



WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
**GENERAL PERMIT TO DISCHARGE UNDER THE
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of Chapter 283, Wisconsin Statutes, any vessel discharging

Ballast Water

into Lake Michigan, Lake Superior or other waters where a vessel may transit located within the boundaries of Wisconsin and meeting the applicability criteria listed in this general permit, is permitted to discharge ballast water in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

State of Wisconsin Department of Natural Resources
For the Secretary

By

Russell Rasmussen
Director, Bureau of Watershed Management

Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE - April 01, 2009

EXPIRATION DATE - March 31, 2014

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1 Applicability

1.1 Vessels Covered

Oceangoing vessels and Great Lakes vessels required to obtain the EPA Vessel General Permit (VGP) that operate within waters of the State of Wisconsin, and which have a ballast tank capacity of at least 2114 gallons (8 cubic meters) and are 164 feet (50 meters) in length or more, shall obtain coverage under WPDES general permit WI-0063835-01. Vessels that qualify for an exclusion under Subsection 1.4 are not required to obtain this permit.

1.2 Authorized Discharges

Ballast water discharges are authorized by this permit provided the discharge is in compliance with the ballast water treatment monitoring requirements and limitations specified in Section 4, and all other requirements contained in this permit. The discharge may not contain aquatic invasive species (AIS) or diseases at a level that would violate the designated use of the water body, constitute a threat to public health, safety, or welfare, or contribute to a violation of water quality standards.

1.3 EPA Vessel General Permit

The Wisconsin Ballast Water Discharge General Permit is intended to supplement the EPA Vessel General Permit (VGP) applicable to commercial vessels greater than 79 feet in length. In the absence of effluent limitations on ballast water in the EPA Vessel General Permit, other than the implementation of best management practices, the ballast water discharge requirements contained in WPDES Permit WI-63835-01 shall apply.

1.4 Exclusions

This general permit is not required for vessels that enter Wisconsin waters if any of the following criteria are met.

1.4.1 No Discharge

Vessels that do not discharge any ballast water into Wisconsin waters, or that carry ballast water in permanently sealed ballast water tanks that are not subject to discharge.

1.4.2 Captain of the Port Zone

Vessels that only operate within a Captain of the Port (COPT) Zone established by the U.S. Coast Guard, as defined in the EPA VGP definitions.

1.4.3 Off-Ship Treatment

Vessels that only discharge their ballast water to an on-shore ballast water treatment facility or to another vessel that either provides treatment or conveys the ballast water to the on-shore treatment facility.

1.4.4 Flow-Through Ballast

Vessels that implement flow-through or flush ballast water management techniques approved by the Department.

1.4.5 Military Vessels

Military vessels of the U.S. Armed Forces, as defined in section 312 of the Clean Water Act, are exempt in accordance with the Uniform National Discharge Standards program that applies to discharges incidental to the normal operation of vessels of the Armed Forces.

2 Permit Coverage

2.1 Automatic Coverage

Prior to the submittal of a Notice of Intent (NOI) to request coverage under this WPDES general permit, the owner or operator of a vessel that meets the applicability criteria in Subsection 1.1, is automatically authorized to discharge under this permit. This automatic authorization extends until owner/operator of the vessels submits a NOI in accordance with Subsection 2.2.

2.2 Submittal of Notice of Intent (NOI)

To obtain authorization under this WPDES general permit, submit to the Department a copy of your EPA Vessel General Permit NOI. The EPA NOI will also serve to request coverage under WPDES permit WI-0063835-01. Refer to the compliance schedule in Section 6 for NOI submission deadlines.

2.3 Notice of Coverage

All vessels with discharges meeting the applicability criteria in Subsection 1.1 must receive a letter from the Department granting coverage under this permit. The Department may not grant permit coverage until the applicant has submitted the EPA NOI form under Subsection 2.2.

2.4 Notice of Termination

The permittee shall inform the Department in writing if a Notice of Termination is filed with EPA requesting discontinuing coverage under the VGP. Coverage under WPDES permit WI-0063835-01 will automatically be terminated upon notice to the Department of the termination under the EPA permit.

3 Prohibited Discharges

3.1 Intake Filtration Residuals and Separated Solids

Separated solids that may accumulate on ballast water intake filters, screens or other devices that remove debris and aquatic life, shall be removed and disposed of in a manner to prevent any pollutant from the material from entering the waters of the State in accordance with s. NR 205.07(3)(a), Wis. Adm. Code. The permittee may discharge the intake backwash for cleaning the filters or screen provided the backwash only contains fine filtration residuals that originated from the lake water intake (sand, silt, small vegetation or aquatic life).

3.2 Disposal of Solids Removed from Ballast Tanks or by Treatment System

The deposition of material in navigable waters is prohibited in accordance with Section 30.12, Wis. Stats. Any accumulated solids, sediment, or biological material removed from the ballast tanks or generated by the treatment systems may not be discharged into surface water. If sediment is removed by re-suspension with water during a cleaning, the sediment laden water may not discharge from the ballast tank to surface water. Any existing sediment management practices that consist of a discharge to surface water shall be discontinued as soon as possible by no later than January 1, 2012.

If the disposal of solids occurs in Wisconsin, solids shall be disposed of according to any applicable Solid and Hazardous Waste Regulation at a site or operation licensed by the Department under chs. NR 500 to 590, Wis. Adm. Code (solid waste regulations), or chs. NR 600 to 690, Wis. Adm. Code (hazardous waste regulations).

The permittee shall maintain documentation on the removal and disposal of these solid wastes, and shall provide a summary for each year with the annual discharge monitoring report form required in Subsection 4.7.2:

- (a) Date when ballast tanks are cleaned.
- (b) The amount solid wastes removed.
- (c) Person or company who hauled the solid waste for disposal.
- (d) Disposal site for the solid waste.

3.3 Sea Water

Discharge of ballast water from vessels containing seawater in other than insignificant residual amounts that remain in the ballast tanks that can not be pumped or drained out (no ballast on board) is prohibited, unless the vessel can demonstrate the discharge will comply with Wisconsin chloride limits (Subchapter VII of ch. NR 106, Wis. Adm. Code). The daily maximum discharge limit for chloride is 1514 mg/L.

4 Ballast Water Requirements

4.1 Ballast Water Treatment Requirements

The discharge of ballast water shall comply with the following requirements applicable to the vessel covered under this permit. Refer to the compliance schedules in Section 5 for more details on the effective dates.

Reference	Application	Discharge Standard	Effective Date
Table A1 4.2.1	Existing Oceangoing Vessels	Enhanced IMO standard 100 times more restrictive	No later than January 1, 2012
Table A2 4.2.1	Existing Oceangoing Vessels	IMO standard (if approved under Subsection 4.1.1)	No later than January 1, 2012
Table B 4.2.1	New Oceangoing Vessels	Extra Enhanced IMO standard 1000 times more restrictive	Vessels constructed after January 1, 2013
Table C 4.2.2	All Oceangoing and Laker Vessels	Biocide limits according to ch. NR 106, Wis. Adm. Code	Immediately

4.1.1 Table A2 Applicability

The permittee shall submit a written request to the Department, no later than 9 months prior to the effective date, to request the application of IMO standards in Table A2. The vessel covered under the permit must provide sufficient justification that the enhanced IMO standards in Table A1 are unattainable. The Department shall notify the permittee whether the request for the IMO standards in Table A2 has been granted. The justification must demonstrate the existence of the following circumstances:

- (a) A lack of available technology necessary to meet the enhanced IMO standards in Table A1 or there is a vessel specific engineering constraint, or other factors related to the availability and installation of the technology beyond the permittee's control to meet the enhanced IMO standards in Table A1; and
- (b) The permittee has exhausted all options to comply with the enhanced IMO standards in Table A1.

4.1.2 Table B Time Extension

The permittee shall submit a written request to the Department, no later than 18 months prior to the effective date, to request an extension to the effective date for when ballast water treatment is required. The vessel covered under the permit must provide sufficient justification for a time extension, and a proposed date when the vessel would comply with the applicable treatment requirements. The Department shall notify the permittee on the acceptability of granting a time extension request to exempt the permittee from the compliance date. The extension request must demonstrate the existence of the following circumstances:

- (a) A lack of available technology necessary to meet the extra enhanced IMO standards in Table B or other factors related to the availability and installation of the technology beyond the permittee's control to meet the effective date; and
- (c) The permittee has exhausted all options to comply with the extra enhanced IMO standards in Table B.

4.2 Monitoring Requirements and Effluent Limitations

Permitted vessels shall comply with the ballast water discharge requirements in Subsections 4.2.1 and 4.2.2 to comply with state water quality standards. Any treatment system installed to comply with these discharge standards shall be operated to maximize the destruction or removal of organisms in the ballast water, with the objective of discharging no viable organisms.

Note the following definitions for terms in the permit:

“IMO” means the International Maritime Organization’s proposed Regulation D-2 performance standards for the discharge of ballast water.

“Viable Organism” means organisms that are living and able to reproduce.

“Composite Sample” means a combination of individual samples of equal volume taken at approximately equal intervals not to exceed one hour over a specified period of time.

“cfu” means colony forming unit.

“Oceangoing Vessel” or “Salty” means a vessel which has taken on ballast water in areas less than 200 nautical miles from any shore after operating beyond the U.S. and Canadian Exclusive Economic Zones (EEZ) as defined in 33 CFR 151.2025.

“Great Lakes Vessel” or “Laker” means a vessel that operates exclusively within the Great Laker - St. Lawrence Seaway System.

“Constructed” means the same as the definition in Appendix A of the EPA VGP when defining a new vessel.

4.2.1 Discharge Standards

The Standards in Table A1 and A2 applies to existing oceangoing vessels, and Table B applies to new oceangoing vessels, according to the effective dates is Subsection 4.1 unless a time extension is granted.

Table A1
Enhanced IMO - Existing Oceangoing Vessels

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Organisms > 50 µm in minimum dimension	Daily Average	< 1 Viable organism per 10 m ³	To be determined	Composite
Organisms 10 - 50 µm in minimum dimension	Daily Average	< 1 Viable per 10 ml	To be determined	Composite
Escherichia coli	Daily Average	< 126 cfu per 100 ml	To be determined	Composite
Intestinal enterococci	Daily Average	< 33 cfu per 100 ml	To be determined	Composite

Table A2
IMO - Existing Oceangoing Vessels

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Organisms > 50 µm in minimum dimension	Daily Average	< 10 Viable organism per m ³	To be determined	Composite
Organisms 10 - 50 µm in minimum dimension	Daily Average	< 10 Viable per ml	To be determined	Composite
Escherichia coli	Daily Average	< 250 cfu per 100 ml	To be determined	Composite
Intestinal enterococci	Daily Average	< 100 cfu per 100 ml	To be determined	Composite

Table B
Extra Enhanced IMO - New Oceangoing Vessels

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Organisms > 50 µm in minimum dimension	Daily Average	No detectable living organisms	To be determined	Composite
Organisms 10 - 50 µm in minimum dimension	Daily Average	< 0.01 Viable per ml	To be determined	Composite
Escherichia coli	Daily Average	< 126 cfu per 100 ml	To be determined	Composite
Intestinal enterococci	Daily Average	< 33 cfu per 100 ml	To be determined	Composite
Bacteria	Daily Average	< 1000 per 100 ml	To be determined	Composite

4.2.2 Biocide Effluent Limits

4.2.2.1 Effluent Limits for Biocide Treatment

Discharges of ballast water from vessels employing ballast water treatment systems using chlorine (and other halogen compounds or oxidizers), shall monitor the discharge and comply with the effluent limit in Table C.

Table C - Biocide Effluent Limits

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Halogen Oxidants, Total Residual	Daily Maximum	38 µg/L, as total residual chlorine	Quarterly	Grab
Biocide - Specify	Daily Maximum	To be determined	To be determined	Grab

4.2.2.2 Effluent Limit for Other Biocide Treatments

Discharges containing water treatment additives that may be added to the ballast water are prohibited under this general permit unless use of the water treatment additive is approved, either as part of the approval of the treatment system as described in Subsection 4.4, or in writing by the Department. Any subsequent changes in additives usage must also be approved. The permittee shall maintain records of the monthly water treatment additive use including the additive name, manufacturer, and daily maximum amount used. The use of any biocide must comply immediately upon issuance of this permit with the effluent limit for total residual chlorine in Table C, or the use restriction the Department calculates in the approval of other biocides.

The permittee shall provide the following information to receive Department approval:

- Commercial name of the additive, function, and the Material Safety Data Sheet (MSDS).
- Additive dosage concentration.
- Anticipated additive discharge concentration.
- Discharge frequency reported as hours per day and days per year.
- Removal treatment, if any, the water treatment additive receives prior to discharge.
- Aquatic toxicity information consisting of at least one 48-hour LC₅₀ or EC₅₀ value for daphnia magna or ceriodaphnia dubia, and at least one 96-hour LC₅₀ or EC₅₀ value for either fathead minnow, rainbow trout, or bluegill (this information is usually included in the MSDS). The Department will only consider toxicity information on the whole product, not just the active ingredient or component of a product.

4.3 Ballast Water and Sediment Management Plan

The permittee shall maintain a Ballast Water and Sediment Management Plan. A copy of the plan (in English) shall be made available to the Department upon request. The plan must be updated to reflect the vessel's current ballast water management practices that are designed to minimize the discharge of aquatic invasive species. The plan may be developed in accordance with Appendix A of the current U.S. Coast Guard Navigation and Vessel Inspection Circular. The following elements must be included in the plan:

- Operation and maintenance procedures for the vessel and crew associated with ballast water management.
- Ballast tank cleaning and sediment removal practices.
- Actions taken to implement ballast water treatment requirements to comply with the performance standards in this permit.
- The designated position or officer on board the vessel in charge of ensuring the plan is properly implemented.

4.4 Monitoring Plan

The permittee shall prepare within 12 months of permit coverage a ballast water monitoring plan. A copy of the plan (in English) shall be made available to the Department upon request. The monitoring plan must be revised as necessary to reflect any significant changes that may occur in the future. The plan shall describe the following:

- (a) Information on number of ballast tanks, tank capacities, discharge locations, sampling point locations, the monitoring parameters, and monitoring frequency.
- (b) Ballast water discharge monitoring for determining compliance with the requirements in Subsection 4.2.
- (c) Monitoring necessary for the efficient operation of any onboard ballast water treatment system.

If a monitoring frequency is shown in Table A1, A2, B, or C, that is the minimum default monitoring frequency. When "to be determined" is shown, the monitoring frequency shall be consistent with any protocols validated for ballast water treatment systems by the IMO, EPA, U.S. Coast Guard, the Great Ships Initiative, or other validating organization.

Note - The Department reserves the right to conduct a vessel inspection for evaluating the ballast water discharge, and may collect ballast water samples as allowed under s. NR 205.07(1)(d), Wis. Adm. Code.

4.5 Ballast Water Treatment System Approval

Onboard ballast water treatment systems for the removal or destruction of aquatic invasive species and disease are subject to the Department's approval. If all of the following criteria are met, the plans and specifications for the treatment system regulated by this general permit are considered approved by the Department, in accordance with ch. NR 108, Wis. Adm. Code:

- (a) Treatment consists of one or more treatment methods that are approved by the IMO, U.S. EPA Environmental Technology Verification Program, or equivalent technology approval process acceptable to the Department.
- (b) The treatment system performance has been confirmed at a freshwater research, development and technology evaluation facility (such as the Great Ships Initiative) prior to implementation onboard the vessel.
- (c) The treatment system will comply with the biological performance standards and biocide effluent limits contained in this permit.
- (d) The treatment system is adequately sized and designed for the hydraulic capacity of the ballast tanks.
- (e) A professional engineer or other qualified person was consulted on the design for installation of the approved treatment system on the vessel.
- (f) An operation and maintenance manual is provided for the treatment system.
- (g) The permittee shall submit a brief summary of the plans and specifications to the Department that consists of an engineering report to document compliance with the approval criteria. The engineering report shall include the following:
 - Schematic diagram of the treatment system, and its location on the vessel.
 - A summary of the design describing what mechanical, chemical, physical, or biological processes are used.
 - Any calculations used for determining the design capacities to adequately treat the vessel's ballast tanks.

4.6 Safety Exemption

An exemption to any regularly scheduled ballast water treatment, monitoring, or other activity required by this permit is automatically granted, if at any time conditions exist due to weather, seas, other extenuating circumstances or emergency that would place the vessel, vessel's crew, or anyone else in danger. The required permit action shall be resumed when conditions allow for it to be safely conducted.

4.7 Record Keeping and Reporting

4.7.1 Ballast Log Book

The vessel shall maintain on board a ballast water log book (in English), which shall be made available for examination by the Department upon request. The log book shall include the following documentation:

- (a) Ballast discharge - date of the discharge, estimated volume, location where the discharge occurred with start and stop location if the vessel is in transit, and the ballast uptake it is linked to.
- (b) Ballast uptake - date ballast was taken onboard, the source of the ballast water with the name of the harbor or other defined location in the water body where the ballast water originated.
- (c) Sediment - date ballast tanks are cleaned, estimated volume of sediment removed, and where the sediment was disposed of.
- (d) Treatment - date ballast water treatment occurs, the dosage of any chemicals, reaction or holding time to complete the treatment, and any other related activities conducted to comply with the permits monitoring requirements and effluent limitations.

4.7.2 Discharge Monitoring Reports

The permittee shall submit a discharge monitoring report (DMR) to the Department on an annual basis no later than February 1st. If the Department does not provide a form with the specified information to report on, the permittee shall prepare a report to summarize the following information:

- (a) Data collected in accordance with the monitoring plan in Subsection 4.4.
- (b) The required monitoring in accordance with the applicable requirements in Subsection 4.2. when a ballast water treatment system becomes operational.
- (c) Documentation on the disposal of solids removed from ballast tanks or treatment system as described in Subsection 3.2.

5 Schedules of Compliance

5.1 Permit Coverage

To obtain coverage under WPDES general permit WI-0063835-01, the Notice of Intent (NOI) form for the EPA Vessel General Permit shall be submitted to the Wisconsin DNR.

Required Action	Date Due
Vessels in Operation: Vessels in operation on or before September 19, 2009 shall submit a NOI requesting permit coverage no later than 9 months after the effective date of the VGP (December 19, 2008).	09/19/2009
Transfer in Ownership/Operator: For vessels whose discharge was previously authorized under this permit, a NOI shall be submitted by the date of transfer of ownership and/or operation.	Date of transfer
New Vessels: New vessels that commence operation after September 19, 2009 shall submit a NOI 30 days prior to discharging into the waters of the state.	30 days prior to discharge.
Vessels Not Previously Permitted: Existing vessels operating after September 19, 2009, not previously authorized under the permit, shall submit a NOI 30 days prior to discharging into waters of the state.	30 days prior to discharge.

5.2 Monitoring Requirements and Effluent Limitations

The applicable ballast water discharge standards in Subsection 4.2 shall be met according to the schedule below.

Required Action	Date Due
Discharge Standards - Existing Vessels: By no later than January 1, 2012, existing oceangoing vessels, which meet the applicability criteria in Subsection 1.1, shall comply with the Table A1 Discharge Standards in Subsection 4.2.1. If the Department approves the justification, submitted in accordance with Subsection 4.1.1, the Table A2 Discharge Standards shall apply with the same date due.	01/01/2012
Discharge Standards - New Vessels: New oceangoing vessels constructed after January 1, 2013, which meet the applicability criteria in Subsection 1.1, shall comply with the Table B Discharge Standards in Subsection 4.2.1.	01/01/2013
Biocide Effluent Limitations: Oceangoing and laker vessels meeting the applicability criteria in Subsection 1.1, which choose to utilize a biocide water treatment additive, shall comply with the Table C Biocide Effluent Limits and other applicable requirements in Subsection 4.2.2. The effluent limit for total residual chlorine, or a use restriction determined by the Department for other biocides, is effective immediately and whenever it's used.	Immediately

5.3 Treatment Requirement Exceptions

If the permittee seeks application of the Table A2 Discharge Standards or a time extension for Table B, a request must be submitted to the Department by the date due.

Required Action	Date Due
Table A2 Applicability: Existing ocean going vessels requesting the application of the Table A2 Discharge Standards, must submit the justification request to the Department by the date due.	04/01/2011
New Vessels: New oceangoing vessels seeking a time extension for the Table B Discharge Standards,	06/30/2011

must submit the request to the Department by the date due.	
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5.4 Treatment System Plan Approval

Approval of plans and specifications for ballast water treatment systems.

Required Action	Date Due
Engineering Report: The permittee shall submit an engineering report, in accordance with Subsection 4.5, summarizing the vessel's proposed ballast water treatment system prior to installation. If the vessel was equipped with a ballast water treatment system prior to receiving coverage under this WPDES general permit, the permittee shall submit the engineering report within 90 days of when permit coverage was granted.	Prior to installation, or within 90 days for existing systems
Plan Approval: Upon submittal of the engineering report and compliance with the criteria in Subsection 4.5, the plans and specifications for the vessel's ballast water treatment system shall be considered approved.	Upon submittal

5.5 Monitoring Plan

Monitoring to be determined for ballast water treatment systems.

Required Action	Date Due
Prepare Monitoring Plan: The permittee shall prepare a monitoring plan, in accordance with subsection 4.4, within 12 months of receiving coverage under this permit (includes the period of automatic coverage).	02/06/2010

5.6 Prohibited Discharges

Surface water discharge of solids removed from ballast tanks.

Required Action	Date Due
Discontinue Discharge: Any accumulated solids, sediment, or biological material removed from the ballast tanks may not be discharged to surface water. If sediment is removed by re-suspension with water during cleaning, the sediment laden water may not discharge from the ballast tank to surface waters. Any existing sediment management practices that consist of a discharge to surface water shall be discontinued as soon as possible by no later than the date due.	01/01/2012

6 Standard Requirements

NR 205, Wisconsin Administrative Code (Conditions for Industrial Dischargers): The conditions in ss. NR 205.07(1) and NR 205.07(3), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirement section of this permit can be found in ss. NR 205.07(1) and NR 205.07(3).

6.1 Reporting and Monitoring Requirements

6.1.1 Monitoring Results

Monitoring results obtained during the calendar year shall be summarized and reported on a Department Discharge Monitoring Report. The report may require reporting of any or all of the information specified below under 'Recording of Results'. This report is to be returned to the Department no later than the date indicated in Subsection 4.7.2. When submitting a paper Discharge Monitoring Report form, the original and one copy of the Wastewater Discharge Monitoring Report Form shall be submitted to the return address printed on the form. A copy of the Wastewater Discharge Monitoring Report Form or an electronic file of the report shall be retained by the permittee.

All Wastewater Discharge Monitoring Reports submitted to the Department should be submitted using the electronic Discharge Monitoring Report system. Permittees who may be unable to submit Wastewater Discharge Monitoring Reports electronically may request approval to submit paper DMRs upon demonstration that electronic reporting is not feasible or practicable.

If the permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be included on the Wastewater Discharge Monitoring Report.

The permittee shall comply with all limits for each parameter regardless of monitoring frequency. For example, monthly, weekly, and/or daily limits shall be met even with monthly monitoring. The permittee may monitor more frequently than required for any parameter.

An Electronic Discharge Monitoring Report Certification sheet shall be signed and submitted with each electronic Discharge Monitoring Report submittal. This certification sheet, which is not part of the electronic report form, shall be signed by a principal executive officer, a ranking elected official or other duly authorized representative and shall be mailed to the Department at the time of submittal of the electronic Discharge Monitoring Report. The certification sheet certifies that the electronic report form is true, accurate and complete. Paper reports shall be signed by a principal executive officer, a ranking elected official, or other duly authorized representative.

6.1.2 Sampling and Testing Procedures

Sampling and laboratory testing procedures shall be performed in accordance with Chapters NR 218 and NR 219, Wis. Adm. Code and shall be performed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, Wis. Adm. Code. The analytical methodologies used shall enable the laboratory to quantitate all substances for which monitoring is required at levels below the effluent limitation. If the required level cannot be met by any of the methods available in NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Additional test procedures may be specified in this permit.

6.1.3 Recording of Results

The permittee shall maintain records which provide the following information for each effluent measurement or sample taken:

- the date, exact place, method and time of sampling or measurements;
- the individual who performed the sampling or measurements;

- the date the analysis was performed;
- the individual who performed the analysis;
- the analytical techniques or methods used; and
- the results of the analysis.

6.1.4 Reporting of Monitoring Results

The permittee shall use the following conventions when reporting effluent monitoring results:

- Pollutant concentrations less than the limit of detection shall be reported as < (less than) the value of the limit of detection. For example, if a substance is not detected at a detection limit of 0.1 mg/L, report the pollutant concentration as < 0.1 mg/L.
- Pollutant concentrations equal to or greater than the limit of detection, but less than the limit of quantitation, shall be reported and the limit of quantitation shall be specified.
- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a 0 (zero) for any pollutant concentration that is less than the limit of detection. However, if the effluent limitation is less than the limit of detection, the department may substitute a value other than zero for results less than the limit of detection, after considering the number of monitoring results that are greater than the limit of detection and if warranted when applying appropriate statistical techniques.

6.1.5 Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 3 years from the date of the sample, measurement, report or application, except for sludge management forms and records, which shall be kept for a period of at least 5 years.

6.1.6 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or correct information to the Department.

6.2 System Operating Requirements

6.2.1 Noncompliance Notification

- The permittee shall report the following types of noncompliance by a telephone call to one of the Department's regional office within 24 hours after becoming aware of the noncompliance;
 - any noncompliance which may endanger health or the environment;
 - any violation of an effluent limitation resulting from an unanticipated bypass;
 - any violation of an effluent limitation resulting from an upset; and
 - any violation of a maximum discharge limitation for any of the pollutants listed by the Department in the permit.
- A written report describing the noncompliance shall also be submitted to one of the Department's regional office within 5 days after the permittee becomes aware of the noncompliance. On a case-by-case basis, the Department may waive the requirement for submittal of a written report within 5 days and instruct the permittee to submit the written report with the next regularly scheduled monitoring report. In either case,

the written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.

- The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

NOTE: Section 292.11(2)(a), Wisconsin Statutes, requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the Department of Natural Resources **immediately** of any discharge not authorized by the permit. The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call DNR's 24-hour HOTLINE at 1-800-943-0003.

6.2.2 Unscheduled Bypassing

Any unscheduled bypass or overflow of wastewater at the treatment works or from the collection system is prohibited, and the Department may take enforcement action against a permittee for such occurrences under s. 283.89, Wis. Stats., unless:

- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- The permittee notified the Department as required in this Section.

Whenever there is an unscheduled bypass or overflow occurrence at the treatment works or from the collection system, the permittee shall notify the Department within 24 hours of initiation of the bypass or overflow occurrence by telephoning the wastewater staff in the regional office as soon as reasonably possible (FAX, email or voice mail, if staff are unavailable).

In addition, the permittee shall within 5 days of conclusion of the bypass or overflow occurrence report the following information to the Department in writing:

- Reason the bypass or overflow occurred, or explanation of other contributing circumstances that resulted in the overflow event. If the overflow or bypass is associated with wet weather, provide data on the amount and duration of the rainfall or snow melt for each separate event.
- Date the bypass or overflow occurred.
- Location where the bypass or overflow occurred.
- Duration of the bypass or overflow and estimated wastewater volume discharged.
- Steps taken or the proposed corrective action planned to prevent similar future occurrences.
- Any other information the permittee believes is relevant.

6.2.3 Scheduled Bypassing

Any construction or normal maintenance which results in a bypass of wastewater from a treatment system is prohibited unless authorized by the Department in writing. If the Department determines that there is significant public interest in the proposed action, the Department may schedule a public hearing or notice a proposal to approve the bypass. Each request shall specify the following minimum information:

- proposed date of bypass;

- estimated duration of the bypass;
- estimated volume of the bypass;
- alternatives to bypassing; and
- measures to mitigate environmental harm caused by the bypass.

6.2.4 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of this permit. The wastewater treatment facility shall be under the direct supervision of a state certified operator as required in s. NR 108.06(2), Wis. Adm. Code. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training as required in ch. NR 114, Wis. Adm. Code, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

6.2.5 Spill Reporting

The permittee shall notify the Department in accordance with ch. NR 706 (formerly NR 158), Wis. Adm. Code, in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations established in this permit, or the spill or accidental release of the material is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07 (1)(s), Wis. Adm. Code.

6.2.6 Planned Changes

In accordance with ss. 283.31(4)(b) and 283.59, Stats., the permittee shall report to the Department any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants. The report shall either be a new permit application, or if the new discharge will not violate the effluent limitations of this permit, a written notice of the new, different or increased discharge. The notice shall contain a description of the new activities, an estimate of the new, different or increased discharge of pollutants and a description of the effect of the new or increased discharge on existing waste treatment facilities. Following receipt of this report, the Department may modify this permit to specify and limit any pollutants not previously regulated in the permit.

6.2.7 Duty to Halt or Reduce Activity

Upon failure or impairment of treatment facility operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment facility operations are restored or an alternative method of treatment is provided.

7 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Permit Coverage -Vessels in Operation	September 19, 2009	9
Permit Coverage -Transfer in Ownership/Operator	See Permit	9
Permit Coverage -New Vessels	See Permit	9
Permit Coverage -Vessels Not Previously Permitted	See Permit	9
Monitoring Requirements and Effluent Limitations -Discharge Standards - Existing Vessels	January 1, 2012	9
Monitoring Requirements and Effluent Limitations -Discharge Standards - New Vessels	January 1, 2013	9
Monitoring Requirements and Effluent Limitations -Biocide Effluent Limitations	See Permit	9
Treatment Requirement Exceptions -Table A2 Applicability	April 1, 2011	9
Treatment Requirement Exceptions -New Vessels	June 30, 2011	10
Treatment System Plan Approval -Engineering Report	See Permit	10
Treatment System Plan Approval -Plan Approval	See Permit	10
Monitoring Plan -Prepare Monitoring Plan	February 6, 2010	10
Prohibited Discharges -Discontinue Discharge	January 1, 2012	10
Discharge Monitoring Report	no later than the date indicated	11

Discharge monitoring report forms, the engineering report for plans and specifications for a ballast water treatment system, and any other submittals required by this permit shall be submitted to:

Wisconsin Department of Natural Resources
Bureau of Watershed Management - Wastewater Section, WT/3
101 South Webster Street
P.O. Box 7921
Madison, WI 53707-7921