

# PERMIT FACT SHEET

## General Information

Permit Number:	WI-0046515-07-2
Permit Name:	Mineral (Nonmetallic) Mining and/or Processing
Permittee:	Point source dischargers in the state of Wisconsin
Discharge Location:	Land surface or surface waters in the state of Wisconsin
Receiving Water:	Surface water or groundwater in the state of Wisconsin

## Reason for Permit Modification

Sampling point 006 applicability has been modified to apply only to the discharge from process generated wastewater treatment facilities to groundwater via infiltration from **industrial sand** mineral (nonmetallic) mining operations, **industrial sand** mineral processing operations, or other **industrial sand** facility activities commonly categorized under Standard Industrial Code (SIC) 1446, pursuant to federal Occupational Health and Safety Administration (OSHA) regulations. Per this modification, sampling point 006 no longer applies to process wastewater discharges from other nonmetallic (non-industrial) mining facilities, including quarries that produce crushed stone or other nonmetallic mineral products. (Further details on this modified sampling point are outlined in this fact sheet (WI-0046515-07-2) and in Section 4.2.1 of the modified permit (WI-0046515-07-2).

Changes were made based on new information presented by permittees and/or their industry sector groups and through administrative order. Further information on the reasoning and authority for this modification is included below.

## General Permit Description

This general permit was created to properly manage discharges from mineral mining, processing, or other similar facilities to waters of the state to protect public health and water quality of groundwater and surface water within the state of Wisconsin. The department issued WPDES Permit No. WI-0046515-07-0 for Mineral (Nonmetallic) Mining and/or Processing on June 7, 2022. The Permit became effective on January 1, 2023.

The Permit regulates discharges from Industrial and Non-Industrial Sand Facilities. Facilities range in size from small to large, and Permit requirements differ depending on the type of operation and the type of discharge. Since issuance of the Permit, the department has received additional comments and information from regulated facilities regarding some of the new monitoring and reporting requirements for Non-Industrial Sand Facilities that have prompted the department to propose limited modifications to the Permit. As a result of this information and a petition for contested case, a contested case hearing was granted on March 11, 2024. The prehearing conference was held July 23, 2024. The parties agreed to modified permit terms, and the order dismissing the contested case was signed on October 4, 2024. The permit modification will become effective December 31, 2024.

This fact sheet addresses only the changes made in the WI-0046515-07-2 modification. Fact sheets summarizing changes for the original permit reissuance WI-0046515-07-0 and the first modification WI-0046515-07-1 provide explanations of limits and monitoring requirements for all parameters and permit conditions.

## Sampling Point 006 Description Change

**Section 4.2.1:** The department is modifying sampling point 006 to apply only to the discharges from process generated wastewater treatment facilities to groundwater via infiltration from **industrial sand** mineral (nonmetallic) mining operations, **industrial sand** mineral processing operations, or other **industrial sand** facility activities commonly categorized under Standard Industrial Code (SIC) 1446 pursuant to federal Occupational Health and Safety Administration (OSHA) regulations. The permittee shall sample the process generated wastewater in the treatment facility at a point and in a manner that will yield representative results of the wastewater that may enter groundwater via Outfall 006. Any other water (e.g. storm water, sludge decant, dewatering water, mineral (e.g. tailings or sediment) drainage water, vehicle and equipment wash water, dust suppression water, noncontact cooling water, condensates, or boiler blowdown) commingled with process generated wastewater in a pit, pond, lagoon, mine, or other facility used for treatment of the process generated wastewater is deemed to be process generated wastewater. The permittee is not required to sample process generated wastewater treatment facilities while the site is temporarily inactive and sits idle, except in the second year of the permit term per Section 4.5.

**Explanation of Change:** Based upon the order signed on October 4, 2024 by the State of Wisconsin Division of Hearings and Appeals for Case No. DNR-24-004 in the matter of the Nonmetallic Mining WPDES Permit No. WI-0046515-07-1, Section 4.2.1 of the permit is modified and sampling point 006 is now ONLY applicable to discharges from process generated wastewater treatment facilities to groundwater via infiltration from **industrial sand** mineral (nonmetallic) mining operations, **industrial sand** mineral processing operations, or other **industrial sand** facility activities commonly categorized under Standard Industrial Code (SIC) 1446 pursuant to federal Occupational Health and Safety Administration (OSHA) regulations. Per this modification, Sampling Point 006 no longer applies to discharges from other (non-industrial) nonmetallic mining facilities, including quarries, as defined in Wis. Stat. § 66.0441(2)(g), that produce crushed stone or other nonmetallic mineral products such as sand and gravel used in transportation and other construction projects and that are not SIC 1446 industrial sand facilities.

**Note:** After December 31, 2024, facilities that **do not operate a facility classified under SIC 1446 (industrial sand mine) will no longer see reporting requirements for Outfall 006 in discharge monitoring reports.** Changes to the discharge monitoring reports will be updated by the Department in January 2025.

## Additional Clarifications

**Permit Number References:** Due to permit modifications, the reference to the “prior permit numbers WI-A04651-06-0 or WI-B046515-06-0” in Section 2.2.1 of the modified permit now also refers to the prior permit numbers WI-0046515-07-0, WI-0046515-07-1.

**Corrections to typographical errors:** Correction of minor typographical errors have been completed and are limited to misspelled words, punctuation, and spaces between words.

Modification WI-0046515-07-2 Prepared by:

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**Date: 11/14/2024**