



STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

**GENERAL PERMIT TO DISCHARGE UNDER THE WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES)**

In compliance with the provisions of Chapter 283, Wis. Statutes, any Wisconsin operation with a point source discharge of

**A POLLUTANT, SUCH AS AN EXCESS OR RESIDUAL PESTICIDE,
DUE TO ACTIVITIES
TO CONTROL A FOREST CANOPY PEST**

that meets the applicability criteria listed in part 1 of this general permit (GP), is authorized to discharge pollutants directly to surface waters of the state and to groundwater of the state (via incidental seepage of pesticide treated 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 L. Sylvester*
Susan L. Sylvester, Director
Bureau of Water Quality
Division of Water

10-26-11
Date Permit Signed/Issued

PERMIT EFFECTIVE DATE – November 1, 2011

EXPIRATION DATE - September 30, 2016

1. APPLICABILITY CRITERIA & PERMIT COVERAGE

1.1. Activities Covered

This permit applies to a point source pollutant discharge directly into waters of the state from a forest canopy pest control activity that has: (1) a biological pollutant discharge, (2) an excess chemical pollutant discharge into waters of the state located beyond the forest canopy pest treatment area boundary, and/or (3) a chemical pollutant residue that remains in waters of the state after completion of the forest canopy pest control treatment period. An excess or residual chemical pollutant for a forest pest control activity would include, but not be limited to: a pesticide active or inert ingredient, a pesticide degradation by-product, a chemical applied to enhance pesticide effectiveness, and a non-pesticide chemical applied to control a forest canopy pest. As specified in s. 283.01(20), Wis. Stats., waters of the state include those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within the state or its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person.

The following activities are eligible for coverage under this permit:

1.1.1. Control of Invasive Forest Canopy Pests

This permit is applicable to the point source discharge of a pollutant directly to waters of the state due to control of invasive species listed in ch. NR 40, Wis. Adm. Code, such as gypsy moth or emerald ash borer;

1.1.2. Control of Wisconsin Native Forest Canopy Pests

This permit is applicable to a point source discharge of a pollutant directly to waters of the state due to control of native Wisconsin forest canopy pests that defoliate or damage forest plants, such as forest tent caterpillars, jack pine budworm, and sawflies;

1.1.3. Control Activities for Other Similar Pests that Damage Forest Vegetation

This permit is applicable to a point source discharge of a pollutant directly to waters of the state due to control of other similar pests that damage forest vegetation as approved by the Department.

1.2. Activities Excluded

1.2.1. Discharge to Outstanding Resource Waters for Control of a Wis. Native Species

This permit is not applicable to a control activity for an organism native to Wisconsin where there would be a biological or chemical pollutant discharge to an outstanding resource water as defined in s. NR 102.10, Wis. Adm. Code or there would be a biological or chemical pollutant discharge that would lower the water quality of a downstream outstanding resource water.

1.2.2. Discharge to Exceptional Resource Waters for Control a of Wis. Native Species

This permit is not applicable to a control activity for an organism native to Wisconsin where there is no public health problem and there would be a biological or chemical pollutant discharge to an exceptional resource water as defined in s. NR 102.11, Wis. Adm. Code, or there would be a biological or chemical pollutant discharge that would lower the water quality of a downstream exceptional resource water.

1.2.3. Discharge to a Wetland

This permit is not applicable to a forest canopy pest control activity that would have a pollutant discharge that the Department has determined will not meet the wetland protection requirements of ch. NR 103, Wis. Adm. Code.

1.2.4. Discharge from Indian activities within Indian Country

This permit is not applicable to a forest canopy pest control activity by a tribal entity that would have a pollutant discharge within Indian Country. Note: The US Environmental Protection Agency regulates pollutant discharges by tribal entities within Indian Country.

1.2.5. Discharge to 303(d) listed Impaired Resource Waters

This permit is not applicable to a forest canopy pest control activity that would have a biological or chemical pollutant discharge to waters of the state identified as impaired by that pollutant. Impaired waters are those that have been identified by Wisconsin pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards. Impaired waters include both waters with State and Federally approved Total Maximum Daily Loads (TMDLs) and impaired waters for which the State and EPA have not yet approved a TMDL. At the issuance date of this permit, there are no Wisconsin waters identified as impaired for a pesticide.

Note: The section 303(d) list of Wisconsin impaired water bodies may be obtained by contacting the Department or by searching for the section 303(d) list on the Department's Internet site. The Department updates the section 303(d) list approximately every two years. The updated list is effective upon approval by EPA. The current link to the section 303(d) list is:

<http://dnr.wi.gov/org/water/wm/wqs/303d/>.

1.3. Submittal of a Notice of Intent (NOI)

To obtain authorization to discharge a pollutant under this permit, the applicator or sponsor for the forest canopy pest control activity shall submit a notice of intent for this WPDES General Permit. A link to an electronic NOI for this permit will be included in 2012 on the Wisconsin WPDES general permit internet page.

1.4. Department Coverage Determination

The permittee shall retain the written record of the Department's decision to authorize a pollutant discharge under this general WPDES Permit. The Department's permit coverage authorization shall be in writing and will show the permittee's start date for legal discharge under this permit.

1.5. Notice of Termination (NOT) Submittal

When requesting discontinuation of coverage under this WPDES general permit, the permittee shall inform the Department in writing. The request for termination can be made via letter, electronic document transmittal, or by sending a copy of the Wis. GP Notice of Termination to the Wis. Dept. of Natural Resources, Water Quality Program, P.O. Box 7921, Madison, WI 53707. Coverage under a WPDES general permit will be terminated upon receipt of the termination notice by the Department.

2. REQUIREMENTS FOR ALL DISCHARGES

2.1. Compliance with Wisconsin Water Quality Standards

The permittee shall implement applicable measures as necessary to ensure any biological or chemical pollutant discharge is controlled to prevent:

2.1.1 Violation of the surface water quality standards as specified in chs. NR 102, 103, 104, 105, 106, and 207, Wis. Adm. Code. General surface water standards (NR 102.04) specify that pollutant discharges be controlled to prevent interference with public rights from toxic substances, objectionable deposits, floating or submerged material, and materials producing color, odor, taste or unsightliness;

2.1.2 Violation of any groundwater standards in ch. NR 140, Wis. Adm. Code; and

2.1.3 Harm to endangered and threatened resources as specified in ch. NR 27, Wis. Adm. Code and s. 29.604, Wis. Stats.

2.2. Discharge of Non-pesticide Pest Control Products or Additives

Non-pesticide products or additives, such as oils, bacteria, enzymes, pheromones, polymers, surfactants, etc., used in conjunction with a forest canopy pest control activity shall be managed so any biological, excess chemical, or residual chemical pollutant discharge meets Wisconsin water quality standards as specified in part 2.1. The Department may require the permittee to submit information on the aquatic toxicity, human health impact, and persistence of any pesticide or non-pesticide product or additive used to control a forest canopy pest when there would be a pollutant discharge to waters of the state.

2.3. Discharge to an Outstanding or Exceptional Resource Water to Control an Invasive Species

When efforts to control an invasive species listed in ch. NR 40 Wis. Adm. Code results in a pollutant discharge to an outstanding resource water or an exceptional resource water (when there is no public health problem), the forest canopy pest control activity shall be managed so: (a) any biological pollutant discharge quickly degrades or is neutralized to a level that does not exceed the background concentration of the pollutant in the receiving water as specified in s. NR 207.03, Wis. Adm. Code, (b) any excess chemical pollutant discharge outside of the treatment area/transition zone does not exceed the background concentration of the pollutant in the receiving water as specified in s. NR 207.03, and (c) any chemical pollutant residual remaining after completion of the treatment period does not exceed the background concentration of the pollutant in the receiving water as specified in s. NR 207.03. Wisconsin surface waters classified as outstanding and exceptional quality are listed in s. NR 102.10, Wis. Adm. Code.

2.4. Pesticide Application Control

The permittee shall not exceed the pesticide label maximum application rate established by the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA) and any use restrictions established by the Wis. Dept. of Agriculture, Trade and Consumer Protection (DATCP), and shall:

2.4.1 Ensure the applicator using or directing the use of a pesticide is licensed and certified as required by Wis. DATCP for the pesticide product being used;

2.4.2 Maintain pesticide application equipment in proper operating condition by adhering to general industry practices and standards, and by maintaining (calibrating, cleaning, repairing, etc.) such equipment as needed to ensure effective pesticide application and pest control;

2.4.3 Ensure that the equipment's rate of pesticide application is calibrated to deliver the desired quantity of pesticide for effective control of the target pest; and

2.4.4 Perform regular maintenance activities to reduce leaks, spills, or other unintended discharges of pesticides associated with the application of pesticides covered under this permit.

2.5. Identify the Characteristics of the Pest Problem

A pest control operation covered under this permit shall, prior to initiation of a pest treatment project:

- 2.5.1** Identify target forest canopy insect pest species to develop species-specific pest identification and management strategies based on developmental and behavioral considerations for each species;
- 2.5.2** Identify pest life cycle characteristics suitable for habitat management, such as forest species rotation, to reduce the sources of pest reproduction or survival;
- 2.5.3** Estimate current distribution of the target pest within the treatment area and estimate potential distribution in the absence of control measures; and
- 2.5.4** Establish action thresholds for target pest populations for implementation of pest management strategies.

2.6. Evaluate Forest Canopy Pest Management Options

A forest canopy pest control operation covered under this permit shall, prior to initiation of a pest treatment project:

- 2.6.1** Select and implement, for each pest management area, efficient and effective means of pest management that includes identification of the characteristics of the pest problem and evaluation of methods to minimize the pollutant discharge resulting from application of chemical pesticides, biological pesticides and other pest control additives or treatments (such as those used to enhance pesticide effectiveness or otherwise manage a target pest) for control of any forest canopy pest life stage;
- 2.6.2** Considering impacts to human health, impacts to non-target organisms, pesticide efficacy, pesticide persistence, development of pesticide resistance, feasibility, and cost effectiveness, evaluate the following management options: (a) no action, (b) prevention, (c) mechanical or physical control methods, (d) cultural methods, (e) biological control agents, (f) biological pesticides, and (g) chemical pesticides.

2.7. Minimize the Pollutant Discharge

When pesticide use is necessary to manage a forest canopy pest and there is a discharge of a biological or chemical pollutant to waters of the State, the permittee shall minimize the discharge of pollutants related to control of the target pest by taking the following steps:

- 2.7.1** Conduct surveillance prior to the pesticide treatment project to assess pest density within the pest management area;
- 2.7.2** Apply pesticides only when an action threshold density has been met or exceeded;
- 2.7.3** Assess environmental conditions (such as temperature, precipitation, wind speed, etc.) in the treatment area prior to each pesticide application to identify whether existing environmental conditions are suitable for pest control activities;
- 2.7.4** In situations or locations where practicable and feasible for efficacious control, utilize pest management controls against the most susceptible development stage of the pest; and
- 2.7.5** Minimize the discharge of pesticide pollutants from the control of forest canopy pests through the use of integrated pest management principles.

2.8. Discharge of Other Pesticide Active Ingredients

2.8.1 The permittee may discharge a pesticide active ingredient not listed in this permit on a limited basis in the context of data development and/or research to support pesticide registration under the jurisdictions of EPA or the Wis. DATCP through the issuance of an *Experimental Use Permit* (Federal or State). A permittee discharging a pesticide for such purposes is not required to create an Integrated Pest Management decision summary document under part 4.3 of this permit, but must follow the other requirements of this permit. A permittee that is exempt from needing an *Experimental Use Permit* as per 40 CFR 172 and s. ATCP 29.71 may discharge a pesticide active ingredient not listed in this permit but is required to follow all of the other requirements of this WPDES general permit;

2.8.2 A permittee may discharge a pesticide active ingredient not listed in this permit or an active ingredient in a pesticide not labeled for use in a location appropriate to forest canopy pest management on a limited basis in the context of a *Special Local Need (SLN) (Section 24c)* registration granted by the Wis. Department of Agriculture, Trade and Consumer Protection under s. ATCP 29.72 or a *Section 18 emergency exemption* granted by EPA under 40 CFR 166. Discharges related to such authorized pesticide uses are subject to all other requirements of this WPDES general permit.

2.8.3 A permittee may discharge a pollutant or pesticide active ingredient not addressed in this permit if use of the organism control product is approved under a permit issued by the Department under the authority of Ch. NR 107 or NR 109, Wisconsin Administrative Code. Discharges related to such permitted aquatic organism control products are subject to the other requirements of this WPDES general permit.

3. ADDITIONAL REQUIREMENTS FOR DISCHARGES FROM TREATMENTS TO CONTROL FOREST CANOPY PESTS

Control activities for a forest canopy pest that have a point source pollutant discharge to waters of the state shall meet the following additional requirements.

3.1. Forest Canopy Pest Control *Active Ingredients*

The following pesticide active ingredient substances may have an excess or residual chemical pollutant discharge and/or a biological pollutant discharge under this WPDES permit when the pesticide product containing the active ingredient is registered with EPA, is registered with the Wisconsin Dept. of Agriculture, Trade and Consumer Protection for use in Wisconsin, and is used consistent with the label in a location appropriate to forest canopy pest management. Part 2.8 of this permit also authorizes the discharge of additional substances. A permittee may request authorization to discharge an additional pesticide active ingredient substance by requesting this general permit be modified to include the active ingredient, or the permittee may apply for a site specific WPDES individual permit to authorize the discharge of the pesticide active ingredient.

1. *Bacillus thuringiensis var. kurstaki* (Btk)
2. Disparlure
3. Gypsy moth nucleopolyhedrosis virus (NPV)

3.2. Forest Canopy Pest Action Threshold

The following forest canopy pest action thresholds are recommended for pollutant discharges under this permit: (1) a pest population density expected to result in a nuisance or public health concern within the treatment area, (2) the detection of an invasive pest species in an area outlying from or at the advancing edge of the invasive species current distribution range, (3) a pest population density that is likely to result in significant mortality to a keystone forest species essential to maintenance of a unique or special environment, or (4) a Wisconsin native or non-native forest canopy pest population density that is likely to result in 50% defoliation of the deciduous or evergreen tree species fed-on by the target pest in the area proposed for treatment. The target pest population density and potential impact shall be determined by pre-treatment surveillance, statistically valid predictive surveys, or consultation with DNR Forestry staff.

3.3. Pesticide Discharge Impact on Karner Blue Butterfly

As specified in part 2.1.3 of this permit, s. 29.604, Wis. Stats. and ch. NR 27, Wis. Adm Code, a permittee with a pollutant discharge to waters of the state shall insure that forest canopy pest control activities are designed to prevent harm to endangered and threatened resources. Treatments to control caterpillars shall be consistent with any endangered species Habitat Conservation Plan, such as the plan for the Karner blue butterfly, that may allow take of a species in non-critical populations if permanent alteration of the habitat does not occur.

4. DOCUMENTATION AND REPORTING

4.1. Visual Monitoring

During or soon after flying insect control activities, the permittee shall visually observe areas where there would be an excess pollutant discharge to waters of the state to check for adverse incidents, such as death or distress of non-target organisms, disruption of wildlife habitat, risk to recreational activities, risk to human health, etc. This visual check shall be performed when it is safe and feasible. When a large area is treated via broadcast aerial spray, the permittee may limit the visual check to a representative sample of waters of the state that have received a pollutant discharge. Visual check records shall be retained at the permittee's office for review by Department staff or any member of the public as specified in part 5.9 of this permit.

4.2. Exemption for Private Pond or Wetland

When a forest canopy treatment pollutant discharge to waters of the state is confined to a private pond (as defined in NR 107.11(3)(a), Wis. Adm. Code) or private wetland area located entirely within the property boundaries of the permittee, there is no public access during the treatment period, and the permittee can control the overflow to prevent discharge of a point source pollutant beyond the private pond or private wetland area, the permittee is exempt from parts 4.3, 4.4 and 4.5 of this permit.

4.3. Integrated Pest Management (IPM) Decision Summary

The requirements of part 4.3 of this permit are effective January 1, 2013 and apply to a permittee that exceeds a cumulative annual treatment dimension of 20 acres (of waters of the state) or 20 linear miles of shoreline. When this cumulative annual treatment area is exceeded, the permittee is required to document a brief summary of the Integrated Pest Management (IPM) decisions for each treatment project with a pollutant discharge conducted from that date through the rest of the calendar year. A copy of the project specific IPM decision summary document shall be available at the mobilization site during treatment activities and at the permittee's office for review by Department staff or any member of the

public. Part 5.9 of this permit specifies the retention time for the IPM decision summary documents. If the permittee's office is not staffed during normal business hours, the permittee shall provide a copy of the IPM decision summary for review no later than 5 days after any request to review the plan. The IPM decision summary shall be updated when there are significant changes to the treatment area, target species, or pest control products used. If it is not possible to develop an IPM decision summary document prior to a pesticide application related to a government declared invasive species emergency, the permittee shall develop the IPM decision summary within 30 days after the invasive species emergency is declared.

The primary objective of the integrated pest management decision summary is to document the evaluation process of where, when, and how forest canopy pest control is implemented within a permittee's treatment area, to minimize the discharge of excess or residual chemical pollutants and biological pollutants to waters of the state, and to describe the actions taken to ensure discharges from forest canopy pest control activities do not cause or contribute to a violation of Wisconsin water quality standards as specified in part 2.1, 2.2 & 2.3 of this permit. The IPM decision summary document shall include details on the following, at a minimum:

- 4.3.1** Permittee contact information, such as identification of the individual responsible for on-site operations, emergency reporting of permit noncompliance, and reporting of adverse incidents such as spills or impacts to non-target aquatic life (see part 5.2 & 5.5);
- 4.3.2** A map or tracking system that documents the pest treatment area, target pest general distribution within the treatment area, endangered species habitat within the permittee's treatment area, and any no-spray or no-fly zones;
- 4.3.3** Identification of the pest characterization efforts undertaken as specified in part 2.5 of this permit and the pest action threshold densities established for the pest control project;
- 4.3.4** Documentation of the decisions regarding forest canopy pest management options listed in part 2.6 of this permit;
- 4.3.5** Documentation of the pollutant discharge minimization activities undertaken as specified in part 2.7 of this permit, including the plans for target forest canopy pest surveillance and evaluation of suitable environmental conditions for forest canopy pest control when action thresholds are met;
- 4.3.6** Conclusions regarding the effectiveness of the proposed treatment on the target species, considering occurrence of the target species outside of the treatment area and the species movement range;
- 4.3.7** Description of the actions taken to ensure discharges from pest control activities do not cause or contribute to a violation of Wisconsin water quality standards as specified in part 2.1, 2.2 & 2.3 of this permit;
- 4.3.8** Summary of any sampling and analysis activities the permittee will undertake to evaluate the effectiveness of the pest control treatments, to evaluate any adverse impacts noted during visual monitoring, and;
- 4.3.9** Description of the record keeping and reporting activities needed to meet the requirements of part 4.1 (visual check) and 4.5 (annual report) of this permit.

4.4. Certification of Integrated Pest Management Implementation

After January 1, 2014, a permittee that exceeds the annual forest canopy pest treatment dimension of 20 acres (of waters of the state) or 20 linear miles of shoreline shall certify to the Department that the requirements of Part 4.3 of this permit have been implemented. The certification shall contain the following statement and be signed in accordance with the Authorized Signature standard requirement in part 5.7 of this permit:

"I certify under penalty of law that the Integrated Pest Management decision summary documents required by WPDES General Permit No. WI-0064572-1 have been completed and are retained on site at the permittee's office or any other location approved by the Department. The IPM site-specific decision summary documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate information contained in the summary documents. Based on my inquiry of the person, or persons, directly responsible for gathering the information or who manage the activity, the information contained in the IPM decision summary documents are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for providing false information, including the possibility of fine and imprisonment. In addition, I certify under penalty of law that, based upon inquiry of persons directly under my supervision, to the best of my knowledge and belief, the IPM decision summary documents adhere to the applicable requirement of WPDES General Permit No. WI-0064572-1."

This certification may be submitted with the annual reporting information (see part 4.5 below). When this certification has been submitted to the Department for one calendar year, re-certification is not required for subsequent years of discharge under this permit. A copy of this certification, showing the date submitted to the Department, shall be retained at the permittee's business office.

4.5. Annual Monitoring Report

The requirements of part 4.5 of this permit are effective for the 2013 calendar year (first report due February 15th, 2014) and subsequent years. Except as specified in part 4.2 of this permit, the permittee shall annually report the following information for forest canopy pest control activities that had a pollutant discharge to waters of the state during the calendar year: permittee name, treatment area size & location (GPS Lat/Long preferred), duration of the treatment period, target species name, control product names & amounts applied, applicator names, any adverse conditions noted/corrective actions taken, and any pollutant testing results. The annual reporting information shall be submitted to the DNR Water Quality Program no later than February 15th of the next year. Either the Department's ch. NR 107 treatment record may be used to submit the reporting information, or an alternate report format may be used that clearly shows the reporting information from the previous calendar year. Monitoring reports shall be signed in accordance with the Authorized Signature standard requirement in part 5.7 of this permit.

The annual reporting information may be submitted to the office that issued a ch. NR 107 or 109 permit for the pest control project or it may be submitted to the Headquarters office of the Department of Natural Resources Region in which the forest canopy pest control activities were primarily located. The permittee shall report a zero discharge for a year when there have been no pollutant discharges under this permit during that year related to forest canopy pest control activities.

5. STANDARD REQUIREMENTS

5.1. NR 205, Wisconsin Administrative Code: 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. Selected s. NR 205.07 requirements are listed below for convenience.

5.2. Spill Reporting for Pesticides and other Hazardous Substances: The permittee shall immediately notify the Department of an accidental release or spill of any pesticide or other hazardous substance to the environment as specified in ch. NR 706 and s. NR 205.07(3)b, Wis. Adm. Code. The Department shall be notified via the 24-hour toll free spills hotline (1-800-943-0003).

5.3. Duty to Halt or Reduce Activity: As required in s. NR 205.07(3)(e), the permittee shall curtail wastewater discharges or modify pesticide treatment activities to the extent necessary to maintain compliance with this permit.

5.4. Duty to Mitigate: As required in s. NR 205.07(1)(k), the permittee shall take all reasonable steps to minimize or prevent the likelihood of any adverse impacts to public health, the waters of the state, or the environment resulting from noncompliance with this permit.

5.5. Permit Noncompliance Reporting: As specified in s. NR 205.07(1)(s), Department notification is required within 24 hours of becoming aware of an adverse incident or permit noncompliance that may endanger human health or the environment. A written submission shall be made to the Department within 5 days of the time the permittee becomes aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance including the exact date and times, and any corrective actions taken to mitigate the noncompliance. If the noncompliance has not been corrected, specify the anticipated time the noncompliance is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

5.6. Inspection and Entry: The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to access the permittee's pollutant discharge location, to access the Integrated Pest Management decision summary documents, and to inspect and monitor the pollutant discharge as described in s. NR 205.07(1)(d).

5.7. Authorized Signature: Reports, records, and monitoring results required by this permit shall be signed by the permittee's authorized representative ~~or, in his or her absence,~~ as specified in s. NR 205.07(1)(g).

5.8. Recording of Results: For each effluent measurement or sample taken, the permittee shall record the following information as required in s. NR 205.07(1)(e):

- The date, exact place, method and time of sampling or measurements,
- The individual who performed the sampling or measurements,
- The date of the analysis and the individual who performed the analysis,
- The analytical techniques or methods used, and the results of the analysis.

5.9. Retention and Submittal of Reports, Records, and Monitoring

Results: The permittee shall retain records of all monitoring required by this permit and report monitoring results as set forth in s. NR 205.07(1)(f) and (r). Reports (including Integrated Pest Management decision summary documents, pest surveillance data and visual inspection reports), records, and monitoring results required by this permit shall be retained by the permittee for the duration of this permit or three years after this information is generated, whichever is longer.

5.10. Continuation of an Expired General Permit: As provided in s. NR 205.08(9), 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 found by searching for “WPDES general permits” or accessed at <http://dnr.wi.gov/org/water/wm/ww/gpindex/gpinfo.htm>.

5.11. Enforcement: Any violation of this permit is enforceable under ss. 283.89 and 283.91, Wisconsin Statutes.

5.12. 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.

5.13. Work near Surface Waters and Wetlands: Any work performed in wetland areas or within areas subject to local floodplain and shoreland regulations must conform to all applicable county or local ordinances. All applicable state permits and/or contracts required by chs. 30, 31 and 87, Wis. Stats. and sections 281.15, 281.17(10), 281.36 and 281.37, Wis. Stats. (or Wis. Administrative Code adopted under these laws), and applicable federal permits must be obtained as necessary.

5.14. Water Quality Sampling and Testing Procedures: Sampling and laboratory testing procedures shall be performed as specified in s. NR 205.07(1)(p) and as set forth below. Sampling and analysis of effluent samples shall be performed as specified in chapters NR 218 and NR 219, Wis. Adm. Code, respectively and shall be performed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, except that immunoassay test results from certified labs will be accepted for pesticide analysis of receiving water samples.

5.15. Conventions for the Reporting and Use of Low Level Results: The permittee shall use the following conventions when reporting effluent monitoring results: (a) non-detected pollutant results shall be reported as < (less than) the value of the analytical method's limit of detection; (b) 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; and (c) a zero value may be substituted for any non-detected pollutant result for the purposes of calculating an average or a mass discharge.