

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0023469-10-0

Permittee: Brookfield, City of, 21225 Enterprise Ave, Brookfield, WI, 53045

Facility Where Discharge Occurs: Brookfield, City of, 21225 Enterprise Avenue, Brookfield

Receiving Water And Location: Fox (IL) River (Upper Fox (IL) River Watershed, Upper Fox (IL) River Basin) in Waukesha County

Brief Facility Description and Summary of Proposed Changes: The Fox River Water Pollution Control Commission (FRWPCC) operates a 12.5 MGD activated sludge wastewater treatment facility in the City of Brookfield. The plant serves approximately 52,000 people and 10 significant industries including portions of the City of Brookfield that lie west of the subcontinental divide, Lake Pewaukee Sanitary District, the City of Pewaukee, the Village of Pewaukee, the Town of Brookfield Sanitary District #4, and the southwest portion of the Village of Menomonee Falls.

Treatment consists of fine screening, grit removal, primary clarification, biological nutrient removal, secondary clarification, tertiary filtration, disinfection via chlorination and dechlorination and aeration before effluent is discharged to the Fox (IL) River. Biosolids processes include anaerobic digestion, gravity belt thickening, and storage before being land applied onto Department approved agricultural fields.

Permit Drafter's Name, Address, Phone and Email: Victoria Ziegler, 141 NW Barstow St, Waukesha, WI, 53188, (414) 391-8946, Victoria.Ziegler@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Nicholas Lent, 1027 W St Paul Ave, Milwaukee, WI 53233, (414) 239-1938, Nicholas.Lent@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 Chloride Variance: The Department has determined that a water quality-based effluent limitation (WQBEL) for chloride is needed in this permit to protect aquatic life. As allowed under s. NR 106.83(2), Wis. Adm. Code, the permittee has requested a variance to the chloride WQBEL. In support of this request, the permittee has submitted documentation intended to demonstrate that the cost of complying with the WQBEL through the use of end-of-pipe wastewater treatment may cause substantial and widespread adverse social and economic impacts in the area where the discharger is located. The Department concurs with that assessment; however, this concurrence is subject to USEPA approval before the variance limit may be included in the final reissued permit. In an effort to achieve chloride effluent reductions that are practically and economically achievable within the term of the proposed permit, the Department and the permittee have mutually agreed upon specific permit terms that include an interim limitation, a target limit (or value, as the case may be), and certain source reduction activities. As allowed under s. NR 106.83(3), Wis. Adm. Code, these requirements are contained in the proposed permit.

Dissipative Cooling: The department may account for dissipative cooling of the permittee's treated domestic sewage effluent in determining the need for sub-lethal temperature limits pursuant to s. NR 106.59, Wis. Adm. Code. Based on the department's evaluation it has been determined that sub-lethal effluent limits for temperature are not necessary because the permittee's effluent thermal load is adequately dissipated. Comments on this determination are requested.

Hearing Date, Time, and Location: Thursday, June 20th at 10:00AM
<https://us02web.zoom.us/j/84461212693>

Hearing Officer, Name, Address, City/State/Zip, and Phone: Victoria Ziegler, 141 NW Barstow St, Waukesha, WI, 53188, (414) 391-8946

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 above announced permit action 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 (414) 391-8946 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: West NOW, 333 W State Street, Milwaukee, WI, 53201-0661

Date Notice Issued: Wednesday, May 1, 2024