

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

**PERMIT TO DISCHARGE UNDER  
WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WPDES PERMIT NO. WI-S050059-3**

In compliance with the provisions of ch. 283, Wis. Stats., and chs. NR 151 and 216, Wis. Adm. Code, the Root River Group municipalities:

**CITY OF RACINE - CITY OF NEW BERLIN - CITY OF FRANKLIN  
VILLAGE OF GREENDALE - VILLAGE OF HALES CORNERS  
VILLAGE OF MOUNT PLEASANT - VILLAGE OF CALEDONIA**

are permitted to discharge storm water from all portions of the

**MUNICIPAL SEPARATE STORM SEWER SYSTEM**

owned or operated by the Root River Group municipalities to waters of the state in the following watersheds:

**ROOT RIVER - FOX RIVER - PIKE RIVER  
OAK CREEK - MENOMONEE RIVER - LAKE MICHIGAN**

in accordance with the conditions set forth in this permit.

State of Wisconsin Department of Natural Resources  
For the Secretary

By

A handwritten signature in black ink, appearing to read 'Peter C. Wood'.

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

9/10/13  
Date

**EFFECTIVE DATE: September 10, 2013  
EXPIRATION DATE: September 9, 2018**

**TABLE OF CONTENTS**

	<b>PAGE</b>
<b>1. APPLICABILITY CRITERIA</b>	<b>3</b>
<b>2. ENVIRONMENTAL RESOURCE LIMITATIONS</b>	<b>3</b>
<b>3. PERMIT CONDITIONS</b>	
<b>3.1 Public Education and Involvement</b>	<b>5</b>
<b>3.2 Illicit Discharge Detection and Elimination</b>	<b>5</b>
<b>3.3 Construction Site Pollutant Control</b>	<b>7</b>
<b>3.4 Post-Construction Storm Water Management</b>	<b>7</b>
<b>3.5 Pollution Prevention</b>	<b>7</b>
<b>3.6 Storm Water Quality Management</b>	<b>8</b>
<b>3.7 Storm Sewer System Map</b>	<b>9</b>
<b>3.8 Annual Report</b>	<b>9</b>
<b>4. STANDARD CONDITIONS</b>	<b>10</b>
<b>5. DEFINITIONS</b>	<b>12</b>

## **1. APPLICABILITY CRITERIA**

### **1.1. Permitted Area**

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

### **1.2. Authorized Discharges**

This permit authorizes storm water point source discharges to “waters of the state” from the Root River Group MS4s in the “permitted area”. This permit also authorizes the discharge of storm water co-mingled 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. 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.

Note: No combined sewer systems are currently located within the Root River Group permitted area.

- 1.2.2.** Discharges from an “agricultural facility” or “agricultural practice”.

- 1.2.3.** Storm water discharges that do not enter the Root River Group MS4s.

- 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 Root River Group MS4s, 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 responsibility of Root River Group municipalities to regulate construction sites within their jurisdiction in accordance with Sections 2.4 and 2.5 of this permit.

### **1.3. Cooperation**

The Root River Group municipalities may work cooperatively to implement permit conditions. In addition, the Root River Group municipalities may contract with other entities to conduct permit related activities. However, each Root River Group municipality is ultimately responsible for compliance with permit conditions associated with discharges from the MS4 where the municipality is the owner or operator.

## **2. ENVIRONMENTAL RESOURCE LIMITATIONS**

### **2.1. General Storm Water Discharge Limitations**

The Root River Group municipalities may not discharge the following substances from the MS4s 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. Wetlands**

Discharges from Root River Group MS4s shall comply with the wetland water quality standards provisions in ch. NR 103, Wis. Adm. Code.

## **2.4. Endangered and Threatened Resources**

Discharges from Root River Group MS4s shall comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm. Code.

## **2.5. Historic Property**

Discharges from Root River Group MS4s 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.

## **2.6. Impaired Water Bodies & Total Maximum Daily Loads**

The Root River Group municipalities shall control the discharge of "pollutants of concern" from the MS4s 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, Pike River, Oak Creek, Underwood Creek (Menomonee River Watershed) and Deer Creek (Fox River Watershed) are identified as impaired for total phosphorus and/or total suspended solids. Until the Department has approved total maximum daily loads (TMDLs) for these water bodies, the Root River Group municipalities shall control discharges of total phosphorus and total suspended solids as follows:

- 2.6.1. Maintain existing storm water management programs and practices that reduce MS4 discharges of total phosphorus to the Root River, Oak Creek, Underwood Creek and Deer Creek, total suspended solids to the Root River, Pike River and Deer Creek and

fecal coliform to Underwood Creek.

- 2.6.2.** Prohibit new or increased MS4 discharges of total phosphorus to the Root River, Oak Creek, Underwood Creek and Deer Creek, total suspended solids to the Root River, Pike River and Deer Creek and fecal coliform to Underwood Creek unless equivalent reductions are provided from existing discharges.

### **3. PERMIT CONDITIONS**

#### **3.1. Public Education and Involvement**

The Root River Group municipalities shall implement a public education and involvement program to increase the awareness of storm water pollution impacts and encourage public participation. 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 develop concepts.
- 3.1.2.** Educational activities shall be directed at target audiences that are appropriate for each topic.
- 3.1.3.** Target audiences shall be encouraged to provide input and participate in activities required by this permit where appropriate.

Note: The public education and involvement program can be implemented as a cooperative effort as authorized in Section 1.3. The *Southeast Wisconsin Clean Water Network Keep Our Waters Clean Program* is a Department approved cooperative effort.

#### **3.2. Illicit Discharge Detection and Elimination**

The Root River Group municipalities shall enforce the municipal ordinance regarding the prevention

and elimination of “illicit discharges” and “illicit connections” to the MS4. The enforcement program shall include the following measurable goals:

### **3.2.1. Dry Weather Field Screening**

- 3.2.1.1.** Dry weather field screening shall be conducted at “priority outfalls” at least once per year.
- 3.2.1.2.** Priority outfalls shall be selected based on illicit discharge potential in the contributing drainage area.
- 3.2.1.3.** 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.
- 3.2.1.4.** If flow is observed, a field analysis shall be conducted to determine the presence of illicit discharges. The field analysis shall include testing for ammonia, detergents, pH and total chlorine as illicit discharge indicator parameters. Alternative indicator parameters may be used if approved by the Department.

Note: Alternative indicator parameters should be considered based on MS4 or outfall specific conditions. Typical alternative indicator parameters include total copper, phenol, potassium, fluoride, E. coli or bacteriodes.

### **3.2.2. Illicit Discharge Response**

- 3.2.2.1.** Within 24 hours after a known or suspected illicit discharge is detected or reported, a field investigation shall be conducted in the contributing drainage area to identify the source.
  - 3.2.2.1.1.** If the source of an illicit discharge is found, appropriate action shall be taken to remove the illicit discharge as soon as possible but no later than 30 days.
  - 3.2.2.1.2.** If the source of an illicit discharge cannot be found, the associated outfall shall be added to the list of priority outfalls for dry weather field screening and educational materials shall be provided to the potential sources in the contributing drainage area.
- 3.2.2.2.** If indirect sources of illicit discharges, such as sanitary sewer leakage or contaminated groundwater, are suspected, a strategy shall be developed and implemented to locate and eliminate these sources.

### **3.2.3. Illicit Discharge Notification**

- 3.2.3.1.** Notify the Department immediately in accordance with ch. NR 706, Wis. Adm. Code, in the event that the municipality 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 Root River Group municipalities shall cooperate

with the Department in efforts to investigate and prevent such discharges from polluting waters of the state.

- 3.2.3.2. Notify the Department at least 24 hours prior to conducting dye testing operations that may produce discharges from “outfalls” that could potentially be reported to the Department as illicit discharges or spills.
- 3.2.3.3. Notify the Department if it will take more than 30 days to remove an illicit discharge.
- 3.2.3.4. Notify the appropriate municipality within 24 hours if an illicit discharge is detected that originates from or discharges to another municipal storm sewer system.

### **3.3. Construction Site Pollutant Control**

The Root River Group municipalities shall enforce the municipal ordinance regarding erosion and sediment control at construction sites. The program shall include the following measurable goals:

- 3.3.1. Amend the ordinance to incorporate ch. NR 151, Wis. Adm. Code, construction site performance standard revisions effective as of January 1, 2011.
- 3.3.2. Issue permits for construction sites after review and approval of permit applications and erosion and sediment control plans.
- 3.3.3. Conduct erosion control inspections at all permitted construction sites at least once per month.
- 3.3.4. 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.
- 3.3.5. Document erosion control inspections and any enforcement actions taken.

### **3.4. Post-Construction Storm Water Management**

The Root River Group municipalities shall enforce the municipal ordinance regarding post-construction storm water discharges from new development and “redevelopment”. The program shall include the following measurable goals:

- 3.4.1. Amend the ordinance to incorporate ch. NR 151, Wis. Adm. Code, post-construction performance standard revisions effective as of January 1, 2011.
- 3.4.2. Issue permits for new development and redevelopment after review and approval of permit applications, storm water management plans and maintenance agreements.
- 3.4.3. Enforce long-term maintenance agreements and requirements for storm water management facilities permitted under the ordinance.

### **3.5. Pollution Prevention**

The Root River Group municipalities shall implement a pollution prevention program. The program

shall include the following measurable goals:

- 3.5.1. At least once per year, inspect and maintain all municipally owned or operated storm water control practices to maintain pollutant removal efficiency.
- 3.5.2. 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.
- 3.5.3. 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.
- 3.5.4. 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.
- 3.5.5. Dispose of street sweeping and catch basin cleaning waste at a licensed municipal solid waste landfill.
- 3.5.6. 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. The following information shall be submitted to the Department at the conclusion of each winter season:
  - 3.5.6.1. Description of deicing products used.
  - 3.5.6.2. Quantity of each deicing product used per month.
  - 3.5.6.3. Description of application equipment used.
  - 3.5.6.4. Location of any snow disposal sites.
  - 3.5.6.5. Description of anti-icing, equipment calibration and salt reduction strategies used or considered.
  - 3.5.6.6. Other measurable data or information related to deicing activities.
- 3.5.7. Implement "storm water pollution prevention plans" for municipal garages, compost operations, storage areas and other municipal public works facilities.
- 3.5.8. 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.
- 3.5.9. At least once per year, educate appropriate municipal staff regarding proper implementation of the pollution prevention program.

### **3.6. Storm Water Quality Management**

The Root River Group municipalities shall implement a municipal storm water quality management



program to maintain compliance with the developed urban area performance standard of s. NR 151.13(2)(b)1.b., Wis. Adm. Code.

- 3.6.1. Implement “storm water control practices” necessary to achieve a 20% reduction in the annual average mass of total suspended solids collectively discharged from the Root River Group MS4s to surface waters of the state as compared to implementing no storm water controls.
- 3.6.2. To the “maximum extent practicable”, maintain all storm water control practices that were in place as of July 1, 2011.

### **3.7. Storm Sewer System Map**

The Root River Group municipalities shall maintain a municipal separate storm sewer system map. The storm sewer system map shall include the following:

- 3.7.1. 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.
- 3.7.2. 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.
- 3.7.3. Location of any known discharge to the municipal separate storm sewer system that has been issued a WPDES permit by the Department.
- 3.7.4. Location of municipally owned or operated structural storm water management facilities including wet detention basins, biofilters, infiltration basins, and manufactured treatment devices.
- 3.7.5. Identification of publicly owned parks, recreational areas and other open lands.
- 3.7.6. Location of municipal garages and other public works facilities.
- 3.7.7. Identification of streets.

### **3.8. Annual Report**

Each Root River Group municipality shall submit an annual report to the Department for each calendar year. The Root River Group municipalities shall encourage interest groups and the general public to review and comment on the annual report. The annual report shall include the following:

- 3.8.1. The status of implementing the permit requirements and compliance with permit schedules.
- 3.8.2. A summary of compliance with measurable goals including the number and nature of inspections conducted and enforcement actions taken to ensure compliance with the required ordinances.
- 3.8.3. A fiscal analysis which includes the annual expenditures and budget for the reporting

year and the budget for the next year.

- 3.8.4.** Identification of known water quality improvements or degradation in the receiving water to which the Root River Group 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.
- 3.8.5.** A duly authorized representative of the municipality shall sign and certify the annual report and include a statement or resolution that the municipal 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 Root River Group municipalities shall be responsible for meeting these requirements. Some of these requirements are as follows:

##### **4.1. Duty to Comply**

The Root River Group municipalities 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 a Root River Group municipality files a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the municipality of any permit condition

##### **4.2. Enforcement**

The Department is authorized under s. 283.89 and 283.91, Wis. Stats., to utilize citations or referrals to the Wisconsin Department of Justice to enforce the conditions of this permit. Violation of a condition of this permit is subject to a fine of up to \$10,000 per day of violation.

##### **4.3. Noncompliance**

Upon becoming aware of any permit noncompliance that may endanger public health or the environment, Root River Group municipalities shall report this information by a telephone call to Department storm water program staff within 24 hours. A written report describing the noncompliance shall be submitted to the Department within 5 days after the municipality 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.

##### **4.4. Duty to Mitigate**

The Root River Group municipalities 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. Proper Operation and Maintenance**

The Root River Group municipalities 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.

**4.6. Bypass**

The Root River Group municipalities 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.

**4.7. Duty to Halt or Reduce Activity**

Upon failure or impairment of storm water management practices identified in the storm water management program, the Root River Group municipalities 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.

**4.8. 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.

**4.9. Additional Monitoring**

If Root River Group municipalities monitor 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.

**4.10. Inspection and Entry**

The Root River Group municipalities shall allow authorized representatives of the Department, upon the presentation of credentials, to:

- 4.10.1. 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.
- 4.10.2. Have access to and copy, at reasonable times, any records that are required under the conditions of the permit.
- 4.10.3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit.
- 4.10.4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

**4.11. Duty to Provide Information**

The Root River Group municipalities 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 permittee shall also furnish the Department, upon request, copies of records required to be kept by the Root River Group municipalities.

#### **4.12. 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.

#### **4.13. Other Information**

Where a Root River Group municipality 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.

#### **4.14. Records Retention**

The Root River Group municipalities 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.

#### **4.15. 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.

#### **4.16. 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**

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

- 5.5. **Illicit Connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer system.
- 5.6. **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.
- 5.7. **Infiltration** means the entry and movement of precipitation or runoff into or through soil.
- 5.8. **Jurisdiction** means the area where the permittee has authority to enforce its ordinances or otherwise has authority to exercise control over a particular activity of concern.
- 5.9. **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.
- 5.10. **Major Outfall** means a municipal separate storm sewer outfall that meets one of the following criteria:
- 5.10.1. 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.
  - 5.10.2. 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.
- 5.11. **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.
- 5.12. **Measurable Goals** are objectives that quantify the progress of program implementation and performance.
- 5.13. **Municipal Separate Storm Sewer or MS4** 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:
- 5.13.1. Owned or operated by a municipality.
  - 5.13.2. Designed or used for collecting or conveying storm water.

- 5.13.3. Is not a combined sewer conveying both sanitary and storm water.
- 5.14. **Outfall** means the point at which storm water is discharged to waters of the state or leaves one municipality and enters another.
- 5.15. **Permitted Area** refers to the areas of land under the jurisdiction of the permittee 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.
- 5.16. **Pollutant of Concern** means a pollutant that is causing impairment of an impaired water body.
- 5.17. **Priority Outfall** is an outfall that is determined to be a potential source of illicit discharges based on one or more of the following contributing drainage area characteristics:
- 5.17.1. History of known or suspected illicit discharges reported within the last five years.
  - 5.17.2. Sections of storm sewer and/or sanitary sewer infrastructure that have exceeded or are approaching their design/useful life.
  - 5.17.3. Contributing drainage areas with 80 or more percent imperviousness.
  - 5.17.4. Business or industrial parks with frequent changes in property ownership or operations.
  - 5.17.5. Schools or other institutional facilities.
  - 5.17.6. Commercial or industrial operations that generate wastewater or wash water including food processing, metal plating or machining shops, auto and scrap recyclers, commercial car washes and chemical manufacturers or users.
- 5.18. **Redevelopment** means areas where development is replacing older development.
- 5.19. **Riparian Landowners** are the owners of lands bordering lakes and rivers.
- 5.20. **Storm Water Control 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.
- 5.21. **Storm Water Pollution Prevention Plan** refers to a site-specific plan that describes the measures and controls that will be used to prevent and/or minimize pollution of storm water.
- 5.22. **Waters of the State** include surface waters, groundwater and wetlands.
- 5.23. **WPDES Permit** means a Wisconsin Pollutant Discharge Elimination System permit issued pursuant to ch. 283, Wis. Stats.

**FACT SHEET**  
**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**  
**PROPOSED RE-ISSUANCE OF PERMIT FOR THE ROOT RIVER GROUP**  
**MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)**  
**WPDES Permit No. WI-S050059-3**  
**September 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 Root River Group municipal separate storm sewer systems (MS4s). The Root River Group includes the City of Racine, City of New Berlin, City of Franklin, Village of Greendale, Village of Hales Corners, Village of Mount Pleasant and Village of Caledonia. This permit requires the Root River Group municipalities to implement storm water management programs and practices to reduce pollutants that are discharged from the MS4s to waters of the state.

**Background**

The Root River Group municipalities were designated to obtain a municipal storm water discharge permit on March 5, 1999. The initial permit for the Root River Group was issued on January 7, 2004 and expired on October 1, 2008. The first re-issuance of the permit occurred on December 4, 2008 and this permit expired on July 1, 2013. WPDES permit No. WI-S050059-3 is the second re-issuance of this permit.

**Applicability**

This permit covers all areas within the jurisdiction of the Root River Group municipalities that contribute to discharges from the MS4s to waters of the state. Storm water point source discharges from the MS4s to waters of the state in the Root River, Fox River, Pike River, Menomonee River, Oak Creek 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**

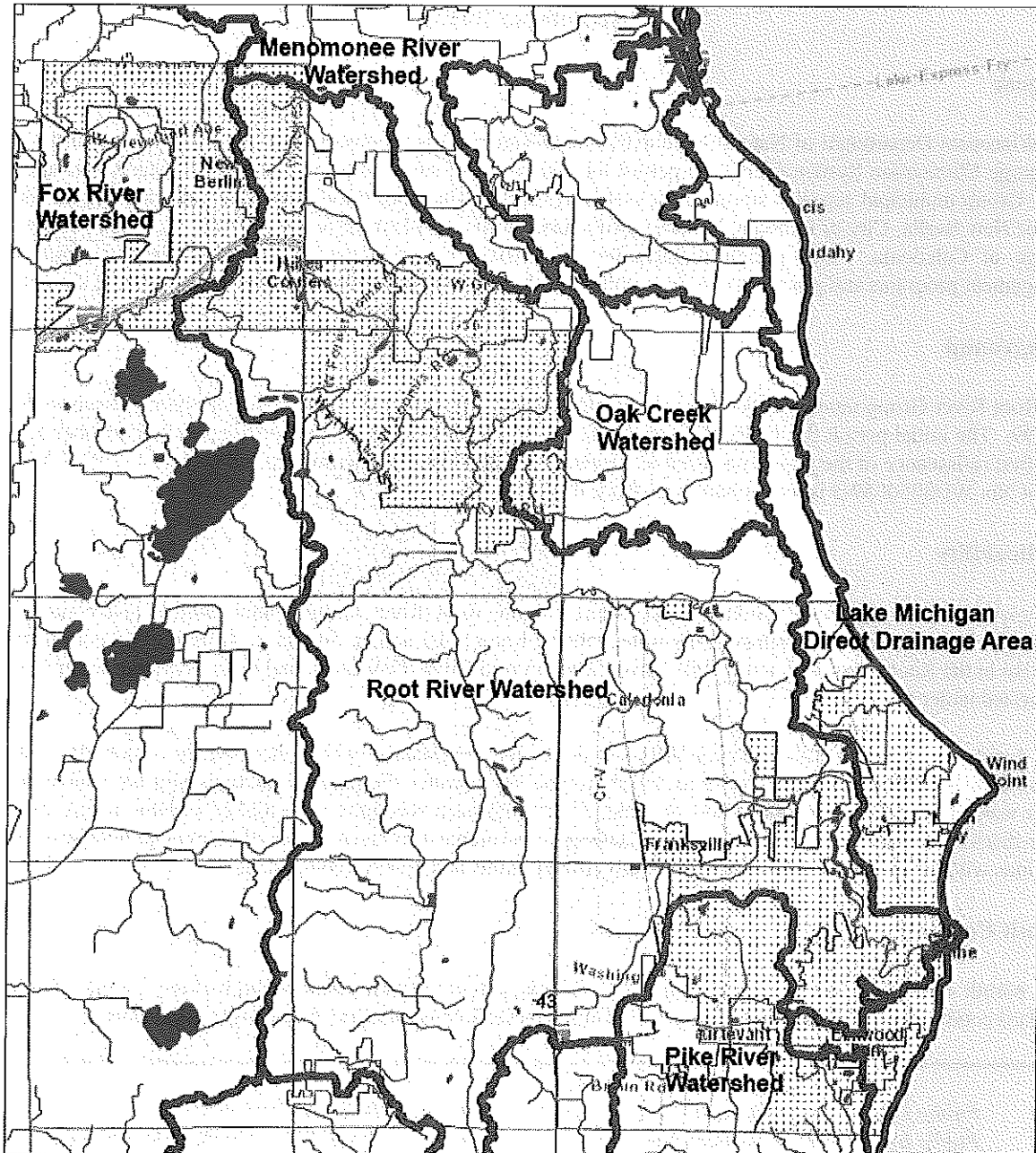
This permit establishes or includes applicability criteria, environmental resource limitations, permit conditions, standard conditions and definitions. The permit conditions section includes the following sub-categories:

- |  |   |
|--|---|
| • <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 the previous permit periods.

## Impaired Water Bodies & Total Maximum Daily Loads

As indicated in section 2.3 of the permit, the several water bodies in the Root River Group permitted area are listed as impaired for total suspended solids, total phosphorus and/or fecal coliform. However, TMDL waste load allocations have not been established for these water bodies and are not included in this permit.



### For Further Information

Contact Peter Wood, Water Resources Engineer at DNR Sturtevant Service Center, 9531 Rayne Road, Sturtevant, WI 53177, [Peter.Wood@Wisconsin.gov](mailto:Peter.Wood@Wisconsin.gov) or at (262) 884-2360.