



April 27, 2020

Kristina Femal, RR Manitowoc County DOT Hydro
Wisconsin Department of Natural Resources
2984 Shawano Ave
Green Bay, WI 54313
[sent electronically]

Subject: Coverage under WPDES Permit No. WI-0066575-01-0
Permittee Name: WI DNR BUREAU OF REMEDIATION AND REDEVOLPMENT
Facility Site Name: GOLDEN FLAME RESTAURANT
Facility Site Address: 2604 CUSTER ST, MANITOWOC
Site ID (FIN): 71581

Dear Ms. Femal:

The Wisconsin Department of Natural Resources (hereafter Department) has determined that the Golden Flame Restaurant located at 2604 Custer St, Manitowoc, WI is eligible for coverage under the *Low-Impact Discharge* Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-0066575-01-0. This determination was based on review of a complete General Permit Notice of Intent (NOI) form (Form 3400-241) and Best Management Practice (BMP) Plan submitted by you and received on April 21, 2020. Please download the permit and fact sheet from the Department website at: <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

The department hereby approves the BMP Plan (From 3400-240) in accordance with Section 6 of the *Low-Impact Discharge* WPDES General Permit No. WI-0066575-01-0.

The discharge is authorized under the *Low-Impact Discharge* WPDES General Permit No. WI-0066575-01-0 in accordance with s. NR 205.08, Wis. Adm. Code, subject to the following conditions:

1. **Coverage Effective Date:** Coverage at your facility will become effective under this general permit on **May 1, 2020** until permit termination. This permit applies only to the discharge activities and sites described in the NOI for the above referenced facility.
2. **Best Management Practice Plan:** The permittee shall operate consistent with the approved BMP plan. A copy of the BMP plan shall be retained by the permittee and this plan shall be made available upon department inspection or submitted to the department upon request. The permittee shall ensure that on-site personnel directly involved with the discharge activities have access to the BMP plan at all times while at the facility and discharge location. Permittees shall notify the department when the BMP plan is amended to determine if the amendment requires department approval.
3. **Visual Inspection Log:** The permittee shall conduct visual inspections of the permitted discharge and record observations of the discharge in a visual inspection log. The permittee shall keep visual inspection logs on file and the logs shall be made available upon department inspection or submitted to the department upon request. The parameters in Section 5.2.1 of the general permit shall be visually inspected and recorded on the discharge.

4. Coverage Termination: If the discharge is discontinued, conveyed to a sanitary sewer system, or covered under an individual WPDES permit, please complete and submit a Notice of Termination (Form 3400-221) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.
5. Change of Ownership: If your facility changes ownership in the future, please complete and submit a Transfer of Coverage (Form 3400-222) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>
6. Change of Authorized Representative: If you plan on changing the authorized representative contact for the project or you want to assign a new person to be a duly authorized representative to submit specific permit documents on your behalf, please fill out a Delegation of Signature Authority (Form 3400-220) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.
7. Facility Changes: If there have been or will be any changes in your facility operations that result in new or different wastewater discharges to the waters of the state, please contact the Department and reapply for permit coverage. If reapplication is necessary, please complete a notice of intent (NOI) form for the applicable general permit(s) to verify that your discharge is eligible for that general permit. NOI forms are available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.
8. Compliance: You are responsible for compliance with the requirements and conditions contained in the general permit. To assure you remain in compliance and avoid any enforcement action, please read the general permit over carefully.

Additional information regarding the Department's legal authority in this matter and your rights of appeal are shown below. If you have any questions regarding any of the permit conditions, monitoring and reporting requirements, or when Department notification is required, please contact me at (920) 662-5145 or Alexis.Peter@wisconsin.gov.

Sincerely,



Alexis Heim Peter
Northeast Regional Wastewater Specialist
Bureau of Water Quality

Cc: Permit File

LEGAL AUTHORITIES AND APPEAL RIGHTS

Section 283.35(1), Wis. Stats., authorizes the Department to issue a general permit applicable to a designated area of the state authorizing discharges from specified categories or classes of point sources located within that area. Upon the request of the owner or operator of a point source, the Department shall withdraw the point source from the coverage of a general permit and issue an individual Wisconsin Pollutant Discharge Elimination System (WPDES) permit for that source in accordance with s. 283.35(2), Wis. Stats. Additionally, the Department may withdraw a point source from the coverage of a general permit and issue an individual WPDES permit if that source meets any of the factors listed in s. 283.35(3), Wis. Stats. Issuance of such an individual permit will provide for a public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. In lieu of general permit withdrawal, the Department may refer any violation of a general permit to the Department of Justice for enforcement under s. 283.91, Wis. Stats., pursuant to s. 283.89, Wis. Stats. In order to remain in compliance and avoid any enforcement action, **please read your permit carefully.**

To challenge the reasonableness of or necessity for any term or condition of an issued, reissued, or modified general permit, s. 283.63, Wis. Stats., and ch. NR 203, Wis. Adm. Code, require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days after notice of the permit decision was issued by the Department. For other permit-related decisions, such as the decision to confer general permit coverage to your facility, that are not reviewable pursuant to s. 283.63, Wis. Stats., it may be possible for permittees or other persons to obtain an administrative review pursuant to s. 227.42, Wis. Stats., and s. NR 2.05(5), Wis. Adm. Code, or a judicial review pursuant to s. 227.52, Wis. Stats. If you choose to pursue one of these options, you should know that Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed.