CITY OF BURLINGTON

Department of Public Works
Wastewater Divisions
22100 S. Pine St., Burlington, WI, 53105
(262) 539-3646 – (262) 539-3648 fax

September 12, 2014

Laura Dietrich
Wisconsin DNR
2300 N. Dr. Martin Luther King Jr. Dr.
Milwaukee, WI 53212-0436

Re: Comments Regarding Proposed WPDES Permit No. WI-0022926-09-0

Dear Ms. Dietrich:

I have drafted this letter to provide comments on behalf of the City of Burlington regarding the above referenced proposed WPDES permit. Our comments are as follows:

1. 3.2.1 Sampling Point (Outfall) 001 - EFFLUENT

   a) Nitrogen, Ammonia: The City requests that a table be provided instead of the listed daily maximum value. This would allow compliance to be based on effluent pH and effluent ammonia rather than on a statistically determined pH value.

   b) Nitrogen, Ammonia-The City requests that the limit for October be based on using 50 percent of the 7Q10, as provided in NR 106.32(3)(c)3. for temperatures between 11 degrees C and 16 degrees C which would be the expected temperatures for the Fox River at Burlington in October. The City requests that the proposed monthly limit for October be recalculated using 50% of the 7Q10 as provided for in the Wisconsin Administrative Code. Based on a review of NR 105, the criteria for October at a pH of 8 and a temperature of 10 degrees C should be 3.26 not 2.43

2. 3.2.1.3 Phosphorus Water Quality Based Effluent Limitation(s)

   a) The City objects to the inclusion of a mass limit in this permit. There is no need for a mass limit if the discharge meets the applicable water quality criteria since water quality is protected regardless of the mass discharged to the Fox River.

   b) The compliance schedule requires submittal of plans and specifications six years from the effective date of the permit. This goes beyond the expiration date of this permit, which is five years from issuance. This compliance date will be in effect

unless Burlington chooses an option that does not include the construction of facilities, or the Wisconsin DNR reissues, modifies or revokes the permit prior to that date. This leaves the possibility for design and construction deadlines to exist outside the 5-year life of this permit. We are concerned that, dependent on the Department's future action or inaction in regards to permit reissuance, these requirements could be enforced without a current discharge permit, or the opportunity for future comment.

3. 5.2 Water Quality Based Effluent Limits (WQBELs) for Total Phosphorus

   a) The City requests that all dates after progress report on plans and specifications be deleted from this permit. At this time the selected alternative may not include construction of facilities, yet these dates are effective unless the Wisconsin DNR reissues, revokes and modifies this permit prior to the scheduled date in the permit.

The City of Burlington appreciates the ability to comment on this proposed permit. Should you have any questions or comments regarding this correspondence, do not hesitate to contact me.

Sincerely,
City of Burlington

Craig Workman, P.E.
Director of Public Works

cc: Jim Kleinschmidt, Baxter & Woodman