

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7921  
Madison WI 53707-7921

Scott Walker, Governor  
Daniel L. Meyer, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



June 4, 2018

KOLLIN SCHADE, PLANT MANAGER  
SUPERIOR REFINING COMPANY LLC  
2407 STINSON AVE  
SUPERIOR WI 54880

**Subject:** Coverage Determination under WPDES Permit No. WI-0046531-06-0  
Permittee Name: Superior Refining Company LLC  
Facility Name: Superior Refining Company LLC  
Site Location: 2407 Stinson Ave, Superior, WI 54880  
Site ID (FIN): 5725  
FID: 816009590

Dear Mr. Schade

The Wisconsin Department of Natural Resources (hereafter Department) has determined that your proposed discharge for the Superior Refining Company LLC located at 2407 Stinson Ave, Superior, WI 54880 is eligible for coverage and is hereby authorized under the Wisconsin Pollutant Discharge Elimination System (WPDES) general permit for *Petroleum Contaminated Water* (No. WI-0046531-06-0). This determination was based on review of the General Permit Notice of Intent (NOI) form submitted by David Beattie and received on May 26, 2018. You are responsible for compliance with the requirements and conditions contained in the permit. Please download the permit and fact sheet from the Department website at: <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

Your proposed discharge is eligible for coverage and is hereby authorized under the Wisconsin Pollutant Discharge Elimination System (WPDES) general permit for *Petroleum Contaminated Water* (No. WI-0046531-06-0) in accordance with s. NR 205.08, Wis. Adm. Code, subject to the following conditions:

1. **Reporting:** The permittee shall report all monitoring data to the department as required in Section 3.2.1 of the permit.

The permit now requires that monitoring results be submitted on an electronic discharge monitoring report (eDMR) instead of a paper annual report. The first report is due by July 21, 2018. The eDMR will be available on July 1<sup>st</sup>, 2018. In order to access the eDMR forms, you must have or create a Wisconsin Web Access Management System (WAMS) ID and request access for each facility for which you intend to submit data. If you already have a WAMS ID, the you do not need to recreate one to access the eDMR. Instructions and help with WAMS ID/Switchboard Registration is attached to the electronic version of this letter. Instructions and help with filling out and submitting the eDMR is attached to the electronic version of this letter.

2. **Continuation of an Expired Permit:** The terms and conditions of this general permit remain in effect until this general permit is revoked and reissued or until an individual permit is issued for the discharge to which the general permit applied. The status of expired general permits can be accessed at <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>.

Since the refinery experienced the explosion and fire, we have been in discussions with you regarding the refinery's plans to treat the wastewater and firefighting water which is currently being held on site in facility ponds. We understand that the facility has begun treating these waters using the on-site WWTP, coupled with a

granular activated carbon (GAC) units followed by an ion-exchange resin, as necessary, to address the Perfluoroalkyl Substances (PFAS) compounds associated with the firefighting foam for all discharges impacted by PFAS compounds.

We understand the following conditions are and will continue to be adhered to prior to discharging the stored firefighting water:

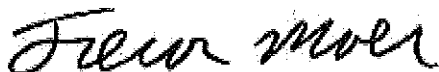
- Treatment will include the use of activated carbon adsorption followed by PFAS specific exchange resin as necessary in the treatment process to address PFAS compounds and organic compounds. GAC units followed by ion-specific resin as necessary is considered the Best Available Control Technology (BACT) and will be utilized for treatment prior to discharge.
- The facility will conduct PFAS monitoring at the influent to the treatment plant, at the discharge of the first GAC unit and at the discharge of the second GAC unit. The discharge from the ion exchange unit will also be monitored when in use.
- Based on the results of the facility's post-GAC unit monitoring indicating removal of PFAS to below detection limits, the facility can utilize GAC units as the final treatment step. If subsequent monitoring indicates treatment is insufficient with GAC alone then the facility should use the ion-exchange resin.
- The sampling frequency for PFAS compounds will be every other day during discharge. The facility may request a reduction in sample frequency as experience is gained using this treatment process and consistency is established. All internal sample results (between GAC units) will be made available to department for review upon request.
- The department received initial sample results that indicate that the BACT is efficiently treating the wastewater as designed. To the extent practicable (e.g. if precipitation levels allow), the facility will not discharge if further samples indicate that the BACT is not treating the wastewater as designed. Rather, the facility will recirculate the effluent to the detention ponds or headworks of the treatment plant and will not resume discharge until sample results indicate that the treatment capability is fully restored (e.g. through GAC replacement/regeneration, use of resin, etc.), unless discharge is necessary to ensure site safety or preserve the integrity of the containment ponds.
- In the event that sample results indicate that the BACT is not treating wastewater as designed, but the facility storage capacity is exceeded and it becomes necessary to discharge to ensure site safety or preserve the integrity of the containment ponds, the facility will utilize all treatment technologies, including the GAC filters and the ion-exchange resin.
- All limits contained in the general permit shall be met prior to discharge.

The facility will at all times be subject to the required monitoring parameters and limits in the permit. In addition, to ensure the discharged treated water is not negatively impacting the immediate receiving water or downstream waters, the facility should continue to monitor water quality consistent with the monitoring plan already in place for the receiving water and downstream areas.

Additional information regarding the department's legal authority on this matter and your rights of appeal are shown below.

If you have any questions or concerns regarding this permit or this letter, please contact me by phone: (608) 266-3906 or by email: [Trevor.Moen@Wisconsin.gov](mailto:Trevor.Moen@Wisconsin.gov).

Sincerely,



Trevor Moen  
Wastewater Engineer  
Bureau of Water Quality



Jason Knutson  
Wastewater Section Chief  
Bureau of Water Quality

Cc: David Beattie – Superior Refining Company LLC (via email)  
Eric DeVenecia – DNR Superior Service Center (via email)  
Sheri Snowbank – DNR Spooner Service Center (via email)  
Permit File(s)

Attachments: Instructions for WAMS ID/Switchboard Registration (via email)  
Instructions for Completing eDMRs for General Permits (via email)

## 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.

## Instructions for WAMS ID/Switchboard Registration

A video tutorial on Switchboard Registration and answers to frequently asked questions can be found at <http://dnr.wi.gov/topic/Switchboard/help.html>. If you need more help you can also contact DNR Switchboard Help Desk at 608-267-3123

If you do not currently have a WAMS ID (Web Access Management System ID) you will need to create one. *Please note: WAMS ID is not DNR specific. It is a State Personal ID, so you may already have one if you were involved with DNR or other state agencies electronic reporting.*

If you already have a WAMS ID please skip to **Part 3**.

### **Part 1. Creating WAMS ID (also called User Account ID):**

1. Go to the Switchboard at <http://dnr.wi.gov/topic/switchboard>.
2. Click on the "Create WAMS ID" button
3. Read the User Acceptance Agreement and then click on the "Accept" button at the bottom of the page
4. Complete the self-registration form. Only complete the required fields indicated by the red asterisk. You will need a unique email address that only you have access to.
5. Click on "Submit" button. You will be sent an email from WAMS@Wisconsin.gov in a few minutes to activate your account.

### **Part 2. Activating your WAMS ID:**

1. Follow the instructions in the email from WAMS@Wisconsin.gov to activate your account. Clicking on the activation link will bring you to the Login page.
2. Type in your User ID and password exactly as you created them. A screen will appear stating that you have successfully created and activated your WAMS ID.
3. Close your browser.

### **Part 3. Requesting access to the wastewater reports.**

1. Return to the Switchboard at <http://dnr.wi.gov/topic/switchboard> and click on "Request Access" button. It will bring you to the Login page. After you Log in it will bring you to the Contact Information screen
2. Fill in any missing contact information and make sure everything is correct.
3. Click "Add New Role"
4. Click on the "Show Roles" button next to "**Wastewater/Septage**"
5. Select the **Wastewater/Septage Reporting Forms** "Entry" and/or "Submit" role(s). Please check **only** the roles you need. Then click the "Next" button. Note: "*Entry*" role alone will not let you submit the forms unless you also request "*Submit*" access. A person with "*Submit*" access can submit and electronically sign reports but will not

*be able to enter, save, or validate the data unless this person also requests "Entry" access.*

6. Enter your permit number (0046531) in the Search box and click "Search". Select your facility from the list of alphabetically sorted facilities that appears. Click "Next" button.
7. Enter your title and permit number if it's not already filled in. Include comments, if needed, into the Comments field.
8. Check the box "I have read and accept the electronic signature and trading partner agreement" and click "Submit".
9. If this is your first request for access to DNR reports you will be asked to print your ESA (Electronic Signature Agreement). Print, sign, and mail the page with your ink signature to the address on the page.

Please allow several business days to process your request.

## Instructions for Completing Electronic Discharge Monitoring Reports (eDMRs) for General Permits

1. Go to the web page for the Switchboard at <http://dnr.wi.gov/topic/switchboard> using internet explorer as your browser. Other browsers such as safari, firefox, and google chrome may not work with the Switchboard.
2. When you reach the Switchboard page click on 'Log In To The Switchboard'.
3. After logging in, your Switchboard home page is displayed. Scroll to your facility name(s) and click on 'Wastewater Reporting Forms'
4. The eForms page will appear. Click on the eDMR link to show all available forms. Expand available options until you see your active forms for each reporting period. Select the form you wish to work on.

These parameters...	... will appear on this form:
Annual monitoring requirements	eDMR GP Short (for the full year)
Monthly monitoring requirements	eDMR GP Short (for a single quarter)

5. Several action buttons will appear on the page. Select "Edit Form".
6. Now you have reached your eDMR form and you can begin to enter sampling results. As you enter data, click "Save" often to prevent loss of progress. The following boxes should be filled out for each monitoring result:
  - **Date Sample Taken:** Entries must be in the MM/DD/YYYY format. Either type in the correct sample date or click on the picture of a calendar to choose the correct sample date.
  - **Sample Results:** Enter the monitoring result in the units displayed to the right. When the test result is less than the limit of detection (LOD) or not detected, enter the value of the limit of detection preceded by a less than sign (<). If more than one sample was taken for this outfall in the given reporting period, click the "+" button at the end of the row displaying the required sampling event. A duplicate record will be created.
  - **Limits:** If any limits apply to the parameter, they will be listed in this column. To the right of the limit, enter the number of times that the limit was exceeded during the reporting period. Enter a "0" if no monitoring results exceeded the limit.
  - **LOD, LOQ, and Lab Certification Number:** These boxes must be filled in if they are yellow. If you outsource lab work, the lab should provide this information. If testing is performed on-site and you have questions regarding determining LOD and LOQ, contact your Lab Certification Officer or DNR representative.
  - **QC Exceedance:** Check this box in any row for which there is a concern over procedure or results that may make the monitoring result inaccurate. If a check is placed in the "QC Exceedance" box in any row, a comment is required in the "Laboratory Quality Control Comments" box at the bottom of the eDMR.

*\*Important Note: If no monitoring has been performed for a parameter, the entire row should be left blank. Do not enter zero as a sample result if no sample was taken. Zero is only an appropriate entry for flow in periods when no effluent was discharged.*

The lower portion of the form contains two additional boxes that can be filled out:

- **General Remarks** – For operators to add comments concerning any matter other than quality control
  - **Laboratory Quality Control Comments** – For comments regarding procedures or concerns that affect the accuracy of any monitoring data. This should be filled out if the “QC Exceedance” box is checked.
7. Once the form is complete, click “Validate”. A pop-up will appear listing any errors found in the form. If errors appear, close the pop-up, fix the problems and click “Validate” again.
  8. Once the form is validated it can be submitted by the person with the Submit role. Click “Return” to go back to the eforms page. Click “Submit”. Then click “Finalize Submit”. At this point the form can no longer be edited.
  9. This will take you to the eReport Certify page. Without closing this page, open the listed email account and look for an email containing the Certification Code.
  10. Enter the Certification Code and click “Certify”. The page will say “Certification Complete”. Within the next few days, an e-mail confirming successful submission of the form will be sent to each person with any Wastewater Reporting role.

#### **Additional Helpful Information:**

- **Roles** - These are the possible eDMR roles and their levels of access to the forms:
  - Wastewater Reporting Forms - Entry – Can enter data on the eDMR and perform validation of the eDMR. Cannot submit.
  - Wastewater Reporting Forms - Submit – Can view and submit the eDMR. Cannot enter data nor perform validation of the eDMR.

\*The same person can have both of these roles if authorized by the company. If you want to change the eDMR roles of yourself or your employees, you can do this through the DNR Switchboard.

- Monitoring forms will always be due on the 21<sup>st</sup> of the month following the end of the reporting period. For example: a quarterly eDMR for the period January 1, 2018 to March 31, 2018 would be due on April 21, 2018.
- Monitoring requirements are grouped by sample frequency. Most permittees will have one short form containing annual monitoring requirements and another short form containing quarterly monitoring requirements.
- Minimal facility information is displayed in the default view; facility name, time period covered by eDMR, and the name of the person logged on. The “More” button can be used to display additional facility information. The “Less” button can be used to return to the default view.
- The “Return” button at the top of the eDMR form can be used to go back to your eForms page where you can submit the form or select a different form to work on.



- If more than one sample is analyzed on a day, enter the highest value obtained for that day, unless there is a minimum limit. In those instances, enter the lowest value obtained for the day.
- For BOD, multiple dilutions of the same sample represent only a single test. See *Standard Methods for the Examination of Water and Wastewater* to determine what test result should be reported for that sample.
- If all BOD dilutions have the final oxygen levels below 1.0 mg/l, the facility shall calculate the BOD based on the measurable oxygen used and enter that value on the DMR with a greater than sign (>).
- The Save and Validation buttons can be used as many times as necessary. If you make changes after validation, you must revalidate before you can submit.
- The validation pop-up can include Warnings and/or Errors. A Warning is meant to alert you to a possible problem, but will not prevent submittal. An Error will prevent submittal and must be resolved.
- The Submit button is only active when the eDMR status is "Validated" and the person logged on has Submit authority.
- The eDMR will be locked once submitted. If there is a need to change data after submittal, contact David Argall (david.argall@wisconsin.gov) and your DNR representative and request the status of the file be changed back to "In Progress".

**Troubleshooting:**

- The electronic DMR system only works with Microsoft Internet Explorer. If you are using any other browser, such as Safari, Firefox or Google Chrome, it may not work properly.
- Reporting a zero for any parameter in units of mg/L, µg/L, or ng/L will be listed as a validation error.
- Clicking the Validate button will display a pop-up listing all issues that must be resolved before submittal can occur. Issues may include missing LOD, LOQ, or laboratory certification number, or a missing comment when a QC Exceedance box has been checked. The listing can be printed. Every effort should be made to enter all required information. Contact your DNR representative or David Argall to discuss a procedure for submitting data when the DMR is incomplete.
- The notification that is displayed after clicking the Validate button is a pop-up window. If your PC has pop-up windows blocked, you can temporarily override by clicking and holding down the Control button, then clicking the Validate button. You can release the Control (Ctrl) button after the pop-up is displayed.
- If there are changes needed to the facility information (address, contact name, title) displayed, limits, or monitoring requirements listed, contact your DNR representative or note your concerns in the general remarks box. You are required to test and report in accordance with the conditions of your permit. If changes are necessary, a revised file can be provided. Your DNR representative can arrange for this to be done.
- Sample results must be reported in the units (mg/L, lbs/day) shown for the parameter in the row description. Data is considered to be in error if reported in any other unit. Contact your DNR representative if you believe a change to the eDMR form is necessary.
- Do not enter commas, dashes, or other extraneous markings intended to call attention to comments written elsewhere on the monitoring form.

- If you cannot find the email containing the certification code, search for it in your spam folder.
- **If you need assistance, click the “Contact Us” link on the bottom of the web page to generate an e-mail to your DNR representative.**