

State of Wisconsin
Department of Natural Resources
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Notice of Final Determination to Reissue Wisconsin Pollutant Discharge Elimination System (WPDES) General Industrial Storm Water Discharge Permits, June 2016

Tier 1 Storm Water Associated with Industrial Activity, WPDES General Permit No. WI-S067849-4: The Tier 1 general permit covers the category of facilities listed in s. NR 216.21(2)(a), Wis. Adm. Code, including a variety of "heavy" type industries and bulk storage facilities. The Tier 1 general permit applies to dischargers throughout Wisconsin meeting the criteria for coverage.

Tier 2 Storm Water Associated with Industrial Activity, WPDES General Permit No. WI-S067857-4: 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 mix facilities. The Tier 2 general permit applies to dischargers throughout Wisconsin meeting the criteria for coverage.

The general permits apply to new and existing storm water discharges to waters of the state throughout Wisconsin and are issued under the statutory authority granted to the Wisconsin Department of Natural Resources (Department) pursuant to ss. 283.33 (storm water discharge permits) and 283.35 (general permits), Wis. Stats.

Pursuant to ss. 203.12 and 205.08(10)(e), Wis. Adm. Code, the Department has made a final determination to reissue the general permits. The general permits are reissued and effective June 15, 2016, and expire on May 31, 2021. Further information concerning the general permits, the Department's response to comments, forms, and related documents may be obtained by contacting Jim Bertolacini, Storm Water Program Coordinator, Wisconsin DNR, P.O. Box 7921, Madison WI 53707-7921, (608) 264-8971, jim.bertolacini@wisconsin.gov. Reasonable costs (usually 20 cents per page) will be charged for copies of information in the file. Information is also available on the DNR's website at: <http://dnr.wi.gov/topic/stormwater/industrial/>

APPEAL RIGHTS

To challenge the reasonableness of or necessity for any term or condition of any of the general permits, Wis. Stat. s. 283.63 and ch. NR 203, Wis. Adm. Code, state that any permit applicant, permittee, affected state, or 5 or more persons may file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days after the Department issues notice of the permit decision.

Section 283.35, Stats., authorizes the Department to issue a general permit for discharges from categories or classes of point sources. The Department may withdraw a facility from coverage under a general permit if it is determined that a discharge is a significant contributor of pollutants, if the discharger is not in compliance with the permit terms and conditions, if there are changes in treatment technology or new effluent standards or limitations since permit issuance, or if a permittee requests individual permit coverage.

For permit-related decisions that are not reviewable pursuant to s. 283.63, Stats., such as the decision to confer general permit coverage to a specific facility, it may be possible for a permittee or other persons to obtain an administrative review pursuant to s. 227.42, Stats., and s. NR 2.05(5), Wis. Adm. Code, or judicial review pursuant to s. 227.52, Stats. If a person chooses to pursue review of a decision to grant general permit coverage to a specific facility, a petition must be filed within 30 days of the date the Department's decision to confer coverage is either mailed or otherwise served. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Stats., a petition must be filed with the appropriate circuit court and be served on the Department. A petition for judicial review must name the Department of Natural Resources as the respondent.