Morrison, Lynn L - DNR

From: Scott Luczak <sldelhart@centurytel.net>
Sent: Thursday, November 13, 2014 10:54 AM
To: Dietrich, Laura A - DNR
Cc: Thompson, Timothy A - DNR
Subject: Delhart Permit

Laura,

One comment on the permit I have is shouldn't the first chloride report be due one year from issuance? Meaning December 31, 2015 not September 30, 2015. I'm to report on the past year that I didn't have a permit for, April 1, 2014 thru December 31, 2014?

Thanks,
Scott Luczak
General Manager
Delafield-Hartland WPCC
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 2 0 2014

REPLY TO THE ATTENTION OF:

WN-16J

Mike Luba, Supervisor
Southeast Region Watershed Program
Permits Section
Wisconsin Department of Natural Resources
2300 N. Martin Luther King
Milwaukee, WI 53212

Re: U.S. Environmental Protection Agency Review of NPDES Permit, Delafield Hartland Pollution Control Commission, Delafield, Wisconsin, Permit No. WI-0032026-08-0

Dear Mr. Luba:

The U.S. Environmental Protection Agency has reviewed the National Pollutant Discharge Elimination System Permit (Permit), fact sheet, and supporting documents for the Delafield Hartland Pollution Control Commission, Delafield, Wisconsin, WI-0032026-08-0 that was submitted to EPA on October 16, 2014. Based on our review to date, EPA would not object to issuance of that permit. However, our position could change if any of the following occurs:

a. Prior to the actual date of issuance of a Proposed Permit, an effluent guideline or standard is promulgated which is applicable to the permit and which would require revision or modification of a limitation or condition set forth in the Draft Permit;

b. A variance is granted and the Permit is modified to incorporate the results of that variance;

c. There are additional revisions to be incorporated into the Permit which have not been agreed to by EPA; or

d. EPA learns of new information, including as the result of public comments that causes EPA to reconsider its position.

Subject to the above conditions, the permit may be issued in accordance with the Memorandum of Agreement and pursuant to the Clean Water Act. Although we currently do not intend to object, EPA recommends that you consider and address the comments identified in Enclosure A

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in order to improve the clarity and accuracy of the permit.

When the Proposed Permit is prepared, please forward a copy and any significant comments received during any public notice period to r5npdes@epa.gov. Please include the EPA permit number, the facility name, and the words "Proposed Permit" in the message title. If you have any technical questions related to EPA's review, please contact Jodie Opie of my staff. Ms. Opie can be reached by telephone at (312) 353-1938 or by Email at opie.jodie@epa.gov.

Thank you for your cooperation during the review process and your thoughtful consideration of our comments.

Sincerely,

Kevin M. Pierard, Chief
NPDES Programs Branch

Enclosure

cc: Laura Dietrich, Wastewater Permits Specialist, WDNR

Enclosure A

U.S. Environmental Protection Agency
Proposed NPDES Permit Dated October 16, 2014
Delafield-Hartland Pollution Control Commission, WI-0032026-08-0

1. The type of collection system should be listed in the fact sheet as well as the percent combined versus separated system.
2. The receiving water body impairments should be listed in the fact sheet.
3. The identification of the biosolids land application sites or where the list can be viewed should be listed in the fact sheet.
4. It is recommended that the stormwater coverage be mentioned in the fact sheet.
5. The 10/2/14 WQBEL report recommends no change from the current permit for BOD effluent limitations and continues to state that the requirements of s. NR 207.04(1)(a) do not appear to be met based on Delafield's BOD effluent concentrations from March 2010 – June 2014 DMRs so no increase is recommended, yet the draft permit and fact sheet reflect an increase of BOD from 7.0 (current permit) to 7.8 (draft permit). This discrepancy needs to be rectified.
    a. An email received on October 31, 2014, from the WDNR permit writer provided an explanation that an interim draft WQBEL memo dated September 2014 recommended a BOD limit of 7.8 mg/L based on re-calculation of limits using updated USGS low flows and that the final October 2014 WQBEL memo reinstated the existing limit of 7.0 mg/L because the requirements of s. NR 207.04(1)(a) were not met. The BOD limit was reinstated in the Fact Sheet, but accidentally not reinstated in the draft permit and that prior to reissuance, the limit will be changed back to 7.0 mg/L after notifying the permittee of the change.