

COMMISSION FILE NO: 25-147-11 **DATE INTRODUCED:** November 3, 2025

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Authorization of a Public Hearing Regarding Proposed Amendment to MMSD Rules, Chapter 11, Discharge Regulations and Enforcement Procedures

SUMMARY:

The Commission is requested to authorize a public hearing regarding proposed amendments to MMSD Rules, Chapter 11, Discharge Regulations and Enforcement Procedures, as required by Wis. Stats. Sec. 200.45(1)(c). The proposed amendments will address changes and additions requested by the Environmental Protection Agency (EPA) and Wisconsin Department of Natural Resources (WDNR) following the 2024 District Pretreatment Program Audit and otherwise update the chapter to reflect the current needs of the Industrial Waste Pretreatment Program.

The District's Industrial Waste Pretreatment Program has been in place since 1983. Regular audits by the EPA and WDNR ensure that rules are being enforced and changes that occur in federal and State regulations have been adopted by the District rules. District rules typically are updated after an audit occurs. Previous audits by EPA and WDNR occurred in 2006 and 2018, respectively, with the latter occurring after the last Chapter 11 amendment in January 2018.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☒ Proposed Amendments to Chapter 11

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10-16-25

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 11, Discharge Regulations and Enforcement Procedures

Proposed changes are based on the EPA and WDNR audit include:

- Significant industrial user classification.
- Prohibition of noncontact cooling water discharges in combined sewer area during gate closure combined sewer overflow events.
- Use of a written application for reissuance of a permit that includes laboratory results and sampling waivers.
- Expanded requirements for the transfer of a wastewater discharge permit.
- Inclusion of the location of a bypass when a user reports.
- Clarification regarding discharge reporting to the District.
- Requirement that users implement best management practices (BMP's) for operation/maintenance of pretreatment equipment and processes to prevent accidental discharges.
- Creation of sampling waiver application and termination process.
- Inclusion of streamlining requirements for users that qualify for reduced inspection frequency.
- Clarification of compliance schedule requirements.
- Inclusion of category that requires publishing a user in significant noncompliance related to BMP's or other violations that have adversely affected the operation or implementation of the pretreatment program.
- Addition of permit revocation reason of failure to obtain approval for wastewater discharge permit transfer.
- Removal of centralized waste treater requirements; the requirements are now in the Federal Register.
- Removal of dental amalgam management requirements; the requirements are now in the Federal Register.
- Requiring the owner to provide the occupancy permit from the municipality prior to issuing permit.
- Renaming the compliance reports to self-monitoring reports.
- Removal of notice of intent requirement for existing facilities for new owner operators and changing physical size of a site that causes and change in discharge volume.
- Inclusion of discharge factor certification which is required for user charge calculations.
- Clarification of hazardous waste reporting.
- Requirement for external sampling manhole for all centralized waste treaters.
- Clarification of enforcement processes.
- Clarification that any discharge that threatens the health, welfare of persons, the environment, or operation of the District's water reclamation facilities is reason for permit revocation.
- Total organic compound limit will apply to all sites that are contaminated.

SUMMARY (Cont'd)

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 11, Discharge Regulations and Enforcement Procedures

- Correction of references and format inconsistencies.

A complete copy of the proposed amended rule is attached.

District staff anticipate holding a formal comment period from December 15, 2025, through January 15, 2026, with a public hearing on January 15, 2026, with a request for final adoption by the Commission in March 2026.

RESOLUTION

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules,
Chapter 11, Discharge Regulations and Enforcement Procedures

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to publish a public notice, obtain written comments, and hold a public hearing as required by Wis. Stats. Sec. 200.45(1)(c) regarding the proposed amendments to MMSD Rules, Chapter 11, as shown in the attachment.