

PUBLIC NOTICE

PUBLIC NOTICE OF A DRAFT NPDES PERMIT TO DISCHARGE INTO WATERS OF THE UNITED STATES

U.S. Environmental Protection Agency
Region 5, Permits Branch - WP-16J
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 886-6106

Public Notice No.: 19-08-02-A

Public Notice Issued On: August 23, 2019

Comment period ends: September 23, 2019

Permit No.: WI-0049727-4 (REISSUANCE)

Application No.: WI-0049727-4

Name and Address of Applicant:

**Name and Address of Facility
Where Discharge Occurs:**

Red Cliff Band of Lake Superior Chippewa
Red Cliff Department of Public Works
88385 Pike Rd./Hwy 13
Bayfield, Wisconsin 54814

Red Cliff Band WWTF
89160 Blueberry Rd.
Red Cliff, Wisconsin 54814
Red Cliff Indian Reservation
Bayfield County
(S.W. ¼ of the S.E. ¼ of Section 30, T51N, R3W)

Receiving Water: Lake Superior

DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The above facility is located within the boundaries of the Red Cliff Indian Reservation. The EPA has retained the authority to issue NPDES permits to facilities with discharges to waters of the United States within Indian Country. The EPA is issuing this NPDES permit under the authorities of the Clean Water Act.

Treatment Facility Description:

The treatment facility has pre-treatment consisting of a bar grate, mechanical screen, fine screen, and grit removal. The main treatment is by oxidation ditch with alum addition for phosphorus removal and two final clarifiers. Disinfection is by ultraviolet lights. Sludge is wasted to an aerobic digester and then transferred to a Reed Bed storage system.

The facility has a continuous discharge {Outfall 001 (N. ½ of the N.E. ¼ of Section 31, T51N, R3W) or (latitude: 46-51-31; longitude: 90-46-54)} to Lake Superior. The outfall extends 350 feet from shore in 25 feet deep water. The Red Cliff Band WWTF is designed to treat an average influent flow of 220,000 gallons per day (gpd).

TENTATIVE DETERMINATION

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to reissue a permit for the discharge from the Red Cliff Band Wastewater Treatment Facility subject to certain effluent limitations and special conditions.

COMMENT PROCEDURES and PUBLIC HEARING

The determination to issue the NPDES permit is tentative. EPA's comment and public hearing procedures may be found at 40 CFR 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permit may be submitted extends to September 23, 2019.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is September 23, 2019. EPA will hold a hearing if there is significant interest based on written requests. Public notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.
3. All comments postmarked after September 23, 2019 will not be considered in the formulation of the final determination.
4. Written comments or requests for a public hearing must be delivered or mailed to: John A. Colletti, U.S. Environmental Protection Agency, Region 5, Permits Branch - WP-16J, 77 West Jackson Boulevard, Chicago, Illinois 60604, or emailed to colletti.john@epa.gov.

The application and Public Notice numbers should appear next to the EPA address on the envelope and on each page of any submitted comments. It is important that all viewpoints are considered before taking action. Therefore, we greatly appreciate your time and effort in participating in the public participation process. Please bring the foregoing to the attention of persons whom you know would be interested in this matter. Unless a public hearing is scheduled, the EPA will issue a final determination as to the issuance of the permit in a timely manner after the expiration of the public comment period. If you would like to receive a copy of the final determination, please submit a request during the comment period to the above address. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

PETITION TO REVIEW

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permit or participated in a public hearing, if held, may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision. Such a petition must include a statement of the reasons supporting review of the

decision, including a demonstration that the issue(s) being raised for review were raised during the public comment period (including any public hearing). The petition should, when appropriate, show that each condition being appealed is based on either, (1) a finding of fact or conclusion of law which is clearly erroneous, or (2) an exercise of discretion or an important policy demonstration which the EAB should, in its discretion, review.

AVAILABILITY OF DOCUMENTS

The application, draft permit, including proposed effluent limitations and special conditions, statement of basis, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday. You may also view, the public notice, statement of basis, and draft permit on Region 5's website at "<https://www.epa.gov/npdes-permits/red-cliff-band-wastewater-treatment-facility-npdes-permit-wi-0049727-4>". All data submitted by the applicant is available as part of the administrative record. For more information, please contact John Colletti at (312) 886-6106 or by e-mail at colletti.john@epa.gov.