

## PUBLIC NOTICE

### PUBLIC NOTICE OF A DRAFT NPDES PERMIT TO DISCHARGE INTO WATERS OF THE UNITED STATES

U.S. Environmental Protection Agency  
Region 5, NPDES Programs Branch - WN-16J  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 886-6106

**Public Notice No.: 12-06-01-A**

**Public Notice Issued On:** June 22, 2012

**Comment period ends:** July 23, 2012

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**Permit No.: WI-0071307-2 (REISSUANCE)**

**Application No.: WI-0071307-2**

**Name and Address of Applicant:**

**Name and Address of Facility  
Where Discharge Occurs:**

Menominee Indian Tribe of Wisconsin  
Menominee Tribal Utilities  
P.O. Box 910  
Keshena, Wisconsin 54135

Wolf River Ranch Wastewater  
Treatment Facility  
State Highway 47  
Shawano County, Wisconsin  
(T28N, R14E, Section 2)

**Receiving Water:** Unnamed Wetland/Creek downstream from Mud Lake

#### **DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE**

The above-named applicant has applied for NPDES permit to discharge into the designated receiving water. The permit will be issued by the U.S. Environmental Protection Agency.

The application and plans indicate that the permittee operates a 0.065 mgd Sequencing Batch Reactor (SBR) system with phosphorus removal followed by ultraviolet disinfection. The sludge from the facility is aerobically digested on site. When needed, the digested sludge is then hauled to the old Keshena lagoon's primary cells for additional treatment. The facility does not plan to use or dispose of sludge from this facility during the permit term.

The facility has a continuous discharge to an unnamed wetland through Outfall 001 (Lat: 44° 56' 13", Long: 88° 45' 36") downstream of Mud Lake.

The draft permit requires the applicant to meet the following effluent limitations:

| Parameter   | Maximum Limits for Quantity or Loading |       |        |         | Maximum Limits for Quality or Concentration |       |               |               |
|---|--|-------|--------|---------|---|-------|---------------|---------------|
|   | 30-Day                                 | 7-Day | Daily  | Units   | 30-Day                                      | 7-Day | Daily         | Units         |
| Flow  | Report                                 | ---   | Report | MGD     | ---   | ---   | ---           | ---           |
| Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) |  |       |        |         |   |       |               |               |
|   | 11                                     | 16    | ---    | lbs/day | 20  | 30    | ---           | mg/L          |
| Total Suspended Solids (TSS)                                |  |       |        |         |   |       |               |               |
|   | 11                                     | 16    | ---    | lbs/day | 20  | 30    | ---           | mg/L          |
| Total Phosphorus (as P)                                     |  |       |        |         |   |       |               |               |
|   | 0.54                                   | ---   | 1.1    | lbs/day | 1.0   | ---   | 2.0           | mg/L          |
| Ammonia Nitrogen  |  |       |        |         |   |       |               |               |
| May-October   | 3.03                                   | ---   | 5.35   | lbs/day | 5.59  | ---   | 9.87          | mg/L          |
| Nov.-April  | ---                                    | ---   | 5.35   | lbs/day | ---   | ---   | 9.87          | mg/L          |
| E. coli   | ---                                    | ---   | ---    | ---     | 126   | ---   | 235           | E.coli/100 ml |
| Outfall Observation   | (report)                               | ---   | ---    | yes/no  | ---   | ---   | ---           |               |
|   |  |       |        |         | Minimum Daily                               |       | Maximum Daily |               |
| pH  |  |       |        |         | 6.0   | ---   | 8.5           | S.U.          |
| Dissolved Oxygen  |  |       |        |         | 5.0   | ---   | ---           | mg/l          |

**Permit No.:** WI-0071315-1 (REISSUANCE)

**Application No.:** WI-0071315-1

**Name and Address of Applicant:**

Menominee Indian Tribe of Wisconsin  
Menominee Tribal Utilities  
P.O. Box 910  
Keshena, Wisconsin 54135

**Name and Address of Facility  
Where Discharge Occurs:**

Keshena WWTP  
N 700 Go Around Road  
Menominee County, WI  
(T28N, R15E, Section 25)

**Receiving Water:** Unnamed Wetlands

## **DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE**

The above named applicant has applied for an NPDES Permit to discharge into the designated receiving water. The permit will be issued by EPA.

The treatment facility consists of an oxidation ditch system with phosphorus removal followed by ultraviolet disinfection. It has an average design flow of 335,000 gallons per day. The discharge goes east about 1700 feet through a pipe where it hits a splash pad, then the discharge flows about 900 feet through manmade trench constructed of riprap to a diversion structure where flow spreads out and spills over a weir into an unnamed wetland. The discharge is continuous.

The draft permit requires the applicant to meet the following effluent limitations:

| Parameter           | Maximum Limits for Quantity or Loading |       |        |         | Maximum Limits for Quality or Concentration |       |               |               |      |
|---------------------|--|-------|--------|---------|---|-------|---------------|---------------|------|
|                     | 30-Day                                 | 7-Day | Daily  | Units   | 30-Day                                      | 7-Day | Daily         | Units         |      |
| Flow                | Report                                 | ---   | Report | MGD     | ---   | ---   | ---           | ---           |      |
|                     | 56                                     | 84    | ---    | lbs/day | 20  | 30    | ---           | mg/L          |      |
|                     | 56                                     | 84    | ---    | lbs/day | 20  | 30    | ---           | mg/L          |      |
|                     | 2.8                                    | ---   | 5.6    | lbs/day | 1.0   | ---   | 2.0           | mg/L          |      |
| May-October         | 15.6                                   | ---   | 27.6   | lbs/day | 5.59  | ---   | 9.87          | mg/L          |      |
| Nov.-April          | ---                                    | ---   | 27.6   | lbs/day | ---   | ---   | 9.87          | mg/L          |      |
| E. coli             | ---                                    | ---   | ---    | ---     | 126   | ---   | 235           | E.coli/100 ml |      |
| Total Mercury       | ---                                    | ---   | ---    | ---     | ---   | ---   | Report        |               |      |
| Outfall Observation | (report)                               | ---   | ---    | yes/no  | ---   | ---   | ---           |               |      |
|                     |  |       |        |         | Minimum Daily                               |       | Maximum Daily |               |      |
| pH                  |  |       |        |         | 6.0   | ---   | 8.5           | S.U.          |      |
|                     |  |       |        |         | 5.0   |       | ---           | ---           | mg/l |

The permits also require compliance with 40 CFR Part 503 and any other applicable regulations when sludge is used or disposed, and 40 CFR Part 403 to prevent any pass through of pollutants or any inhibition or disruption of the permittees' facilities. These limits are consistent with federal regulations and are also intended to be protective of Wisconsin Water Quality Standards where they are applicable and the Tribe's proposed Surface Water Quality Regulations.

### **Section 401 Water Quality Certification**

EPA is the appropriate authority for purposes of certifying the proposed discharges under Section 401 of the Clean Water Act. Section 401 certification is not needed from Wisconsin or the Menominee Indian Tribe of Wisconsin as neither has federally approved water quality standards applicable to the receiving waters at the point of discharges.

### **ESA and NHPA Compliance**

EPA believes it has satisfied its requirements under the Endangered Species Act and the National Historical Preservation Act. As these are existing discharges, with no planned construction during

the permit terms, we do not believe the discharges will have any effect on historic properties, cultural resources or threatened or endangered species.

### **TENTATIVE DETERMINATION**

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to issue permits for the discharges from the Wolf River Ranch Wastewater Treatment Facility and Keshina Wastewater Treatment Plant subject to certain effluent limitations and special conditions.

### **COMMENT PROCEDURES and PUBLIC HEARING**

The determination to issue the NPDES permits is tentative. EPA's comment and public hearing procedures may be found at 40 CFR 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permits may be submitted extends to July 23, 2012.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is July 23, 2012.
3. In appropriate cases, including those where there is significant public interest, the EPA Regional Administrator may hold a public hearing. A decision has not yet been made as to whether a public hearing will be held for these permits. Public notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.
4. All comments received later than July 23 2012, may be considered in the formulation of final determinations.
5. Written comments or requests for a public hearing must be delivered or mailed to: John A. Colletti, U.S. Environmental Protection Agency, Region 5, NPDES Programs Branch - WN-16J, 77 West Jackson Boulevard, Chicago, Illinois 60604

The application and Public Notice numbers should appear next to the EPA address on the envelope and on each page of any submitted comments. It is important that all viewpoints are considered before taking action. Therefore, we greatly appreciate your time and effort in participating in the public participation process. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

### **PETITION TO REVIEW**

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permits or participated in a public hearing, if held, may petition the Environmental Appeals Board to review any condition of the permit decision. The petition should be sent to the following address: Environmental Appeals Board, MC 1103B, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue,

N.W., Washington, DC 20460.

### **AVAILABILITY OF DOCUMENTS**

The application, draft permits, including proposed effluent limitations and special conditions, statements of basis, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday. You may also view the public notice, statements of basis, and draft permits on Region 5's website at "<http://www.epa.gov/region5/water/npdestek/notices.htm>". All data submitted by the applicant is available as part of the administrative record. For more information, please contact John Colletti at (312) 886-6106 or by e-mail at [colletti.john@epa.gov](mailto:colletti.john@epa.gov).

Please bring the foregoing to the attention of anyone you know that would be interested in this matter.