



December 10, 2018

ERIC BRETL
TYCO FIRE PRODUCTS LP
ONE STANTON ST
MARINETTE WI 54143
(SENT VIA EMAIL)

SUBJECT: Coverage under WPDES General Permit No. WI-0046566-07-0
Permittee Name: Tyco Fire Products LP
Site Name: Tyco Fire Technology Center - Ditch A Interim Action
Site Address: 2700 Industrial Parkway South, Marinette, Wisconsin
Site ID (FIN): 64624

Dear Mr. Bretl:

The Wisconsin Department of Natural Resources (hereafter Department) has determined that your proposed discharge from the Tyco Fire Technology Center - Ditch A Interim Action project located at 2700 Industrial Parkway South, Marinette, Wisconsin, is eligible for coverage and is hereby authorized under the Wisconsin Pollutant Discharge Elimination System (WPDES) general permit for *Contaminated Groundwater from Remedial Action Operations* (No. WI-0046566-07-0). This determination was based on review of a complete General Permit Notice of Intent (NOI) form and Discharge Management Plan submitted by Ben Verburg, Arcadis U.S., Inc., and received on October 30, 2018. 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 discharge management plan in accordance with the WPDES general permit for *Contaminated Groundwater from Remedial Action Operations* (No. WI-0046566-07-0). The approval of the discharge management plan hereby certifies that the discharge management plan requirements in Section 3 of the general permit are met.

Your proposed discharge is eligible for coverage and hereby authorized under the WPDES general permit for *Contaminated Groundwater from Remedial Action Operations* (No. WI-0046566-07-0) in accordance with s. NR 205.08, Wis. Adm. Code, subject to the following conditions:

1. **Term of Coverage:** Coverage at your facility will become effective under this permit on **December 10, 2018** until permit coverage termination.
2. **Discharge Management Plan:** The permittee shall operate consistent with the approved discharge management plan. A copy of the discharge management plan shall be retained by the permittee and this plan shall be made available upon department inspection or submitted to the department upon request. Permittees shall notify the department when the discharge management plan is amended to determine if the amendment requires department approval.
3. **Sampling:** The permittee shall sample the discharge for all parameters listed in their discharge management plan and below at the frequencies listed in Section 4.2.1.2 of permit. Sampling is only required when there is a discharge to surface water during any month.

Monitoring Requirements and Effluent Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Flow Rate		gpd	Daily	Estimated	See Section 4.2.1.2
pH Field	Daily Min	6.0 su	Weekly	Grab	See Section 4.2.1.2
	Daily Max	9.0 su			
Oil & Grease (Hexane)	Daily Max	10 mg/L	Weekly	Grab	See Section 4.2.1.2
Suspended Solids, Total	Daily Max	40 mg/L	Weekly	Grab	See Section 4.2.1.2
BETX, Total	Monthly Avg	750 µg/L	Weekly	Grab	See Section 4.2.1.2
PAHs	Monthly Avg	0.1 µg/L	Weekly	Grab	See Section 4.2.1.1.2 and Appendix C for calculation
PFOA*	-	-	Weekly	Grab	
PFOS*	-	-	Weekly	Grab	

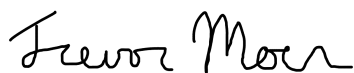
*Sampling for Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonate (PFOS) on a weekly basis is included due to known presence of these pollutants at the site. Pursuant to section 4.5 d of the permit, “substances in concentrations or in combinations which are toxic or harmful to humans shall not be present in amounts found to be of public health significance, nor shall substances be present in amounts which are acutely harmful to animal, plant or aquatic life.” The department advises the permittee that it intends to utilize monthly average values of 0.42 µg/L PFOA and 0.011 µg/L PFOS to assess compliance with 4.5 d of the permit. These are not enforceable effluent limitations or secondary value limits and will not be enforceable as permit limitations. However, should these values be exceeded by measured effluent concentrations, the department will evaluate whether or not it is appropriate to revoke coverage under this general permit or work with Tyco to refine its treatment of wastewater or obtain coverage under an individual permit. Please also know that the department intends to public notice its intent to modify the Contaminated Groundwater from Remedial Actions General Permit to include secondary value limitations for these two parameters in the near future. Pending any changes in response to public comments, these limits will become effective and enforceable for permittees covered under the general permit, including Tyco’s Ditch A project.

4. **Reporting:** The permit requires all monitoring data be submitted on an electronic discharge monitoring report (eDMR). The eDMR shall be submit to the department whether or not there is a discharge during any month. The first report for the month of December is due by January 21, 2019. 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, then you do not need to recreate one to access the eDMR.

5. Discharge Status: If the project has been completed and/or the remedial action activities have ceased, please complete a Notice of Termination (Form 3400-221) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. Please email this form to me at Trevor.Moen@Wisconsin.gov. The Department will then send a letter back to you confirming termination of coverage under this general permit. Your facility will then be removed from our list of facilities currently covered under this general permit.
6. New 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>
7. 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>. Please email this form to me at Trevor.Moen@Wisconsin.gov.
8. 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>. This document must be mailed to the Department contact in the region of the proposed discharge. This information is also available at the general permit webpage.
9. 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. Please contact me by phone: (920) 424-7883 or by email: Trevor.Moen@Wisconsin.gov if you have any questions.

Regards,



Trevor Moen
Wastewater Engineer
Bureau of Water Quality



Jason Knutson, P.E.
Wastewater Section Chief
Bureau of Water Quality

cc: Ben Verburg, P.E. – Arcadis U.S., Inc. (via email)
David Neste – DNR Oshkosh Service Center (via email)
Roxanne Chronert – DNR Green Bay Service center (via email)
Nicole Krueger – DNR Green Bay Service Center (via email)
Kelly O'Connor – DNR Green Bay Service Center (via email)
Jason Knutson – DNR Central Office Madison (via email)
Permit File(s)

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.