WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

GENERAL PERMIT TO DISCHARGE UNDER THE
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of Chapter 283, Wisconsin Statutes, any vessel entering Lake Michigan, Lake Superior or other waters where a vessel may transit located within the boundaries of Wisconsin, meeting the applicability criteria listed in this general permit, is permitted to discharge

Ballast Water

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

State of Wisconsin Department of Natural Resources
For the Secretary

By _____
Adrian Stocks
Director, Bureau of Water Quality

04 / 01 / 2020
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE – April 1, 2020 **EXPIRATION DATE – March 31, 2025**

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1 Applicability

1.1 Vessels Covered

This permit applies to discharges of ballast water from oceangoing vessels and Great Lakes vessels required to obtain the US Environmental Protection Agency (EPA) 2013 Vessel General Permit (VGP), that operate within waters of the State of Wisconsin, and which weigh 300 gross tons or more, or have a ballast tank capacity of at least 2113 gallons (8 cubic meters) and are 79 feet (24.1 meters) in length or more.

Note: The Wisconsin Ballast Water Discharge General Permit is in addition to the requirements of the VGP, including Wisconsin's Water Quality Certification of the VGP. This permit incorporates language from the VGP.

1.2 Vessels Excluded

The following vessels are not required to obtain coverage under this permit:

- Vessels that carry ballast water in permanently sealed ballast water tanks that are not subject to discharge.
- Vessels that only discharge their ballast water to an on-shore ballast water treatment facility or to another vessel that either provides treatment or conveys the ballast water to an on-shore treatment facility.
- Vessels that have zero ballast or flow-through type ballast techniques.
- Military vessels of the U.S. Armed Forces, as defined in section 312 of the CWA, are exempt in accordance with the Uniform National Discharge Standards program that applies to discharges incidental to the normal operation of vessels of the Armed Forces.

1.3 Activities Not Covered

This permit does not apply to activities meeting any of the following conditions:

- Activities likely to jeopardize the continued existence of a state designated threatened or endangered species or specie proposed for such designation, or which is likely to destroy or adversely modify the habitat of such species [s. 29.604, Wis. Stats.; s. NR 1.015(1)(a), Wis. Adm. Code].
- Activities that would result, overall, in adverse impacts to fishery spawning habitat or adversely affect avifauna breeding areas or substantially disrupt the movement of those species which normally migrate from open water to upland or vice versa (i.e. amphibians, reptiles and mammals) [s. NR 102.01(2), Wis. Adm. Code].
- Activities detrimental to the public interest in waters of the state [s. NR 102.01(2), Wis. Adm. Code].
- Discharges containing aquatic invasive species (AIS) or diseases (such as Viral Hemorrhagic Septicemia, or VHS) at a level that would violate the designated use of the waterbody; constitute a threat to public health, safety, or welfare; or contribute to a violation of water quality standards [s. NR 102.01, Wis. Adm. Code].
- Activities that transport, introduce, possess, or transfer invasive species unless the Wisconsin Department of Natural Resources (department) has determined that reasonable precautions have been made to prevent or minimize such occurrences to comply with ch. NR 40, Wis. Adm. Code.
- A discharge from vessels carrying high-risk ballast water without department review and authorization. If the department determines ballast water proposed for discharge represents a high-risk for introduction of nonindigenous species, it will notify permittees and port authorities of the high-risk water and if feasible management alternatives are available to minimize that risk and protect waters of the state.
- Fills or deposition of material in navigable water (s. 30.12, Wis. Stats).

2 Obtaining Permit Coverage

2.1 Submittal of a Notice of Intent (NOI)

For new vessels and for vessels not previously covered, applicants must submit a complete Notice of Intent (NOI) under this general permit at least thirty (30) days prior to entering Wisconsin waters. Permittees with vessels that currently have coverage under this general permit shall submit a NOI every five years from the original permit coverage date for each vessel. The submittal of the EPA NOI will serve to request coverage under WPDES general permit WI-0063835-03 and is available as a fillable PDF form at the following website: http://www.epa.gov/npdes/pubs/vessel_vgp_noi.pdf

If you have already submitted a NOI to the EPA, an electronic copy of the Notice of Intent (eNOI) may be accessed at the following website: https://ofmpub.epa.gov/apex/vgpenoi/f?p=vgp:Search

2.2 Incomplete NOI

The department may require an applicant to submit additional information if the department determines a NOI is incomplete. The applicant shall submit the requested information prior to coverage being granted.

2.3 Granting of Coverage

An operator of a vessel may not transit or discharge ballast water to waters of the state until coverage under this general permit is granted by the department. All applicants meeting the applicability requirements of this general permit are required to have received a letter from the department granting coverage for a vessel under this general permit prior to commencing discharge from that vessel to the waters of the state.

2.4 Notice of Termination (NOT)

The permittee shall inform the department in writing, if they wish to discontinue permit coverage under this permit for a vessel, stating why permit coverage is no longer needed or submit the department Notice of Termination (NOT) form found on this website: https://dnr.wi.gov/topic/Wastewater/GeneralPermits.html. If the permittee will also be discontinuing coverage under the VGP, a copy of the EPA VGP NOT will be accepted. Coverage under WPDES general permit WI-0063835-03 will automatically be terminated upon this notice being submitted to the department and the department will inform the permittee in writing that coverage is terminated under this general permit.

3 Prohibited Discharges

3.1 Intake Filtration Residuals and Separated Solids

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

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

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

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

The permittee shall maintain documentation on the removal and disposal of these solid wastes that occur within the jurisdiction of Wisconsin, and shall provide the following information to the department upon request:

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

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

3.3 Seawater

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

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

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

4 Ballast Water Management

The discharge of ballast water shall comply with the 2013 VGP, including Part 6.25, in addition to the following subsections.

4.1 Ballast Water Discharge Standards

Ballast water discharges must meet the following water discharge limits in Table 1 and be consistent with the schedule in Table 2, unless the vessel is excluded from these requirements by Parts 2.2.3.5.3 or 2.2.3.8 of the 2013 VGP.

Table 1: IMO Standard

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Organisms > 50 µm in minimum dimension	Daily Average	< 10 Viable organisms per m^3	Per VGP	Per VGP
Organisms 10 - 50 µm in minimum dimension	Daily Average	< 10 Viable organisms per ml	Per VGP	Per VGP
Escherichia coli	Daily Average	< 250 cfu per 100 ml	Per VGP	Per VGP
Intestinal enterococci	Daily Average	< 100 cfu per 100 ml	Per VGP	Per VGP
Vibrio cholerae	Daily Average	< 1 cfu per 100 ml	Per VGP	Per VGP

Table 2: Ballast Water Treatment Schedule

	Vessel's Ballast Water Capacity	Date Constructed	Vessel's Compliance Date
New vessels	> $8m^3$	After December 1, 2013	On delivery
Existing vessels	Less than 1500 m^3	On or before December 1, 2013	1st scheduled drydocking after January 1, 2016 or per USCG extension letter
	1500-5000 m^3	On or before December 1, 2013	1st scheduled drydocking after January 1, 2014 or per USCG extension letter
	Greater than 5000 m^3	On or before December 1, 2013	1st scheduled drydocking after January 1, 2016 or per USCG extension letter

If the permittee obtains an extension approval for a vessel by the USCG in relation to Table 2 compliance dates, the extension approval letter shall be provided to the department upon request.

4.2 Ballast Water Treatment Systems (BWTS):

Treatment systems that are required to meet section 4.1, must be type approved by the USCG and meet IMO standards in freshwater. Upon request, the permittee shall provide the department with the name of the onboard BWTS and verification of type approval certification by the USCG.

Treatment systems must be operated to manufactures guidelines and Part 2.2.3.5.1.1 of the 2013 VGP.

4.3 Ballast Water Exchange or Flushing

Ballast water exchange on oceangoing vessels containing ballast, and ballast water flushing on oceangoing vessels containing no ballast on board (NOBOB) shall be carried out beyond the Exclusive Economic Zone (EEZ), from an area more than 200 nautical miles from any shore, in waters more than 2000 meters deep, such that, at the conclusion of the exchange or saltwater flush, any tank from which ballast water will be discharged contains water with a minimum salinity level of 30 parts per thousand. These requirements remain in effect after an onboard BWTS becomes operational.

4.4 Biocide Use

The use of biocides is subject to the requirements in Part 2.2 of the 2013 VGP.

4.4.1 Discharge Limits for Biocide Treatment

Discharges of ballast water from vessels employing BWTS or emergency treatment using chlorine or other biocides shall be monitored to comply with the following effluent limits in Table 3:

Table 3: Biocide Effluent Limits

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Total Residual Chlorine	Daily Maximum	38 μg/L	See VGP Part 2.2.3.5.1.1.5.2	Per VGP
Chlorine Dioxide	Daily Maximum	200 ug/L	See VGP Part 2.2.3.5.1.1.5.2	Per VGP
Biocide – Other	Daily Maximum	As approved by the department	As approved by the department	To be determined

4.4.2 Department Evaluation and Approval for Other Biocide Treatments

Discharges containing biocides or other water treatment additives that may be added to the ballast water are prohibited under this general permit unless their use is approved in writing by the department prior to initiating discharge. Any subsequent changes in biocide or water treatment additive usage must be approved prior to use. The permittee shall maintain records of the biocide and other water treatment additive(s) used, including the name, manufacturer, total quantity used, and daily maximum dosage. The use of other biocides must comply with any use restrictions the department specifies in its approval.

The permittee shall provide the following information to request department approval:

(a) Commercial name of the additive, function, and the Material Safety Data Sheet (MSDS).

(b) Additive dosage concentration.

(c) Anticipated additive discharge concentration.

(d) Discharge frequency reported as hours per day and days per year.

(e) Removal treatment to deactivate the biocide prior to discharge if necessary, to comply with the department use restriction.

(f) Aquatic toxicity information consisting of at least one 48-hour LC_{50} or EC_{50} value for daphnia magna or ceriodaphnia dubia, and at least one 96-hour LC_{50} or EC_{50} value for either fathead minnow, rainbow trout, or bluegill (this information is usually included in the MSDS). The department will only consider toxicity information on the whole product, not just the active ingredient or component of a product.

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

4.5 Ballast Water and Sediment Management Plan

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

(a) Operation and maintenance procedures for the vessel and crew associated with ballast water management.

(b) Ballast tank cleaning and sediment removal practices.

(c) Actions taken to implement ballast water treatment requirements to comply with the discharge standards in this permit.

(d) The designated position or officer on board the vessel in charge of ensuring the plan is properly implemented.

4.6 Best Management Practices (BMPs)

Permittees shall implement best management practices (BMPs) on vessels for ballast water uptake and discharge in accordance with this section and Part 2.2.3 of the 2013 VGP:

(a) Annually inspect and replace, as necessary, ballast sea chest screens.

(b) Lighten the ship as much as practical to elevate water intakes before ballasting to minimize sediment uptake and increase water flow.

(c) Ballast water taken aboard in VHS affected waters shall be the minimum needed to ensure the safety of the crew and vessel.

(d) Ballast water shall always be taken aboard or discharged via the pumps and never "gravity" fed or drained.

In addition to the BMPs in the 2013 VGP and this section, the department may require additional BMPs in certain circumstances, such as a new AIS or disease outbreak (such as VHS) in the Great Lakes.

4.7 Monitoring

Permittees that treat their ballast water to meet discharge standards in Section 4.1 or for emergency treatment of high-risk ballast water, shall conduct monitoring according to the VGP Part 2.2.3.5.1.

4.8 Safety Exemption

An exemption to any regularly scheduled ballast water treatment, monitoring, or other activity required by this permit is automatically granted if at any time conditions exist due to weather, seas, other extenuating circumstances or emergency that would place the vessel, vessel's crew, or anyone else in danger. When a safety exemption is needed, the vessel shall document the circumstances in the ballast log book described in Subsection 4.9.1. The required permit actions shall be resumed when conditions allow for them to be safely conducted.

4.9 Record Keeping and Reporting

4.9.1 Ballast Water Log Book

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

(a) Ballast discharge – date of the discharge, estimated volume, location where the discharge occurred with start and stop location if the vessel is in transit, and the ballast uptake it is linked to.

(b) Ballast uptake – date ballast was taken onboard, and the source of the ballast water with the name of the harbor or other defined location in the waterbody where the ballast water originated.

(c) Sediment – date ballast tanks were cleaned, estimated volume of sediment removed, and where the sediment was disposed.

(d) Treatment – date ballast water treatment occurred, the dosage of any chemicals, reaction or holding time to complete the treatment, and any other related activities conducted to comply with the permit's monitoring requirements and effluent limitations.

(e) Safety exemption – date unsafe conditions occurred, circumstances that existed to cause the suspension of a permit-required activity, what activities were suspended, and when the activity was resumed.

4.9.2 Discharge Monitoring Reports

The permittee shall submit monitoring data required under Part 2.2.3.5.1.1 of the 2013 VGP, reported on the ballast water treatment system reporting form, Appendix I of the 2013 VGP, upon request by the department for vessels operating an onboard BWTS in Wisconsin waters.

5 Standard Requirements

5.1 NR 205, Wisconsin Administrative Code

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

5.2 Reporting Monitoring Results

Monitoring results obtained during the calendar year shall be summarized and reported by the permittee on the form contained int the 2013 VGP, appendix I. The monitoring results and monitoring reporting required by the 2013 VGP shall be provided to the department upon request.

5.3 Sampling and Testing Procedures

Effluent sampling and laboratory testing procedures shall be performed in accordance with Chapters NR 218 and NR 219, Wis. Adm. Code, and shall be performed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, Wis. Adm. Code when the monitoring is conducted in Wisconsin. The analytical methodologies used shall enable the laboratory to quantitate all substances for which monitoring is required at levels below the effluent limitation. If the required level cannot be met by any of the methods available in NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Alternate test procedures may be specified in this permit.

5.4 Recording of Results

The permittee shall maintain records which provide the following information for each effluent measurement or sample taken:

- The date, exact place, method, and time of sampling or measurements;
- The individual who performed the sampling or measurements;
- The date the analysis was performed;
- The individual who performed the analysis;
- The analytical techniques or methods used; and
- The results of the analysis.

5.5 Reporting of Monitoring Results

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

- Pollutant concentrations less than the method's limit of detection shall be reported as < (less than) the value of the limit of detection. For example, if a substance is not detected at a detection limit of 0.1 mg/L, report the pollutant concentration as < 0.1 mg/L.
- Pollutant concentrations equal to or greater than the limit of detection, but less than the limit of quantitation, shall be reported, and the limit of quantitation shall be specified.
- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a 0 (zero) for any pollutant concentration that is less than the limit of detection. However, if the effluent limitation is less than the limit of detection, the department may substitute a value other than zero for

results less than the limit of detection, after considering the number of monitoring results that are greater than the limit of detection and, if warranted, when applying appropriate statistical techniques.

5.6 Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three years from the date of the sample, measurement, report or application, except for sludge management forms and records, which shall be kept for a period of at least five years, as set forth in ch. NR 205.07(1)(f).

5.7 Other Information

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

5.8 Noncompliance Notification

The permittee shall report the following types of noncompliance by a telephone call to one of the department's regional offices within 24 hours after becoming aware of the noncompliance (Lake Michigan calls (414) 263-8500 or Lake Superior calls (715) 392-7988):

a. Any noncompliance which may endanger health or the environment;
b. Any violation of an effluent limitation resulting from an unanticipated bypass;
c. Any violation of an effluent limitation resulting from an upset; or
d. Any violation of a maximum discharge limitation for any of the pollutants listed by the department in this permit.

A written report describing the noncompliance shall also be submitted to one of the department's regional offices within five days after the permittee becomes aware of the noncompliance. On a case-by-case basis, the department may waive the requirement for submittal of a written report within five days and instruct the permittee to submit the written report with the next regularly scheduled monitoring report. In either case, the written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.

The permittee shall give advance notice to the department of any planned changes in the permitted vessel or activity which may result in noncompliance with permit requirements.

Note: Section 292.11(2)(a), Wis. Stats., requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the department ***immediately*** *of any discharge not authorized by the permit. The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call the department's 24-hour HOTLINE at* ***1-800-943-0003****.*

5.9 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of this permit. If the treatment control system has been type approved by the USCG, a state certified operator is not necessary for operation of the treatment system.

5.10 Spill Reporting

The permittee shall notify the department in accordance with ch. NR 706, Wis. Adm. Code, in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations established in this permit, or the spill or accidental release of the material is not allowed by this permit, unless the spill or release of pollutants has been reported to the department in accordance with s. NR 205.07(1)(s), Wis. Adm. Code.

5.11 Planned Changes

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

5.12 Duty to Halt or Reduce Activity

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

5.13 Permit Coverage Transfers

A permit is not transferrable to any person. If a transfer of vessel ownership or operator occurs, the new owner or operator must submit a NOI to the department prior to date of transfer and receive a letter granting coverage under the general permit, prior to discharging ballast water.

5.14 Continuation of an Expired General Permit

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

5.15 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 remain in effect.

6 Summary of Reports Due

Description	Date	Page
Notice of Intent – Vessels Not Previously Permitted	30 days prior to entering Wisconsin Waters	4
Notice of Intent – New Vessels	30 days prior to entering Wisconsin Waters	4
Notice of Intent– Vessels with Existing Permit Coverage	Every fifth year of permit coverage	4
Request for Biocide Approval	Prior to discharge	8
USGC Ballast Water Treatment System type approval	Upon request	8
Ballast Water and Sediment Management Plan	Upon Request	9
Discharge Monitoring Reports	Upon Request	10
NOI for transfer in Ownership/Operator	By the date of transfer	13

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

DNRWisconsinBallastWater@wisconsin.gov

or

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

7 Definitions

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

"cfu" means colony forming unit.

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

"Constructed" means the same as the definition in Appendix A of the 2013 VGP when defining a new vessel.

Note: Definition of "constructed" in Appendix A of the VGP is "a state of construction of a vessel at which—

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

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

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

"Exclusive Economic Zone" (EEZ) means the area established by Presidential Proclamation Number 5030, dated March 10, 1983 (48 FR 10605) which extends from the base line of the territorial sea of the United States seaward 200 miles, and the equivalent zone of Canada.

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

"Great Lakes Vessel" also referred to as "Laker" in the 2013 VGP means Existing Bulk Carrier Vessels built before January 1, 2009, that operate exclusively in Lake Ontario, Lake Erie, Lake Huron (including Lake Saint Clair), Lake Michigan, Lake Superior, and the connecting channels (Saint Mary's River, Saint Clair River, Detroit River, Niagara River, and Saint Lawrence River to the Canadian border), including all other bodies of water within the drainage basin of such lakes and connecting channels).

"High-risk Ballast Water" is referenced in s. NR 102.01(2), Wis. Adm. Code and the 2013 VGP 6.25.5(d).

"IMO Standard" means the International Maritime Organization's proposed Regulation D-2 performance standards for the discharge of ballast water.

"Oceangoing Vessel" means a vessel eligible for coverage under the2013 VGP that operates outside the Great Lakes and does not meet the definition of "Great Lakes Vessel".

"VGP" means the Vessel General Permit issued by EPA on March 28, 2013.

"Viable Organism" means an organism that is living and able to reproduce.