 13, 2011. It is important that you read and understand the terms and conditions of the general permit because it is enforceable under both state and federal law. In accordance with ch. 283, Wis. Stats., the Department will assess your facility an annual storm water discharge permit fee for coverage under the general permit. Please be aware that the invoice for the annual fee is mailed separately by the Department with instructions on how the fee should be paid.

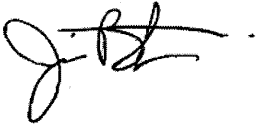
You may petition the Department to withdraw coverage under this general permit and to replace it with a more detailed site-specific individual storm water permit. The Department is required by s. 283.35(2), Wis. Stats., to honor such a petition. Under these circumstances, you would be required to submit a detailed application for an individual permit. Please be advised that if the Department issues a site-specific individual permit for your facility, the annual fee shall be \$500.00.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.

If you have any questions about the reissued general permit, please contact the Department at (608) 266-7721.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bertolacini", with a stylized flourish at the end.

Jim Bertolacini
Storm Water Program Coordinator

TIER 2 GENERAL PERMIT TO DISCHARGE STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

**Fact Sheet – May, 2011
WPDES Permit No. WI-S067857-3**

SUMMARY

Facilities engaged in the industrial activities listed in section NR 216.21(2), Wisconsin Administrative Code, must apply for and obtain a storm water discharge permit from the Wisconsin Department of Natural Resources. A storm water discharge permit requires permittees to develop and follow a storm water pollution prevention plan. The plan must be prepared in accordance with the requirements contained in s. NR 216.27, Wis. Adm. Code, including provisions for a site drainage map, implementation schedules for storm water pollutant control best management practices, annual plan and facility assessments, and both non-storm water and storm water discharge monitoring. This fact sheet provides information regarding the Tier 2 general permit for the discharge of storm water associated with industrial activity.

INTRODUCTION

DNR's Authority to Issue Permits

The Federal Water Pollution Control Act of 1972 (Public Law 92-500), also called the Clean Water Act, requires that all point sources discharging pollutants to waters of the U.S. obtain a wastewater discharge permit. These permits specify the conditions under which wastewaters can be discharged so that water quality standards for receiving waters are met. In 1974, the United States Environmental Protection Agency (USEPA) delegated the authority for issuing these permits in the State of Wisconsin to the Wisconsin Department of Natural Resources (DNR). The DNR exercises its permitting authority through the Wisconsin Pollutant Discharge Elimination System (WPDES), authorized under chapter 283, Wisconsin Statutes. Wastewater permits issued by the DNR must meet with the approval of the USEPA.

The DNR has the authority to issue two types of permits for the discharge of pollutants to waters of the state: 1) individual WPDES permits and 2) general WPDES permits. The DNR issues individual WPDES permits when the interaction between pollutant discharges and water quality is complex. These permits require careful scrutiny and must be tailored to the specific conditions of the facility with the discharge. The DNR issues general WPDES permits to broad classes of dischargers where environmental protection can be achieved through a set of general provisions that apply to all dischargers in an industrial category. This Tier 2 industrial storm water discharge permit is a general permit.

DNR's Existing Efforts to Control Industrial Storm Water Discharges

In 1987, Congress enacted amendments to the Clean Water Act, authorizing a national program of comprehensive storm water pollution control for municipal separate storm sewer systems, industries, and construction sites. The class of storm water discharges "associated with industrial activity" was identified as a high priority for permitting. Through a series of rule-making authorized by the 1987 amendments (40 C.F.R. §122.26), the USEPA has identified in final rules an extensive list of industries requiring a permit to discharge storm water, set forth permit application and notification requirements for industries requiring coverage under a general permit, and specified minimum monitoring and reporting requirements for storm water discharges associated with industrial activity.

Although the federal general storm water permit is not directly applicable to Wisconsin, provisions of the permit are being considered as Best Available Technology (BAT) and Best Conventional Technology (BCT) for storm

water management. Since the Clean Water Act amendments require that storm water discharges meet BAT/BCT, the federal permit had important implications for states like Wisconsin as they developed their own rules concerning storm water permitting.

Concurrent with the USEPA's actions, the DNR has conducted its own storm water permit program activities. In 1991, DNR mailed permit applications to approximately 20,000 industrial facilities in the state that could potentially be affected by the new storm water regulations. In 1993, ch. 147, Wis. Stats., (now ch. 283, Wis. Stats.) was amended to include storm water as a "point source" discharge and to require DNR to promulgate administrative rules for permitting the discharge of storm water. As a result, DNR created ch. NR 216, Wis. Adm. Code, for permitting storm water discharges associated with industrial activity, construction sites 5 acres or larger [now one acre or larger], and certain municipalities that own or operate municipal separate storm sewer systems. These rules set the framework for the DNR to create general permits for the discharge of storm water associated with industrial activity.

The Tier 1 general permit covers the industrial activity listed in s. NR 216.21(2)(a), Wis. Adm. Code, including a variety of "heavy" type industries, bulk storage facilities, and facilities engaged in salvage type operations. The Tier 2 general permit covers the industrial activity listed in s. NR 216.21(2)(b), Wis. Adm. Code, including a variety of "light" industries, certain transportation facilities, mining operations, steam electric generating facilities, cement product manufacturers, and asphalt paving mixtures. Under these administrative rules, DNR may allow permittees to change coverage from one tier general permit to another, depending upon conditions present at the facility that could contaminate storm water. Ultimately, if a permittee can demonstrate that storm water at the facility is not exposed to any industrial materials or activities listed in s. NR 216.21(3)(e)3., Wis. Adm. Code, a facility can certify to a condition of "no exposure" for storm water discharge.

WISCONSIN'S TIER 2 GENERAL STORM WATER PERMIT

Purpose and Nature of the Tier 2 General Permit

Chapter NR 216, Wis. Adm. Code, defines the conditions under which storm water associated with industrial activity can be discharged so that waters of the state (including surface waters, ground water, and wetlands) will be protected. This storm water permit is intended to meet the permitting requirements for storm water associated with industrial activity as established in ch. NR 216, Wis. Adm. Code, for a Tier 2 facility.

This general permit has been issued by the DNR and will be used to authorize and regulate storm water discharges from both new and existing eligible industrial facilities. For a facility seeking initial permit coverage, coverage under this permit will become effective at a facility beginning upon the Start Date specified by DNR in a cover letter to the facility. For a facility with existing permit coverage under a previously issued version of the Tier 2 general permit, coverage under this permit will become effective at the facility beginning upon the Issuance Date of the permit. This permit will not be used to provide initial permit coverage to a storm water discharge within Indian Country after September 30, 2001. Contact the DNR Central office at (608) 267-7694 for non-Indian discharges within Indian Country to determine if state permit coverage from the Department is required. Storm water discharges within Indian Country from non-tribal lands that have state coverage under this general storm water permit prior to September 30, 2001 may continue to be covered under this state general permit for purposes of state law.

In summary, this permit requires regulated industrial facilities to:

- 1) Identify and eliminate unpermitted non-storm water discharges from storm water outfalls;
- 2) Develop a Storm Water Pollution Prevention Plan that emphasizes "source area" controls, which are designed to prevent storm water from becoming contaminated;
- 3) Implement the Storm Water Pollution Prevention Plan and conduct visual site inspections to assure that the plan is working;
- 4) Determine if storm water runoff from the facility is discharged to an Outstanding Resource Water,

- Exceptional Resource Water, impaired water, or an impaired water for which a federally approved Total Maximum Daily Load has been developed, and if so, modify the facility's Storm Water Pollution Prevention Plan accordingly to address water quality concerns;
- 5) Visually monitor storm water outfalls for the presence of contaminants during rainfall or runoff events;
 - 6) Keep progress and monitoring results current and available for inspection by the DNR.

Several technical support documents have been prepared to assist industries in complying with the permit:

- The DNR has developed a document for industries entitled Industrial Storm Water Pollution Prevention Planning, dated September 1994. This document provides industries with guidance in preparing the required pollution prevention plans. This document (Document Sales stock #1723) is available online at: <http://dnr.wi.gov/runoff/stormwater/industrialforms.htm#swppp>
- The USEPA has developed a document for industries entitled Storm Water Pollution Prevention for Industrial Activities (EPA-832-R-92-006). This document includes guidance on selecting best management practices for controlling storm water pollutants from selected sites, and supplements other similar documents. It is available for a fee from the National Technical Information Service (703-487-4650) or the U.S. Government Printing Office (202-783-3238).
- The DNR has developed technical standards for erosion control and storm water management at construction sites and for post-construction runoff management. The standards are available at <http://dnr.wi.gov/runoff/stormwater/techstds.htm>

Summary of Key Changes from the Previous Version of the Tier 2 Permit

This Tier 2 permit (Permit No. WI-S067857-3) replaces the previous version of the permit (Permit No. WI-S067857-2). Key changes to the permit include the following (numbering system used below corresponds with the sections in the general permit):

1.1 Initial Permit Coverage: The permit references the application process in ch. NR 216, Wis. Adm. Code, and states that the DNR will transmit a letter of permit coverage to a facility eligible for coverage under the general permit with instructions on where to download the permit from the DNR's website.

1.2 Continuation of Existing Permit Coverage: Facilities on record with the DNR as having general permit coverage as of the Issuance Date of this permit will automatically be covered under this permit. Facilities will be notified by the DNR of their continued coverage under this permit with instructions on where to download the permit from the DNR's Internet website. In the alternative, a hard copy of the permit will be mailed to the owner or operator of the facility upon request.

1.3 No Exposure Certification: Facilities that have been denied a Conditional No Exposure Certification or have had such certification revoked by the DNR shall apply for permit coverage within 14 working days of being notified by the DNR of the denial or revocation.

1.4 Permit Coverage Transfers: This section provides more detail on the process for transferring permit coverage from one owner or operator of a facility to another under s. NR 216.31, Wis. Adm. Code.

2.6 Water Quality Standards: 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. For the term of this permit, compliance with water quality standards will be addressed by adherence to general narrative-type storm

water discharge limitations and implementation of a storm water pollution prevention plan. This permit does not authorize storm water discharges that the Department, prior to authorization of coverage under this permit, determines will cause or have reasonable potential to cause or contribute to an excursion above any applicable water quality standard. Where such determinations have been made prior to authorization, the Department may notify the applicant that an individual permit application is necessary. However, the Department may authorize coverage under this permit where the storm water pollution prevention plan required under this permit will include appropriate controls and implementation procedures designed to bring the storm water discharge into compliance with water quality standards.

2.7 Outstanding and Exceptional Resource Waters: A facility covered under this permit may not establish a new storm water discharge of pollutants to an Outstanding Resource Water (ORW) or an Exceptional Resource Water (ERW) unless the storm water pollution prevention plan required under Section 3. of this permit is designed to prevent the discharge of pollutants to the ORW or ERW in excess of background levels within the water body. The following website can be used to determine whether a facility discharges storm water to an ORW or ERW: <http://dnr.wi.gov/org/water/wm/wqs/> ORWs and ERWs are also listed in ss. NR 102.10 and 102.11, Wis. Adm. Code.

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

If the permittee has an existing storm water discharge to an ERW, it may not increase the discharge of pollutants if the increased discharge would result in a violation of water quality standards. If the permittee has an existing storm water discharge to an ORW, it may increase the discharge of pollutants provided that: 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; and 2) the increased discharge would not result in a violation of any water quality standard.

2.8 Impaired Water Bodies and Total Maximum Daily Load Requirements: *Impaired Waters.* If a facility discharges a pollutant of concern to a section 303(d) listed impaired water body, the pollutant levels in the discharge need to be reduced as much as possible as part of an overall state effort to reduce the pollutant loading to impaired water bodies. The 303(d) list of Wisconsin impaired water bodies may be identified by contacting the DNR or by searching for the 303(d) list on the DNR’s Internet site. The current link to the 303(d) list is: <http://dnr.wi.gov/org/water/wm/wqs/303d/> Contact the DNR or use the Internet link above to find an MS Excel spreadsheet list or county based maps showing Wisconsin 303(d) listed waters.

The permit requires that an annual check be conducted by February 15th each calendar year to determine whether the permittee discharges a pollutant of concern via storm water runoff to a section 303(d) listed impaired water body. If so, a written section needs to be added to the storm water pollution prevention plan, within 180 days of the annual check, that specifically identifies control measures and practices that collectively will be used to reduce, with the goal of eliminating, the levels of the pollutant of concern in the storm water discharge that contributes to the impairment of the water body. The pollution prevention plan shall also explain why these control measures and practices were chosen as opposed to other alternatives.

Federal regulation, 40 CFR 122.4, prohibits the issuance of a WPDES permit to a new source or new discharger that will contribute to a violation of a water quality standard in a 303(d) listed water. Also, an increased discharge of a pollutant of concern that would cause or contribute to a violation of a water quality standard in a 303(d) listed water is not allowed. Therefore, this general permit specifies that a permittee may not establish a new storm water discharge to an impaired water body or increase the discharge of a pollutant of concern to an impaired water body unless the new or increased discharge causes the receiving water to meet applicable water quality standards, or the new discharge is consistent with an EPA approved total maximum daily load (TMDL)

allocation for the impaired water body. For a new facility requesting coverage under this general permit, the DNR will evaluate the proposed new pollutant discharge and receiving water to determine if the above requirement can be met. A variety of options may be available to ensure any proposed new discharge does not contribute to the receiving water's impairment such as on-site capture of the pollutant of concern, an alternate discharge location, storm water reuse opportunities, directing the discharge to a seepage area, enhanced treatment options so the discharge would meet the water quality standard, etc.

"New storm water discharge" or "new discharge" means a storm water discharge that would first occur after the permittee's start date of coverage under this permit to a surface water to which the facility did not previously discharge storm water, and does not include an increase in a storm water discharge to a surface water to which the facility discharged on or before coverage under this permit.

If an existing facility proposes an increase in a pollutant of concern discharge to an impaired water body, the process would start via notification to the DNR. Upon notification of the proposed increase, the permittee and the DNR would evaluate the proposed increased pollutant discharge amount and receiving water to determine if the above requirement can be met. A variety of options may be available to ensure any proposed increased pollutant discharge does not contribute to the receiving water's impairment such as on-site capture of the pollutant of concern, an alternate discharge location, storm water reuse opportunities, directing the discharge to a seepage area, enhanced treatment options so the discharge would meet the water quality standard, etc.

Total Maximum Daily Loads (TMDLs). This section of the permit requires that a permittee conduct an annual check by February 15th of each calendar year to determine whether its facility discharges storm water runoff to a water body that has an EPA approved TMDL allocation. If so, the permittee is required to assess whether the TMDL wasteload allocation for the facility's discharge is being met through the existing storm water pollution prevention plan controls or whether additional control measures are necessary. Within 180 days after the annual check to determine whether the facility's storm water discharge is included in an EPA approved TMDL and determining that any TMDL wasteload allocation for the facility's discharge is not being met, the permittee is required to amend the facility's SWPPP to include a plan to meet the requirements of the EPA approved TMDL wasteload allocation for the facility. The plan must include any feasible pollution prevention and storm water treatment improvements and specify any revisions or redesigns that will be implemented to increase the effectiveness of the permittee's storm water pollution prevention controls. The plan also must specify a time schedule consistent with the EPA approved TMDL or a TMDL Implementation Plan prepared by the Department for implementation of the improvements, revisions or redesigns necessary to meet the wasteload allocation for the facility. Under s. NR 216.27 (1), Wis. Adm. Code, the permittee must implement its SWPPP, and under s. NR 216.27 (4), Wis. Adm. Code, the permittee must further amend its SWPPP if the provisions of the SWPPP are ineffective in controlling storm water pollutants discharged to waters of the state, or upon written notice that the department finds the SWPPP to be ineffective in achieving the conditions of the storm water discharge permit applicable to the facility. In some situations, there may be TMDLs developed and approved where instead of a facility receiving a specific wasteload allocation, the wasteload allocation is lumped for a group or category of discharges. If this is the case, then compliance with this permit shall be deemed to be compliance with the TMDL.

2.9 Fish and Aquatic Life Waters: Under this permit, a permittee must determine whether its facility discharges storm water to a fish and aquatic life water as defined in s. NR 102.13, Wis. Adm. Code. Most receiving waters are classified as a fish and aquatic life waters and this classification includes all surface waters of the state except ORW, ERW, Great Lakes system waters and variance waters identified within ss. NR 104.05 through 104.10, Wis. Adm. Code.

A permittee may not establish a new storm water discharge of pollutants to a fish and aquatic life water unless the storm water pollution prevention plan required under Section 3. of this permit is designed to prevent the significant lowering of water quality of any fish and aquatic life water. Significant lowering of water quality is defined within ch. NR 207, Wis. Adm. Code.

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

If the permittee’s facility has an existing storm water discharge to a fish and aquatic life water, it may not increase the discharge of pollutants if the increased discharge would result in a violation of water quality standards.

3.3.2.7 Compliance with Runoff Management Performance Standards: Section NR 151.12 or s. 151.121, Wis. Adm. Code, specifies post-construction performance standards for new development and redevelopment. A newly constructed or redeveloped industrial facility that is required to meet the post-construction performance standards of s. NR 151.12 or s. NR 151.121, Wis. Adm. Code, must describe in its storm water pollution prevention plan the best management practices necessary to maintain compliance with the applicable performance standards in s. NR 151.12 or s. NR 151.121, Wis. Adm. Code. Furthermore, the best management practices installed to meet the performance standards in s. NR 151.12 or s. 151.121, Wis. Adm. Code, must be maintained to meet the treatment capability as originally designed.

3.4 Amending a SWPPP: Language has been added to this section of the permit to allow for an alternative timeframe to amend the storm water pollution prevention as specified by the DNR.

3.5 Storm Water Discharges to Outstanding and Exceptional Resource Waters: If the permittee’s industrial storm water will discharge to an outstanding resource water or exceptional resource water, the permittee is required to include a written section in the facility’s storm water pollution prevention plan that discusses and identifies the management practices and control measures the permittee will implement to prevent the discharge of any pollutant(s) in excess of the background level within the water body. The permittee’s plan must specifically identify the control measures and practices that will collectively be used to prevent the discharge of pollutants in excess of the background level within the water body. A list of outstanding resource waters and exceptional resource waters may be found on the Department’s Internet site at:
<http://dnr.wi.gov/org/water/wm/wqs/>

4.3.3 Monitoring Waivers: Section 4.3.3.2 grants an automatic waiver if the permittee indicates that there were no snow melt or runoff events large enough to conduct a quarterly visual inspection at an outfall. A waiver is automatically granted for a quarter where the permittee sufficiently documents and retains records demonstrating that there were no snow melt or runoff events large enough to conduct a quarterly visual inspection at the facility during that quarter. Documentation and records used to qualify for an automatic waiver must be submitted to the Department upon request.

5.1 Storm Water Pollution Prevention Plan Compliance and Reporting Requirements: Section 5.1.1 clarifies the timing for preparation of the Storm Water Pollution Prevention Plan. An owner or operator of a facility requiring coverage under this permit must prepare a Storm Water Pollution Prevention Plan prior to applying for permit coverage and submit a plan summary to the DNR when applying for coverage under this permit. The owner or operator of an existing facility that previously operated without required permit coverage and without a required plan must immediately develop a plan and submit a plan summary to the DNR, and implement the plan to achieve compliance with this permit in the shortest practicable time.

5.3 Discharges to Regulated Municipal Separate Storm Sewer Systems: An industrial facility covered under this permit may be located within a municipality covered under a municipal separate storm sewer system (MS4) permit issued pursuant to subchapter I of ch. NR 216, Wis. Adm. Code. A municipality covered under an

MS4 permit is required to address the discharge of pollutants from its separate storm sewer system into waters of the state and has the authority and responsibility to regulate discharges into its separate storm sewer system. Under this section of the Tier 2 industrial storm water permit, an industrial facility covered by the permit and that discharges storm water and non-storm water to the permitted municipality's separate storm sewer system must provide information on these discharges to the municipal permittee upon request. Information that must be provided includes the area or sub-areas of the facility draining to the municipal separate storm sewer system, the nature of industrial activity and potential storm water contamination sources in the areas draining to the system, the nature and number of non-storm water discharges to the system, storm water best management practices employed at the facility and their effectiveness at pollutant removal, storm water monitoring data, and copies of the required reports. In addition, a facility covered under this Tier 2 industrial storm water permit must assist and provide information to the permitted municipality if an illicit discharge, spill, or dumped material enters the municipality's separate storm sewer system.

Additional Information

Further information on this permit and the DNR's storm water permit program is available online at <http://dnr.wi.gov/runoff/stormwater/ind.htm> or by contacting the appropriate DNR regional office or the DNR's Central Office at:

Wisconsin Department of Natural Resources
Storm Water Program
Runoff Management Section, WT/3
P.O. Box 7921
Madison, WI 53707-7921
Phone: (608) 267-7694

This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.



**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**GENERAL PERMIT TO DISCHARGE UNDER THE
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM
WPDES PERMIT NO. WI-S067857-3**

TIER 2 INDUSTRIAL FACILITIES

In compliance with the provisions of ch. 283, Wis. Stats., and ch. NR 216, Wis. Adm. Code, any **Tier 2** private or, local, state or federal public facility as defined in ch. NR 216, Wis. Adm. Code, and located in the State of Wisconsin, excluding initial coverage within Indian Country after September 30, 2001, that discharges


STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

and meeting the applicability criteria in Section 2. of this permit, is permitted to discharge such storm water to waters of the state provided that the discharge is in accordance with the conditions set forth in this permit.

This permit is issued by the Department of Natural Resources (Department) and covers storm water discharges from the facility as of the **Start Date** of permit coverage to the permittee. For initial permit coverage, the Department will transmit a cover letter to the permittee stating that the facility is covered under this permit. Initial coverage under this permit will become effective at a facility beginning upon the **Start Date** specified by the Department in the cover letter. For a facility with existing permit coverage under a previously issued version of the Tier 2 general permit, coverage under this permit will become effective at the facility beginning upon the **Issuance Date** below.

State of Wisconsin Department of Natural Resources
For the Secretary,

By


Russell A. Rasmussen, Deputy Administrator
Division of Water

May 13, 2011
Date Permit Signed

PERMIT ISSUANCE DATE: May 13, 2011

PERMIT EXPIRATION DATE: April 30, 2016

**Tier 2 General Permit for the Discharge of
Storm Water Associated with Industrial Activity**

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1. APPLICATION REQUIREMENTS

1.1 Initial Permit Coverage The owner or operator of a Tier 2 industrial facility type listed in s. NR 216.21 (2) (a), Wis. Adm. Code, shall submit a Notice of Intent (NOI) to the Department to apply for coverage under an industrial storm water discharge permit in accordance with s. NR 216.22, Wis. Adm. Code. The Department will evaluate the information submitted in the NOI to determine whether a facility will be covered under this permit or an individual permit, or whether coverage under a permit will be denied. If coverage under this permit is appropriate, the Department will transmit a cover letter to the owner or operator indicating the date upon which permit coverage becomes effective at the facility with instructions on where to download the permit from the Department's Internet website. In the alternative, a hard copy of the permit will be mailed to the owner or operator of the facility upon request.

Note: The Notice of Intent form and general permit are available for download from the Department's Internet website at: <http://dnr.wi.gov/runoff/stormwater/industrialforms.htm>
If, for any reason, you are unable to access the permit over the Internet, please telephone the Department at (608) 267-7694 for assistance.

1.2 Continuation of Existing Permit Coverage A Tier 2 industrial facility type listed in s. NR 216.21 (2) (a), Wis. Adm. Code, with existing general permit coverage is automatically covered under this permit as of the **Issuance Date**. The Department will notify the owner or operator of the facility's continued coverage under this permit with instructions on where to download the permit from the Department's Internet website. In the alternative, a hard copy of the permit will be mailed to the owner or operator of the facility upon request.

Note: The general permit is available for download from the Department's Internet website at: <http://dnr.wi.gov/runoff/stormwater/industrialforms.htm>
If, for any reason, you are unable to access the permit over the Internet, please telephone the Department at (608) 267-7694 for assistance.

1.3 No Exposure Certification The owner or operator of a facility not currently covered under this permit that has submitted a Conditional No Exposure Certification to the Department in accordance with s. NR 216.21 (3), Wis. Adm. Code, but that has been denied a No Exposure Exclusion by the Department shall apply for permit coverage in accordance with Section 1.1 of this permit within 14-working days of being notified by the Department of the denial. The owner or operator of a facility that has previously been granted a No Exposure Exclusion by the Department but that has had that exclusion revoked shall apply for permit coverage in accordance with Section 1.1 of this permit within 14-working days of being notified by the Department of the revocation.

1.4 Permit Coverage Transfers A permittee who will no longer control the permitted industrial facility may request that permit coverage be transferred to the person who will control the industrial facility. The transfer request shall be signed by both the permittee and the new owner or operator and sent via certified or registered mail to the Department contemporaneously with the transfer of control. The request to transfer permit covered shall be mailed to the appropriate Department regional office or mailed to the Department of Natural Resources, Storm Water Program – WT/3, Box 7921, Madison, WI 53707-7921. The Department may require additional information including an NOI to be filed prior to transferring permit coverage. Coverage is not transferred until the Department sends notification of transfer approval to the new owner or operator. The transfer request shall contain the following information:

1.4.1 The name and address of the facility.

1.4.2 The Facility Identification Number.

1.4.3 The names of the persons involved in the transfer, their signatures, and date of signatures.

1.4.4 A description of any significant changes in the operation of the facility.

1.4.5 A statement of acknowledgement by the transferee that it will be the permittee of record and is responsible for compliance with the permit.

2. PERMIT APPLICABILITY CRITERIA

2.1 Applicability This permit applies to point sources at facilities which discharge storm water associated with industrial activity to waters of the state, either directly or via a separate storm sewer system, originating from industrial facilities belonging to:

2.1.1 Manufacturing facilities described by the following SIC codes, but only if contaminated storm water results from the operation of these facilities:

<u>SIC</u>	<u>Description</u>
20--	Food & Kindred Products
21--	Tobacco Products
22--	Textile Mill Products
23--	Apparel & Other Textile Products
2434	Wood Kitchen Cabinets
25--	Furniture & Fixtures
265-	Paperboard Containers & Boxes
267-	Misc. Converted Paper Products
27--	Printing, Publishing, & Allied Industries
283-	Drugs
285-	Paints & Allied Products
30--	Rubber & Misc. Plastics Products
31--	Leather & Leather Products
323-	Products of Purchased Glass
34--	Fabricated Metal Products
35--	Industrial & Commercial Machinery & Computer Equipment
36--	Electronic & Other Electrical Equipment & Components
37--	Transportation Equipment
38--	Instruments & Related Products
39--	Misc. Manufacturing Industries
4221	Farm Product Warehousing & Storage
4222	Refrigerated Warehousing & Storage
4225	General Warehousing & Storage

Note: Facilities in SIC codes 311-, 3441 and 373- are included in s. NR 216.21 (2) (a) 1. as Tier 1 facilities.

2.1.2 Transportation facilities described by the following SIC codes that have vehicle maintenance shops, equipment cleaning operations, or airport de-icing operations. This only

applies to those portions of these facilities that are either involved in vehicle maintenance including rehabilitation, mechanical repairs, painting, fueling, lubrication, and associated parking areas, or involved in cleaning operations, or de-icing operations, or that are listed as a pollution source area under s. NR 216.02 (2) (d):

<u>SIC</u>	<u>Description</u>
40--	Railroad Transportation
41--	Local & Interurban Passenger Transit
42--	Trucking & Warehousing
43--	U.S. Postal Service
44--	Water Transportation
45--	Transportation by Air
5171	Petroleum Bulk Stations & Terminals

2.1.3 Facilities described by the following SIC codes, including active and inactive mining operations. This permit only applies where storm water runoff has come into contact with any overburden, raw material, intermediate product, finished product, by-product, or waste material.

<u>SIC</u>	<u>Description</u>
10--	Metal Mining
12--	Coal Mining
13--	Oil & Gas Extraction
14--	Non-metallic Minerals, except fuels

Note: An industry-specific permit has been developed that combines process and storm water requirements for 14-- (non-metallic mining) facilities. This permit does not apply to non-coal mining operations which have been released from applicable state or federal reclamation requirements after December 17, 1990; nor to coal mining operations released from the performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Act authority under 30 U.S.C. 1201 et seq. and 16 U.S.C. 470 et seq. Production, processing, or treatment operations or transmission facilities associated with oil and gas extraction are included only if there has been a discharge of storm water after November 16, 1987 containing a reportable quantity of a pollutant, or if a storm water discharge contributed to a violation of a water quality standard.

2.1.4 Facilities subject to storm water effluent limitation guidelines, new or existing source performance standards, or toxic pollutant effluent standards under 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317 (b) and (c), 1326 (c), except for those facilities identified in paragraph A.(1) that do not have contaminated storm water.

2.1.5 Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of one million gallons per day or more, or required to have an approved pretreatment program. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and

which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the Clean Water Act under 33 U.S.C. s. 1345.

2.1.6 Hazardous waste treatment, storage, and disposal facilities, including those operating under interim status or a permit under Subtitle C of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 et seq.

2.1.7 Landfills, land application sites, and open dumps that receive or have received any industrial waste from any of the facilities identified in Part II.A. of this permit, including those subject to regulation under subtitle D of RCRA, 42 U.S.C. 6901 et seq.

2.1.8 Steam electric power generating facilities, including coal handling sites but not including offsite transformer or electric substations.

2.1.9 Facilities described in SIC code 2951 for asphalt paving mixes and block, and facilities described in SIC codes 3271, 3272 and 3273 for cement products.

Note: In 1997, the North American Industry Classification System (NAICS) was developed as the standard for use by Federal agencies in classifying business establishments and has been adopted by Federal agencies to replace the SIC Code system. As a result, an industrial facility identified in Sections 2.1.1 through 2.1.9 of this permit may have an NAICS Code assigned to it by a Federal agency, trade association, or other organization. If needed, the Department may use Federal data to convert the NAICS Code to the corresponding SIC Code for purposes of determining the applicability of this permit to the facility.

2.1.10 Facilities originally covered under a Tier 1 general permit, but subsequently covered under a Tier 2 general permit pursuant to s. NR 216.22, Wis. Adm. Code.

2.2 Authorized Discharges This permit authorizes storm water point source discharges to waters of the State from industrial activities identified in Section 2.1 of this permit. This permit also authorizes the discharge of storm water commingled with flows contributed by process and non-process wastewater, provided those flows are regulated by other WPDES permits, if required.

2.3 Movement to Tier One Coverage In accordance with s. NR 216.23.10, Wis. Adm. Code, the Department may revoke coverage under this permit. In this case, the permittee shall reapply for Tier 1 general permit coverage.

2.4 Exclusions This permit does not apply to any of the following:

2.4.1 Diffused surface drainage or agricultural storm water discharges.

2.4.2 Non-storm water discharges covered under an individual or general WPDES permit, including contact cooling water, non-contact cooling water, other process wastewaters or sewage.

2.4.3 Non-storm water discharges for which coverage under an individual or general WPDES permit is not required, including landscape irrigation, diverted stream flows, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, lawn watering, individual residential car washing, flows from riparian habitats and wetlands and fire fighting.

2.4.4 Inactive, closed or capped landfills that have no potential for contamination of storm water. The Department shall make a determination of contamination potential on a case-by-case basis.

2.4.5 Remedial action discharges or discharges authorized by a WPDES permit for discharging contaminated or uncontaminated groundwater.

2.4.6 Areas located on plant lands that are segregated from the industrial activities of the plant, such as office buildings and accompanying parking lots, if the drainage from the segregated areas is not mixed with contaminated storm water drainage.

2.4.7 Storm water discharges into a municipal combined sewer system.

Note: Areas where this exclusion may apply include portions of the City of Milwaukee, the City of Superior, and the Village of Shorewood.

2.4.8 Storm water discharges from an industrial facility for which the owner or operator has submitted a Conditional No Exposure Certification to the Department in accordance with s. NR 216.21 (3), Wis. Adm. Code, provided that the Department concurs with the no exposure certification and the conditions under which a No Exposure Exclusion was granted remain in effect.

2.5 Discharges Not Covered by this Permit The following are not authorized under this permit:

2.5.1 Storm water discharges within Indian Country for which initial coverage under this permit is sought after September 30, 2001. Industrial storm water discharges within Indian Country from non-tribal lands that have state coverage under a general storm water permit prior to September 30, 2001, continue to be covered under this permit for purposes of state law.

Note: Contact the DNR Northeast Regional office at (920) 492-5800 or the DNR Central office at (608) 267-7694 for non-Indian storm water discharges within Indian Country to determine if state permit coverage from the Department is required.

2.5.2 Discharges of hazardous substances that are required to be reported under ch. NR 706, Wis. Adm. Code.

2.5.3 Storm water discharges that affect wetlands, unless the Department determines that the storm water discharges comply with the wetland water quality standards provisions in ch. NR 103, Wis. Adm. Code.

2.5.4 Storm water discharges that affect endangered and threatened resources, unless the Department determines that the storm water discharges comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm. Code.

2.5.5 Storm water discharges that affect any historic property that is listed property, or on the inventory or on the list of locally designated historic places under s. 44.45, Wis. Stats., unless the Department determines that the storm water discharges will not have an adverse effect on any historic property pursuant to s. 44.40 (3), Wis. Stats.

2.5.6 Storm water discharges from land disturbing construction activity affecting one acre or more of land for construction of a new industrial facility or expansion of an existing industrial facility.

Note: Land disturbing construction activity affecting one acre or more of land is regulated under Subchapter III of ch. NR 216, Wis. Adm. Code.

2.5.7 Facilities where the Department makes a determination, pursuant to s. NR 216.25 (3), Wis. Adm. Code, that a storm water discharge is more appropriately covered under an individual WPDES permit. The Department may make this determination if one or more of the following conditions are met:

2.5.7.1 The storm water discharge is potentially a significant source of pollution and more appropriately regulated by an individual WPDES storm water discharge permit.

2.5.7.2 The facility is not in compliance with the terms and condition of this permit or Subchapter II of ch. NR 216, Wis. Adm. Code.

2.5.7.3 Numeric effluent limitations or standards are promulgated for a storm water discharge covered by this permit.

2.5.7.4 Storm water discharges that are regulated by permits containing storm water effluent limitations.

2.6 Water Quality Standards

2.6.1 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 general narrative-type storm water discharge limitations and implementation of a storm water pollution prevention plan.

2.6.2 This permit does not authorize storm water discharges that the Department, prior to authorization of coverage under this permit, determines will cause or have reasonable potential to cause or contribute to an excursion above any applicable water quality standard. Where such determinations have been made prior to authorization, the Department may notify the applicant that an individual permit application is necessary. However, the Department may authorize coverage under this permit where the storm water pollution prevention plan required under this permit will include appropriate controls and implementation procedures designed to bring the storm water discharge into compliance with water quality standards

2.7 Outstanding and Exceptional Resource Waters

2.7.1 Within 12 months after the **Issuance Date** of this permit, the permittee shall comply with Sections 2.7.2 through 2.7.5 of this permit. Storm water discharges from industrial facilities covered under this permit 12 or more months after the **Issuance Date** of this permit shall comply with Sections 2.7.2 through 2.7.5 of this permit as of the **Start Date** of coverage under this permit.

2.7.2 The permittee shall determine whether any part of its facility discharges storm water 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: A list of ORWs and ERWs may be found on the Department's Internet site at:
<http://dnr.wi.gov/org/water/wm/wqs/>

2.7.3 The permittee may not establish a new storm water discharge of pollutants to an ORW or an ERW unless the storm water pollution prevention plan required under Section 3. of this permit is designed to prevent the discharge of pollutants to any ORW or ERW in excess of background levels within the water body.

2.7.3.1 "New storm water discharge" or "new discharge" means a storm water discharge that would first occur after the permittee's start date of coverage under this permit to a surface water to which the facility did not previously discharge storm water, and does not include an increase in a storm water discharge to a surface water to which the facility discharged on or before coverage under this permit.

2.7.4 If the permittee has an existing storm water discharge to an ERW, it may not increase the discharge of pollutants if the increased discharge would result in a violation of water quality standards.

2.7.5 If the permittee has an existing storm water discharge to an ORW, it may increase the discharge of pollutants provided all of the following are met:

2.7.5.1 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.

2.7.5.2 The increased discharge would not result in a violation of any water quality standard.

2.8 Impaired Water Bodies and Total Maximum Daily Load Requirements

2.8.1 "Pollutant(s) of concern" means a pollutant that is contributing to the impairment of a water body.

2.8.2 By February 15th of each calendar year, the permittee shall perform an annual check to determine whether its facility discharges a pollutant of concern via storm water 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 U.S. Environmental Protection Agency, 40 CFR §130.7 (c) (1). Impaired waters are those listed as not meeting applicable surface water quality standards. Results of the annual check shall be documented with the Annual Facility Site Compliance Inspection required under Section 4.3.1 of this permit.

Note: The section 303 (d) list of Wisconsin impaired surface water bodies may be obtained by contacting the Department or by searching for the section 303 (d) list on the Department's Internet site. The Department updates the section 303 (d) list approximately every two years. The updated

list is effective upon approval by EPA. The link to the section 303 (d) list is:
<http://dnr.wi.gov/org/water/wm/wqs/303d/>

2.8.3 A permittee that discharges a pollutant of concern via storm water to an impaired water body shall, within 180 days of the annual check that determines the facility discharges storm water to an impaired water body, include a written section in the storm water pollution prevention plan that specifically identifies control measures and management practices that will collectively be used to reduce, with the goal of eliminating, the storm water discharge of pollutant(s) of concern that contribute to the impairment of the water body and explain why these control measures and management practices were chosen as opposed to other alternatives.

Note: For a permittee that discharges a pollutant of concern via storm water to an impaired water body, amending the storm water pollution prevention plan will be required after the initial annual check and if subsequent annual checks indicate additional pollutants of concern have been added, additional water bodies have been designated as impaired, or other relevant changes to the designation have occurred.

2.8.4 The permittee may not establish a new storm water discharge of a pollutant of concern to an impaired water body or increase an existing discharge of a pollutant of concern to an impaired water body unless the new or increased discharge causes the receiving water to meet applicable water quality standards, or the discharge is consistent with an EPA approved total maximum daily load (TMDL) allocation for the impaired water body.

2.8.4.1 “New storm water discharge” or “new discharge” has the meaning given in Section 2.7.3.1 of this permit.

2.8.5 By February 15th each calendar year, the permittee shall perform an annual check to determine whether its facility discharges a pollutant of concern via storm water to a water body included in a State and Federal approved TMDL. If so, the permittee shall assess whether the TMDL wasteload allocation for the facility’s discharge is being met through the existing pollutant controls or whether additional control measures are necessary and feasible. The assessment of the feasibility of additional control measures shall focus on the ability to improve pollution prevention and treatment system effectiveness and the adequacy of implementation and maintenance of the permittee’s storm water pollution prevention plan controls. Results of the annual check shall be document with the Annual Facility Site Compliance Inspection required under Section 4.3.1 of this permit.

Note: State and Federal approved TMDLs can be identified by contacting the Department, or by searching for the State and Federal approved TMDL list on the Department Internet site. The link to identify the list of State and Federal approved Final TMDLs is:
http://dnr.wi.gov/org/water/wm/wqs/303d/Approved_TMDLs.html

2.8.6 Within 180 days after the annual check to determine whether the facility’s storm water discharge is included in an EPA approved TMDL and determining that any TMDL wasteload allocation for the facility’s discharge is not being met, the permittee shall amend the facility’s SWPPP. The amendment shall include a plan to meet the requirements of the EPA approved TMDL wasteload allocation for the facility. The plan shall include any feasible pollution prevention and storm water treatment improvements and specify any revisions or redesigns that will be implemented to increase the effectiveness of the permittee’s storm water pollution prevention controls. The plan shall also specify a time schedule consistent with the EPA approved

TMDL or a TMDL Implementation Plan prepared by the Department for implementation of the improvements, revisions or redesigns necessary to meet the wasteload allocation for the facility. The plan shall be implemented in accordance with the time schedule in the plan. If a specific wasteload allocation has not been assigned to the facility under a TMDL, compliance with this permit shall be deemed to be compliance with the TMDL.

2.9 Fish and Aquatic Life Waters

2.9.1 The permittee shall determine whether any part of its facility's storm water will discharge to a fish and aquatic life water as defined in s. NR 102.13, Wis. Adm. Code.

Note: Most receiving waters of the state are classified as a fish and aquatic life waters and this classification includes all surface waters of the state except ORW, ERW, Great Lakes system waters and variance water identified within ss. NR 104.05 through 104.10, Wis. Adm. Code.

2.9.2 The permittee may not establish a new storm water discharge of pollutants to a fish and aquatic life water unless the storm water pollution prevention plan (SWPPP) required under Section 3. of this permit is designed to prevent the significant lowering of water quality of any fish and aquatic life water. Significant lowering of water quality is defined within ch. NR 207, Wis. Adm. Code.

2.9.2.1 "New storm water discharge" or "new discharge" has the meaning given in Section 2.7.3.1 of this permit.

2.9.3 If the permittee's facility has an existing storm water discharge to a fish and aquatic life water, it may not increase the discharge of pollutants if the increased discharge would result in a violation of water quality standards.

2.10 Toxic Pollutants In accordance with s. NR 102.12 Wis. Adm. Code, new and increased discharges as defined in ch. NR 207, Wis. Adm. Code, of persistent, bioaccumulating toxic substances to the Great Lakes waters or their tributaries, shall be limited to the maximum extent practicable when such discharges result from the contamination of storm water by contact with raw materials, products, by-products or wastes used or stored by the permittee.

3. STORM WATER POLLUTION PREVENTION PLAN

3.1 Storm Water Pollution Prevention Plan Required In accordance with s. NR 216.27, Wis. Adm. Code, and Section 3.3 of this permit, the owner or operator of a facility requiring coverage under this permit shall prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to applying for permit coverage under s. NR 216.22, Wis. Adm. Code.

3.2 Incorporation by Reference When plans are developed or activities conducted in accordance with other federal, state or local regulatory programs that meet the requirements of Section 3.3.2 of this permit, the plans may be incorporated by the permittee into the SWPPP by reference.

3.3 Purpose and Content of a Storm Water Pollution Plan

3.3.1 Purpose of the Plan Any SWPPP prepared to comply with this permit shall do all of the following:

3.3.1.1 Identify sources of storm water and non-storm water contamination to the storm water drainage system.

3.3.1.2 Identify and prescribe appropriate "source area control" type best management practices designed to prevent storm water contamination from occurring.

3.3.1.3 Identify and prescribe "storm water treatment" type best management practices to reduce pollutants in contaminated storm water prior to discharge.

3.3.1.4 Prescribe actions needed either to bring non-storm water discharges under an appropriate WPDES permit or to remove these discharges from the storm drainage system.

3.3.1.5 Prescribe an implementation schedule so as to ensure that the storm water management actions prescribed in the SWPPP are carried out in a timely manner and evaluated on a regular basis.

3.3.2 Required Plan Content The SWPPP shall contain, at a minimum, the following items and provisions:

3.3.2.1 Pollution Prevention Individual The SWPPP shall identify by job title the specific individual who has primary responsibility for all aspects of SWPPP development and implementation and identify any other individuals concerned with SWPPP development or implementation, and their respective roles. The specific individual who has primary responsibility shall develop, evaluate, maintain and revise the SWPPP, and carry out the specific management actions identified in the SWPPP, including maintenance practices, monitoring activities, preparing and submitting reports, recordkeeping, and serving as facility contact for the Department.

3.3.2.2 Facility Site Description and Drainage Base Map The SWPPP shall contain a short summary of the major activities conducted at various locations throughout the facility. The SWPPP shall also include a facility drainage base map depicting all of the following:

3.3.2.2.1 How storm water drains on, through and from the facility to groundwater, surface water, or wetlands.

3.3.2.2.2 The facility property boundaries.

3.3.2.2.3 The storm drainage collection and disposal system including all surface and subsurface conveyances.

3.3.2.2.4 Any secondary containment structures.

3.3.2.2.5 The location of all outfalls that discharge channelized flow to groundwater, surface water or wetlands, including outfalls recognized as permitted outfalls under another WPDES permit, numbered for reference.

3.3.2.2.6 The drainage area boundary for each outfall.

3.3.2.2.7 The surface area in acres draining to each outfall, including the percentage that is impervious such as paved, roofed or highly compacted soil, and the percentage that is pervious such as grassy areas and woods.

3.3.2.2.8 Existing structural storm water controls.

3.3.2.2.9 The name and location of receiving waters.

3.3.2.2.10 The location of activities and materials that have the potential to contaminate storm water.

3.3.2.3 Summary of Existing Sampling Data or Observations The SWPPP shall summarize any results of available storm water sampling data or other observations that characterize the quality of storm water discharges or identifying sources of storm water contamination. Available data that characterizes the quality of storm water discharges under dry weather flow conditions shall also be included, except when such data has been or will be reported to the Department under another WPDES permit.

3.3.2.4 Potential Sources of Storm Water Contamination The SWPPP shall identify any significant pollutants or activities associated with the storm water pollution source areas identified in this permit. When possible, specific pollutants likely to be present in storm water as a result of contact with specific materials shall also be listed. The SWPPP shall identify all potential source areas of storm water contamination, including but not limited to:

3.3.2.4.1 Outdoor manufacturing areas.

3.3.2.4.2 Rooftops contaminated by industrial activity, exhaust vents, or a pollution control device.

3.3.2.4.3 Industrial plant yards.

3.3.2.4.4 Storage and maintenance areas for material handling equipment.

3.3.2.4.5 Immediate access roads and rail lines.

3.3.2.4.6 Material handling sites including storage, loading, unloading, transportation, or conveyance of any raw material, finished product, intermediate product and by-product or waste areas.

3.3.2.4.7 Storage areas (including tank farms) for raw materials, finished and intermediate products.

3.3.2.4.8 Disposal or application of wastewater.

3.3.2.4.9 Areas containing residual pollutants from past industrial activity.

3.3.2.4.10 Areas of significant soil erosion.

3.3.2.4.11 Refuse sites.

3.3.2.4.12 Vehicle maintenance and cleaning areas.

3.3.2.4.13 Washing areas for equipment, vehicles, containers, or other items.

3.3.2.4.14 Shipping and receiving areas.

3.3.2.4.15 Manufacturing buildings.

3.3.2.4.16 Residual treatment, storage, and disposal sites.

3.3.2.4.17 Any other areas capable of contaminating storm water runoff.

3.3.2.5 Status of Non-Storm Water Discharges to the Storm Sewer The SWPPP shall identify all known contaminated and uncontaminated sources of non-storm water discharges to the storm sewer system or waters of the state and indicate which are covered by WPDES permits. The SWPPP shall contain the results of the non-storm water discharge monitoring required by s. NR 216.28, Wis. Adm. Code. If monitoring is not feasible due to the lack of suitable access to an appropriate monitoring location, the SWPPP shall include a statement that the monitoring could not be conducted and an explanation of the reasons why.

3.3.2.6 Source Area Control Best Management Practices The SWPPP shall rely, to the maximum extent practicable, on the use of source area control best management practices designed to prevent storm water from becoming contaminated at the facility. Source area control best management practices that are either proposed or in place at the facility shall be indicated on the facility drainage base map described in Section 3.3.2.2 of this permit. The SWPPP shall provide for the use of the following source area control best management practices:

3.3.2.6.1 Practices to control significant soil erosion.

3.3.2.6.2 Good house-keeping measures, preventive maintenance measures, visual inspections, spill prevention and response measures, and employee training and awareness.

3.3.2.6.3 Covering or enclosing salt storage piles so that neither precipitation nor storm water runoff can come into contact with the stored salt; or, for permittees that use brine and have salt storage piles on impervious curbed surfaces, a means of diverting contaminated storm water to a brine treatment system for process use.

3.3.2.6.4 Use of a combination of storm water contact control or containment, drainage controls, or diversions to control SARA Title III Section 313 "Water Priority Chemicals" (42 U.S.C. s. 11023 (c)) potentially discharged through the action of storm water runoff, leaching, or wind.

3.3.2.7 Compliance with Runoff Management Performance Standards The SWPPP for a facility subject to the performance standards in s. NR 151.12 or s. NR 151.121, Wis. Adm. Code, shall describe best management practices necessary to maintain compliance

with the applicable performance standards in s. NR 151.12 or s. NR 151.121, Wis. Adm. Code, for those areas that are described in s. NR 151.12 (2) or s. NR 151.121 (2), Wis. Adm. Code. Best management practices installed to meet the performance standards in s. NR 151.12 or s. NR 151.121, Wis. Adm. Code, shall be maintained to meet the treatment capability as originally designed.

3.3.2.8 Residual Pollutants The SWPPP shall identify pollutants that are likely to contaminate storm water discharges to waters of the state following implementation of source area control best management practices. Past sampling data collected at the facility or at sufficiently similar outfalls at other facilities may be used in making this determination. At a minimum, the following pollutants shall be considered for their potential to contaminate storm water:

3.3.2.8.1 Any pollutant for which an effluent limitation is contained in any discharge permit issued to the permittee, for this facility, by the Department.

3.3.2.8.2 Any pollutant contained in a categorical effluent limitation or pre-treatment standard to which the facility is subject.

3.3.2.8.3 Any SARA Title III Section 313 "Water Priority Chemical" (42 U.S.C. s. 11023 (c)) for which the permittee, for this facility, has reporting requirements and which has the potential for contaminating storm water.

3.3.2.8.4 Any other toxic or hazardous pollutants from present or past activity at the site that remain in contact with precipitation or storm water and which could be discharged to the waters of the state, and which are not regulated by another environmental program.

3.3.2.8.5 Any of the following parameters which might be present in significant concentrations: Oil and grease, pH, total suspended solids, 5-day biological oxygen demand, and chemical oxygen demand.

3.3.2.9 Storm Water Treatment Best Management Practices When source area control best management practices are not practicable or are inadequate to control storm water pollution, or when the Department determines source area control best management practices are inadequate to achieve a water quality standard, the SWPPP shall prescribe appropriate storm water treatment practices as needed to reduce the pollutants in contaminated storm water prior to discharge to waters of the state. Proposed or existing storm water treatment practices shall be shown on the facility drainage basin map described in Section 3.3.2.2 of this permit. The SWPPP shall provide for the following types of storm water treatment practices:

3.3.2.9.1 Storm water significantly contaminated with petroleum products shall be treated for oil and grease removal by an adequately sized, designed, and functioning wastewater treatment device. Coverage under a separate individual or general permit is required for discharges of storm water from oil/water treatment devices. Under s. 281.41, Wis. Stats., prior Department approval of plans for oil and grease removal devices may be required.

3.3.2.9.2 Point source discharges of storm water contaminated by significant amounts of sediment from eroding areas, including bare earth industrial lots and ongoing industrial processes, shall be treated by filtration or settling type practices designed, installed and maintained in accordance with the Department's Construction Site Erosion and Sediment Control Technical Standards.

Note: The Construction Site Erosion and Sediment Control Technical Standards are available at the following Department website:
<http://dnr.wi.gov/runoff/stormwater/techstds.htm>

3.3.2.10 Facility Monitoring The SWPPP shall include provisions for complying with the monitoring requirements specified in s. NR 216.28, Wis. Adm. Code, and Section 4. of this permit. The SWPPP shall include a checklist of inspections to be made during the annual facility site inspection required by s. NR 216.28 (2), Wis. Adm. Code. The SWPPP shall also identify for each outfall the type of monitoring that will be conducted, such as non-storm discharge monitoring and storm water discharge quality inspections.

3.3.2.11 SWPPP Implementation Schedule The SWPPP shall include an implementation schedule for the requirements of this permit that meet the compliance timeframes set forth in this permit.

3.3.2.12 Certification and Signature The SWPPP and SWPPP summary shall be signed in accordance with Section 6.11 of this permit and contain the following statement:

"I certify under penalty of law that this document and attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information contained in the plan. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information; the information contained in this document is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for providing false information, including the possibility of fine and imprisonment. In addition, I certify under penalty of law that, based upon inquiry of persons directly under my supervision, to the best of my knowledge and belief, the provisions of this document adhere to the provisions of the storm water permit for the development and implementation of a Storm Water Pollution Prevention Plan and that the plan will be complied with."

3.4 Amending a SWPPP Unless an alternative timeframe is specified by the Department, the permittee shall amend the SWPPP within 30 days of the occurrence of any of the following circumstances:

3.4.1 When expansion, production increases, process modifications, changes in material handling or storage, or other activities are planned which will result in significant increases in the exposure of pollutants to storm water discharged either to waters of the state or to storm water treatment devices. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to control pollutant loads, an estimate of the new or increased discharge of pollutants following treatment, and when appropriate, a description of the effect of the new or increased discharge on existing storm water treatment facilities.

3.4.2 The comprehensive annual facility site compliance inspection, quarterly visual inspection of storm water quality, or other information reveals that the provisions of the SWPPP are ineffective in controlling storm water pollutants discharged to waters of the state.

3.4.3 Upon written notice that the Department finds the SWPPP to be ineffective in achieving the conditions of this permit.

3.5 Storm Water Discharges to Outstanding and Exceptional Resource Waters If the permittee's industrial storm water will discharge to an outstanding resource water or exceptional resource water, the permittee shall include a written section in the SWPPP that discusses and identifies the management practices and control measures the permittee will implement to prevent the discharge of any pollutant(s) in excess of the background level within the water body. This section of the permittee's plan shall specifically identify control measures and practices that will collectively be used to prevent the discharge of pollutants in excess of the background level within the water body.

4. MONITORING REQUIREMENTS

4.1 Purpose Monitoring includes site inspections and non-storm water discharge assessments. The purpose of monitoring is to evaluate storm water outfalls for the presence of non-storm water discharges, and to evaluate the effectiveness of the permittee's pollution prevention activities in controlling contamination of storm water discharges.

4.2 Evaluation of Non-Storm Water Discharges

4.2.1 The permittee shall evaluate all storm water outfalls for non-storm water contributions to the storm drainage system for the duration of this permit. Any monitoring shall be representative of non-storm water discharges from the facility. Evaluations shall take place during dry periods, and may include either end of pipe screening or detailed testing of the storm sewer collection system. Either of the following monitoring procedures is acceptable:

4.2.1.1 A detailed testing of the storm sewer collection system may be performed. Acceptable testing methods include dye testing, smoke testing, or video camera observation. The Department may require a re-test after 5 years or a lesser period as deemed necessary by the Department.

4.2.1.2 End of pipe screening shall consist of visual observations made at least twice per year at each outfall of the storm sewer collection system. Instances of dry weather flow, stains, sludge, color, odor, or other indications of a non-storm water discharge shall be recorded.

4.2.2 In addition to maintaining results on-site at the facility, results of the non-storm water evaluations shall be included in the SWPPP summary required in Section 5.1 of this permit and the Annual Facility Site Compliance Inspection report required in Section 5.2 of this permit. Information reported shall include the date of testing, test method, outfall location, testing results, and potential significant sources of non-storm water discovered through testing. Upon discovering non-storm water flows that are not covered under another WPDES permit, the permittee shall either immediately seek coverage under another permit from the Department or eliminate the non-storm water flow.

4.2.3 Any permittee unable to evaluate an outfall for non-storm water discharges shall sign a statement certifying that this requirement could not be complied with, and include a copy of the statement in the SWPPP and the Annual Facility Site Compliance Inspection report. The statement shall be submitted to the Department within 30 days after the permittee determines that it is unable to evaluate an outfall.

4.3 Evaluation of Storm Water Discharges The permittee shall evaluate storm water outfalls for storm water contributions to the storm drainage system. Any monitoring shall be representative of storm water discharges from the facility.

4.3.1 Annual Facility Site Compliance Inspection Permittees shall perform and document the results of an Annual Facility Site Compliance Inspection (AFSCI). The AFSCI shall be adequate to verify that the site drainage conditions and potential pollution sources identified in the SWPPP remain accurate, and that the best management practices prescribed in the SWPPP are being implemented, properly operated and adequately maintained. Information reported shall include the inspection date, inspection personnel, scope of the inspection, major observations, and revisions needed in the SWPPP.

4.3.2 Quarterly Visual Monitoring Permittees shall perform and document quarterly visual inspections of storm water discharge quality at each storm water discharge outfall. Inspections shall be conducted within the first 30 minutes of discharge or as soon thereafter as practical, but not exceeding 60 minutes. The inspections shall include any observations of color, odor, turbidity, floating solids, foam, oil sheen, or other obvious indicators of storm water pollution. Information reported shall include the inspection date, inspection personnel, visual quality of the storm water discharge, and probable sources of any observed storm water contamination.

4.3.3 Monitoring Waivers The Department may waive specific monitoring requirements for the following reasons:

4.3.3.1 The permittee indicates that either an employee could not reasonably be present at the facility at the time of the snowmelt or runoff event, or that attempts to meet the monitoring requirement would endanger employee safety or well being.

4.3.3.2 The permittee indicates that there were no snow melt or runoff events large enough to conduct a quarterly visual inspection at an outfall. A waiver is automatically granted for a quarter where the permittee sufficiently documents and retains records demonstrating that there were no snow melt or runoff events large enough to conduct a quarterly visual inspection at the facility during that quarter. Documentation and records used to qualify for an automatic waiver shall be submitted to the Department upon request.

4.3.3.3 The facility is inactive or remote facility (such as an inactive mining operation) where the permittee demonstrates that monitoring and inspection activities are impractical or unnecessary. At a minimum, the Department shall establish an alternative requirement that the permittee make site inspections by a qualified individual at least once in every 3-year period.

4.3.3.4 The permittee demonstrates to the Department's satisfaction that the sources of storm water contamination are outside of the permittee's property boundary and are not

associated with the permittee's activities. The demonstration shall be presented in the SWPPP or AFSCI report and submitted to the Department for evaluation.

5. COMPLIANCE AND REPORTING REQUIREMENTS

5.1 SWPPP Compliance and Reporting Requirements

5.1.1 An owner or operator of a facility requiring coverage under this permit shall prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to applying for permit coverage under s. NR 216.22, Wis. Adm. Code, and shall submit a SWPPP summary to the Department when applying for coverage under this permit. For existing facilities that previously operated without required permit coverage and without a SWPPP as required, the owner or operator shall immediately develop a SWPPP and submit a SWPPP summary to the Department, and implement the SWPPP to achieve compliance with this permit in the shortest practicable time.

5.1.2 The SWPPP shall conform to the requirements specified in s. NR 216.27 (3), Wis. Adm. Code, and Section 3.3 of this permit.

5.1.3 The SWPPP shall be kept at the facility and made available to the Department for inspection and copying upon request. If storm water discharges from the facility enter a municipal separate storm sewer system covered under a storm water permit pursuant to Subchapter I of ch. NR 216, Wis. Adm. Code, the SWPPP shall be made available to the owner or operator of the municipal separate storm sewer system for inspection and copying upon request.

5.1.4 The SWPPP summary shall be submitted to the Department on a form available from the Department.

Note: The SWPPP summary form is available for download from the Department's Internet website at: <http://dnr.wi.gov/runoff/stormwater/industrialforms.htm>. If you are unable to access this form over the Internet, please contact the Department at (608) 267-7694 for assistance.

5.1.5 If the SWPPP summary is inadequate or incomplete, the Department shall notify the permittee, and may request a review of the entire SWPPP.

5.1.6 Unless an alternate implementation schedule is specified by the Department, the SWPPP shall be implemented in accordance with the implementation schedule developed under Section 3.3.2.11 of this permit.

5.1.7 The permittee shall keep the SWPPP current and amend it as necessary to correct deficiencies in the original SWPPP. The permittee shall amend the SWPPP and notify the Department in the event of any facility operational changes that could result in additional significant storm water contamination.

5.2 Monitoring Compliance and Reporting Requirements

5.2.1 The permittee shall conduct the first Annual Facility Site Compliance Inspection (AFSCI) within 12 months of the **Start Date** of coverage under this general permit. Subsequent AFSCIs shall be conducted and AFSCI reports prepared by the permittee by the anniversary of the **Start**

Date for each year of coverage under this permit. Reports shall be written on forms available from the Department and shall contain information from the AFSCI, the quarterly visual inspection, and the non-storm water evaluation. Copies of all of AFSCI reports, quarterly visual inspections and non-storm water monitoring reports shall be maintained on site at the facility and made available to the Department for inspection and copying upon request for the duration of permit coverage.

Note: The AFSCI Report form and the Quarterly Visual Inspection form are available for download from the Department's Internet website at:

<http://dnr.wi.gov/runoff/stormwater/industrialforms.htm>

If you are unable to access this form over the Internet, please contact the Department at (608) 267-7694 for assistance.

5.2.2 Quarterly visual inspections of storm water discharge quality shall be conducted by the permittee four times annually by the anniversary date of **Start Date** of coverage under the permit.

5.3 Discharges to Regulated Municipal Separate Storm Sewer Systems

5.3.1 Permittees regulated under this permit with storm water discharges and non-storm water discharges entering a municipal separate storm sewer system covered under a storm water permit pursuant to Subchapter I of ch. NR 216, Wis. Adm. Code, shall provide information on these discharges to the owner or operator of the municipal separate storm sewer system upon request. Information the permittee shall provide includes the area or sub-areas of the facility draining to the municipal separate storm sewer system, the nature of industrial activity and potential storm water contamination sources in the areas draining to the system, the nature and number of non-storm water discharges to the system, storm water best management practices employed at the facility and their effectiveness at pollutant removal, storm water monitoring data, and copies of the SWPPP and AFSCI reports.

5.3.2 Upon discovering a previously unknown non-storm water discharge to the municipal separate storm sewer system that is not authorized to discharge under a required WPDES permit or that is an illicit discharge as defined by s. NR 216.002 (11), Wis. Adm. Code, the permittee shall immediately report the discharge to the owner or operator of the municipal separate storm sewer system.

5.3.3 The permittee shall immediately report spills or dumping of materials that enter the municipal separate storm sewer system to the owner or operator of the system.

5.3.4 In accordance with the owner or operator's established authority to control discharges to its municipal separate storm sewer system, the permittee shall assist the owner or operator of the system with detecting and eliminating illicit discharges to the system to the maximum extent practicable if the owner or operator finds that the source of an illicit discharge may originate from the permittee's facility.

6. STANDARD REQUIREMENTS The requirements in s. NR 205.07 (1) and (3), Wis. Adm. Code, are hereby incorporated by reference in this permit. The permittee shall comply with all of these requirements, except for s. NR 205.07 (1) (n), Wis. Adm. Code, which does not apply to facilities covered

under general permits. Some of these requirements are outlined below in Sections 6.1 through 6.24 of this permit. Requirements not outlined below can be found in s. NR 205.07 (1) and (3), Wis. Adm. Code.

6.1 Work near Surface Waters and Wetlands Any work performed in wetland areas or within areas subject to local floodplain and shoreland regulations must conform to all applicable county or local ordinances. All applicable state permits and/or contracts required by chs. 30, 31 and 87, Wis. Stats. (or by Wisconsin Administrative Code adopted under these laws), and applicable federal permits must be obtained as necessary.

6.2 Duty to Comply Any act of noncompliance with this permit is a violation of this permit and is grounds for enforcement action or withdrawal of permit coverage under this permit and issuance of an individual permit. If the permittee files a request for an individual WPDES permit or a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the permittee of any permit condition.

6.3 Continuation of the Expired General Permit The Department's goal is to reissue this general permit prior to its expiration date. However, if that does not occur, s. NR 205.08 (9), Wis. Adm. Code, specifies that an application for reissuance of the permit will be considered to have been submitted for all of the dischargers in the class or category covered by this general permit. The class application for general permit reissuance allows the conditions and requirements of the expired permit to remain in effect until the permit is reissued or revoked.

6.4 Duty to halt or reduce activity Upon failure or impairment of best management practices identified in the SWPPP, the permittee shall, to the extent deemed necessary by the Department to maintain compliance with its permit, modify or curtail operations until the best management practices are restored or an alternative method of storm water contamination control is provided.

6.5 Other Information When the permittee becomes aware that it has failed to submit any relevant facts or submitted incorrect information in the application or in plans in accordance with this permit, the permittee shall promptly submit such facts or information to the Department.

6.6 Records Retention The permittee shall retain records of all monitoring information and copies of all reports required by this permit for a period of at least 5 years from the date of the sample, measurement, report or application.

6.7 Notice of Termination If an owner or operator of a facility no longer claims coverage under this general permit, the permittee shall submit a signed notice of termination to the Department.

6.7.1 Notice of termination forms may be obtained from the regional offices of the Department or by writing to the Department of Natural Resources, Storm Water Program – WT/3, Box 7921, Madison, WI 53707-7921.

Note: The Notice of Termination form is also available for download from the Department's Internet website at:

<http://dnr.wi.gov/runoff/stormwater/industrialforms.htm>

If you are unable to access the permit over the Internet, please contact the Department at (608) 267-7694 for assistance.

6.7.2 Notice of termination forms shall be filed with the appropriate Department regional office or mailed to the Department of Natural Resources, Storm Water Program – WT/3, Box 7921, Madison, WI 53707-7921.

6.7.3 Termination of coverage shall be effective upon issuance of written confirmation by the Department to the permittee.

6.8 Permit actions As provided in s. 283.53, Wis. Stats., after notice and opportunity for a hearing this permit may be modified or revoked and reissued for cause.

6.9 Duty to Mitigate The permittee shall take all reasonable steps to minimize or prevent any adverse impacts on the waters of the state resulting from non-compliance with this permit.

6.10 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 this permit and the Storm Water Pollution Prevention Plan. Proper operation and maintenance includes but is not limited to effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with conditions of the permit.

6.11 Certification and Signature Requirements All applications for coverage under this permit, notices of termination, plans and reports or information submitted to the Department as required by this permit shall be signed by the permittee as follows:

6.11.1 For a corporation, by a responsible corporate officer including president, secretary, treasurer, vice president, manager, or a duly authorized representative having overall responsibility for the operation covered by this permit.

6.11.2 For a unit of government, by a ranking elected official or other duly authorized representative.

6.11.3 For a limited liability company, by a manager.

6.11.4 For a partnership, by a general partner; and for a sole proprietorship, by the proprietor.

6.12 Duty to Provide Information The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request to determine whether cause exists for modifying, revoking, or reissuing the permit or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records or reports required to be kept by the permittee.

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

6.14 Property Rights The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.

6.15 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.

6.16 Transfers Coverage under this permit is not transferable to any person except after notice to the Department in accordance with Section 1.4 of this permit.

6.17 Inspection and Entry Upon the presentation of credentials, the permittee shall allow an authorized representative of the Department to:

6.17.1 Enter upon the permittee's premises where a regulated discharge or activity is located or conducted, or where records are required to be kept under the conditions of the permit.

6.17.2 Have access to and copy, at reasonable times, any records that are required under the conditions of the permit.

6.17.3 Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit.

6.17.4 Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

6.18 Spill Reporting The permittee shall immediately 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 that results in the discharge of pollutants to the waters of the state. The Department shall be notified via the toll-free 24-hour spill hotline (1-800-943-0003).

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

6.20 Notification of Noncompliance Reports of noncompliance with requirements contained in any compliance schedule of the permit shall be submitted by the permittee in writing within 14 days of the permittee becoming aware of the noncompliance. Any report of noncompliance shall include a description of the noncompliance; its cause; the steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and the effect of the noncompliance on the permittees ability to meet remaining schedules.

6.21 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.

6.22 Permit Fee A storm water discharge permit fee shall be paid annually for each industrial facility covered under this permit. The permittee will be billed by the Department annually in May of each year and the fee is due by June 30 of each year in accordance with s. NR 216.30, Wis. Adm. Code.