



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 *Susan Sylvester*
Susan Sylvester
Director, Bureau of Water Quality

November 29, 2012
Date Permit Modification Issued/Effective

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Ballast Water Discharge General Permit

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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 1.3 are not required to obtain this permit.

1.2 Authorized Discharges

Ballast water discharges are authorized by this permit provided the discharges are 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 (such as Viral Hemorrhagic Septicemia, or VHS) at a level that would violate the designated use of the waterbody, constitute a threat to public health, safety, or welfare, or contribute to a violation of water quality standards.

Note: The Wisconsin Ballast Water Discharge General Permit is in addition to the requirements of the EPA VGP applicable to commercial vessels greater than 79 feet in length. If federal ballast water treatment discharge standards are promulgated, the Wisconsin Department of Natural Resources (Department) will review the new standards and determine whether the state permit is still necessary.

1.3 Exclusions

This general permit is not required for vessels that enter Wisconsin waters if any of the criteria in Subsections 1.3.1 through 1.3.5 are met.

1.3.1 Sealed Ballast Tanks

Vessels that carry ballast water in permanently sealed ballast water tanks that are not subject to discharge.

1.3.2 Captain of the Port Zone

Vessels that only operate within a Captain of the Port (COTP) zone established by the U.S. Coast Guard (USCG). The COTP is defined as the USCG officer designated as the COTP, or a person designated by that officer, for the COTP zone covering the U.S. port of destination. These COTP zones are listed in 33 CFR Part 3.

1.3.3 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.

1.3.4 Flow-Through Ballast

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

1.3.5 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 the owner/operator of the vessel 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 a copy of your EPA VGP NOI to the Department. The EPA NOI will also serve to request coverage under WPDES general permit WI-0063835-01. Refer to the compliance schedule in Section 5 for NOI submission deadlines. The NOI form is available at the following web site as a PDF document that allows data to be entered and saved on the form.

http://www.epa.gov/npdes/pubs/vessel_vgp_noi.pdf

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 from the sea chest intake 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). This prohibition is applicable to both oceangoing vessels and Great Lakes vessels.

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

Any accumulated solids, sediment, or biological material removed from the ballast tanks or generated by the treatment system may not be discharged into 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 water. Any existing sediment management practices that consist of a discharge to surface water shall be discontinued immediately. This prohibition is applicable to both oceangoing vessels and Great Lakes vessels.

Note: 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 that occur within the jurisdiction of Wisconsin, and shall provide the following information 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 of solid wastes removed.
- (c) Person or company who hauled the solid waste for disposal.
- (d) Disposal site for the solid waste.

Note: The prohibition on the discharge of solids from ballast tanks does not mean the ballast tanks may not be cleaned. Ballast tanks should continue to be cleaned as needed to minimize the accumulation of sediment. Vessels should make every effort to prevent the accumulation of sediment in ballast tanks by minimizing the intake of sediment with ballast water. This could be accomplished by taking on ballast water in locations that are very low in suspended solids, and by relocating the intake sea chest from the bottom of the hull to the side to prevent the disturbance of sediment in shallow waters.

3.3 Seawater

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, or NOBOB) 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 (1.5 parts per thousand, or ppt). The equivalent limit expressed as salinity is 2.7 ppt.

Note: To express the chloride concentration in terms of salinity the chloride concentration is multiplied by 1.8. This is based on an average seawater salinity concentration of 35 ppt, of which chloride is 55% of the dissolved constituents, or 19.2 ppt. The ratio of salinity to chloride is 1.8:1 ($35 \div 19.2$). The ballast tank water may not be discharged if the salinity exceeds 2.7 ppt ($1.5 \text{ ppt chloride limit} \times 1.8 \text{ salinity conversion factor}$).

The limitation on seawater does not mean that oceangoing vessels may not discharge in Wisconsin waters, if they exchange or flush their ballast tanks in the ocean to comply with the USCG and Transport Canada requirements for a salinity of at least 30 ppt. Before a vessel partially ballasted with seawater may discharge it would need to take on freshwater ballast to dilute the seawater, at a ratio of at least 11:1 ($30 \text{ ppt} \div 2.7 \text{ ppt}$). For example, if a ballast tank contains 10,000 gallons of 30 ppt seawater, the addition of 111,000 gallons of freshwater would be needed for dilution. The ballast water would then comply with the chloride limit to prevent acute aquatic toxicity at the point of discharge. A discharge of only seawater is not permitted.

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.

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 an organism that is 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” 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” means a vessel that operates exclusively within the Great Lakes - St. Lawrence Seaway System.

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

“VGP2” means the draft next Vessel General Permit expected to be issued by EPA on November 30, 2012.

Reference	Application	Discharge Standard	Effective Date
Table A 4.2.1	New Oceangoing Vessels	IMO Standard	Vessels constructed on or after Dec. 1, 2013, or the date specified in VGP2, if that date is not Dec. 1, 2013.
Table A 4.2.1	Existing Oceangoing Vessels	IMO Standard	First scheduled dry-docking after January 1, 2016, provided that if ballast water treatment systems are approved and commercially available and compatible for a specific vessel before the first scheduled dry-docking after January 1, 2016, the vessel owner will make reasonable efforts to install a treatment system at the earliest practicable date.
4.1.3	Great Lakes Vessels	Best Management Practices	Immediately
Table B 4.2.2	All Oceangoing and Great Lakes Vessels	Biocide limits according to ch. NR 106, Wis. Adm. Code	Immediately

4.1.1 Treatment Feasibility Determination

The Department has made the finding that technology is not commercially available to comply with the Wisconsin standards of the permit as originally issued. Consequently, the IMO standards shall apply, as listed in Subsection 4.2.1.

4.1.2 Oceangoing Vessel Requirements

Oceangoing vessels are subject to the applicable ballast water discharge standards in Table A, and shall also follow their Ballast Water and Sediment Management Plan (refer to Subsection 4.3) to prevent the introduction or spread of any AIS or diseases (such as VHS) in the Great Lakes. Treatment systems must be type approved and work in freshwater.

Ballast water exchange on vessels containing ballast, and ballast water flushing on vessels with no ballast onboard (NOBOB), shall continue to be conducted even after an onboard ballast water treatment system is placed into operation. The ballast water exchange or flushing management practices will provide the first step in a dual treatment process to minimize the introduction of any non-indigenous species into the Great Lakes.

4.1.3 Great Lakes Vessel Requirements

Vessels that operate exclusively within the Great Lakes and St. Lawrence Seaway System are not subject to the ballast water treatment requirements in Table A. Great Lakes vessels shall implement best management practices (BMPs) for ballast water uptake and discharge in accordance with Subsection 2.2.3 of the EPA VGP. Great Lakes vessels shall also follow their Ballast Water and Sediment Management Plan (refer to Subsection 4.3) to prevent the spread of any AIS or diseases (such as VHS) in the Great Lakes.

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 technology-based effluent limits and state water quality standards.

4.2.1 Ballast Water Discharge Standards

Table A
IMO Standard

Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type
Organisms > 50 µm in minimum dimension	Daily Average	< 10 Viable organisms per m ³	To be determined	Composite
Organisms 10 - 50 µm in minimum dimension	Daily Average	< 10 Viable organisms 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

4.2.2 Biocides

4.2.2.1 Effluent Limits for Biocide Treatment

Discharges of ballast water from vessels employing ballast water treatment systems using chlorine or other biocides, shall be monitored to comply with the effluent limits in Table B or in the Department's approval of a biocide. The use of biocides is also subject to the requirements in Subsection 5.8 of the EPA VGP.

Table B
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 Limits for Other Biocide Treatments

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

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 to deactivate the biocide prior to discharge if necessary to comply with the use restriction.
- 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.

Note: Biocides used to treat ballast water may need to be registered with the EPA as a new use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Obtain any necessary approval from FIFRA.

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 AIS. 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.

- (c) Actions taken to implement ballast water treatment requirements to comply with the discharge standards in this permit.
- (d) The designated position or officer on board the vessel in charge of ensuring the plan is properly implemented.

Note: The plan may be developed in accordance with Appendix A of the current USCG Navigation and Vessel Inspection Circular.

4.4 Monitoring Plan

Permittees that treat their ballast water to meet the requirements of Tables A or B shall prepare a monitoring plan consistent with the monitoring needs to efficiently operate the treatment system. Great Lakes vessels that do not treat their ballast water are not required to submit a monitoring plan. The monitoring plan shall be completed prior to treating ballast water. 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 the onboard ballast water treatment system.

When "to be determined" is shown as the monitoring frequency in Table A, the monitoring frequency shall be consistent with the USCG protocol for monitoring and treatment system operation or with other protocol approved by the Department in writing.

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 AIS and disease are subject to the Department's approval. Plans and specifications for permanent wastewater treatment systems must be submitted to the Department for review and approval in accordance with sec. 281.41, Wis. Stats., and ch. NR 108, Wis. Adm. Code.

Note: The Department intends to use a streamlined review and approval process for ballast water treatment systems. Refer to the fact sheet for details.

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. When a safety exemption is needed, the vessel shall document the circumstances in the ballast log book described in Subsection 4.7.1. The required permit actions 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, and the source of the ballast water with the name of the harbor or other defined location in the waterbody 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 permit's monitoring requirements and effluent limitations.
- (e) Safety exemption – date unsafe conditions occur, circumstances that existed to cause the suspension of a permit-required activity, what activities were suspended, and when the activity was resumed.

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. A DMR is not required in years prior to when an onboard ballast water treatment system becomes operational. 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 NOI form for the EPA shall be submitted to the Department.

Required Action	Date Due
Vessels Not Previously Permitted: Existing vessels not previously authorized under this permit shall submit a NOI at least 30 days prior to entering waters of the state.	30 days prior to entering Wisconsin
New Vessels: New vessels shall submit a NOI at least 30 days prior to entering waters of the state.	30 days prior to entering Wisconsin
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

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 – New Vessels: New oceangoing vessels constructed on or after December 1, 2013, or the date specified in VGP2, if that date is not Dec. 1, 2013, which meet the applicability criteria in Subsection 1.1, shall comply with the IMO standards in Table A of Subsection 4.2.1	12/1/2013 or the date specified in VGP2, if that date is not Dec. 1, 2013
Discharge Standards – Existing Vessels: Oceangoing vessels constructed prior to December 1, 2013, or the date specified in VGP2, if that date is not Dec. 1, 2013, which meet the applicability criteria in Subsection 1.1, shall comply with the IMO standards in Table A of Subsection 4.2.1	First scheduled dry-docking after January 1, 2016, provided that if ballast water treatment systems are approved and commercially available and compatible for a specific vessel before the first scheduled dry-docking after January 1, 2016, the vessel owner will make reasonable efforts to install a treatment system at the earliest practicable date.
Biocide Effluent Limits: Oceangoing and Great Lakes vessels meeting the applicability criteria in Subsection 1.1, which choose to utilize a biocide water treatment additive, shall comply with the Table B 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 the biocide is used.	Immediately

5.3 Treatment System Plan Approval

Required Action	Date Due
Plans and Specifications: The permittee shall submit plans and specifications for an onboard ballast water treatment system for review and approval in accordance with sec. 281.41, Wis. Stats., and ch. NR 108, Wis. Adm. Code.	Prior to installation

5.4 Monitoring Plan

Required Action	Date Due
Prepare Monitoring Plan: The permittee shall prepare a monitoring plan prior to treating ballast water, in accordance with Subsection 4.4.	Prior to installation

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, except for s. NR 205.07(1)(n), which does not apply to facilities covered under general permits. Some of these requirements are outlined in this section of the permit. Requirements not specifically outlined in this section of the 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 DMR. The report may require reporting of any or all of the information specified below under Recording of Results. The report is to be returned to the Department no later than the date indicated in Subsection 4.7.2. When submitting a paper DMR form, the original and one copy of the DMR form shall be submitted to the return address printed on the form. A copy of the DMR form or an electronic file of the report shall be retained by the permittee.

All DMRs submitted to the Department should be submitted using the electronic DMR system. Permittees who may be unable to submit DMRs 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 DMR.

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 DMR Certification sheet shall be signed and submitted with each electronic DMR 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 DMR. 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 offices within 24 hours after becoming aware of the noncompliance:
 - a. Any noncompliance which may endanger health or the environment;
 - b. Any violation of an effluent limitation resulting from an unanticipated bypass;
 - c. Any violation of an effluent limitation resulting from an upset; and
 - d. 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 offices 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 **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 the Department's 24-hour HOTLINE at 1-800-943-0003.*

6.2.2 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. If the treatment control system has been approved by the Department, a state certified operator is not necessary for operation of the treatment system.

6.2.3 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.

6.2.4 Planned Changes

In accordance with ss. 283.31(4)(b) and 283.59, Wis. 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.

6.2.5 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.

6.3 Continuation of an Expired General Permit

As provided in s. NR 205.08(9), Wis. Adm. Code, the terms and conditions of this general permit shall continue to apply until this general permit is reissued or revoked or until an individual permit is issued for the discharge to which the general permit applied. The status of expired general permits and forms for requesting continued permit coverage can be accessed at <http://dnr.wi.gov/org/water/wm/ww/gpindex/gpinfo.htm>.

6.4 Severability

The provisions of this permit are severable, and if any provisions of this permit or the application of any provision of this permit to any circumstance is held invalid, the remainder of this permit shall not be affected thereby.

7 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Permit Coverage -Vessels Not Previously Permitted	See Permit	9
Permit Coverage -New Vessels	See Permit	9
Permit Coverage -Transfer in Ownership/Operator	See Permit	9
Monitoring Requirements and Effluent Limitations -Discharge Standards -- New Vessels	See Permit	9
Monitoring Requirements and Effluent Limitations -Discharge Standards -- Existing Vessels	See Permit	9
Monitoring Requirements and Effluent Limitations -Biocide Effluent Limits	See Permit	9
Treatment System Plan Approval -Plans and Specifications	See Permit	10
Monitoring Plan -Prepare Monitoring Plan	See Permit	10
DMR	no later than the date indicated	11

The NOI request for permit coverage, DMR 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 – Permits Section, WT/3
101 South Webster Street
P.O. Box 7921
Madison, WI 53707-7921