

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No.WI-0000990-10-0

Permittee: McKinley Paper, 540 PROSPECT ST, COMBINED LOCKS, WI, 54113

Facility Where Discharge Occurs: McKinley Paper, 540 PROSPECT ST COMBINED LOCKS, WI

Receiving Water And Location: Lower Fox River located in the Plum and Kankapot Creeks watershed in the Village of Combined Locks in Outagamie County

Brief Facility Description and Summary of Proposed Changes: McKinley Paper (formerly Appleton Property Ventures, LLC) is expected to produce an average of 1,355 TPD (tons per day) of Corrugating medium furnish subdivision paper using purchased pulp at its Combined Locks mill. :

Outfall 701: mercury monitoring has been added to this outfall.

Outfalls 009, 011, 014 have been removed.

Outfalls 007, 012: Temperature discharge sample frequency has been changed from "weekly" to "continuous".

Outfall 010: BOD and TSS limits have been updated based on the updated description of products manufactured with paper machines 1, 6, and 7.

BOD and TSS monitoring and limits have been changed from 5/week to daily due to daily maximum TBEL limits.

PFOS and PFOA monitoring have been added to the permit.

Phosphorus TMDL and WLA limits have been recalculated have been moved to this sample point from the removed Outfall 014.

TSS TMDL and WLA limits have been moved to this sample point from the removed Outfall 014.

Temperature monitoring has been added to the permit.

WLA monitoring and limits have been moved to this sample point from the removed Outfall 014.

Outfall 016 has ben removed from the permit.

Outfall 017: This outfall description has been updated to reflect the fact that the facility does not directly land apply sludge.

PFAS, PFOS + PFOA, and Volume has been added to the permit.

Total Solids, Total Kjeldahl Nitrogen, Total Ammonia Nitrogen, pH, Total Phosphorus, Water Extractable Phosphorus, Total Potassium, Dry Weight Aluminum, Dry Weight Calcium, Dry Weight, Iron, Dry Weight, lead, Dry Weight Magnesium, Dry Weight Sodium, Dry Weight Cadmium, Dry Weight Copper, Dry Weight Mercury, Dry Weight Nickle, Dry Weight Zink, Dry Weight PCB, 2,3,7,8-TCDD TE Dioxin, 2,3,7,8-TCDD Dry Weight Dioxin, Cry Weight Furan, 2,3,7,8-TCDF , PAHs, Chloride, Dioxins and Furans, and Priority Pollutant Scan have been removed from this outfall because the facility does not direct land apply cake sludge.

Permit Drafter's Name, Address, Phone and Email: Jonathan Hill, DNR, 101 S. Webster St. PO Box 7921, Madison, WI, 53707-7921, (608) 267-7627, Jonathan.Hill@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Laura Gerold, 2984 Shawano Avenue, Green Bay, WI 54313-6727, (920) 366-6728, laura.gerold@wisconsin.gov

The Department has tentatively decided that the above-specified WPDES permit should be reissued.

Limitations and conditions which the Department believes adequately protect the receiving water are included in the proposed permit. Land application of waste shall be done in accordance with permit conditions and applicable codes. All land application sites shall be approved prior to their use. To receive a list of approved sites, or to be notified of potential approvals, contact the above-named basin engineer.

Proposed Mercury Variance: The Department has determined that a water quality-based effluent limitation (WQBEL) of 1.3 ng/L for mercury is needed to protect wildlife and human health in the above-named receiving water. The permittee has applied for an alternative mercury effluent limitation (AMEL). The application included a pollutant minimization program (PMP) plan for mercury as required under s. NR 106.145(8), Wis. Adm. Code. The Department concludes that the permittee is eligible for a variance based on the information submitted, information on file and the findings provided in s. NR 106.145(1), Wis. Adm. Code. The Department and the permittee have mutually agreed upon an AMEL of 14 ng/L, expressed as a daily maximum, continued influent and effluent monitoring, and permit language requiring implementation of the PMP. The Department proposes to grant the AMEL, which represents a variance to the water quality standard used to derive the WQBEL, as provided for under

s. NR 106.145(6), Wis. Adm. Code. The designated use of the receiving water will not change as a result of the variance. This mercury variance must be approved by USEPA prior to its inclusion in the final reissued permit.

Phosphorus Multi-Discharger Variance: The Department has determined that the permittee is eligible for a phosphorus multi-discharger variance (MDV) in accordance with s. 283.16, Wis. Stats. The MDV provides a time extension for the permittee to comply with the final water quality based effluent limits for phosphorus while contributing funds towards nonpoint pollution control projects to reduce phosphorus. Comments on this determination are requested and additional supporting documentation and data are available upon request.

Mercury Variance Hearing Date, Time, and Location: March 5, 2025 from 1 pm until 4 pm or until completed, in the County Board room at the County Administration Bldg, 320 South Walnut St, Appleton, WI 54911.

Hearing Officer, Name, Address, City/State/Zip, and Phone: Heidi Schmidt Marques, Department of Natural Resources, Northeast Regional headquarters 2984 Shawano Ave, Green Bay, WI 54313, (920) 366-8691.

Virtual Hearing Attendance Option (Zoom):

<https://us02web.zoom.us/meeting/register/tZEvcOmrqzwwHNJp60zd01eDz229bnA4O7W>

The Department of Natural Resources, pursuant to s. 283.49, Wis. Stats, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the mercury variance for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to ensure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above-named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter's office or the above named basin engineer's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (608) 267-7627 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. 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.

Persons wishing to comment on or object to the proposed permit action, or to request a public hearing, may write to the Department of Natural Resources at the above-named permit drafter's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision when the permit is issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be issued as proposed.

The Department may schedule a public informational hearing if requested by any person and shall schedule a public informational hearing if a petition requesting a hearing is received from 5 or more persons or if response to this notice indicates significant public interest pursuant to s. 283.49, Wis. Stats. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter's office or the above named basin engineer's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (608) 267-7627 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. 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.

NAME AND ADDRESS OF PUBLISHING NEWSPAPER: Post Crescent, 306 W Washington Street, Appleton, WI, 54911-4745

Date Notice Issued: Wednesday, January 8, 2025