

# PERMIT FACT SHEET

## General Information

Permit Number:	WI-0057665-07-0
Permit Name:	Landspreading of Industrial By-Product Solids
Permittee:	Point source dischargers in the State of Wisconsin
Discharge Location:	Statewide
Receiving Water:	Discharges to groundwater via landspreading on department approved sites in the state of Wisconsin.

Section 283.35, Wis. Stats., authorizes the Department of Natural Resources (hereafter department) to issue a general permit (GP) for discharge from specified categories or classes of point sources if they are not a significant contributor of pollution. It is more efficient for the department to cover multiple facilities under a GP rather than issuing individual permits for each facility when no special circumstances warrant site specific permit requirements or limitations. The GP program is intended to minimize effort for the permittee and the department while ensuring that groundwater quality standards are met.

When a GP is issued, all facilities meeting its requirements may be covered by the GP. Upon receipt of a request of coverage and determination that the facility is eligible, the department sends a letter granting coverage and a copy of the permit to the facility. The letter includes the department's determination that the permittee's discharge is covered under the GP.

A permittee may need to be covered under more than one GP, depending on the different types of waste streams that a facility discharges. For example, if a farmer stores and landspreads silage and the stored silage generates leachate. The landspreading of the silage would need to be covered under the "Landspreading of Industrial By-Product Solids" GP and the landspreading of the separated silage leachate would need to be covered under the "Landspreading of Industrial Liquid Wastes" GP. However, if the silage is combined with the leachate prior to landspreading to the environment, then the landspreading discharge may be covered under the "Landspreading of Industrial By-Product Solids" GP alone. Similar permitting requirements apply to industrial liquid wastes mixed with slaughterhouse paunch manure.

Section 214.10, Wis. Adm. Code, states that the department may withdraw a discharge from the coverage of this general Wisconsin Pollution Discharge Elimination System (WPDES) permit and issue an individual WPDES permit pursuant to s. 283.35, Wis. Stats., on its own motion, or upon the petition of any general permittee, affected state, or 5 or more persons affected by the disposal practices of this general permittee. If the department determines that a discharge covered by this general WPDES permit is better regulated by an individual WPDES permit, it shall notify the affected person in writing of the need to apply for an individual permit and shall provide the person with an application form. Any person so notified shall submit that application form within 60 days of receipt of the notice and application form.

## Changes from Previous Permit

Several changes are proposed to the "Landspreading of Industrial By-Product Solids" General Permit (WI-0057665-06). Changes are proposed for many sections of the proposed permit to clarify requirements specified in chs. NR 140, 205, 213, and 214, Wis. Adm. Code. Changes to the format of the permit and fact sheet were made to be consistent with standard language in other WPDES general permits.

The department added the following new sections to the "Landspreading of Industrial By-Product Solids" general permit: Sections 2, 3.3, 4.1, 4.2, and 7.4.

Due to the insertion of Sections 2 and 4, the following section numbers have changed:

- Section 5 (“Management Plan”) of the prior permit is Section 7 in this permit.
- Section 6 (“Operational Requirements”) of the prior permit is Section 8 in this permit.
- Section 7 (“Standard Requirements”) of the prior permit is Section 9 in this permit.
- Section 8 (“Summary of Reports Due”) of the prior permit is Section 10 in this permit.

The department increased sampling frequency for Outfall 001 (Section 6.2.1) from annual to quarterly. In addition, the department included sampling requirements for potassium. Increased sampling frequency ensures representative sample collection and accurate calculation of pollutant loading rates (example: Nitrogen pounds/acre/crop year). Potassium tracking is important for nutrient management purposes (especially if receiving sites are included in a property owner’s nutrient management plan).

*Important note: Monitoring is only required during periods of active landspreading.*

Section 9 (“Standard Requirements”) includes several updates to maintain consistency with other WPDES general permits.

The Notice of Intent and Daily Log have been added to Section 10 (“Summary of Reports Due”).

## **General Permit Description**

The landspreading of industrial by-product solids (“by-product solids”) is regulated by ch. NR 214, Wis. Adm. Code, entitled “Land Treatment of Industrial Liquid Waste, By-product Solids and Sludges.” The regulation of by-product solids is necessary because experience has shown that improper management of these by-products can lead to surface water or groundwater pollution. The department is responsible for approving the suitability of sites used for landspreading of these by-product solids and to protect surface water and groundwater from contamination.

Industrial, commercial, or agricultural facilities produce a variety of food and animal related by-product solids. Sweet corn cobs, leaves and husks are by far the most common type of by-product solids landspread under this GP. However, due to several reasons, such as the high cost of constructing a storage site to ch. NR 213, Wis. Adm. Code, design specifications, the oversupply of silage feed, or unsuitability of the product, the generator may wish to dispose of by-product solids by direct application to the soil. Other examples of by-product solids from the vegetable processing industry are peelings from potatoes, carrots, beets and onions, cabbage leaves and cores from sauerkraut processing, snap bean tips, and solid particles screened from wastewater. Fruit processing by-product solid examples include pits, peelings, and vegetation removed from berry processing. From the meat processing industry (i.e. slaughterhouses), a common by-product solid is paunch manure, which is the stomach contents of slaughtered animals. These wastes can have beneficial use as a fertilizer and/or a soil conditioner if they are properly managed and are evenly distributed over the land.

This GP is intended to be issued for the continuous or seasonal direct landspreading of small volumes of food processing by-products or for short-term landspreading of larger volumes of by-product solids. Additionally, this GP is available for the department to use for urgent requests to landspread by-product solids due to unexpected problems.

The following situations are examples of how this permit can be used to regulate landspreading of by product solids:

1. Landspreading of Small Volumes of By-product Solids

If a food processor has a small quantity of by-product that can be landspread with a low potential for environmental harm, it can be regulated with the GP. This situation might arise if the food processor, such as a potato chip or onion ring processor, discharges process wastewater to a publicly owned treatment works and has no other WPDES permit.

2. Short Term or One-Time Disposal

Food processors will sometimes need to dispose of by-products due to some unexpected event. This might include such things as substandard or spoiled product, loss of their regular by-product market, an over-supply of raw material, or a change in their processing method. The GP is appropriate to regulate these types of landspreading events regardless of volume if they occur as short-term events and are landspread in accordance with a department approved management plan. However, if the event occurs for the entire processing season, or for more than one season, it should be regulated as an outfall in an individual WPDES permit.

3. Interim Regulation

Until such time as the department can issue, reissue, or modify site specific permits for entities that landspread food processing by-products, this GP can be used as interim WPDES permit. An independent contractor that manages the disposal of by-products may be covered under this permit in this case. In all cases, the permittee must develop and follow a management plan approved by this department.

This GP will require that the permittee submit a management plan containing pertinent information about the industrial or commercial process that generates the by-product solids, the by-product solids storage and transportation system, and the landspreading sites. It will also require a tracking of the volume landspread and representative sampling and analyses for pollutants that are expected to be present in significant quantities.

# 1 Applicability Criteria

## 1.1 Activities Covered

The permit is applicable to landspreading of low volume by-product solids from an industrial, commercial, or agricultural facility to a land spreading system. “By-product solids” means waste materials from animal product or food processing industry including, but not limited to remains of butchered animals, paunch manure (slaughterhouse waste), and vegetable waste materials such as leaves, cuttings, peelings and actively fermenting sweet corn silage as defined in sub. NR 214.03(4), Wis. Adm. Code. “Landspreading system” means a system where a controlled quantity of by-product solid is uniformly applied onto, or incorporated into, the soil surface of designated sites by means of a vehicle with a spreader bar, spray gun or subsurface injector as defined in sub. NR 214.03(26), Wis. Adm. Code. All by-product solids shall have no detrimental effect on soils, vegetation or groundwater of a land spreading system and shall have beneficial properties as a soil conditioner or fertilizer as specified in sub. NR 214.02(1), Wis. Adm. Code.

## 1.2 Activities Not Covered

This permit is not applicable to landspreading discharges that meet any of the following conditions:

a. Industrial Liquid Wastes

The landspreading of industrial liquid wastes is not covered by this GP. “Liquid Wastes” means process wastewater and waste liquid products, including silage leachate, whey, whey permeate, whey filtrate, contact cooling water, cooling or boiler water containing water treatment additives, and wash water generated in industrial, commercial, and agricultural operations which result in a point source discharge to a land treatment system as defined in sub. NR 214.03(27), Wis. Adm. Code. Industrial liquid wastes may be covered under the “Landspreading of Industrial Liquid Wastes” General Permit WI-0055867 or an individual WPDES permit.

b. Industrial and Sewage Sludges

The landspreading of industrial or municipal sludges are not covered by this GP. Industrial “Sludge” means the accumulated solids generated during the biological, physical, or chemical treatment, coagulation or sedimentation of water or wastewater as specified in sub. NR 214.03(34), Wis. Adm. Code. Industrial sludges may be covered under the “Landspreading of Industrial Sludge” General Permit WI-00557657 or an individual WPDES permit.

“Sewage sludge” (or “biosolids”) means the solid, semi-solid or liquid residue generated during the treatment of domestic sewage in treatment works as defined in sub. NR 204.03(55), Wis. Adm. Code. The land application of sewage sludge is covered under an individual WPDES permit.

c. Septage

The landspreading of septage is not covered by this GP. “Septage” means the scum, liquid, sludge, or other waste in any of the following: a) a septic or holding tank, dosing chamber, grease interceptor, seepage bed, seepage pit, seepage trench, distribution cell, or other component of private onsite wastewater treatment systems, or b) a privy or portable restroom system as defined in sub. NR 113.03(55), Wis. Adm. Code. The land application of septage may be covered under a WI septage business license and/or WPDES permit.

d. Other Methods of Disposal

Any portion of by-product solids that is hauled to another WPDES permitted facility such as a publicly-owned treatment works (POTW), a landfill, an incinerator, a livestock feeding operation, or a contract hauler is not covered under this GP. Rather, this GP applies only to landspreading of by-product solids directly to department approved landspreading sites.

e. Toxic or Hazardous Substances

The landspreading of by-product solids that contain toxic or hazardous substances that are required to be reported under ch. NR 706, Wis. Adm. Code, is not authorized by this permit in accordance with s. NR 214.05, Wis. Adm. Code. Exemptions for landspreading discharge of these substances require an individual WPDES permit which provides the oversight, monitoring and discharge limitations necessary to protect public health and the waters of the State. Discharges containing only toxic or hazardous substances to land treatment systems are prohibited as specified in s. NR 664.0270, Wis. Adm. Code.

f. Landspreading Requirements and Groundwater Standards

The landspreading discharges from facilities eligible for this GP are not expected to exceed groundwater standards. Facilities with landspreading discharges that have a reasonable potential to violate groundwater standards in ch. NR 140, Wis. Adm. Code, may be issued an individual WPDES permit.

g. Landspreading of Solid Waste

The landspreading of by-product solids that are regulated under the provisions of ch. NR 518, Wis. Adm. Code, are not eligible under this permit in accordance with s. NR 214.02, Wis. Adm. Code. Chapter NR 518, Wis. Adm. Code, entitled "Landspreading of Solid Waste", exempts vegetable waste specifically and has a general exemption for non-detrimental wastes applied as a soil conditioner or fertilizer. The wastes regulated by the GP must be exempt from ch. NR 518, Wis. Adm. Code, and this is the case for those by-product solids described above.

h. Wetlands

This permit does not cover landspreading discharges of by-product solids to wetlands. "Wetlands" means an area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions as defined in sub. NR 214.03(38), Wis. Adm. Code. In accordance with s. NR 214.05, Wis. Adm. Code, discharges of by-product solids to land treatment systems shall be operated to prevent detrimental effects on wetlands. "Detrimental effect" means contamination of the lands or waters of the state, or making the same injurious to public health, harmful for commercial or agricultural use, or deleterious to animal or plant life as defined in sub. NR 214.03(10), Wis. Adm. Code.

i. Surface Waters

This permit does not cover landspreading discharges of by-product solids to surface waters. "Surface water" means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, marshes, water courses, drainage systems, and other surface water, natural or artificial, public, or private within the state or under its jurisdiction as defined in sub. NR 214.3(64), Wis. Adm. Code. In accordance with s. NR 214.05, Wis. Adm. Code, discharges of by-product solids to land treatment systems shall be operated to prevent detrimental effects on surface waters. "Detrimental effect" means contamination of the lands or waters of the state, or making the same injurious to public health, harmful for commercial or agricultural use, or deleterious to animal or plant life as defined in sub. NR 214.03(10), Wis. Adm. Code. Additionally, by-product solids shall be stored and disposed of in a manner to prevent any pollutant from entering the waters of the state in accordance with s. NR 205.07(3)(a), Wis. Adm. Code.

j. Endangered and Threatened Resources

Landspreading discharges that affect endangered and threatened resources are not eligible for this permit, unless the department determines that the discharges comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm.

Code. Facilities with discharges that require more oversight to ensure that they do not violate these protection requirements may need to be covered by an individual permit.

k. Discharges within Tribal Lands

The department lacks the authority to issue WPDES permits within tribal lands due to the state delegation agreement with U.S. EPA. In such instances, the Tribe or U.S. EPA regulates the landspreading discharge and would issue a permit.

l. Contract Haulers and Facilities that Comingle By-Product Solids

This GP does not apply to contract haulers that transport or landspread by-product solids. The landspreading of by-product solids that are mixed or comingled with other industrial wastes, septage, and/or sewage sludge are not eligible under this GP. The department's intent for this GP is not to be used for contract haulers servicing multiple industrial customers generating dissimilar by-product solids as this can lead to a greater risk of surface water or groundwater pollution. In the event that a contract hauler landspreads mixed, dissimilar by-product solids from multiple industries, an individual WPDES permit is required.

## **2 Application for Permit Coverage**

The department has retained permit application requirements in the reissued permit. The permit application requirements assures that all the necessary discharge information is properly reported to the department and will help the department determine if a discharge is eligible for the general permit. Data provided will be entered into the department permitting database to facilitate setting-up discharge monitoring reports and compliance monitoring that may be required. The sections below explain the rationale and assumptions used in deriving the permit application requirements for this general permit.

### **Changes from Previous Permit:**

Section 2, (“Application for Permit Coverage”) includes updated application requirements and replaces information found in Sections 7.1.1-7.1.2 of the prior permit (“Request for Coverage” and “Department Coverage Determination”).

## **2.1 New Permittees**

### **2.1.1 Submittal of a Notice of Intent**

In accordance with s. NR 205.08(3), Wis. Adm. Code, on a case-by-case basis the department may by letter require a discharger to submit a notice of intent (NOI) to be covered by a general permit. Additionally, general permits shall specify the deadlines for submitting NOI to be covered under the permit as specified by 40 CFR 122.28(b)(2)(iii). The applicant must submit a complete NOI under the general permit to the department at least thirty (30) business days before the expected start date of discharge. As of December 21, 2020, all NOIs submitted in compliance with this section must be submitted electronically by the discharger in compliance with 40 CFR 122.28(b)(2)(i) and 40 CFR 127. New permittees must submit an eNOI to obtain coverage under this general permit using the online ePermitting System pursuant to 40 CFR Part 127.

### **2.1.2 NOI Review Time Period**

The department will evaluate the information submitted in the eNOI to determine whether the eNOI is true, accurate, complete, and whether the facility is eligible for coverage under the general permit within 30 calendar days of receipt of the complete NOI and associated attachments pursuant to ss. NR 205.08(3), Wis. Adm. Code.

In accordance with s. NR 205.08(5), Wis. Adm. Code, if the department notifies an applicant that a discharge is ineligible for coverage under this general permit but still requires WPDES permit coverage, the applicant shall apply for and obtain coverage under an individual WPDES permit (or alternative general permit, if available) prior to discharging to the waters of the state. The necessary steps to apply for coverage under an individual permit can be found at the department website:

<http://dnr.wi.gov/topic/wastewater/PermitApplications.html>.

### **2.1.3 Content of the NOI**

The contents of the notice of intent shall be specified in the general permit and shall require the submission of information necessary for adequate program implementation, including at a minimum, the legal name and address of the owner or operator, the facility name and address, type of facility or discharges, the receiving stream(s), and other required data elements as identified in appendix A to part 127 pursuant to 40 CFR Part 122.28(b)(2)(ii)

## **2.1.4 NOI Attachments**

Attachments to a NOI are considered a part of the NOI and must be submitted pursuant to ss. NR 205.08(3), Wis. Adm. Code.

## **2.1.5 Incomplete NOI**

The department may require more information than what is provided in the notice of intent in order to determine if coverage under a general permit is appropriate. The applicant shall provide additional information requested by the department within 30 days from receipt of notification by the department pursuant to ss. NR 205.08(3), Wis. Adm. Code.

## **2.1.6 Granting of Permit Coverage to New Permittees**

The department will transmit a coverage letter via email addressed to the permittee stating that the discharge from the facility is granted coverage under this general permit within 30 calendar days of receipt of the eNOI unless the department has otherwise notified the permittee of the need for additional information as identified in section 2.1.2 and 2.1.5 or the department determines that the permittee is ineligible for coverage under this general permit. The applicant may not discharge to a water of the state until a coverage letter has been received from the department. Initial coverage under this permit will become effective at a new facility beginning upon the Start Date specified by the department in the coverage letter in accordance with ss. NR 205.08(3), Wis. Adm. Code and 40 CFR 122.28(b)(2)(iv).

## **2.2 Existing Permittees**

### **2.2.1 Granting of Permit Coverage to Existing Permittees**

Any existing permittee that still meets the applicability criteria in Section 1 of this general permit and has an existing discharge that was previously covered under WPDES Permit No. WI-0057665-06-0 prior to the Effective Date of this general permit is automatically granted coverage under this general permit upon the Effective Date in accordance with ss. NR 205.08(3) and NR 216.22(9), Wis. Adm. Code and 40 CFR 122.28(b)(2)(iv). For existing permittees, coverage under this permit will become effective at an existing facility beginning upon the Effective Date as the Start Date of coverage in accordance with 40 CFR 122.28(b)(2)(iii).

The department will transmit a reissuance letter via mail addressed to the existing permittee stating that the discharge from the facility is granted continued coverage under this general permit in accordance with s. NR 205.08(3), Wis. Adm. Code and 40 CFR 122.28(b)(2)(iv).



## **3 Landspreading Site Requirements**

### **Changes from Previous Permit:**

Section 3.3 (“Landspreading Site Discharge Limitations”) specifies that site discharge limitations must be specified in the WPDES permit or plans developed pursuant to a permit requirement (example: management plan).

### **3.1 Landspreading Site Approval**

The permittee is authorized to landspread by-product solids only on sites approved in writing by the department in accordance with par. NR 214.17(2)(a), Wis. Adm. Code. The department may specify any site use restrictions and discharge limitations per ss. NR 214.05 and NR 214.17, Wis. Adm. Code. The department may grant any case-by-case exemptions per s. NR 214.06, Wis. Adm. Code.

The permittee shall comply with all specified restrictions, discharge limitations, and exemptions. The permittee shall not landspread by-product solids on a site until approval is received from the department for the site (reference: par. NR 214.17(2)(a), Wis. Adm. Code).

The permittee shall submit a landspreading site request package including the following information: 1) “Land Application Site Request” (form 3400-53); 2) aerial photograph for requested site; 3) soil map unit map of requested site; 4) proof of ownership (example: tax parcel map); and 5) any other relevant site information including field data that demonstrates the site complies with all applicable requirements of s. NR 214.17, Wis. Adm. Code.

### **3.2 Landspreading Site Location Criteria**

The landspreading site location criteria are included by reference from s NR 214.05 and sub. NR 214.17(2), Wis. Adm. Code in the permit. The permittee must comply with all these requirements.

### **3.3 Landspreading Site Discharge Limitations**

The discharge to a landspreading site may not exceed the hydraulic, organic, chloride, or other limitation specified in the WPDES permit or plans developed pursuant to a permit requirement. In determining discharge limitations, the department shall consider the past operating performance of the facility, nutrient uptake of the cover crop, site conditions, ability of the soil to treat the pollutants in the discharge, permeability and infiltration rate of the soil, other soil and geologic characteristics, the concentrations, and characteristics of pollutants in the discharge, and other relevant information (reference: par. NR 214.17(4)(a), Wis. Adm. Code).

## **4 By-Product Solid Storage Requirements**

### **Changes from Previous Permit:**

Sections 4.1 (“Storage Criteria”) and 4.2 (“Odor Mitigation”) clarify chs. NR 213 and NR 214 by-product solids storage requirements.

### **4.1 Storage Criteria**

Any system used for the storage or stacking of wastes prior to landspreading shall be designed and constructed in accordance with ch. NR 213, Wis. Adm. Code, or other design criteria as approved in the management plan. Plans and specifications shall be submitted to the department for approval of such storage or stacking systems (reference: sub. NR 214.17(3)(c), Wis. Adm. Code).

### **4.2 Odor Mitigation**

Storage or stacking systems shall be sited and operated to minimize odors or other public nuisance conditions as specified in par. NR 214.17(3)(d), Wis. Adm. Code.

## 5 Reporting Requirements

### Changes from Previous Permit:

Section 5.1 (“Daily Log”): the daily log template found in Section 6.2.1 has been expanded to include more details than provided in the prior permit.

The permittee shall comply with the reporting requirements in the permit.

### 5.1 Daily Log

The permittee shall keep a daily log of all discharge and monitoring activity on log sheets in accordance with s. NR 205.07(1)(f), Wis. Adm. Code. At a minimum, the permittee shall record the parameters found in the permit on a daily basis. This includes the total daily volume of by-product solids hauled. The original log sheets shall be kept by the permittee as described under Section 9.2.5 “Records Retention” in the Standard Requirements of this permit. These records shall be made available to department upon inspection or request.

### 5.2 Characteristic Reports (Forms 3400-49)

The analytical results from testing of by-product solids that are landspread shall be reported on the Characteristic Report Form 3400-49. The report form shall be submitted electronically and is due 21 days after end of the reporting period whether or not waste is landspread in accordance with par. NR 214.17(5)(c), Wis. Adm. Code. For instance, if a parameter is to be sampled quarterly, the monitoring results are due 21 days following the end of each quarter. Following submittal of the electronic Characteristic Report Form 3400-49, this form shall be certified electronically via the ‘eReport Certify’ page by a responsible executive officer, manager, partner or proprietor, or duly authorized representative in accordance with par. NR 205.07(1)(g), Wis. Adm. Code. The ‘eReport Certify’ page certifies that the electronic report form is true, accurate, and complete.

**Note:** Monitoring is only required during periods of active landspreading.

### 5.3 Annual Land Application Reports (Forms 3400-55)

The annual totals for the landspreading loadings of by-product solids to field spreading sites shall be submitted electronically on the Land Application Report Form 3400-55 by January 31, each year whether or not waste is landspread in accordance with par. NR 214.17(5)(c), Wis. Adm. Code. Amounts of waste shall be reported as dry weight. Following submittal of the electronic Land Application Report Form 3400-55, this form shall be certified electronically via the ‘eReport Certify’ page by a responsible executive officer, manager, partner or proprietor, or duly authorized representative in accordance with par. NR 205.07(1)(g), Wis. Adm. Code. The ‘eReport Certify’ page certifies that the electronic report form is true, accurate, and complete.

### 5.4 Other Methods of Disposal or Distribution Reports (Forms 3400-52)

The permittee may submit electronically the Other Methods of Disposal or Distribution Report Form 3400-52 by January 31, each year when waste is hauled to another facility, landfilled, or incinerated. Following submittal of the electronic Other Methods of Disposal or Distribution Report Form 3400-52, this form shall be certified electronically via the ‘eReport Certify’ page by a responsible executive officer, manager, partner or proprietor, or duly authorized representative in accordance with par. NR 205.07(1)(g), Wis. Adm. Code. The ‘eReport Certify’ page certifies that the electronic report form is true, accurate, and complete.

**Note:** This form is not a requirement and is completely voluntary, however, the department recommends that permittees fill this form out when by-product solids are hauled to another facility, landfilled, or incinerated.

## 6 By-Product Solids Landspreading Requirements

Landspreading discharges include applying a controlled quantity of by-product solids uniformly onto, or incorporated into, soil surfaces in Wisconsin to utilize the physical, chemical, and biological abilities of the soil to decompose and treat the pollutants in the wastes.

### Changes from Previous Permit:

The department increased sampling frequency for Outfall 001 (Section 6.2.1) from annual to quarterly. In addition, the department included sampling requirements for potassium. Increased sampling frequency ensures representative sample collection and accurate calculation of pollutant loading rates (example: Nitrogen pounds/acre/crop year). Potassium tracking is important for nutrient management purposes (especially if receiving sites are included in a property owner's nutrient management plan). The daily log chart has been expanded to include more details than provided in the prior permit. Permittees may design their own daily landspreading log; however, this log must include all information outlined in the chart. *Important note: Monitoring is only required during periods of active landspreading.*

### 6.1 Sampling Point(s)

The discharge shall be limited to landspreading of by-product solids for the listed sampling point(s) on department approved landspreading sites or by hauling to another permitted facility.

Sampling Point Designation	
Sampling Point Number	Sampling Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
001	The landspreading of by-product solids from an industrial, commercial, or agricultural facility to a land spreading system on department approved landspreading sites. The permittee shall specify representative sample collection procedures (location, methods, etc.) in the management plan.

### 6.2 Monitoring Requirements and Limitations

The permittee shall meet the limitations and monitoring requirements in this section based on s. NR 214.17(5), Wis. Adm. Code. Monitoring is only required when wastes related to this permit are landspread.

#### 6.2.1 Sampling Point (Outfall) 001 – By-Product Solids

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Solids Hauled		Tons/day	Daily	Total Daily	Record in a Daily Log. See Section 5.1
Solids, Total		Percent	Quarterly	Grab Comp	See Section 6.2.2
Nitrogen, Total Kjeldahl		Percent	Quarterly	Grab Comp	See Sections 6.2.2 and 6.3.2
Chloride		Percent	Quarterly	Grab Comp	See Sections 6.2.2 and 6.3.1
Phosphorus, Total		Percent	Quarterly	Grab Comp	See Section 6.2.2
Phosphorus, Water Extractable		% of Total P	Quarterly	Grab Comp	See Section 6.2.2
Potassium		Percent	Quarterly	Grab Comp	See Section 6.2.2

<b>Daily Log – Monitoring Requirements and Limitations</b>				
All discharge and monitoring activity shall be documented on log sheets. Originals of the log sheets shall be kept by the permittee as described under “Records Retention” in the Standard Requirements section, and if requested, made available to the department.				
<b>Parameters</b>	<b>Limit</b>	<b>Units</b>	<b>Sample Frequency</b>	<b>Sample Type</b>
Landspreading Date	-	Date	Daily	Log
Landspreading Start Time	-	Time	Daily	Log
DNR Site Number(s)	-	Number	Daily	Log
Amount Applied	-	Tons or Pounds	Daily	Log
Acres Applied	-	Acres	Daily	Log
Application Rate	See Sections 6.4 and 6.5	Tons/Acre/Day or Pounds/Acre/Day	Daily	Calculated
Incorporation Time	-	Time	Daily	Log
Incorporation Date	-	Date	Daily	Log

<b>Annual Report - Requirements and Limitations</b>				
The “Annual Land Application Report” (Form 3400-55) is due by January 31 <sup>st</sup> of each year for the previous calendar year.				
<b>Parameters</b>	<b>Limit</b>	<b>Units</b>	<b>Reporting Frequency</b>	<b>Sample Type</b>
DNR Site Number(s)	-	Number	-	-
Acres Landspread	-	Acres	Annual	-
Total Amount Per Site	-	Tons or Pounds	Annual	Total Annual
Total Kjeldahl Nitrogen per Site	165, or alternate approved in writing	Pounds/Acre/Year	Annual	Calculated
Total Chloride per Site	340	Pounds/Acre per 2 Years	Annual	Calculated

### 6.2.2 Sampling

Grab composite samples shall be collected prior to landspreading which are representative of all the by-product solids being discharged. “Grab Composite” means a combination of individual grab samples of equal volume taken at approximately equal intervals not exceeding one hour over a three-hour period in accordance with sub. NR 218.04(11), Wis. Adm. Code. When the by product is large pieces of solids, such as sweet corn cobs and husks, a larger sample shall be collected and ground up to form a homogenous slurry for analysis.

**Note:** Monitoring is only required during periods of active landspreading.

## **6.3 Landspreading Limitations**

The following landspreading limitations are based on par. NR 214.17(4)(e), Wis. Adm. Code. The permittee shall comply with these by-product solids landspreading limitations of the permit and the approved management plan.

### **6.3.1 Chloride Requirements for By-Product Solids**

By-product solids contain varying concentrations of chloride. High concentrations of chloride can reduce yields in crops and possibly cause toxicity. It is important to follow the approved landspreading management plan when landspreading high chloride wastes. The total pounds of chloride applied may not exceed 340 pounds per acre per two-year period in accordance with subd. NR 214.17(4)(e)4, Wis. Adm. Code. The most recent quarterly total solids sample shall be used in the calculation of chloride loading for pounds.

### **6.3.2 Nitrogen Requirements for By-Product Solids**

The total pounds of nitrogen applied per acre per year shall be limited to the nitrogen needs of the cover crop (based on a reliable reference such as: *A2809 Nutrient Application Guidelines for Field, Vegetable and Fruit Crops in Wisconsin*, from University of Wisconsin-Extension, <http://www.soils.wisc.edu/extension/pubs/A2809.pdf>) minus any other nitrogen, including fertilizer or manure, added to the landspreading site in accordance with subd. NR 214.17(4)(e)6, Wis. Adm. Code.

Nitrogen applied can be calculated on the basis of plant available nitrogen, as long as the release of nitrogen from the organic material is credited to future years. The permit requires the monitoring for Total Kjeldahl Nitrogen (TKN). TKN accounts for those forms of nitrogen that are readily available for plant uptake. The total pounds of nitrogen applied per acre per year shall not exceed 165 pounds of total nitrogen per acre per year (based on the nitrogen uptake of the most common cover crop - field corn) minus any other nitrogen, including fertilizer or manure, added to the application site. The department may specify or accept an alternate nitrogen loading amount for other cover crop nitrogen needs in the management plan approval. The most recent quarterly total solids sample shall be used in the calculation of TKN loading for pounds.

## **7 Management Plan**

The landspreading requirements are based on s. NR 214.17(6)(c), Wis. Adm. Code. The permittee shall comply with these management plan requirements in the permit.

### **Changes from Previous Permit:**

Section 7.4 (“Management Plan Amendments”) details submittal requirements if permittees desire to change operations specified in the previously approved management plan.

### **7.1 Operate Consistent with an Approved Management Plan**

All landspreading sites used for treatment of by-product solids shall be operated in accordance with a department approved management plan. The management plan shall be consistent with the requirements of this permit and s. NR 214.17, Wis. Adm. Code. A copy of the management plan shall be retained by the permittee and shall be made available upon department inspection. If operational changes are needed affecting the character, quality, or quantity of the by-product solids landspread, the management plan shall be amended by submitting a written request to the department for approval.

### **7.2 Submittal of the Management Plan**

If a landspreading management plan has not been approved by the department prior to the reissuance of this permit, then the permittee shall submit a management plan to the department for approval not more than 60 days from the date of reissuance of this permit or from the date that coverage under this permit was granted, whichever is later. When coverage is granted under this permit, if the department determines that a previously approved management plan must be amended to comply with the conditions of this permit and par. NR 214.17(6)(c), Wis. Adm. Code, the permittee shall submit an amended landspreading management plan to the department not more than 60 days from the date that coverage under this permit was granted. Management plans shall be submitted to department staff identified in the letter of determination under this permit.

### **7.3 Management Plan Content**

The management plan shall specify all department approved storage structures, representative sample collection procedures, waste transport, DNR site approval forms and maps containing descriptions of all site discharge limitations, daily record keeping and records retention, reporting procedures, contingency plans for periods of adverse weather or odor or nuisance abatement, and any other pertinent information in accordance with par. NR 214.17(6)(c), Wis. Adm. Code. It is also recommended that the management plan include spill mitigation and notification procedures, the standard operating procedures (SOPs) used for tracking and reporting of other sources or nitrogen as required by NR 214.17(4)(d)9., and the SOPs used to ensure timely submittal and certification of Characteristic Reports (forms 3400-49) and Annual Land Application Reports (forms 3400-55) as required by this WPDES permit. Attached to this document is a management plan outline. The outline is intended solely as a suggested starting point and does not contain any mandatory requirements except where requirements found in Wisconsin statutes or administrative code are referenced.

### **7.4 Management Plan Amendments**

Following management plan approval by the department, the permittee must operate in conformance with the approved management plan. If the permittee wishes to operate differently than specified in the approved plan, then a written request shall be submitted to the department for approval to amend the management plan.

## **8 Operational Requirements**

The operations requirements are included by reference from ss. NR 214.17(3), (4), and (6), Wis. Adm. Code in the permit. The permittee must comply with all these requirements.



## 9 Standard Requirements

The “Standard Requirements” are a group of permit conditions from ss. NR 205.07(1), 205.07(3), and 205.08, Wis. Adm. Code, that apply to all industrial wastewater pollutant dischargers, including requirements related to the department's rights to enter and inspect facilities, the permittee's responsibility to inform the department of changes at a facility, sampling procedures and other general conditions typically associated with a WPDES GP. These requirements are included by reference into the permit. The permittee shall comply with all of these requirements, except for s. NR 205.07(1)(n), Wis. Adm. Code which does not apply to facilities covered under GPs.

### 9.1 General Conditions for General Permits

According to s. NR 205.08(2), Wis. Adm. Code, the department may include general conditions in general permits. The general conditions for general permits are included by reference from 40 CFR Parts 122.28(b)(2)(i), 122.61(b) and 122.64(c), and s. NR 205.07(1)(i), Wis. Adm. Code.

#### **Changes from Previous Permit:**

SR Section 9.1.3 (“Permit Coverage Terminations”): This permit now contains requirements on the electronic Notice of Termination (eNOT) form. Pursuant to 40 CFR 122.64 and 40 CFR 127.11(b) the department requires electronic submittal of a Notice of Termination via the online Water Permits System to terminate coverage under a WPDES general permit.

SR Section 9.2.7 (“Proper Operation and Maintenance”) and SR Section 9.2.19 (“Severability”) were added to this permit to maintain consistency with the general permit standard requirements found in other WPDES general permits.

The “General Conditions for Industrial Discharges” section in the prior permit has been removed and the following sub-sections are now included in Section 9 (“General Conditions for WPDES Permits”): “Spill Reporting”, “Planned Changes”, and “Duty to Halt or Reduce Activity”.

SR Sections 9.2.11-9.2.12: The permit now explains sampling and testing procedures as well as the requirement for testing performed by a certified or registered laboratory with exclusions.

SR Section 9.2.13: The permit now explains requirements when effluent limits in the permit are less than the limit of detection (LOD) or the limit of quantitation (LOQ).

## **10 Summary of Reports Due**

A summary of reports due has been added for informational purposes for permittees and to be consistent with individual WPDES permits.

**Attachments:**

- A. Definitions
- B. By-Product Solids Management Plan Outline

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**Date: 05/15/2024**

**Post Comment Period Revisions Date: 9/9/2024**

## **Attachment A – Definitions**

The definitions of terms used in this general permit are based on their applicability to the type of operations and activity covered under this general permit. The definitions of these terms are included by reference from department guidance, 40 CFR 122.2 and chs. NR 200, NR 205, NR 211, NR 214 and NR 218, Wis. Adm. Code. Definitions not specifically outlined in this section can be found in Wisconsin Administrative Code, Wisconsin Statutes, or 40 CFR. Each term is provided with its code reference. If the terms below are found to be inconsistent with the definition in code, permittees shall refer to the code definition.

### **Annual Sampling Frequency**

Annual sampling frequency means sampling the discharge once per calendar year (January 1<sup>st</sup> – December 31<sup>st</sup>). If there is no discharge during a calendar year, the permittee shall state this on the discharge monitoring report form.

### **Bedrock**

Bedrock means rock that is exposed at the earth's surface or underlies soil material and is encountered when weathered in-place consolidated material, larger than 2 mm in size, is greater than 50% by volume. (*s. NR 214.03(3), Wis. Adm. Code*)

### **Best Management Practices**

Best management practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (*40 CFR 122.2*)

### **Business Days**

Business days means each day except Saturday; Sunday; January 1; the third Monday in January, which shall be the day of celebration for January 15; the last Monday in May, which shall be the day of celebration for May 30; July 4; the first Monday in September; the 4th Thursday in November; December 24; December 25; December 31; and the day following if January 1, July 4, or December 25 falls on Sunday. (*s. NR 200.02(1), Wis. Adm. Code*)

### **By-product Solids**

By-product solids means waste materials from the animal product or food processing industry including, but not limited to remains of butchered animals, paunch manure and vegetable es, cuttings, peelings and actively fermenting sweet corn silage. (*s. NR 214.03 (4), Wis. Adm. Code*)

### **Community Public Water Supply System**

Community public water supply system means a water supply system having at least 15 service connections used by year-round residents or regularly serving at least 25 year-round residents. Any water supply system serving 7 or more homes, 10 or more mobile homes, 10 or more apartment units, or 10 or more condominium units shall be considered a community public water supply system unless information is available to indicate that 25 year-round residents will not be served. (*s. NR 214.03(6), Wis. Adm. Code*)

### **Daily Sampling Frequency**

Daily sampling frequency means sampling the discharge once in a 24-hour day. If there is no discharge during a day, the permittee shall state this on the discharge monitoring report form.

## **Department**

Department, when used without qualification, means the department of natural resources. (s. NR 214.03(8), Wis. Adm. Code)

## **Detrimental Effect**

Detrimental effect means contamination of the lands or waters of the state, or making the same injurious to public health, harmful for commercial or agricultural use, or deleterious to animal or plant life. (s. NR 214.03(10), Wis. Adm. Code)

## **Domestic Wastewater**

Domestic wastewater means the type of wastewater normally discharged from plumbing facilities in private dwellings or commercial domestic establishments and includes, but is not limited to, sanitary, bath, laundry, dishwashing, garbage disposal and cleaning wastewaters. (s. NR 205.03(14), Wis. Adm. Code)

## **Dry Weight**

Dry weight means the weight of the sample, excluding the weight of the water in the sample. (40 CFR 761.3)

## **Environmental Pollution**

Environmental pollution means the contaminating or rendering unclean or impure the air, land, or waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal, or plant life. (s. NR 283.01(6m))

## **Floodplain**

Floodplain means the land which has been or may be covered by flood water during the regional flood as specified under s. NR 116.03(16).

## **Floodway**

Floodway means the portion of a river or stream required to carry the regional flood as specified under s. NR 116.03(22).

## **Groundwater**

Groundwater means the portion of subsurface water which is within the zone of saturation and includes but is not limited to perched water tables, shallow regional groundwater tables, and aquifers or zones that are seasonally, periodically, or permanently saturated. (s. NR 205.03(17), Wis. Adm. Code)

## **Groundwater Monitoring**

Groundwater monitoring means measuring the groundwater level and analyzing samples of water taken from the ground. (s. NR 214.03(17), Wis. Adm. Code)

## **Hazardous Waste**

Hazardous waste means a hazardous waste as defined in s. NR 661.0003, Wis. Adm. Code.

## **Hydraulic Application Rate**

Hydraulic application rate means the volume of liquid waste evenly spread over a designated acreage of the land treatment system divided by a period of time as specified in the WPDES permit. The rate is calculated by dividing the volume discharged during the waste loading period by the acreage of land loaded and then dividing by the total time in the load/rest cycle. (s. NR 214.03(19), Wis. Adm. Code)

## **Incinerator**

Incinerator means a processing facility designed and operated for controlled burning of solid wastes primarily to achieve volume and weight reduction or to change waste characteristics. Incinerator does not include a facility that uses solid waste as a supplemental fuel where less than 30% of the heat input to the facility is derived from such supplemental fuel. (*s. NR 500.03(108), Wis. Adm. Code*)

## **Industrial Liquid Waste**

Liquid waste means process wastewater and waste liquid products, including silage leachate, whey, whey permeate, whey filtrate, contact cooling water, cooling or boiler water containing water treatment additives, and wash water generated in industrial, commercial, and agricultural operations which result in a point source discharge to a land treatment system. (*s. NR 214.03(27), Wis. Adm. Code*)

## **Infiltration Rate**

Infiltration rate means the rate of liquid movement through the soil surface into the ground. (*s. NR 214.03(21), Wis. Adm. Code*)

## **Incorporation**

Incorporation means the mixing of a waste with topsoil by injecting, discing, moldboard plowing, chisel plowing or rotary tilling to a minimum depth of 4 inches. (*s. NR 214.03(22), Wis. Adm. Code*)

## **Injection**

Injection means the subsurface placement of liquid sludge to a depth of 4 to 12 inches. (*Referenced from s. 204.03(32), Wis. Adm. Code*). Note: There is no ch. NR 214, Wis. Adm. Code definition for “injection.” The term injection is referenced under the definition of “incorporation” (*s. NR 214.03(22), Wis. Adm. Code*).

## **Landfill**

Landfill means a land disposal facility, not classified as a landspreading facility or surface impoundment facility, where solid waste is disposed on land by utilizing the principles of engineering to confine the solid waste to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth or other approved material as required. (*s. NR 500.03(120), Wis. Adm. Code*)

## **Land Treatment System**

Land treatment system means a system that utilizes the physical, chemical, and biological abilities of the soil to decompose pollutants in the wastes. Land treatment systems include: (a) Absorption or seepage pond systems, (b) Ridge and furrow systems, (c) Spray irrigation systems, (d) Overland flow systems, (e) Subsurface absorption field systems, (f) Landspreading systems for liquid wastes or organic by-product solids, (g) Sludge spreading systems, and (h) Any other land area receiving liquid wastes, by-product solids or sludge discharges. (*s. NR 214.03(24), Wis. Adm. Code*)

## **Landspreading System**

Landspreading system means a system where a controlled quantity of liquid waste or by-product solid is uniformly applied onto, or incorporated into, the soil surface of designated sites by means of a vehicle with a spreader bar, spray gun or subsurface injector. The wastes are to be applied for the benefit of the vegetative cover. Landspreading systems also include those systems where liquid wastes are occasionally applied through temporary irrigation piping at a frequency similar to that of application by vehicles. (*s. NR 214.03(26), Wis. Adm. Code*)

## **Leachate**

Leachate means water or other liquid that has percolated through or contacted solid waste or gases generated by solid waste. (*s. NR 500.03 (122), Wis. Adm. Code*)

## **Liquid Waste**

Liquid waste means process wastewater and waste liquid products, including silage leachate, whey, whey permeate, whey filtrate, contact cooling water, cooling or boiler water containing water treatment additives, and wash water generated in industrial, commercial, and agricultural operations which result in a point source discharge to a land treatment system. (*s. NR 214.03(27), Wis. Adm. Code*)

## **Load/Rest Cycle**

Load/rest cycle means a schedule of operation in which a certain volume of waste is loaded on a portion of the treatment system and then that portion is rested to allow the soil to reaerate and the soil micro-organisms to break down the waste material. (*s. NR 214.03(28), Wis. Adm. Code*)

## **Management Plan**

Land application management plan or land management plan is a document that outlines how wastes are stored, transported, and land applied on department approved fields. Management plans are required per *s. NR 214.17(6)(c) and NR 214.18(6)(c), Wis. Adm. Code*.

## **Municipal Wastewater**

Municipal wastewater means the mixture of domestic, process and other wastewater tributary to any given municipal sanitary sewage or treatment system. (*s. NR 205.03(19), Wis. Adm. Code*)

## **New Source**

New source means any point source the construction of which commenced after the effective date of a standard of performance under [33 USC 1316](#) that is applicable to the point source, *except* if the federal environmental protection agency proposes a standard of performance under 33 USC 1316 that is applicable to a point source and if the standard of performance takes effect within 120 days of the publication of that proposed standard of performance, “new source” means a point source the construction of which commenced after the date of publication of that proposed standard of performance.

## **Overland Flow System**

Overland flow system means a land treatment system in which the applied wastewater flows uniformly down grassy sloped terrain having very low permeability soils and is collected at the bottom of the slope for subsequent discharge. (*s. NR 214.03(30), Wis. Adm. Code*)

## **Permeability**

Permeability means the rate of liquid movement through a porous medium. (*s. NR 214.03(31), Wis. Adm. Code*)

## **Point Source**

“Point source” means either of the following:

- (a) A discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants may be discharged either into the waters of the state or into a publicly owned treatment works except for a conveyance that conveys only storm water. This term does not include agricultural storm water discharges and return flows from irrigated agriculture.

- (b) A discernible, confined, and discrete conveyance of storm water for which a permit is required under *s. NR 283.33 (1), Wis. Adm. Code*. This term does not include agricultural storm water discharges and return flows from irrigated agriculture.

### **Potable Water Supply Well**

Potable water supply well means a well supplying water for human consumption, sanitary use, or food product preparation. (*s. NR 214.03(32), Wis. Adm. Code*)

### **Privately-Owned Treatment Works**

Privately-owned domestic wastewater treatment work means facilities which treat domestic wastewater, and which are owned and operated by non-municipal entities or enterprises such as mobile home parks, restaurants, hotels, motels, country clubs, etc., which are permitted under ch. 283, Wis. Stats. (*s. NR 206.03(18), Wis. Adm. Code*)

### **Process Wastewater**

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product, and is likely to contain in solution or suspension various components of such raw materials or products. (*s. NR 205.03(30), Wis. Adm. Code*)

### **Publicly Owned Treatment Works**

Publicly owned treatment works or POTW means a treatment works which is owned by a municipality and any sewers that convey wastewater to such a treatment works. This definition includes any devices or systems used by a municipality in the storage, treatment, recycling, and reclamation of municipal sewage or liquid industrial wastes. The term also means the municipality or local unit of government which has jurisdiction over the indirect discharges to, and the discharges from, such a treatment works. (*s. NR 211.03(30), Wis. Adm. Code*)

### **Sludge**

Sludge means the accumulated solids generated during the biological, physical, or chemical treatment, coagulation or sedimentation of water or wastewater. (*s. NR 214.03(34), Wis. Adm. Code*)

### **Soil**

Soil means the unconsolidated material that overlies bedrock and has been physically and chemically derived from organic material or bedrock by nature. (*s. NR 214.03(35), Wis. Adm. Code*)

### **Storage Structure**

Storage structure means either an earthen containment structure or a storage tank used for the storage of wastewater or biological fermentation leachates or a structure constructed for stacking and storage of by-product solids or other material. (*s. NR 213.04(14), Wis. Adm. Code*)

### **Total Volume**

Total Volume means total gallons of waste retained in the storage unit just prior to landspreading.

### **Waters of the State**

Waters of the state means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface or groundwater, natural or artificial, public, or private within the state or under its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person. (*s. NR 205.03(44), Wis. Adm. Code*)

## **Wetland**

Wetland means an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. (*s. NR 23.32(1), Wis. Adm. Code*)



## Attachment B - By-Product Solids Management Plan Outline

Chapter NR 214, Wis. Adm. Code, requires permittees that landspread by-product solids to develop a management plan (reference: par. NR 214.17(6)(c), Wis. Adm. Code). The code requires each by-product solids waste generator to submit a management plan for optimizing system performance and demonstrating compliance with the requirements of this chapter. Following approval by the department, the system must be operated in conformance with the management plan. If the facility wishes to operate differently than specified in the approved plan, a written request must be submitted to the department for approval to amend the management plan.

The plan shall specify the following information: by-product volumes and characteristics, description of all site locations, availability of storage, type of transportation and application vehicles, by-product application rates, contingency plans for periods of adverse weather, odor and nuisance abatement, and any other pertinent information.

**This document is a suggested management plan outline** to assist the permittee with development of a landspreading management plan for their operation. This document is intended solely as a suggested starting point and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Wisconsin Department of Natural Resources (hereafter “department”) in any matter related to a management plan approval will be made by applying the governing statutes and administrative rules to the relevant facts. Each item on the outline shall be adequately discussed in the management plan. If an item is omitted, the owner/operator shall have an explanation as to why the requested information is not relevant.

### **A. By-Product Solids Source and Handling**

1. Describe the industrial processes that generate the by-products. List the raw materials used and the products produced. In many cases this will simply be the inedible parts of a fruit or vegetable such as the husks and cobs from sweet corn or the leaves and cores from cabbage. In other cases, it will be solid material screened from process wastewater such as discarded corn kernels from sweet corn processing.
2. If the by-products are conditioned prior to disposal, describe the process(es) used. This could be such things as mechanical or gravity dewatering, grinding, composting, or fermentation. List any chemicals used to aid conditioning. Chemical conditioning occurs when chemicals are used as part of the process and become mixed with the by-product. One example is the use of caustic soda (sodium hydroxide) to peel vegetables. (*Note: A hot peel process may be an alternative with less chemical use.*) It is important to have the permittee declare all chemicals used in the process that may get mixed into the by-product solids.

### **B. By-Product Solids Characteristics**

1. A representative sample of by-product solid must be analyzed for percent solids, total Kjeldahl nitrogen (TKN), total phosphorus, water extractable phosphorus, chlorides, and potassium. Results shall be reported on a dry weight basis except for percent solids. Representative sample collection procedures should be detailed in the management plan.
2. If the by-products are not homogeneous such as sweet corn cobs and husks, a larger composite sample shall be collected and ground up to produce a representative sample.
3. Include a template sample collection log.

### **C. By-Product Solids Storage and Transportation**

1. List all department approved storage structures and include all relevant information including outfall number, location, construction information, and capacity.

2. Detail procedures for regular inspection and maintenance of each storage unit.
3. Describe the method of loading the by-product solids onto the hauling vehicle and describe the type and capacity of the hauling vehicle.
4. State how the total volume hauled will be measured and what kind of records will be kept. Include a template transportation log.
5. Describe contingency plans in case of inclement weather.

**D. By-Product Solids Landspreading Information and Procedures**

1. Include DNR approval forms (3400-122) and maps that identify site limitations pursuant to par. NR 214.17(4)(a), Wis. Adm. Code. This information may be provided in an Appendix.
2. Specify landspreading standard operating procedures (SOPs) to ensure uniform landspreading of by-product solids on department-approved fields.
3. Specify landspreading SOPs to ensure identification and marking of restricted areas including setbacks (houses, wells, surface water, wetlands, etc.) and restricted soil map units (potential shallow bedrock, shallow groundwater, steep slope, etc.).
4. Include a template daily landspreading log.
5. Include SOPs for routine calibration of landspreading equipment to ensure accurate daily landspreading rates.
6. Include calculations used to determine appropriate nitrogen application rate (pounds/acre/crop year).
7. Specify the total volume of by-product solids that can be applied to reach the nitrogen needs of the cover crop. Detail tracking procedures to verify other sources of nitrogen (examples: commercial fertilizer and manure) to each field.
8. Explain how the by-products will be incorporated into the soil and tracked on the daily landspreading log. Incorporation can be accomplished through normal agricultural tillage except when odors develop in which case incorporation must be completed within 72 hours.
9. Detail procedures for odor control and nuisance abatement.
10. Calculate per acre the loading rate of phosphorus, potassium, and chloride.
11. Detail daily record keeping and records retention procedures.
12. Reporting procedures for timely submittal and certification of Characteristic Reports (forms 3400-49) and Annual Land Application Reports (forms 3400-55)