Government Affairs Seminar 2021
Basics of Wastewater WPDES Permitting in Wisconsin

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Permits Section Chief
Presentation Overview

- Clean Water Act and Applicable Federal Regulations
- Applicable State Wastewater Program Legal Requirements
- WPDES Program Delegation History
- Working with EPA – PQRs, SRFs, RTR Permits, Variances, WQS
- Individual Permits and General Permits
- Variances – IPVs and Phosphorus MDV
- Landspreading Site Reviews and Approval Process
- Who to contact with questions
Clean Water Act & NPDES Program

- Regulate Discharges
- Envisions States Will Administer NPDES Program
NPDES Delegated States

State NPDES Program Authority

State NPDES Program Status:
- Fully authorized
- Fully authorized, including an approved biosolids program
- Partially authorized (click here for details)
- Unauthorized

U.S. Territories:
- American Samoa
- Guam
- Johnston Atoll
- Midway/Wake Islands
- Northern Mariana Islands
- Puerto Rico
- Virgin Islands
WPDES Program and State Authority

- Chapters 283 and 281, Wisc. Stats.
- Wisconsin Administrative Code
  - NR 101 – NR 297 Series
- [https://dnr.wisconsin.gov/topic/Wastewater/WastewaterRules.html](https://dnr.wisconsin.gov/topic/Wastewater/WastewaterRules.html)
WPDES Program History

- Feb. 1974 – Authority to administer WPDES Program granted
- Dec. 1980 – General Permits Program authority granted
- Dec. 1986 – Pretreatment authority granted
- July 2000 – Biosolids Program authority granted
Working with EPA

• EPA Oversight of WPDES Program
  – Permit Quality Review
  – State Review Framework
  – Real Time Permit Reviews
  – Variances
Individual vs General Permit Coverage
**Permit Reissuance Process Flow Chart**

1. **Generate Application**
   - 12-18 months

2. **Application Due**
   - 6 months

3. **Variance Application**

4. **Variance Review**

5. **WQBEL Calculations**

6. **GW Eval**

7. **Substantial Compliance Determination**
   - 3 months

8. **Draft Permit/Fact Sheet**

- Include WQBELs and GW Limits
- Calculate Technology-based Limits
- Compliance Schedules
- Update Requirements
  - Fact Sheet - justify requirements by code/science

- DNR Permit Drafter
- Permittee
- WQBEL Calculator
- Hydrogeologist
- Compliance Engineer
- EPA
- Public
General Permits

- Webpage: https://dnr.wisconsin.gov/topic/Wastewater/GeneralPermits.html
- Total of 24 GPs, with several thousands covered. Low risk activities.
- Application Process
- Contact: Trevor Moen, E-mail: Trevor.Moen@wisconsin.gov
Individual Variance Process

Step 1 – Permittee submits variance application with permit application for reissuance

2 – DNR Reviews Application
3 – DNR drafts permit and variance package, completes internal review
4 – DNR requests additional information from permittee, if needed
5 – DNR sends permit and variance to public notice (45-days notice of hearing)
6 – Permittee, public, and EPA submit public comments no later than 7 days after hearing date
7 – DNR makes final decision on variance and the State adopts the variance
8 – EPA reviews final variance submittal and approves variance
9 – DNR reissues permit with approved variance
10 – Permittee implements PMP actions and follows permit conditions in reissued permit

Permittee reapply for variance if needed and submits with permit application for reissuance.

Contact: Laura Dietrich, Laura.Dietrich@wisconsin.gov
MDV Overview

- While covered under the MDV, a facility is not required to construct upgrades to meet the final WQBEL.
- Facilities covered by the MDV agree to optimize phosphorus removal at the facility, and are held to an interim limit no greater than 1.0 mg/L as a monthly average per s. 283.16(6), Wis. Stats.
- S. 283.16(6)(b) Wis. Stats., discusses a watershed offset option, in which phosphorus discharged above a target value is offset by a reduction of phosphorus in the watershed.
- S. 283.16(8) Wis. Stats. describes a county payment option.
- Counties use funds to install projects that reduce agricultural phosphorus runoff. Counties are required to quantify the results of the projects and report back on their efforts.
- **Contact:** Matt Claucherty, E-mail: Matt.Claucherty@wisconsin.gov
- **MDV Webpage:** [https://dnr.wisconsin.gov/topic/Wastewater/phosphorus/StatewideVariance.html](https://dnr.wisconsin.gov/topic/Wastewater/phosphorus/StatewideVariance.html)
Who to Contact?

Webpage: https://dnr.wisconsin.gov/topic/Wastewater/PermitsStaff.html
Questions?

Thank you.

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