



# WPDES PERMIT

*STATE OF WISCONSIN*  
*DEPARTMENT OF NATURAL RESOURCES*  
**PERMIT TO DISCHARGE UNDER THE  
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**United Wisconsin Grain Producers LLC**

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to discharge from a facility  
located at  
County Road EF NWQ Sec 27 R12E T13N  
to

North Branch of Duck Creek in Columbia County

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

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after this expiration date an application shall be filed for reissuance of this permit, according to Chapter NR 200, Wis. Adm. Code, at least 180 days prior to the expiration date given below.

State of Wisconsin Department of Natural Resources  
For the Secretary

By \_\_\_\_\_  
Marjorie Devereaux  
South Central Region Water Media Leader

\_\_\_\_\_  
Date Permit Signed/Issued

**PERMIT TERM: EFFECTIVE DATE – July 1, 2003**

**EXPIRATION DATE - June 30, 2008**

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# 1 Surface Water Requirements

## 1.1 Sampling Point(s)

The discharge(s) shall be limited to the waste type(s) designated for the listed sampling point(s).

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
001	Cooling Water Discharge

## 1.2 Monitoring Requirements and Effluent Limitations

The permittee shall comply with the following monitoring requirements and limitations.

### 1.2.1 Sampling Point (Outfall) 001 - Cooling Water Discharge

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Flow Rate		gpd	Daily	Total Daily	
pH Field	Daily Max	9.0 su	Weekly	Grab	
pH Field	Daily Min	6.0 su	Weekly	Grab	
Suspended Solids, Total	Daily Max	40 mg/L	Monthly	Grab	
Chlorine, Total Residual	Daily Max	38 µg/L	Monthly	Grab	
Zinc, Total Recoverable		µg/L	Monthly	Grab	
Copper, Total Recoverable		µg/L	Annual	Grab	
Lead, Total Recoverable		µg/L	Annual	Grab	
Nickel, Total Recoverable		µg/L	Annual	Grab	
Chloride		µg/L	Annual	Grab	
Hardness, Total as CaCO <sub>3</sub>		µg/L	Annual	Grab	
Additive Water Treatment - Specify	Daily Max	0.25 mg/L	Annual	Grab	BIOTRPL-509
Chronic WET		rTU <sub>c</sub>	Annual	Grab	
Acute WET		TU <sub>a</sub>	Annual	Grab	

#### 1.2.1.1 Whole Effluent Toxicity (WET) Testing

**Primary Control Water:**North Branch of Duck Creek upstream of the discharge point

**Instream Waste Concentration:**100%

**WET Testing Frequency:** Tests are required during the following:

- **Acute: Annually**
- **Chronic: Annually**

**Reporting:** The permittee shall report test results on the Discharge Monitoring Report form, and also complete the "Whole Effluent Toxicity Test Report Form" (page 40 of the "*State of Wisconsin Aquatic Life Toxicity Testing Methods Manual, Edition 1*"), for each test. A copy of the Whole Effluent Toxicity Test Report Form shall be sent to the Biomonitoring Coordinator, WT/2, Bureau of Watershed Management, 101 S. Webster St., P.O. Box 7921, Madison, WI 53707-7921, within 45 days of test completion.

**Determination of Positive Results:** An acute toxicity test shall be considered positive if the Toxic Unit – Acute ( $TU_a$ ) is  $>1.0$  for either species. The  $TU_a$  shall be calculated as follows:  $TU_a = 100/LC_{50}$ . An  $LC_{50} \geq 100$  equals a  $TU_a$  of 1.0. A chronic toxicity test shall be considered positive if the Relative Toxic Unit - Chronic ( $rTU_c$ ) is  $> 1.0$  for either species. The  $rTU_c$  shall be calculated as follows:  $rTU_c = IWC/IC_{25}$ . An  $IC_{25} \geq IWC$  equals an  $rTU_c$  of 1.0.

**Additional Testing Requirements:** Within 90 days of a test which showed positive results, the permittee shall submit the results of at least 2 retests to the Biomonitoring Coordinator on "Whole Effluent Toxicity Test Report Forms". The retests shall be completed in accordance with the same requirements specified for the original test (see the Standard Requirements section herein).

## 2 Standard Requirements

**NR 205, Wisconsin Administrative Code (Conditions for Industrial Dischargers):** The conditions in ss. NR 205.07(1) and NR 205.07(3), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirement section of this permit can be found in ss. NR 205.07(1) and NR 205.07(3).

### 2.1 Reporting and Monitoring Requirements

#### 2.1.1 Monitoring Results

Monitoring results obtained during the previous month shall be summarized and reported on a Department Wastewater Discharge Monitoring Report Form. This report form is to be returned to the Department no later than the date indicated on the form. The original and one copy of the Wastewater Discharge Monitoring Report Form shall be submitted to your DNR regional office. A copy of the Wastewater Discharge Monitoring Report Form shall be retained by the permittee.

If the permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be included on the Wastewater Discharge Monitoring Report Form.

The permittee shall comply with all limits for each parameter regardless of monitoring frequency. For example, monthly, weekly, and/or daily limits shall be met even with monthly monitoring. The permittee may monitor more frequently than required for any parameter.

Monitoring reports shall be signed by a principal executive officer, a ranking elected official, or other duly authorized representative.

#### 2.1.2 Sampling and Testing Procedures

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. Groundwater sample collection and analysis shall be performed in accordance with ch. NR 140, Wis. Adm. Code. 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. Additional test procedures may be specified in this permit.

#### 2.1.3 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.

#### 2.1.4 Reporting of Monitoring Results

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

- Pollutant concentrations less than the 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 calculating an 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.

### **2.1.5 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 3 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 5 years.

### **2.1.6 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.

## **2.2 System Operating Requirements**

### **2.2.1 Noncompliance Notification**

- The permittee shall report the following types of noncompliance by a telephone call to the Department's regional office within 24 hours after becoming aware of the noncompliance;
  - any noncompliance which may endanger health or the environment;
  - any violation of an effluent limitation resulting from an unanticipated bypass;
  - any violation of an effluent limitation resulting from an upset; and
  - any violation of a maximum discharge limitation for any of the pollutants listed by the Department in the permit.
- A written report describing the noncompliance shall also be submitted to the Department's regional office within 5 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 5 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 reoccurrence 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 facility or activity which may result in noncompliance with permit requirements.

### 2.2.2 Unscheduled Bypassing

Any unscheduled bypass or overflow of wastewater at the treatment works or from the collection system is prohibited, and the Department may take enforcement action against a permittee for such occurrences under s. 283.89, Wis. Stats., unless:

- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- The permittee notified the Department as required in this Section.

Whenever there is an unscheduled bypass or overflow occurrence at the treatment works or from the collection system, the permittee shall notify the Department within 24 hours of initiation of the bypass or overflow occurrence by telephoning the wastewater staff in the regional office as soon as reasonably possible (FAX, email or voice mail, if staff are unavailable).

In addition, the permittee shall within 5 days of conclusion of the bypass or overflow occurrence report the following information to the Department in writing:

- Reason the bypass or overflow occurred, or explanation of other contributing circumstances that resulted in the overflow event. If the overflow or bypass is associated with wet weather, provide data on the amount and duration of the rainfall or snow melt for each separate event.
- Date the bypass or overflow occurred.
- Location where the bypass or overflow occurred.
- Duration of the bypass or overflow and estimated wastewater volume discharged.
- Steps taken or the proposed corrective action planned to prevent similar future occurrences.
- Any other information the permittee believes is relevant.

### 2.2.3 Scheduled Bypassing

Any construction or normal maintenance which results in a bypass of wastewater from a treatment system is prohibited unless authorized by the Department in writing. If the Department determines that there is significant public interest in the proposed action, the Department may schedule a public hearing or notice a proposal to approve the bypass. Each request shall specify the following minimum information:

- proposed date of bypass;
- estimated duration of the bypass;
- estimated volume of the bypass;
- alternatives to bypassing; and
- measures to mitigate environmental harm caused by the bypass.

### 2.2.4 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. The wastewater treatment facility shall be under the direct supervision of a state certified operator as required in s. NR 108.06(2), Wis. Adm. Code. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training as required in ch. NR 114, Wis. Adm. Code, 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 the conditions of the permit.

### 2.2.5 Spill Reporting

The permittee shall notify the Department in accordance with ch. NR 706 (formerly NR 158), 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 unregulated in 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.

### 2.2.6 Planned Changes

In accordance with ss. 283.31(4)(b) and 283.59, Stats., the permittee shall report to the Department any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants. The report shall either be a new permit application, or if the new discharge will not violate the effluent limitations of this permit, a written notice of the new, different or increased discharge. The notice shall contain a description of the new activities, an estimate of the new, different or increased discharge of pollutants and a description of the effect of the new or increased discharge on existing waste treatment facilities. Following receipt of this report, the Department may modify this permit to specify and limit any pollutants not previously regulated in the permit.

### 2.2.7 Duty to Halt or Reduce Activity

Upon failure or impairment of treatment facility operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment facility operations are restored or an alternative method of treatment is provided.

## 2.3 Surface Water Requirements

### 2.3.1 Permittee-Determined Limit of Quantitation Incorporated into this Permit

For pollutants with water quality-based effluent limits below the Limit of Quantification (LOQ) in this permit, the LOQ calculated by the permittee and reported on the Discharge Monitoring Reports (DMRs) is incorporated by reference into this permit. The LOQ shall be reported on the DMRs, shall be the lowest quantifiable level practicable, and shall be no greater than the minimum level (ML) specified in or approved under 40 CFR Part 136 for the pollutant at the time this permit was issued, unless this permit specifies a higher LOQ.

### 2.3.2 Appropriate Formulas for Effluent Calculations

The permittee shall use the following formulas for calculating effluent results to determine compliance with average limits and mass limits:

**Weekly/Monthly average concentration** = the sum of all daily results for that week/month, divided by the number of results during that time period.

#### **Weekly Average Mass Discharge (lbs/day)**

Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34



Average the daily mass values for the week.

**Monthly Average Mass Discharge (lbs/day)**

Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34

Average the daily mass values for the month.

**2.3.3 Visible Foam or Floating Solids**

There shall be no discharge of floating solids or visible foam in other than trace amounts.

**2.3.4 COW/NCCW or COW Discharges - WET Testing Requirements**

If discharges consisting of condensate of whey (COW) wastewater only or non-contact cooling water mixed with COW waters (NCCW/COW) pass the first two acute toxicity tests and the first two chronic toxicity tests (if chronic toxicity tests are required) then the permittee is not required to perform additional toxicity testing during this permit term. If positive toxicity is experienced in any of the first two acute or chronic toxicity tests, the permittee may attempt to demonstrate that toxicity is due to ion deficiency. If it can be demonstrated that ion deficiency is the sole cause of toxicity in at least two consecutive positive tests, and the Department agrees in writing, the permittee will not be required to perform additional toxicity testing during this permit term. If it cannot be demonstrated that ion deficiency is the sole cause of toxicity in these tests, the permittee must complete the remaining toxicity tests.

### 3 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Wastewater Discharge Monitoring Report Form	no later than the date indicated on the form	3

All submittals required by this permit shall be submitted to the South Central Region, 3911 Fish Hatchery Road, Fitchburg, WI 53711-5397, except as follows. Report forms shall be submitted to the address printed on the report form. Any facility plans or plans and specifications for municipal, industrial pretreatment and non industrial wastewater systems shall be submitted to the Regional Plan Reviewer (as designated at [www.dnr.state.wi.us/org/water/wm/consultant.html](http://www.dnr.state.wi.us/org/water/wm/consultant.html)). Any construction plans and specifications for industrial wastewater systems shall be submitted to the Bureau of Watershed Management, P.O. Box 7921, Madison, WI 53707-7921.