



April 16, 2015

Mr. Zach Pontzer, Project Manager
J.F. Brennan Company
500 Marschall Road South, Suite 110
Shakopee, WI 55379

Subject: **WPDES Permit WI-0049344-4, Pit/Trench Dewatering**
Location: Union Pacific Railroad – Bridge Street, Hudson, Wisconsin
Receiving Waters: Groundwater within St. Croix River Watershed

Dear Mr. Pontzer:

I am pleased to inform you that the Department has reviewed your Pit/Trench Dewatering General Permit Request for Coverage (along with supplemental written and verbal information) and has determined that dewatering water generated when adding up to eight inches of concrete facing to the railroad bridge abutments over Lake Mallalieu, near Bridge Street in Hudson, Wisconsin meets the applicability criteria contained in general permit number WI-0049344-4. The Department understands that dewatering water will be generated when concrete is being poured between the vinyl sheet piling forms and the two existing abutments. The water displaced within the concrete forms, below the lake level, amounting to about 1000 gallons per pour (2000 gallons total), will be pumped into a tank and discharged through a filter bag, onto an upland area just southwest of bridge on the Union Pacific Railroad Property where the water will infiltrate into the soil profile. No trench dewatering water will be discharged directly or overland into Lake Mallalieu or the St. Croix River.

A copy of the Pit/Trench Dewatering general permit can be downloaded from the Wisconsin DNR website at <http://dnr.wi.gov/topic/wastewater/generalpermits.html>. If you are unable to access this document over the Internet, please contact me and I will mail you a copy of the permit. This discharge is hereby authorized under general permit WI-0049344-4. Management of the project and control of the discharge(s) must be completed in compliance with the requirements contained in this permit and the additional conditions summarized below.

1. **No discharges are authorized to outstanding or exceptional resource waters** - This permit does not authorize any discharges to outstanding or exceptional resource waters as defined in Chapters NR 102 and 207, Wis. Adm. Code. The St. Croix River is an exceptional resource water.
2. **No discharges to wetlands** - This permit authorization does not allow any discharges to wetlands unless the Department determines in writing that the discharge meets the wetland protection requirements contained in Chapter NR 103, Wis. Adm. Code.
3. **Groundwater Protection** - To protect groundwater aquifers, no discharges to groundwater can occur in areas of known or suspected soil contamination.
4. **Discharge Notification** – Please notify me 48 hours prior to commencing the pit/trench water discharge.
5. **Reporting** - A Discharge Monitoring Report (DMR) form has been included for you to report monitoring required by the permit. **This information is due by January 15th of each calendar year.**

To close, attached is a description of the Department's legal authority in this matter and your appeal rights. If the scope of the project is altered or conditions change from those described in the request for coverage under this permit, notify me immediately to determine if the project can continue under the general permit requirements. If you have questions regarding the permit or reporting requirements please contact me at (715) 684-2914 extension 108.

Sincerely,

A handwritten signature in black ink, appearing to read 'PWS', written over a horizontal line.

Peter W. Skorseth, P.E.
Environmental Engineer

Attachments: Legal Authorities and Appeal Rights
Pit/Trench DMR

eCopy: Mark McCune - Union Pacific Railroad
Mark Harings - WDNR

LEGAL AUTHORITIES AND APPEAL RIGHTS

Section 283.35, Wisconsin Statutes, authorizes the Department to issue general permits for discharges from categories or classes of point sources. If a permittee believes coverage of a facility under a general WPDES permit is not appropriate, the permittee may apply for issuance of an individual WPDES permit pursuant to section 283.35(2) and may petition the Department for withdrawal of coverage under the general permit. The individual permit application should indicate which site specific factors would justify alternate WPDES limits for the operation. Issuance of such a site specific WPDES permit will provide for a 30 day public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. The Department may withdraw a facility from coverage under a general permit if it is determined that a discharge is a significant contributor of pollutants to waters of Wisconsin, or in certain other cases set out in s. 283.35, Stats. In lieu of general permit withdrawal, the Department may refer any violation of this permit to the Department of Justice for enforcement under s. 283.89, Stats. In order to avoid any enforcement action, **please read the WPDES permit carefully and comply with the permit requirements.**

If you believe you have a right to challenge the Department decision to cover this facility with a WPDES general permit, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. Such a petition should identify pollutant(s) that are believed to be not appropriately regulated by the general permit for the specific site. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the time period for filing a petition for judicial review.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. A petition for judicial review must name the Department of Natural Resources as the respondent.

DISCHARGE MONITORING REPORT FORM Year: _____
(Pit/Trench Dewatering)
 Permit No. **WI-0049344-2**
 DMR Rev. 6.01.2001

Facility Name and Location
 Union Pacific Railroad
 Hudson, WI

Outfall # and Description	Flow (gallons/day)	Total Suspended Solids (mg/l)	Oil and Grease (mg/l)	Additional Samples Taken at Same Outfall	Flow (gallons/day)	Total Suspended Solids (mg/l)	Oil and Grease (mg/l)
Sample #1 (Date)				Sample #5 (Date)			
Sample #2 (Date)				Sample #6 (Date)			
Sample #3 (Date)				Sample #7 (Date)			
Sample #4 (Date)				Sample #8 (Date)			
See Footnote		(1)	(2)			(1)	(2)
Daily Maximum Limit	-	40 mg/l	15 mg/l	Daily Maximum Limit	-	40 mg/l	15 mg/l
Daily Minimum Limit	-	-	-	Daily Minimum Limit	-	-	-
Sample Frequency	Monthly	Monthly		Sample Frequency	Monthly	Monthly	
Sample Type	Estimate	Grab	Grab	Sample Type	Estimate	Grab	Grab

FOOTNOTES:

- (1) Monitoring of discharges to surface water for Total Suspended Solids is required monthly except for cloudy discharges which shall be monitored weekly.
- (2) Oil and grease monitoring is not required.

RETURN REPORT BY: January 15, 2016. To report exceedances, see Sec E (7) of the permit.

RETURN TO: Peter Skorseth, Wastewater Engineer
 Department of Natural Resources
 890 Spruce Street
 Baldwin, WI 54002

DIRECTIONS:

- For "Outfall # and Description" enter the number of the outfall you are reporting (i.e., 001 or 002, etc.) and the source of wastewater (i.e., pit/trench dewatering, well dewatering). Copy and use a new form for each separate outfall.
- Enter the date each sample was taken next to the sample number
- Each daily value entered must be the highest value of all samples types analyzed for that day.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment, (40 CFR 122.5). I also certify that the values being submitted are the actual values found in the samples; no values have been modified or changed in any manner. Wherever I believe a value being reported is inaccurate, I have added an explanation indicating the reasons why the value is inaccurate.

Signature of Person Completing Form _____ Date _____
 Signature of Principal Exec. or Authorized Agent _____ Date _____