

***STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES***

**PERMIT TO DISCHARGE UNDER  
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WPDES PERMIT NO. WI-S049905-3**

In compliance with the provisions of ch. 283, Wis. Stats., and chs. NR 151 and 216, Wis. Adm. Code, the City of Oak Creek is permitted to discharge storm water from all portions of the

**MUNICIPAL SEPARATE STORM SEWER SYSTEM**

owned or operated by the City of Oak Creek to waters of the state in the following watersheds:

**OAK CREEK  
ROOT RIVER  
LAKE MICHIGAN**

in accordance with the conditions set forth in this permit.

State of Wisconsin Department of Natural Resources  
For the Secretary

By

Peter C. Wood, P.E.  
Water Resources Engineer  
Southeast Region – Sturtevant Service Center

6/18/2013  
Date of Signature

**PERMIT EFFECTIVE DATE: June 12, 2013**

**EXPIRATION DATE: June 11, 2018**

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## 1. APPLICABILITY CRITERIA

### 1.1 Permitted Area

This permit covers all areas under the ownership, control or jurisdiction of the City of Oak Creek that contribute to discharges from the “municipal separate storm sewer system” (MS4) owned or operated by the City of Oak Creek.

### 1.2 Authorized Discharges

This permit authorizes storm water point source discharges to waters of the state from the City of Oak Creek MS4 in the permitted area. This permit also authorizes the discharge of storm water commingled with flows contributed by process wastewater, non-process wastewater, and storm water associated with industrial activity, provided the discharges are regulated by other WPDES permits or discharges which are not considered illicit discharges. The following are excluded from coverage under this permit:

- 1.2.1 Discharges of water from a sanitary sewer or a combined sewer system conveying both sanitary and storm water.
- 1.2.2 Discharges from an “agricultural facility” or “agricultural practice”.
- 1.2.3 Storm water discharges that do not enter the City of Oak Creek MS4.
- 1.2.4 Storm water discharges from industrial operations or land disturbing construction activities that require separate coverage under a WPDES permit pursuant to subchs. II or III of ch. NR 216, Wis. Adm. Code. Although storm water from industrial or construction activity may discharge to the City of Oak Creek MS4, this permit does not satisfy the need for the owner or operator of an industrial facility or landowner of a construction activity to obtain the appropriate permits for these discharges. This exclusion does not apply to the City of Oak Creek’s responsibility to regulate construction sites within its jurisdiction in accordance with Sections 2.4 and 2.5 of this permit.

### 1.3 Cooperation

The City of Oak Creek may, by written agreement, implement this permit with another municipality or contract with another entity to perform one or more of the conditions of this permit. However, the City of Oak Creek is ultimately responsible for compliance with the conditions of this permit

## 2. ENVIRONMENTAL RESOURCE LIMITATIONS

### 2.1 General Storm Water Discharge Limitations

The City of Oak Creek may not discharge the following substances from the MS4 in amounts that have an unreasonable effect on receiving water quality or aquatic life:

- 2.1.1 Solids that may settle to form putrescence or otherwise objectionable sludge deposits.
- 2.1.2 Oil, grease, and other floating material that form noticeable accumulations of debris, scum, foam, or sheen.
- 2.1.3 Color or odor that is unnatural and to such a degree as to create a nuisance.

- 2.1.4 Toxic substances in amounts harmful to aquatic life, wildlife, or humans.
- 2.1.5 Nutrients conducive to the excessive growth of aquatic plants and algae to the extent that such growth is detrimental to desirable forms of aquatic life, creates conditions that are unsightly, or is a nuisance.
- 2.1.6 Any other substances that may impair, or threaten to impair, beneficial uses of the receiving water.

## **2.2 Water Quality Standards**

This permit specifies the conditions under which storm water may be discharged to waters of the state for the purpose of achieving water quality standards contained in chs. NR 102 through 105 and NR 140, Wis. Adm. Code. For the term of this permit, compliance with water quality standards will be addressed by adherence to general narrative-type storm water discharge limitations and implementation of storm water management programs and practices.

## **2.3 Impaired Water Bodies & Total Maximum Daily Loads**

City of Oak Creek shall control the discharge of pollutants of concern from the MS4 to impaired water bodies listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC 1313(d)(1)(C), and the implementing regulation of the US Environmental Protection Agency, 40 CFR 130.7(c)(1). The Root River and Oak Creek are identified as impaired for total phosphorus in 2012 updates to Wisconsin's Impaired Waters List. Until the Department has approved total maximum daily loads (TMDLs), the City of Oak Creek shall control discharges of total phosphorus to the Root River and Oak Creek as follows:

- 2.3.1 Maintain existing storm water management programs and practices that reduce the discharge of total phosphorus from the MS4 to the Root River and Oak Creek.
- 2.3.2 Prohibit new or increased discharges of total phosphorus to the Root River and Oak Creek from the MS4 unless equivalent reductions are provided from existing discharges.

## **2.4 Wetlands**

City of Oak Creek MS4 discharges shall comply with the wetland water quality standards provisions in ch. NR 103, Wis. Adm. Code.

## **2.5 Endangered and Threatened Resources**

City of Oak Creek MS4 discharges shall comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm. Code.

## **2.6 Historic Property**

City of Oak Creek MS4 discharges may not affect any historic property that is listed property, or on the inventory or on the list of locally designated historic places under s. 44.45, Wis. Stats., unless the Department determines that the MS4 discharge will not have an adverse effect on any historic property pursuant to s. 44.40 (3), Wis. Stats.

### 3. PERMIT CONDITIONS

The following permit conditions shall apply to the City of Oak Creek:

#### 3.1 Public Education and Outreach

The City of Oak Creek shall implement a public education and outreach program to increase the awareness of storm water pollution impacts on waters of the state and encourage changes in public behavior to reduce such impacts. The program shall include the following measurable goals:

3.1.1 Educational activities shall be implemented that address each of the following topics during the term of the permit:

3.1.1.1 Prevention and reporting of illicit discharges.

3.1.1.2 Proper disposal of waste products from automobiles, pets and household practices.

3.1.1.3 Benefits of onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides.

3.1.1.4 Proper management of streambanks by riparian landowners to minimize erosion and enhance the ecological value of waterways.

3.1.1.5 Benefits of infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks.

3.1.1.6 Proper design, installation and maintenance of construction site erosion and storm water management practices.

3.1.1.7 Methods of storm water pollution prevention for businesses.

3.1.1.8 Benefits of environmentally sensitive land development concepts.

3.1.2 Educational activities shall be directed at target audiences that are appropriate for each topic.

Note: The public education and outreach program can be implemented as a cooperative effort as authorized under Section 1.3. The *Southeast Wisconsin Clean Water Network Public Education & Outreach Program* is a Department approved cooperative effort.

#### 3.2 Public Involvement and Participation

The City of Oak Creek shall encourage volunteerism and solicit public comments regarding storm water management activities required by this permit.

#### 3.3 Illicit Discharge Detection and Elimination

The City of Oak Creek shall enforce Section 8.23 of the Municipal Code to prevent and eliminate illicit discharges and connections to the MS4. The program shall include the following measurable goals:

**3.3.1** Conduct dry weather field screening at MS4 outfalls as follows:

**3.3.1.1** Field screening shall be conducted at primary outfalls once every six months, secondary outfalls once every year and non-critical outfalls once every five years.

**3.3.1.2** Field screening shall include a narrative description of visual observations including color, odor, turbidity, oil sheen or surface scum, flow rate or any other relevant observations regarding the potential presence of illicit discharges.

**3.3.1.3** If flow is observed, a field analysis shall be conducted to determine the presence of illicit discharges. The field analysis shall include testing for pH, total chlorine, total copper, total phenol and detergents as indicator parameters.

**3.3.2** Respond within 24 hours after a known or suspected illicit discharge is detected using the following procedure:

**3.3.2.1** Determine if a WPDES permitted facility is tributary to the outfall.

**3.3.2.2** Overlay the tributary land use and storm sewer system in City of Oak Creek Geographic Information System (GIS) to identify the most likely source of the illicit discharge.

**3.3.2.3** Conduct additional field screenings at upstream accessible points in the storm sewer system in an attempt to isolate the possible source.

**3.3.2.4** Once the source is isolated, take appropriate action to remove the illicit discharge or connection as soon as possible but no later than 30 days. If the source cannot be identified, educational material shall be sent to potential sources and the outfall will be screened again in six months.

**3.3.3** Notify the Department immediately in accordance with ch. NR 706, Wis. Adm. Code, in the event that the City of Oak Creek identifies a spill or release of a hazardous substance, which has resulted or may result in the discharge of pollutants into waters of the state. The Department shall be notified via the 24-hour toll free spill hotline at 1-800-943-0003. The City of Oak Creek shall cooperate with the Department in efforts to investigate and prevent such discharges from polluting waters of the state.

**3.3.4** Notify the appropriate municipal storm sewer system owner or operator within 24 hours if the following are detected:

**3.3.4.1** An illicit discharge that originates from the City of Oak Creek permitted area and discharges to another municipal storm sewer system or property.

**3.3.4.2** An illicit discharge that has been tracked upstream to the interconnection point or outfall from another municipal storm sewer system or property.

**3.4 Construction Site Pollutant Control**

The City of Oak Creek shall enforce Sections 13.80 through 13.93 of the Municipal Code to require erosion and sediment control at construction sites and ensure compliance. The program shall include

the following measurable goals:

- 3.4.1 Amend the Municipal Code to incorporate s. NR 151.11, Wis. Adm. Code, revisions.
- 3.4.2 Issue permits for construction sites after review and approval of permit applications and erosion and sediment control plans.
- 3.4.3 Inspect construction sites within 48 hours after receiving a complaint or other information indicating that land disturbing construction activities are being undertaken without a permit, erosion and sediment control plans are not being implemented or conditions or the permit are not being met.
- 3.4.4 Inspect all active construction sites at least once per month.
- 3.4.5 Document construction site inspections and enforcement actions taken.

### **3.5 Post-Construction Storm Water Management**

The City of Oak Creek shall enforce Sections 13.100 through 13.114 of the Municipal Code to regulate post-construction storm water discharges from new development and redevelopment. The program shall include the following measurable goal:

- 3.5.1 Amend the Municipal Code to incorporate s. NR 151.12, Wis. Adm. Code, revisions.
- 3.5.2 Issue permits for new development and redevelopment after review and approval of permit applications, storm water management plans and maintenance agreements.
- 3.5.3 Enforce long-term maintenance agreements and requirements for storm water management facilities permitted under the Municipal Code.

### **3.6 Pollution Prevention**

The City of Oak Creek shall implement a pollution prevention program. The program shall include the following measurable goals:

- 3.6.1 At least three times per year, inspect and maintain all municipally owned or operated storm water management facilities to maintain pollutant removal efficiency.
- 3.6.2 Enforce maintenance agreements and requirements for storm water management facilities used to achieve and maintain compliance with s. NR 151.13(2)(b)1.b., Wis. Adm. Code.
- 3.6.3 Sweep curbed roads in accordance with the schedule used to achieve and maintain compliance with s. NR 151.13(2)(b)1.b., Wis. Adm. Code.
- 3.6.4 Remove accumulated material from municipally owned catch basins with sumps in accordance with the schedule used to achieve and maintain compliance with s. NR 151.13(2)(b)1.b., Wis. Adm. Code.
- 3.6.5 Dispose of street sweeping and catch basin cleaning waste at a licensed municipal solid waste landfill.

- 3.6.6 Apply road salt or other deicers only as necessary to maintain public safety and in accordance with Wisconsin Department of Transportation Highway Maintenance Manual, Chapter 35.
- 3.6.7 Implement storm water pollution prevention plans for municipal garages, storage areas and other sources of storm water pollution from municipal facilities.
- 3.6.8 Apply lawn and garden fertilizers on municipally controlled properties, with pervious surfaces over 5 acres each, in accordance with a site-specific nutrient application schedule based on appropriate soil tests.
- 3.6.9 At least once per year, educate municipal staff involved in implementing the pollution prevention program.

### **3.7 Storm Water Quality Management**

The City of Oak Creek shall implement a municipal storm water quality management program to maintain compliance with the developed urban area performance standards of s. NR 151.13(2)(b)1.b., Wis. Adm. Code, for those areas of the municipality that were not subject to the post-construction performance standards of s. NR 151.12 or 151.24. The program shall include:

- 3.7.1 Implement storm water management practices necessary to achieve a 20% reduction in the annual average mass of total suspended solids discharged from the MS4 to surface waters of the state as compared to implementing no storm water management controls.
- 3.7.2 To the maximum extent practicable, maintain all storm water management practices in place on July 1, 2011.
- 3.7.3 Update the pollutant loading analysis (WinSLAMM) as directed by the Department.

### **3.8 Storm Sewer System Map**

The City of Oak Creek shall maintain a municipal separate storm sewer system map. The municipal storm sewer system map shall include:

- 3.8.1 Identification of waters of the state including name and classification, watershed boundaries, storm water drainage basin boundaries for each outfall and municipal separate storm sewer conveyance systems.
- 3.8.2 Identification of all known municipal storm sewer system outfalls discharging to waters of the state or other municipal separate storm sewer systems. Major outfalls shall be uniquely identified.
- 3.8.3 Location of any known discharge to the municipal separate storm sewer system that has been issued a WPDES permit by the Department.
- 3.8.4 Location of structural storm water management facilities including wet detention basins, infiltration systems and manufactured treatment devices.
- 3.8.5 Identification of publicly owned parks, recreational areas and other open lands.



3.8.6 Location of municipal garages and other public works facilities.

3.8.7 Identification of streets.

### 3.9 Annual Report

The City of Oak Creek shall submit an annual report to the Department for each calendar year. The City of Oak Creek shall encourage interest groups and the general public to review and comment on the annual report. The annual report shall include:

- 3.9.1 The status of implementing the permit requirements and compliance with permit schedules.
- 3.9.2 A summary of compliance with measurable goals including the number and nature of inspections and enforcement actions conducted to ensure compliance with the required ordinances.
- 3.9.3 A fiscal analysis which includes the annual expenditures and budget for the reporting year, and the budget for the next year.
- 3.9.4 Identification of known water quality improvements or degradation in the receiving water to which the Oak Creek MS4 discharges. Where degradation is identified, describe why the degradation has occurred and what actions are being taken to improve the water quality of the receiving water.
- 3.9.5 A duly authorized representative of the City of Oak Creek shall sign and certify the annual report and include a statement or resolution that the City's governing body or delegated representatives have reviewed or been apprised of the content of the annual report. A signed copy of the annual report and other required reports shall be submitted to the DNR Sturtevant Service Center, 9531 Rayne Road, Sturtevant, WI 53177.

## 4. STANDARD CONDITIONS

The conditions in s. NR 205.07(1) and (3), Wis. Adm. Code, are incorporated by reference in this permit. The City of Oak Creek shall be responsible for meeting these requirements.

**4.1 Duty to Comply:** The City of Oak Creek shall comply with all conditions of the permit. Any act of noncompliance with this permit is a violation of this permit and is grounds for enforcement action or withdrawal of permit coverage. If the City of Oak Creek files a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the City of any permit condition.

**4.2 Compliance Schedules:** Reports of compliance or noncompliance with interim and final requirements contained in any compliance schedule of the permit shall be submitted in writing within 14 days after the scheduled due date, except that progress reports shall be submitted in writing on or before each schedule date for each report. Any report of noncompliance shall include the cause of noncompliance, a description of remedial actions taken, and an estimate of the effect of the noncompliance on the City of Oak Creek's ability to meet the remaining scheduled due dates.

### 4.3 Noncompliance

**4.3.1.** Upon becoming aware of any permit noncompliance that may endanger public health or the environment, the City of Oak Creek shall report this information by a telephone call to the Department within 24 hours. A written report describing the noncompliance shall be submitted to the Department within 5 days after the City of Oak Creek became aware of the noncompliance. The Department may waive the written report on a case-by-case basis based on the oral report received within 24 hours. 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.

**4.3.2** Reports of any other noncompliance not covered under STANDARD CONDITIONS sections 4.2, 4.3.1, or 4.5. shall be submitted with the annual report. The reports shall contain all the information listed in STANDARD CONDITIONS section 4.3.1.

**4.4 Duty to Mitigate:** The City of Oak Creek shall take all reasonable steps to minimize or prevent any adverse impact on the waters of the state resulting from noncompliance with the permit.

**4.5 Spill Reporting:** The City of Oak Creek shall immediately notify the Department, in accordance with ch. NR 706, Wis. Adm. Code, in the event of a spill or accidental release of hazardous substances which has resulted or may result in a discharge of pollutants into waters of the state. The Department shall be notified via the 24-hour spill hotline (1-800-943-0003).

**4.6 Proper Operation and Maintenance:** The City of Oak Creek shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the municipality to achieve compliance with the conditions of the permit and the storm water management plan. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training 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 conditions of this permit.

**4.7 Bypass:** The City of Oak Creek may temporarily bypass storm water treatment facilities if necessary for maintenance, or due to runoff from a storm event which exceeds the design capacity of the treatment facility, or during an emergency.

**4.8 Duty to Halt or Reduce Activity:** Upon failure or impairment of storm water management practices identified in the storm water management program, the City of Oak Creek shall, to the extent practicable and necessary to maintain permit compliance, modify or curtail operations until the storm water management practices are restored or an alternative method of storm water pollution control is provided.

**4.9 Removed Substances:** Solids, sludges, filter backwash or other pollutants removed from or resulting from treatment or control of storm water shall be stored and disposed of in a manner to prevent any pollutant from the materials from entering the waters of the state, and to comply with all applicable federal, state, and local regulations.

**4.10 Additional Monitoring:** If City of Oak Creek monitors any pollutant more frequently than required by the permit, using test procedures specified in ch. NR 219, Wis. Adm. Code, the results of that monitoring shall be recorded and reported in accordance with this chapter. Results of this additional monitoring shall be included in the calculation and reporting of the data submitted in the annual report.

**4.11 Inspection and Entry:** The City of Oak Creek shall allow authorized representatives of the Department, upon the presentation of credentials, to:

**4.11.1** Enter upon the municipal premises where a regulated facility or activity is located or conducted, or where records are required to be maintained under the conditions of the permit;

**4.11.2** Have access to and copy, at reasonable times, any records that are required under the conditions of the permit;

**4.11.3** Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and

**4.11.4** Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

**4.12 Duty to Provide Information:** The City of Oak Creek shall furnish the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking or reissuing the permit or to determine compliance with the permit. The City of Oak Creek shall also furnish the Department, upon request, copies of records required to be kept by the City of Oak Creek.

**4.13 Property Rights:** The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or an invasion of personal rights, or any infringement of federal, state or local laws or regulations.

**4.14 Other Information:** Where the City of Oak Creek becomes aware that it failed to submit any relevant facts in applying for permit coverage or submitted incorrect information in any plan or report sent to the Department, it shall promptly submit such facts or correct information to the Department.

**4.15 Records Retention:** The City of Oak Creek shall retain records of all monitoring information, 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 5 years from the date of the sample, measurement, report or application.

**4.16 Permit Actions:** As provided in s. 283.53, Wis. Stats., after notice and opportunity for a hearing the permit may be modified or revoked and reissued for cause.

**4.17 Signatory Requirements:** All applications, reports or information submitted to the Department shall be signed by a ranking elected official, or other person authorized by those responsible for the overall operation of the municipal separate storm sewer system and storm water management program activities regulated by the permit. The representative shall certify that the information was gathered and prepared under his or her supervision and, based on report from the

people directly under supervision that, to the best of his or her knowledge, the information is true, accurate, and complete.

## 5. DEFINITIONS

Definitions for some of the terms found in this permit are as follows:

**5.1 Agricultural Facility** means a structure associated with an agricultural practice.

**5.2 Agricultural Practice** means beekeeping; commercial feedlots; dairying; egg production; floriculture; fish or fur farming; grazing; livestock raising; orchards; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing land in federal programs in return for payments in kind; owning land, at 35 acres of which is enrolled in the conservation reserve program under 16 USC 3831 to 3836; and vegetable raising.

**5.3 Controls Condition** means a surface-water pollutant-loading analysis that includes pollutant reductions from storm water management practices.

**5.4 Department** means the Wisconsin Department of Natural Resources.

**5.5 Erosion** means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.

**5.6 Hazardous Substance** means any substance which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics.

**5.7 Illicit Connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer system.

**5.8 Illicit Discharge** means any discharge to a municipal separate storm sewer system that is not composed entirely of storm water except discharges authorized by a WPDES permit or other discharge not requiring a WPDES permit such as landscape irrigation, individual residential car washing, fire fighting and similar discharges.

**5.9 Infiltration** means the entry and movement of precipitation or runoff into or through soil.

**5.10 Infiltration system** means a device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.

**5.11 Jurisdiction** means the area where the City of Oak Creek has authority to enforce its ordinances or otherwise has authority to exercise control over a particular activity of concern.

**5.12 Land Disturbing Construction Activity** means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover that may result in storm water runoff and lead to increased soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes, but is not limited to, clearing and

grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.

**5.13 Major Outfall** means a municipal separate storm sewer outfall that meets one of the following criteria:

**5.13.1** A single pipe with an inside diameter of 36 inches or more or equivalent conveyance (cross sectional area of 1,018 square inches) which is associated with a drainage area of more than 50 acres.

**5.13.2** A single pipe with an inside diameter of 12 inches or more or equivalent conveyance (cross sectional area of 113 square inches) which receives storm water runoff from land zoned for industrial activity with 2 or more acres of industrial activity, but not land zoned for industrial activity that does not have any industrial activity present.

**5.14 Maximum Extent Practicable** means a level of implementing management practices in order to achieve a performance standard or other goal which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features.

**5.15 Measurable Goals** are objectives that quantify the progress of program implementation and performance.

**5.16 Municipal Separate Storm Sewer** means a conveyance of system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

**5.16.1** Owned or operated by a municipality

**5.16.2** Designed or used for collecting or conveying storm water

**5.16.3** Which is not a combined sewer conveying both sanitary and storm water

**5.17 No Controls Condition** means a surface water pollutant-loading analysis that does not include pollutant reductions from existing storm water management practices including, but not limited to, infiltration systems.

**5.18 Outfall** means the point at which storm water is discharged to waters of the state or leaves one municipality and enters another.

**5.19 Permitted Area** refers to the areas of land under the jurisdiction of the City of Oak Creek that drains into a municipal separate storm sewer system, which is regulated under a permit issued pursuant to subch. I of NR 216, Wis. Adm. Code.

**5.20 Pollutant of Concern** means a pollutant that is causing impairment of an impaired water body.

**5.21 Redevelopment** means areas where development is replacing older development.

**5.22 Riparian Landowners** are the owners of lands bordering lakes and rivers.

**5.23 Sediment** means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.

**5.24 Start Date** is the initial date of permit coverage, which is specified in the Department letter authorizing coverage under this permit.

**5.25 Storm Water Management Practice** means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

**5.26 Storm Water Pollution Prevention Planning** refers to the development of a site-specific plan that describes the measures and controls that will be used to prevent and/or minimize pollution of storm water.

**5.27 Structural Storm Water Management Facilities** are engineered and constructed systems that are designed to provide storm water quality control such as wet detention ponds, constructed wetlands, infiltration basins and grassed swales.

**5.28 Waters of the State** include surface waters, groundwater and wetlands.

**5.29 WPDES Permit** means a Wisconsin Pollutant Discharge Elimination System permit issued pursuant to ch. 283, Wis. Stats.

**5.30 WinSLAMM** refers to the Source Loading and Management Model for Windows.

**FACT SHEET**  
**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**  
**PROPOSED RE-ISSUANCE OF PERMIT FOR THE CITY OF OAK CREEK**  
**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**  
**WPDES Permit No. WI-S049905-3**  
**June 2013**

**Purpose**

The Wisconsin Department of Natural Resources (the Department) is proposing to re-issue the Wisconsin Pollutant Discharge Elimination System (WPDES) permit for discharges of storm water to waters of the state from the City of Oak Creek municipal separate storm sewer system (MS4). This permit requires the City of Oak Creek to implement storm water management programs and practices to reduce pollutants that are discharged from the City of Oak Creek's MS4 to waters of the state.

**Background**

The City of Oak Creek was designated to obtain a municipal storm water discharge permit on August 2, 1996. The City's initial permit was issued on July 1, 2000 and expired on June 30, 2005. The first re-issuance of the permit occurred on April 6, 2006 and this permit expired on January 1, 2011. WPDES permit No. WI-S049905-3 is the second re-issuance of the City's permit.

**Applicability**

This permit covers all areas within the jurisdiction of the City of Oak Creek that contribute to discharges from the MS4 to waters of the state. Storm water point source discharges from the MS4 to waters of the state in the Oak Creek, Root River and Lake Michigan watersheds are authorized under this permit.

This permit does not include numeric effluent limits for compliance with water quality standards. Rather, compliance is addressed by adherence to narrative-type storm water discharge limitations and implementation of storm water management programs and practices. This approach recognizes the highly variable nature of storm water discharges and the difficulty associated with the measurement of storm water discharges at numerous outfall locations with the precision necessary to establish effluent limits and monitor compliance.

**Permit Content**

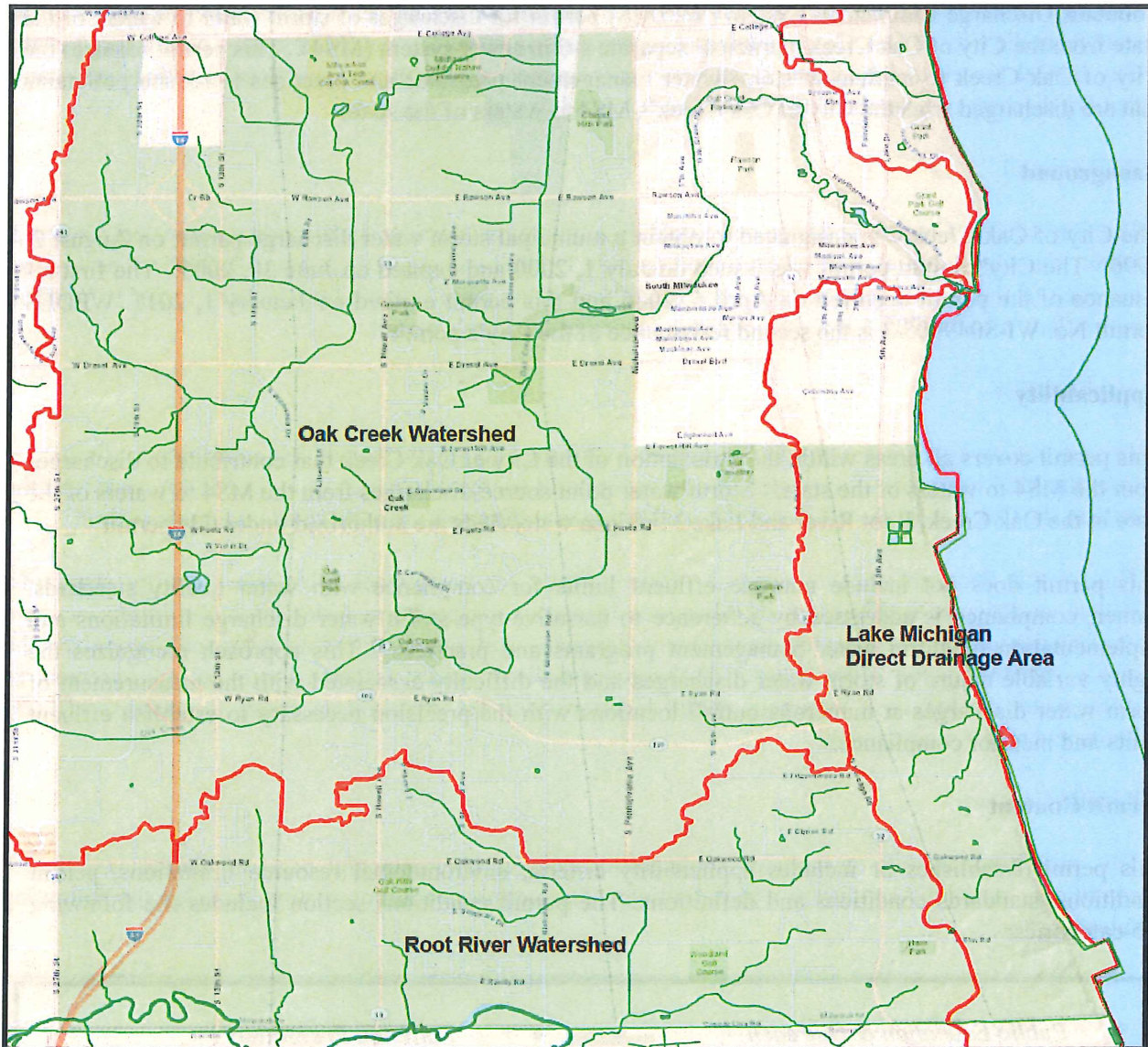
This permit establishes or includes applicability criteria, environmental resource limitations, permit conditions, standards conditions and definitions. The permit conditions section includes the following sub-categories:

- |  |   |
|--|---|
| • <i>Public Education &amp; Outreach</i>               | • <i>Pollution Prevention</i>           |
| • <i>Public Involvement &amp; Participation</i>        | • <i>Storm Water Quality Management</i> |
| • <i>Illicit Discharge Detection &amp; Elimination</i> | • <i>Storm Sewer System Mapping</i>     |
| • <i>Construction Site Pollutant Control</i>           | • <i>Annual Reports</i>                 |
| • <i>Post-Construction Storm Water Management</i>      |   |

Due to the fact that this is a re-issued permit, the permit conditions represent continued implementation of programs and procedures that were developed and approved during previous permit periods.

### Impaired Water Bodies & Total Maximum Daily Loads

As indicated in section 2.3 of the permit, the Root River and Oak Creek are listed as impaired for total phosphorus. However, development of total maximum daily loads (TMDLs) for the Root River and Oak Creek has not been initiated to date. As such, TMDL waste load allocations and implementation requirements are not included in this permit.



### For Further Information

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