

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

NOTICE OF FINAL DETERMINATION TO REISSUE A WISCONSIN POLLUTANT DISCHARGE
ELIMINATION SYSTEM (WPDES) GENERAL PERMIT No. WI- 0046558-06-0

General Permit Name: CARRIAGE AND/OR INTERSTITIAL WATER FROM DREDGING OPERATIONS (NO. WI-0046558-06-0)

Receiving Water and Location: Surface waters and groundwaters in the state of Wisconsin.

Brief Description of Facilities Covered under General Permit: This general permit is applicable to discharges of carriage and/or interstitial water associated with mechanical or hydraulic dredging of sediment from the beds of waterways or other similar wastewaters that are discharged directly to surface waters or indirectly to groundwaters via seepage in the state of Wisconsin.

Permit Drafter's Name, Address, Phone and Email: Trevor J. Moen, DNR, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, phone: (608)266-3906 or email: Trevor.Moen@Wisconsin.gov.

Date Permit Signed/Issued: June 29, 2018

Date of Effectiveness: July 1, 2018

Date of Expiration: June 30, 2023

Following the public notice period, the Department has made a final determination to reissue the Dewatering Operations WPDES General Permit. The information from the WPDES permit file, comments received on the proposed permit and applicable Wis. Adm. Codes were used as a basis for this final determination.

The Department has the authority to issue, modify, suspend, revoke and reissue or terminate WPDES permits and to establish effluent limitations and permit conditions under ch. 283, Wis. Stats.

Any minor corrections to typographical errors, updating page numbers and headers/footers, adding and updating the Table of Contents and titles, correcting formatting, renumbering headings, and web links are not included in this summary document. The following is a summary of significant comments and any significant changes which have been made in the terms and conditions set forth in the draft permit:

Changes Initiated by the Department:

- WPDES Permit Program Background, General Permit Objective, and General Permit Summary sections in the permit on page i were moved to the permit fact sheet. These sections are not permit requirements.
- Under Section 1.2 of the permit, all references to permit equivalency have been removed for sites under the direction and supervision of the EPA, US Army Corps of Engineers, and Wisconsin Department of Transportation.
- Throughout the permit working days has been changed to business days to match the definition in ch. NR 200, Wis. Adm. Code.
- Language in Sections 2.2 and 2.3 have been changed to concisely state requirements for incomplete NOIs and granting of coverage.
- Section 2.4 was moved to a note under Section 2.3 as this is not a permit requirement.
- The department added Sections 5.3.2-5.3.4 and 6.6-6.8 to explain appropriate test methods and compliance with the limits for PAHs, benzo(a)pyrene, and naphthalene.
- Section 5.3 has been changed to allow requests for the calculation of site specific limits in lieu of complying with the limits in the permit for metals, PCBs, dioxin, and total phosphorus as well as ammonia nitrogen for contaminated sediment discharges to surface water. In such cases, the water quality based effluent limits for toxic substances are determined using the procedures in chs. NR 105 and NR 106, Wis. Adm. Code; and for phosphorus using the procedures in chs. NR 102 and 217, Wis. Adm. Code.
- Sections 5.5 and 6.5 were revised to remove the 20% of the discharge concentration limit requirement. The department believes that the requirement to not exceed 20% of the discharge concentration limit at any time, is not realistically attainable. The threshold of 20% of the discharge concentration limit was removed.

Instead, the sample analytical results shall not exceed the permit discharge concentration limits at any time during the period of monitoring, and frequency is reduced in a prescribed manner overtime, provided no limit exceedances occur.

- Sections 8.2.5 and 8.2.6 have been removed from the permit as they not permit requirements.
- Section 8.3.2 has been removed as this requirement is not applicable to general permits.
- Sections 8.3.11-8.2.13 were added to the permit now to explain sampling and testing procedures as well as the requirement for testing performed by a certified or registered laboratory with exclusions.
- Section 10 has been moved to the Appendix A as definitions are not permit requirements.

Comments Received from the Applicant, Individuals or Groups

No comments were received from any applicants, individuals, or groups.

Comments Received from EPA or Other Government Agencies

No comments were from EPA or any other government agencies.

As provided by s. 283.63, Wis. Stats., and ch. 203, Wis. Adm. Code, persons desiring further adjudicative review of this final determination may request a public adjudicatory hearing. A request shall be made by filing a verified petition for review with the Secretary of the Department of Natural Resources within 60 days of the date the permit was signed (see permit signature date above). Further information regarding the conduct and nature of public adjudicatory hearings may be found by reviewing ch. NR 203, Wis. Adm. Code, s. 283.63, Wis. Stats., and other applicable law, including s. 227.42, Wis. Stats.

Information on file for this permit action, including the draft permit and fact sheet may be reviewed on the internet at the above web link or may be inspected and copied at the permit drafter's office during office hours. Information on this permit may also be obtained by calling the permit drafter or by writing to the Department. Reasonable costs (usually 20 cents per page) will be charged for copies of information in the file other than the public notice, permit and fact sheet. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.