

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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September 23, 2003

Mr. John Genskow, P.E.
Deputy Director, Engineering Division
City of Eau Claire
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Eau Claire, WI 54702-5148

Mr. Terry Classen, P.E.
Director, Facilities Planning & Management
University of Wisconsin Eau Claire (UWEC)
105 Garfield Ave.
Eau Claire, WI 54701

SUBJECT: WPDES Municipal Storm Water Group Permit Issuance No. WI-S050032-1

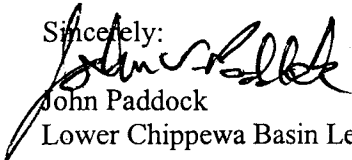
Dear Sirs:

Enclosed please find the Wisconsin Pollutant Discharge Elimination System (WPDES) Permit regulating storm water discharges from the City of Eau Claire and UWEC. The conditions of the attached permit were determined using the permit application, information from your WPDES permit file, other information available to the Department, comments received during the public notice period, and applicable Wisconsin Administrative Codes. All discharges from the City of Eau Claire and the UWEC Municipal Separate Storm Sewer System, and actions or reports relating to this system are regulated under this permit.

This permit requires the periodic submittal of program proposals and contains specific compliance dates. The Department has the authority under chs. 160 and 283, Stats., to establish effluent limitations, monitoring requirements, and other permit conditions for discharges to groundwater and surface waters of the State. The Department also has the authority to issue, reissue, modify, suspend or revoke WPDES permits under ch. 283, Stats., and has adopted Wis. Adm. Code Chapters NR 200, NR 203, NR 205, and NR 216 under this authority.

To challenge the reasonableness of or necessity for any term or condition of the attached permit, s. 283.63, Stats, and ch. NR 203, Wis. Adm. Code require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days of the date of this letter. This notice is provided pursuant to s. 227.48, Stats.

Sincerely:


John Paddock
Lower Chippewa Basin Leader

Dated:

cc: Steve Thon -WCR, Lacey Hoyt - WCR
Eric Rortvedt - WT/2, Permits Unit - WT/2
Ken Stromborg, USFWS - ken_stromborg@fws.gov
DOT

Final 8/30/03
47

File Memo-Summary of Public Participation

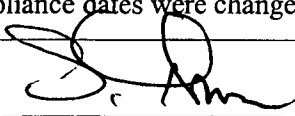
Permit Number: WI-S050032-01-0	
Permittee Name: Eau Claire/UW-EC Municipal Stormwater	
Facility Name and Address: Eau Claire/UW-EC Municipal Stormwater, City-wide MS4 system	
Receiving Water and Location: Various Surface and Groundwater in the Lower Chippewa Basin	
Date Notice Issued: August 18, 2003	
Comments Received During Public Notice	
<input checked="" type="checkbox"/> No significant comments have been received	
<input type="checkbox"/> See comment letters attached (List and describe briefly)	
EPA Review	
<input checked="" type="checkbox"/> No comments by EPA	
<input type="checkbox"/> Changes Requested by EPA (List and attach)	
Action Taken After Public Notice	
<input type="checkbox"/> No changes have been made	
<input checked="" type="checkbox"/> Changes made after Public Notice. (Account for all changes below)	
<input type="checkbox"/> The Expiration Date has changed	
<input type="checkbox"/> The Schedule of Compliance has changed	
<input checked="" type="checkbox"/> Other. Summarize Changes Briefly	Minor typographical and grammar changes were made. Some interim progress dates were changed to allow logical progression. No overall compliance dates were changed.
Permit Drafter - Signature and Date:  9/23/03	

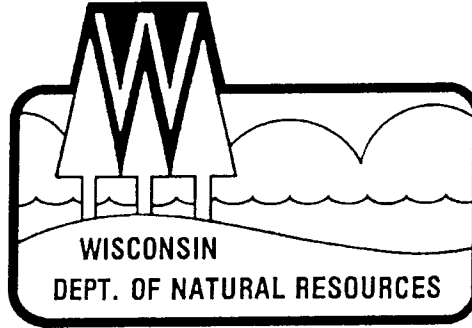
TABLE OF CONTENTS

• Permit Cover Page

• WPDES Permit Part I - Special Conditions

<u>Section</u>	<u>Description</u>	<u>Page</u>
A	Applicability.....	3
B	Application Deficiencies.....	5
C	Monitoring Requirements.....	5
D	Pollutant Loading Calculations.....	7
E	Storm Water Management Program.....	8
F	Effluent Limitations.....	16
G	Assessment of Controls.....	17
H	Annual Report.....	18
I	Areas of Special Concern.....	19
J	Reporting Requirements and Compliance Schedule.....	20

• WPDES Permit Part II - General Conditions.....21



WPDES PERMIT
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

**PERMIT TO DISCHARGE UNDER THE
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of Chapter 283, Wisconsin Statutes,

THE CITY OF EAU CLAIRE (CITY) AND UNIVERSITY OF WISCONSIN-EAU CLAIRE (UWEC)

is permitted to discharge storm water from
ALL PORTIONS OF THE CITY AND UWEC MUNICIPAL SEPARATE STORM SEWER SYSTEM

owned or operated by the permittees listed above to waters of the state including:

Various Surface and
Groundwater

All within the Lower Chippewa Basin

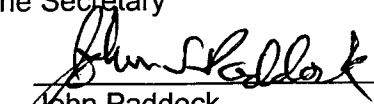
in accordance with the storm water management program, and other conditions set forth in this permit. This permit will become effective on the date of signature.

This permit to discharge shall expire at midnight, September 30, 2008.

To retain authorization to discharge after this expiration date an application shall be filed for reissuance of this permit in accordance with the requirements of Chapter NR 216, Wis. Adm. Code, at least 180 days prior to this expiration date.

State of Wisconsin Department of Natural Resources
For the Secretary

By


John Paddock
Water Team Leader, Lower Chippewa Basin

Sept. 30, 2003
Date of Signature

EFFECTIVE DATE: October 1, 2003

EXPIRATION DATE: September 30, 2008

SPECIAL CONDITIONS

A. APPLICABILITY

- (1) **PERMITTED AREA:** This permit covers all areas within the corporate limits and under the jurisdiction of the City and UWEC that contribute to discharges from the municipal separate storm sewer system owned or operated by the City and UWEC. Municipal separate storm sewer system (MS4) means a conveyance or system of conveyances designed or used for the collection or conveyance of storm water. These include, but are not limited to; storm sewers, roads with drainage systems, municipal streets, catch basins, inlets, curbs, gutters, ditches, constructed channels or storm drains.
NOTE: Navigable waterways are not considered part of the MS4
- (2) **AUTHORIZED DISCHARGES:** This permit authorizes storm water point source discharges to waters of the State from the municipal separate storm sewer system in the permitted area. This permit also authorizes the discharge of storm water commingled with flows contributed by process wastewater, non-process wastewater, and storm water associated with industrial activity, provided the discharges are regulated by other WPDES permits or are discharges which are not illicit discharges as provided in Section E. (6)(a)4 of these Special Conditions.
- (3) **WATER QUALITY STANDARDS:** This permit specifies the conditions under which storm water can be discharged to waters of the state for the purpose of achieving water quality standards contained in chs. NR 102 to NR 105 and NR 140, Wis. Adm. Code. For the term of this permit, compliance with water quality standards will be addressed by the following:
 - (a) Adherence to the narrative type general storm water discharge limitations described in Subsection (4).
 - (b) Implementation of the best management practices of the City and UWEC storm water management program described under Section E. (5) of these Special Conditions.
 - (c) Specific numeric effluent limitations may be included in subsequent permits when procedures applicable to establishing such limits for storm water discharges are promulgated.
- (4) **GENERAL STORM WATER DISCHARGE LIMITATIONS:** The City and UWEC may not discharge from the municipal separate storm sewer system the following substances in amounts that may adversely effect receiving water quality or aquatic life:
 - (a) Solids that may settle to form putrescent or otherwise objectionable sludge deposits.
 - (b) Oil, grease, and other floating material that form noticeable accumulations of debris, scum, foam, or sheen.
 - (c) Color or odor that are unnatural and to such a degree as to create a nuisance .
 - (d) Toxic substances in amounts toxic to aquatic life, wildlife, or humans.

SPECIAL CONDITIONS

- (e) Nutrients conducive to the excessive growth of aquatic plants and algae to the extent that such growths are detrimental to desirable forms of aquatic life, create conditions that are unsightly, or are a nuisance.
 - (f) Any other substances in concentrations that may impair or threaten to impair beneficial uses of the receiving water.
- (5) **INDIVIDUAL RESPONSIBILITIES:** The City and UWEC shall each individually be responsible for:
- (a) Compliance with conditions of this permit relating to discharges from those portions of the municipal separate storm sewer system where it is the owner or operator.
 - (b) Storm water management program implementation, as required by this permit, in areas that drain to the municipal separate storm sewer system where it is the owner or operator.
 - (c) All other activities required by this permit.

SPECIAL CONDITIONS

B. APPLICATION DEFICIENCIES

- (1) **LEGAL AUTHORITY:** Because of the nature of the land and MS4 ownership within the UWEC system it has been determined that no additional legal authority is necessary for UWEC. Modifications to legal authority are only applicable to the City. In addition to enforcing current ordinances listed in the City's NR 216 application, submitted June 21, 2002, ("the permit application") the City shall demonstrate its ability to meet the legal authority requirements of NR 216.06(1)(a-f). Accordingly, the City shall:
- (a) Submit to the Department a plan to consolidate and clarify the City's stormwater regulatory program. The plan must include an identification of the party within the city responsible for enforcement of each ordinance.
 - (b) Submit to the Department additional legal authority as necessary to control the discharge of stormwater from areas of construction and from areas of new development or redevelopment. This additional authority shall be consistent the model ordinances contained in NR 152.

A proposed modified legal authority shall be submitted to the Department for approval no later than SEPTEMBER 30, 2004

If accepted, the modified legal authority shall be in place no later than MARCH 31, 2005

- (2) **INDUSTRIAL SOURCE IDENTIFICATION:** In addition to the industrial sources of stormwater identified in Part 4.0, Table 5 of the permit application, the City and UWEC shall conduct an industrial source survey to identify any existing undisclosed sources and develop procedures for identification of new industrial sources as they develop.

The industrial source survey and development of procedures to identify new sources shall be completed by MARCH 31, 2005

C. MONITORING REQUIREMENTS

- (1) **CITY AND UWEC STORMWATER MONITORING PROGRAM:** The City and UWEC shall monitor representative MS4 outfalls. This monitoring data shall be used primarily to confirm the existing data files within the SLAMM model utilized to calculate pollutant loadings (see part D.3). In addition this data may be used to provide program assessment of the effectiveness and adequacy of Best Management Practices (BMP) and to identify areas that may be significant contributors of pollutants to the municipal separate sewer system. Alternate representative monitoring locations may be substituted if they provide similar representative data. Requests for approval of alternate monitoring locations shall be made to the Department in writing and include the rationale for the requested monitoring station relocation either temporary or permanent and must be approved by the Department prior to monitoring.
- (a) The City and UWEC shall submit a monitoring program proposal by **January 31, 2004** that identifies the following:

As a practical matter, the City will do all the necessary monitoring.

SPECIAL CONDITIONS

1. Purpose and goals of the monitoring program.
2. Number of rainfall events that will be sampled within the term of the permit.
3. Location of sampling point(s).
4. Parameters that the samples will be analyzed for.
5. Sampling procedures and type of sampling equipment that will be used.

(b) All samples must be analyzed for the parameters listed in Table A found in Section C.(3). However, the parameter list may be reduced with written Department approval.

To address the requirements in this section, the City and UWEC shall submit a monitoring program proposal that meets the requirements of NR 216.07 (5)(a), no later than JANUARY 31, 2004. A Department approved monitoring program shall be initiated no later than MARCH 31, 2004. Data obtained shall be summarized and reported to the Department as required in Section H. (4)(f), no later than SEPTEMBER 30, 2004.

(2) SAMPLING EXEMPTION: If the City and UWEC are unable to collect samples due to adverse climatic conditions, the City shall describe why samples could not be collected in the annual report. An exemption from the monitoring requirements shall be given for just cause, however, this does not relieve the City and UWEC from complying with the monitoring requirements when weather conditions allow sampling.

NOTE: In addition to Section C. (1), the City and UWEC shall submit program proposals, as stated in Section E. (6) and (7), for illicit connection and industrial/high risk runoff programs.

(3) ALTERNATIVE DATA SOURCES: Monitoring data collected by others, such as the Department, County and priority watershed projects may be used to meet some of the City and UWEC' monitoring needs. Specifically, in-stream assessments may be useful for evaluating biological impacts relative to stormwater runoff. All data utilized to comply with this permit shall meet minimum Quality Assurance (QA) standards appropriate for the intended use.

NOTE: Additional monitoring is required in Section E as part of the Illicit Connection/Dry Weather Screening and Industrial/High Risk Runoff program. This monitoring is explained in more detail in Section E. (6) and (7).

Table A - Monitoring Parameters for Storm Water Characterization
(all in mg/l)

Total Suspended Solids (TSS)
Total Dissolved Solids
COD
BOD ₅
Chloride