

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NOTICE OF FINAL DETERMINATION TO ISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION
SYSTEM (WPDES) GENERAL PERMIT NO. WI-0063835-04-0

General Permit Name: Ballast Water (WI-0063835-04-0)

Receiving Water and Location: Waters of the state where commercial shipping occurs, primarily in the open water and harbors of Lakes Michigan and Superior.

Brief Description of Facilities Covered under the General Permit: Authorization to transit and discharge ballast water in Wisconsin waters may be granted to applicable vessels under the Ballast Water Discharge General Permit (GP) issued by the Wisconsin Department of Natural Resources (department). This is the 4th issuance of the ballast water permit and contains requirements to minimize, to the maximum extent practicable, the threat of aquatic invasive species commonly found in ballast water, including the use of ballast water treatment systems for oceangoing vessels. The Wisconsin GP is intended to supplement the U.S. Environmental Protection Agency (EPA) 2013 Vessel General Permit (VGP) and the U.S. Coast Guard (USCG) Ballast Water Discharge Final Rule. This permit is applicable to commercial vessels ≥ 24.1 meters in length with a ballast water capacity of $\geq 8 \text{ m}^3$.

The department had a 30-day public comment period and did not receive any comments on the draft permit other than from the EPA, as listed below. The department also sent the draft permit notice directly to the Lake Carriers Association and the Canadian Ship Owners Association.

Publishing Newspaper: Wisconsin State Journal

Date Notice Issued: February 12, 2025

Permit Drafter: Susan Eichelkraut, DNR, 1027 W St Paul Ave, Milwaukee, WI 53233, phone: (414) 897-5714 or email: Susan.Eichelkraut@Wisconsin.gov.

Date Permit Signed/Issued: March 24, 2025

Date of Effectiveness: April 1, 2025

Comments Received from EPA or Other Government Agencies

Comment from EPA: The permit should state that any discharger covered under a general permit may request to be excluded from coverage under the general permit by applying for an individual permit, in accordance with 40 C.F.R. § 122.28(b)(3)(iii). This section could be inserted in section 5.1.5 "General Conditions for General Permits."

Response: The department added section 5.1.5

In addition to adding section 5.1.5, other minor editorial changes were made to the final permit and items that did not pertain to vessels was removed.

As provided by s. 283.63, Wis. Stats., and ch. 203, Wis. Adm. Code, persons desiring further adjudicative review of this final determination may request a public adjudicatory hearing. A request shall be made by filing a verified petition for review with the Secretary of the Department of Natural Resources within 60 days of the date the permit was signed (see permit signature date above). Further information regarding the conduct and nature of public adjudicatory hearings may be found by reviewing ch. NR 203, Wis. Adm. Code, s. 283.63, Wis. Stats., and other applicable law, including s. 227.42, Wis. Stats.

Information on file for this permit action, including the draft permit and fact sheet may be reviewed on the internet at the above web link or may be inspected and copied at the permit drafter's office during office hours. Information on this permit may also be obtained by calling the permit drafter or by writing to the department. Reasonable costs (usually 20 cents per page) will be charged for copies of information in the file other than the public notice, permit and fact sheet. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.