



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary

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September 19, 2007

Thomas J. Bittner, Planning & Systems Specialist
University of Wisconsin System
780 Regent St., Room 210
Madison, WI 53715

Sherwood G. Wilson, Vice Chancellor
University of Wisconsin – Milwaukee
P.O. Box 413
Milwaukee, WI 53201-0413

Subject: Applicability of WPDES Municipal Separate Storm Sewer System General Permit No. WI-S050075-1 to the University of Wisconsin – Milwaukee, FIN 37186

Dear Mr. Bittner and Mr. Wilson:

The Department of Natural Resources has reviewed the Notice of Intent (NOI) application submitted for the University of Wisconsin – Milwaukee and other pertinent information and has determined that storm water discharges from the University of Wisconsin – Milwaukee campus do not require coverage under WPDES Municipal Separate Storm Sewer System General Permit No. WI-S050075-1. The reason for this determination is because the campus storm sewer system discharges to the combined sewer system in the City of Milwaukee, and therefore, does not meet the definition of an MS4 under s. 216.002(17), Wis. Adm. Code.

If you have any questions, please do not hesitate to contact me at 608/264-8971.

Sincerely,

Jim Bertolacini
Storm Water Program Coordinator
Runoff Management Section

cc: Benjamin Benninghoff, DNR/Milwaukee

Notice of Appeal Rights

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.