

Hnat, John J - DNR

From: Wayne Fassbender <wfassbender@enviroforensics.com>
Sent: Thursday, December 19, 2019 9:58 AM
To: Hnat, John J - DNR
Subject: FW: 2248 108th St., NOI 19.041, Variance
Attachments: 2248 S 108th St_NOI_19_041_Variance.pdf

Awesome! Have a great Christmas and New Year, John.

Wayne P. Fassbender, Senior Project Manager
EnviroForensics® | N16W23390 Stone Ridge Dr, Suite G, Waukesha, WI 53188
Direct 414-982-3988 | Mobile 262-490-6472 | enviroforensics.com

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From: Garner, Christine [mailto:CGarner@mmsd.com]
Sent: Thursday, December 19, 2019 9:20 AM
To: Wayne Fassbender <wfassbender@enviroforensics.com>
Cc: Stroik, Elizabeth J. <EStroik@mmsd.com>; Treuer, Tony <TTreuer@mmsd.com>; Mertens, Sharon <SMertens@mmsd.com>
Subject: 2248 108th St., NOI 19.041, Variance

Hello,

Please see attached communication regarding the Notice of Intent to Discharge 19.041.

If you have any questions, please contact Song Tran, Senior Industrial Waste Engineer, at stran@mmsd.com or (414) 225-2164.

Christine Garner
Milwaukee Metropolitan Sewerage District
Water Quality Protection Division
260 W. Seeboth Street
Milwaukee, WI 53204-1446
☎ 414-225-2133





December 19, 2019

Mr. Wayne Fassbender
Senior Project Manager
EnviroForensics, LLC.
N16W23390 Stone Ridge Dr., Ste. G
Waukesha, WI 53188

Subject: *Discharge of Contaminated Groundwater – 2248 S. 108th St. (Variance)
Notice of Intent to Discharge 19.041*

Dear Mr. Fassbender:

The Milwaukee Metropolitan Sewerage District (District) received the Notice of Intent to Discharge (NOI) request for variance on December 11, 2019, from the EnviroForensics, LLC., on behalf of EE Acquisitions, LLC. The request proposes a discharge of contaminated groundwater from a basement sump pump located at 2248 S. 108th St., West Allis.

After further review, the District is granting approval for the variance requested, by removing condition number 3 of this NOI. However, all other conditions are still applicable:

1. All groundwater or stormwater discharged must comply with the prohibitions and limits established by secs. 11.202 and 11.203, MMSD Rules, which are enclosed. In addition, the total concentration of volatiles and semi-volatile organic compounds may not exceed 5 mg/L at any time, and the concentration of total suspended solids may not exceed 100 mg/L at any time.
2. Implement settling, filtration, or other techniques to minimize the amount of solids discharged. Also, if oil or floating solids are present, implement the use of booms, skimmers, or other techniques to prevent the discharge of the oil or floating solids into the sanitary sewer. Discharging wastewater with a visible sheen is prohibited.
3. Discharge is prohibited during rain and within 24-hours after the site receives one-half inch or more of rain.
4. The total volume discharged must be reported to the District within five days after the discharge to the sanitary sewer is disconnected.

Milwaukee Metropolitan Sewerage District

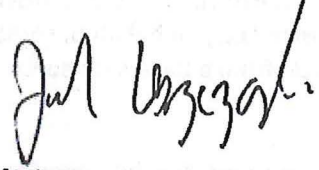
260 W. Seeboth Street, Milwaukee, WI 53204-1446

414-272-5100 www.mmsd.com 

Mr. Wayne Fassbender
December 19, 2019
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5. If the total volume discharged exceeds 50,000 gallons, then the District must receive sewer user charges at a rate of \$2.50 per thousand gallons, per the *Cost Recovery Procedures Manual*. The District will issue a bill after receiving the report required by Condition (4) above.
6. Sample analysis for total VOCs from the Wisconsin State Certified Laboratory must be submitted to the District on an annual basis for review. If the District determines the sump pumped wastewater meets the surface discharge criteria, the discharges to sanitary sewer must be discontinued and the lateral must be disconnected from the sanitary sewer.
7. At any time when groundwater or stormwater treatment or discharge is occurring, the District must have access to the site for inspection or sampling. If the District does collect samples, the costs of sample collection and analysis are as established by the District's *Cost Recovery Procedures Manual*.
8. Notify Mr. Tony Treuer, General Field Supervisor, 48-hours prior to the initial commencement of discharge at 414-325-5136 or ttreuer@mmsd.com, Monday thru Friday, during normal business hours.

If you have questions, please contact Song Tran at 414-225-2164 or stran@mmsd.com. Thank you for your cooperation.

Sincerely,  for Sharon K. Mertens

Sharon K. Mertens
Director, Water Quality Protection
Milwaukee Metropolitan Sewerage District

enclosures

c: Tony Treuer, MMSD
Elizabeth Stroik, MMSD

Subchapter II – Discharge Regulations

11.201 General Prohibitions

(1) Compliance with Rules

Users may not discharge to the sewerage system except in compliance with this chapter.

(2) Interference

Users may not discharge any pollutant to the sewerage system in a quantity or concentration that, alone or in conjunction with other discharges:

- (a) inhibits or disrupts the sewerage system or its sludge processes; and
- (b)
 1. causes a violation of the District's WPDES permits or air pollution control permits;
 2. increases the magnitude or duration of a violation;
 3. prevents the use or disposal of sewage sludge in compliance with any applicable local, state or federal statutes, ordinances regulations, permits, or other requirements; or
 4. inhibits the marketing of treated sewage sludge.

(3) Pass Through

Users may not discharge to the sewerage system any pollutant in a quantity or concentration that, alone or in conjunction with other discharges, is a cause of a discharge from the sewerage system to waters of the state that violates the District's WPDES permits or increases the magnitude or duration of a violation.

11.202 Prohibited Discharges

Users may not discharge to the sewerage system:

- (1) pollutants that create a fire or explosion hazard in the sewerage system, including but not limited to pollutants that result in wastewater with a closed cup flashpoint of less than 140 F or 60C;
- (2) pollutants that will cause corrosive structural damage to the sewerage system, including but not limited to discharges with a pH lower than 5.0 s.u.;
- (3) solid or viscous pollutants that will obstruct the flow in the sewerage system;
- (4) heat in amounts that will cause interference by inhibiting the biological activity in the treatment plant, including but not limited to heat in an amount that causes the influent of the treatment plant to exceed 40 C (104 F);

- (5) used motor vehicle anti-freeze, motor oil, brake fluid, transmission fluid, hydraulic fluid, oil-based paint, and paint thinners if the material is in a collectable and recyclable quantity or if the discharge would result in a violation of the oil and grease limit set forth in sec. 11.203(1);
- (6) pollutants that result in the presence of toxic gases, vapors, or fumes within the sewerage system in a quantity that may cause acute worker health and safety problems, including, but not limited to, pollutants that cause a vapor-phase hydrogen sulfide concentration equal to or greater than 10 ppmv in any part of the sewerage system;
- (7) (a) hauled waste, except for hauled waste that:
1. consists only of domestic wastewater, and
 2. is discharged at a point designated by the District.
- (b) This prohibition does not apply to wastewater hauled:
1. to facilities not owned by the District, or
 2. to the South Shore Water Reclamation Facility and added to anaerobic digesters to increase gas production;
- (8) any substance that will cause the sewerage system's treatment residues, sludge's, or scum's to be unsuitable for reclamation and reuse, that causes interference with the reclamation process, or that inhibits the marketing of treated sewage sludge;
- (9) any wastewater that contains radioactivity in amounts greater than a drinking water standard established by the U.S. Environmental Protection Agency or the Department;
- (10) at any site that is either served by a separate stormwater conveyance system or riparian to waters of the state:
- (a) stormwater, surface water, or groundwater, except when a remedial action undertaken according to the requirements of the Department or the U.S. Environmental Protection Agency requires the removal of this type of water and a direct discharge to waters of the state would impose unreasonable costs or delays;
 - (b) roof runoff;
 - (c) subsurface drainage;
- (11) any non-domestic wastewater before the District has approved a *Notice of Intent* submitted according to sec. 11.401;
- (12) any mass, concentration, or volume of a substance in excess of the amount allowed in the user's Wastewater Discharge Permit; and
- (13) The following pollutants, except as provided in pars. (b), (c), and (d):

Acrolein	Furans
Alkylated lead	Heptachlor
Benzo(a)Pyrene	Hexachlorobenzene
Chlordane	Lindane (BHC)
Dieldrin	Mirex
Dioxins	Pentachlorobenzene
3,3'-Dichlorobenzidine	Polybrominated biphenyl ethers
4,4'-Dichlorodiphenyltrichloroethane (DDT)	Polychlorinated biphenyls (PCBs)
Endosulfan	1,2,4,5-Tetrachlorobenzene
Endrin	Toxaphene
Fluoranthene	2,4,6-Trichlorophenol

- (b) amounts allowed by an applicable categorical pretreatment standard;
- (c) amounts occurring in landfill leachate after implementation of the best available treatment technology economically achievable, according to a limit established in a wastewater discharge permit;
- (d) amounts caused by sources beyond the reasonable control of the user, such as contamination in the water supply, air deposition, or raw materials

11.203 Local Limits

- (1) (a) Users may not discharge into the sewerage system any process wastewater containing concentrations of pollutants greater than the following limits, except as provided in sec. 11.213 and sec. 11.214(12):

Pollutant ⁽¹⁾	Limit (mg/L)
Arsenic, total	0.6
Cadmium, total	1.5
Chromium, total	64
Copper, total	6.0
Lead, total	2.0
Mercury, total	0.0026
Molybdenum, total	12
Nickel, total	4.0
Silver, total	5.8
Zinc, total	8.0
Cyanide, total	2.9
Hexane extractable materials ⁽¹⁾	300

(1) This limit applies to results obtained using Method 1664, as established by 40 CFR 136.