

PERMIT NO. B-08-1085-2

INDUSTRIAL WASTEWATER DISCHARGE PERMIT

In accordance with the provisions of chapter NR 211 Wis.Adm.Code (Department of Natural Resources general pretreatment requirements), Federal pretreatment regulations 40 cfr 403, and Chapter 46 Article III Division 2 of the Municipal Code of Ordinances of the La Crosse (hereinafter, City Ordinance Chapter 46).

**Kwik Trip Dairy
1626 Oak Street
La Crosse, WI. 54601**

Is hereby authorized to discharge industrial wastewater from the above identified facility into the La Crosse Wastewater Treatment System pursuant to the effluent limitations, monitoring requirements, and other conditions set forth in this permit.

Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements under local, state, and federal laws; including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit constitutes a violation of City Ordinance Chapter 46.

This permit is issued to the specific user identified above and shall not be reassigned, transferred, or sold to another user or to a different address.

The terms and conditions of this permit may be amended during the life of this permit, as limitations or requirements identified in City ordinance chapter 46 are modified or changed.

This permit shall become effective on the date of signature and **shall expire at midnight, February 16, 2024.**

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after the expiration date, the permittee shall file for reissuance of this permit in accordance with the requirements of City Ordinance Chapter 46, at least 90 days prior to the expiration date.

La Crosse Wastewater Treatment Facility

By _____
Bernard Lenz (Utilities Manager)

Dated This _____ Day of _____, Year _____

PART 1 - GENERAL PROHIBITED DISCHARGE STANDARDS

Section 1 - City of La Crosse Pretreatment Standards

No person shall discharge or deposit or allow to be discharged or deposited into the wastewater treatment system any wastewater which violates the prohibited discharge standards found in City Ordinance Chapter 46 Article III Division 2 46-109 (2) and briefly described as follows:

- A.Wastewater... which has a closed cup flashpoint of less than 60 degrees Centigrade or 140 degrees Fahrenheit using test methods specified in **40 cfr 261.21**.
- B. Solid or viscous wastes, or wastes that may become solid or viscous in the sewer, and may interfere with the natural flow in a sewer or make excessive sewer cleaning necessary.
- C. Garbage that has not been ground or reduced in size to such a degree that all particles are less than one-half (1/2") in any dimension.....
- D. Noxious or malodorous liquids, solids, or gases
- E. Waste which may cause corrosion or deterioration of the wastewater treatment system. All wastes discharged into the wastewater treatment system shall have a pH value in the range of six (6) to nine (9) Standard Units at the point of introduction into the wastewater treatment system ...
- F. Fat, wax, oil, or greases which may solidify or become viscous at temperatures between 0 and 65 degrees Celsius, or 32 and 149 degrees Fahrenheit...
- G.Radioactive wastes or isotopes
- H. Substances not removable by the wastewater treatment process which will cause discoloration, opacity, or foaming of the wastewater treatment plant effluent or residues.
- I. ... In no case shall wastewater with a temperature exceeding 40 degrees Celsius or 104 degrees Fahrenheit be introduced into the wastewater
- J. Unpolluted water including, but not limited to, non-contact cooling water, rain water, river water, or ground water which will increase the hydraulic loading on the wastewater treatment system
- K. Slug loads causing interference with wastewater treatment system or adversely affects... residues, sludges, or scum.

PART 1 - GENERAL PROHIBITED DISCHARGE STANDARDS CONTINUED

L. Wastewater discharges, except as authorized by the Board of Public Works, in mass discharge quantities or concentrations exceeding the following:

Pollutant Parameter	Limitation
Biochemical Oxygen Demand (BOD)	300 mg/l or 300 Lbs/Day
Chemical Oxygen Demand (COD)	500 mg/l or 500 Lbs/Day
Total Suspended Solids (TSS)	300 mg/l or 300 Lbs/Day
Fats, Waxes, Oil, & Grease (FOG)	100 mg/l

M. Wastewater containing toxic pollutants

N. Liquids, solids, or gases which may cause the wastewater treatment plant effluent or treatment residues, sludges, or scum to be unsuitable for reclamation or disposal or interfere with the reclamation or disposal process or processes ordinarily employed, including causing a reduction in the allowable land application rate or allowable land application site life by more than ten percent (10%).

O. Liquids, solids, or gases which are likely to cause the Wastewater Treatment Plant to violate WPDES Standards....

P. Any trucked or hauled pollutant, except at discharge points designated by the POTW.

Q. Process wastewater containing pollutants exceeding the following concentrations as established on a continuous twenty-four (24) hour flow proportional basis or lesser period if process wastewater is discharged for less than twenty-four (24) hours in an average day of operation:

Limits

Pollutant Parameter	Max. mg/l
Arsenic	0.45
Cadmium	0.69
Chromium	2.77
Copper	2.07
Cyanide	0.66
Lead	0.60
Mercury	0.0002
Nickel	1.91
Zinc	2.61

R. Wastewater containing mass discharge quantities of a contaminant in excess of a permit limit.

PART 1 - GENERAL PROHIBITED DISCHARGE STANDARDS CONTINUED

Section 2 - Other Conditions City Ordinance Chapter 46

In addition to the general prohibited discharge standards established in City Ordinance Chapter 46, no person shall discharge or cause to be discharged or deposited any wastewaters or effluent which does not conform to pretreatment standards established by the Environmental Protection Agency or the Wisconsin Department of Natural Resources. Pretreatment limits shall minimally include applicable national categorical pretreatment standards for new and existing sources set out in **40 cfr, subchapter n, PARTS 401 through 471 inclusive**. Wastewater, or effluent including domestic, commercial and industrial waste, shall not contain any substance which is in violation of any State, Federal, or Local pretreatment or other discharge standard.

A. Compliance with categorical pretreatment standards - all users (existing sources or new sources) who are subject to categorical standards shall meet the compliance deadlines as outlined in Federal or State regulations.

B. Concentration and mass limits for categorical users - the control authority may, for ease of operation, convert mass limits to concentration limits. The applicable Federal or State regulations will apply.

Pollution Prevention

User shall annually review operations to see if there are alternative cleaning, painting, machining, plating, etching, and etc., which would provide opportunity for waste reduction.

Section 3 - EPA Categorical Pretreatment Standards

The permittee identified on page 1 of this permit **does not** discharge any wastewaters, which are subject to regulation by EPA categorical pretreatment standards.

PART 2 - SPECIFIC APPLICABLE EFFLUENT LIMITATIONS

Based on the standards identified in of **PART 1**, of this permit, the applicable effluent limitations for each regulated discharge point are as follows:

Dairy Operations Facility:

Parameter	Limitation
Biochemical Oxygen Demand (BOD)	See Addendum
Total Suspended Solids (TSS)	
Fats, Oil, & Grease (FOG)	
pH	
Total Phosphorus	

PART 3 - MONITORING AND REPORTING REQUIREMENTS

Section 1 - Monitoring Requirements City Ordinance Chapter 46

- A. Start Sampling:** Beginning as of the date of signature of this permit and thereafter, the permittee shall self-monitor wastewater discharges subject to regulation under **PART 2** of this permit to ascertain compliance with the applicable limitations.
- B. Sampling/Flow Requirements:** The required self-monitoring shall consist both of sampling and flow monitoring of the regulated wastewaters for those pollutants as listed under **PART 2** of this permit and reporting of the results to the La Crosse Wastewater Utility.
- C. Sample Locations:** Samples shall be collected at the sampling manhole located on Rublee St. on the Kwik Trip Dairy complex.

Sampling shall be done during a period of usual and/or normal operation.

Parameters	Sample Type	Frequency
BOD, TSS and total phosphorus	FPC	Eight (8) times per year (Twice per quarter)
pH and FOG	G	

FPC=Flow Proportional Composite

G=Grab

Flow Measurement Requirements: Totalize flow during the sampling episode and method(s) used to determine said flow shall be included with monitoring reports.

- D. Equipment Maintenance:** Sampling and flow metering devices shall be cleaned, maintained, calibrated and operated in accordance with approved procedures. At a minimum flow metering shall be calibrated and documented by a recognized professional once per year.
- E. Analysis & Results:** The preservation and analysis of samples shall be performed in accordance with **40 cfr, Part 136** and amendments thereto, or other such methods approved by the EPA.

PART 3 - MONITORING AND REPORTING REQUIREMENTS CONTINUED Section

2 - General Reporting Requirements City Ordinance Chapter 46

A. Report Due Date: Self-monitoring results obtained during the following period(s) shall be reported as follows:

Period	Report By
January 1 st to March 31 st	April 15 th *
April 1 st to June 30 th	July 15 th *
July 1 st to September 30 th	October 15 th *
October 1 st to December 31 st	January 15 th *

* If no self-monitoring is required during a specific period, report "**no samples required this period**", on periodic compliance form, and send report prior to scheduled due date(s) above.

B. Report Form: The Wisconsin Department of Natural Resources (wastewater pretreatment program periodic compliance report) report form will be acceptable for these results.

C. Data Reporting Requirements: All monitoring results of all effluent samples taken and analyzed, using approved EPA test methods shall be submitted and reported with required self-monitoring reports (samples taken strictly for in-process control are exempt). Samples taken of a wastestream solely for the purpose of obtaining information about pollutant content would be included.

D. Special Conditions: If this industry has chemical, mixing, storage, dilution, or rinse tanks, etc., which are periodically dumped, a logbook showing at a minimum: the date, time (start-finish), quantity, and pH of the dump, shall be maintained for pretreatment inspection purposes.

E. Slug Control Plan: A slug control plan is required and is on file at the Wastewater Utility

F. Report Signature: All monitoring reports shall be signed and validated by a principal executive officer or designee (see signatory requirements in PART 4, Section 13 of this permit).

G. Solvent Management Plan: A specific solvent management plan is not required.

PART 3 — MONITORING AND REPORTING REQUIREMENTS

CONTINUED SECTION 3 - OTHER REPORTS

A. Non-Compliance

If, **Industry self-monitoring or City compliance monitoring** (sampling done by the city) reveals a violation of any discharge limitations specified herein, **the industry shall report said violation to the City of La Crosse POTW within 24 hours of becoming aware of the violation.** The City POTW will notify permittee of any compliance sampling violations. **The industry shall repeat the sampling (within 21 days) until two (2) consecutive samples show that the non-compliance has been corrected. Additionally, a written report indicating the results of any required repeat sampling episodes and analysis shall be submitted within 30 days of becoming aware of the initial violation.** Additional monitoring episodes due to non-compliance will not be counted in fulfilling the obligation of required sampling.

B. Accidental Discharge - City Ordinance Chapter 46 Article III Div. 2 Sec.46-112

If, for any reason, the permittee discharges prohibited substances caused by spills, slugs, accidental discharges, or of any changes at the facility affecting the potential for a slug discharge and the need for a slug control plan as required by s. NR 211.235 **the permittee shall immediately notify personnel at the La Crosse Wastewater Treatment Plant at (608) 780-3554.**

The permittee shall identify the time of discharge, the type of substance, the quantity, the corrective action being taken, and the phone number of the person in charge of remedial action.

A written report shall be mailed to the industrial pretreatment section within five (5) days of the occurrence, detailing the reasons for, and makeup of, the offending discharge and the permittee's remedial efforts, and what measures will be taken to insure that the spill, slug, or accidental discharge will not be repeated in the future.

PART 4 - GENERAL CONDITIONS

In addition to compliance with **PARTS 1, 2, and 3**, this permit is issued conditioned upon compliance with the following general conditions.

Section 1- Fees - City Ordinance Chapter 46 Article III Div. 2 Sec. 46-110 (g)

The permittee shall pay annual fees based on the following:

A. Annual Administrative: Unit Cost x Fee Units

B. Monitoring Charge: Personnel and equipment charges for scheduled City compliance monitoring are included in the administrative costs.

C. Laboratory Analysis Charges: Analysis charges for samples collected for compliance monitoring will be billed to the industry for the constituents analyzed by the contract laboratory.

D. Extraordinary Charges: Any extraordinary charges incurred as a result of non-compliance will be billed separately to the industry.

Section 2 - Admission to Property - City Ordinance Chapter 46 Article III Div. 2 Sec. 46 -112(g)

Whenever it shall be necessary for the purposes of this this permit, the board or its duly appointed representatives, upon presentation of credentials, may enter upon any property or premises of the permittee at reasonable times, either scheduled or unscheduled.

Section 3 - Modification or Revision - City Ordinance Chapter 46 Article III, Sec. 46-110(c,d)

The terms and conditions of this permit are subject to change during the life of the permit as provided in City Ordinance Chapter 46

Section 4 - Severability or Conflict - City Ordinance Chapter 1 Sec.1-8

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected.

PART 4 - GENERAL CONDITIONS CONTINUED

Section 5 - Notice of Intent - City Ordinance Chapter 46 Article III, Div.2 Sec. 46-110 (d)

The permittee shall apply for permit modification prior to the introduction of any changed wastewater into the La Crosse Wastewater Treatment System. In addition according to **40 cfr 403.12 (j)** the permittee shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the permittee has submitted initial notification under **40 cfr 403.12 (p)**.

Section 6 - Enforcement, Appeal & Penalties - City Ordinance Chapter 46 Article III Div. 2 Sec. 46-108

Whenever it shall be necessary for the purposes of this permit, the board, or its duly appointed representatives, upon presentation of credentials, may enter upon any property or premises of the permittee at reasonable times, either scheduled or unscheduled. Any permittee who has violated or is in violation of a City discharge permit, or who willfully or negligently fails to comply with any provisions of a City discharge permit, or who knowingly makes any false statement, representation or certification, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method, shall be subject to the enforcement provisions of City Ordinance Chapter 46 Div. 2 Sec. 46-108 including termination, fines and/or civil penalties.

Section 7- Disposal of Pretreatment Sludges or Other Residues -

The disposal of sludges or residues generated through pretreatment or operation shall be in accordance with section 405 of the Clean Water Act and subtitles c and d of the Resource Conservation and Recovery Act (RCRA).

Section 8 - Confidentiality - City Ordinance Chapter 46 Article III Div. 2 Sec. 46-115

Except for information determined to be confidential in City Ordinance Chapter 46, all reports required by this permit shall be available for public inspection at the Wastewater Treatment Plant, Isle La Plume, under the supervision of pretreatment personnel.

Section 9 - Records Retention - City Ordinance Chapter 46 Article III Div. 2 Sec. 46-111(b)

The permittee shall retain and preserve for no less than seven (7) years any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling, and chemical analysis made by or on behalf of a permittee in connection with the permittee's discharge. In addition, the permittee shall adhere to all other stipulations made under City Ordinance Chapter 46 Article III Div.2 Sec. 46-111

PART 4 - GENERAL CONDITIONS CONTINUED

Section 10 - Dilution - City Ordinance Chapter 46 Article III Division 2 Sec.46-112(f). The permittee shall not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this permit.

Section 11 - Bypass 40 cfr 403.17

The permittee shall not intentionally divert any wastestream from any portion of the permittee's pretreatment facility. There are certain conditions where a bypass may be unavoidable; these conditions are set forth in **40 cfr 403.17**. The control authority may approve an anticipated bypass after considering its adverse effects.

Section 12 - Discharge of Hazardous Waste 40 cfr 403.12 (p)

The permittee shall notify the POTW, the EPA regional waste management division director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed would be a hazardous waste under **40 cfr Part 261**. The notification shall be in accordance with **40 cfr 403.12 (p)**.

Section 13 - Signatory Requirements

All reports required by this permit shall be signed by one of the following: 1. A president, secretary, treasurer, vice-president in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation. 2. The manager of one or more manufacturing facilities provided the manager is authorized to make decisions which govern the operation of the facility, make major capital investment recommendations, initiate and direct comprehensive measures to assure long-term compliance with environmental laws, can ensure the necessary systems are established to gather complete and accurate information for the report and where authority to sign documents has been delegated to the manager according to the corporation's procedures; or a responsible corporate officer of the permittee, or designee, as outlined in **40 cfr, 403.12 (1)** and amendments thereto, written authorization for the designee (position or individual) shall be properly signed and on file at the La Crosse Wastewater Treatment Facility, Industrial Pretreatment Section, prior to or simultaneous with submission of the required reports. All required reports shall include the following certifications.

PART 4 - GENERAL CONDITIONS CONTINUED

REPORT CONTENT CERTIFICATION

I further certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

BY _____

TITLE _____

DATED _____

Reporting Address

All reports should be made to:

**La Crosse Wastewater Utility
Industrial Pretreatment Section
905 Joseph Houska Drive
La Crosse WI 54601**

Telephone Number (608) 789-7330

PART 5 — SPECIAL CONDITIONS - High Strength Surcharge

The La Crosse Wastewater Utility will bill Kwik Trip Dairy for wastewaters which exceed 250 mg/L (BOD) or 350mg/l (TSS), 10.0 mg/l Total Phosphorus, as defined in City Ordinance Chapter 46-149 (2)

PART 6 — Attachment

Attachment

KWIK TRIP PERMIT

A review of current wastestream data, indicates Kwik Trip Dairy will be unable to consistently comply with the standards established in City of La Crosse Ordinance Article III Div. 2 sec.46-109 (b) in particular "BOD", "TSS", Phosphorus, and FOG. In consideration of the fact that Kwik Trip Dairy is conducting an examination of the available treatment technologies and if suitable technologies are found (which are cost effective) they plan to pretreat their wastestream. An addendum to the general permit shall be granted subject to the following conditions, limitations, and surcharges.

A. Conditions

1. That the sampling manhole and metering device be cleaned, maintained, and calibrated, so that flow proportional samples can be taken, to accurately reflect the volume and strength of Kwik Trip Dairy's process discharge(s).
2. That all reasonable efforts be made to reduce the pollutant loading to the La Crosse Wastewater Treatment System. Including but not limited to:
 - a. Water use reduction/recycle
 - b. Chemical reduction/alternatives
 - c. Improved process controls
 - d. Spill control measures/procedures (see note 1)
 - e. Regular preventive maintenance/clean-up

B. Limitations

Parameter	Limitation
Biochemical Oxygen Demand (BOD)	5,000 mg/l
Total Suspended Solids (TSS)	2,000 mg/l
Fats, Oil, & Grease (FOG)	200 mg/l
Phosphorus, Total	75.0 mg/l
pH	6 —11 Standard Units

Note: As discussed with Kwik Trip personnel, ongoing effort will be made during this permit cycle to determine the best method of phosphorus removal. At that time, source or process control methods will be identified and implemented.