



December 21, 2023

Project Number: S-2032-0782
CWF Loan Number: 4186-30

Erin Abramson, Collections Systems Engineering and Operations Manager
City of Superior
51 East First Street
Superior, WI 54880

Subject: Approval of Hammond Avenue Reconstruction

Dear Erin Abramson:

The Department of Natural Resources (hereafter Department) is conditionally approving plans and specifications for Hammond Avenue Reconstruction at Superior, Wisconsin, submitted under the seal of Dan Hinzmann, Professional Engineer, SEH, Duluth, Wisconsin, and received for approval on 10/2/2023.

The Hammond Avenue Reconstruction will be installed at the collection system on Hammond Avenue. The project includes pipe relining and manhole rehabilitation at two sanitary sewer crossings along Hammond Avenue. Approximately 521 LF of 47" pipe will be relined on 16th Street and 280 LF of 46" pipe will be relined at the alley between 21st and 22nd Street.

The fundable capacity has been determined in conformance with s. NR 162.04(1)(c), Wisc. Administrative Code. Therefore, the recommended parallel cost ratio of 100% should be used for determination of the portion of the overall project construction eligible under the Clean Water Fund program.

The plans and specifications and other reports on file with the Department were used by the Department as the basis for conditional approval.

The plans and specifications are hereby approved in accordance with s. 281.41, Wis. Stats., under approval Number S-2032-0782, subject to the following conditions:

1. The City shall obtain coverage under the Construction Site Storm Water Runoff General Permit from the DNR for land disturbing construction activities prior to the commencement of construction, in accordance with Chapter NR 216, Wis. Adm. Code.
2. That a preconstruction conference be held to familiarize the construction contractor(s) and resident inspector(s) with the erosion control and dewatering requirements and all other provisions and conditions of the approved plans and specifications. If Clean Water Funds will be sought for this project, the Department's construction management engineer must be notified of the preconstruction conference a minimum of 7 days prior to the conference. Notify Dave Andruczyk ((715) 490-9072), Construction Manager in the Department's Woodruff Office.
3. That a competent resident inspector be provided during the course of construction.
4. That erosion control methods be used to prevent siltation to lands and waterways adjoining the construction area. These methods shall include but not be limited to the following:

- a. Siltation fences,
 - b. Trench stabilization, and
 - c. Immediate mulching and seeding.
5. That street and building sewers be laid in such a manner as to minimize entrance of groundwater (s. NR 110.13(2)(k)1., Wis. Adm. Code) and that the building sewers and drains be installed to conform to the state plumbing regulations (s. SPS 382.30, Wis. Adm. Code).
 6. That the existing treatment facility be operated effectively during construction to ensure, at a minimum, that the preconstruction treatment levels are maintained and all provisions of the Wisconsin Pollutant Discharge Elimination System permit are met.
 7. That a minimum horizontal distance of 8 feet be maintained between existing or proposed water mains and existing or proposed sewers.
 8. That a minimum horizontal distance of 8 feet be maintained between fire hydrants and sanitary sewers or storm sewer inlets.
 9. That wherever water mains cross over sewers a minimum vertical clearance of 6 inches be maintained, and that wherever water mains cross under sewers a minimum vertical clearance of 18 inches be maintained, and that at crossings one full length of water pipe be centered on the sewer so that both joints are as far from the sewer as possible.
 10. That sufficient earth cover or other suitable cover be provided over the sewers to prevent freezing.
 11. That in the event basement drainage to the proposed sewers is not possible for existing buildings, the owner be so advised, in writing, prior to construction of the sewers.
 12. That the groundwater infiltration rate for the sanitary sewers not exceed 200 gallons per inch of pipe diameter per mile per day.
 13. That outside drops be constructed for sewers entering manholes where the invert elevation of the entering sewer is 24 inches or more above the spring line of the outgoing sewer.
 14. That all sanitary sewers that are less than 25 feet from a private water supply well shall obtain a variance from the Private Water Supply Section of this Department. That the variance request shall be made on a completed Department Form Number 3300-208.
 15. That all necessary permits for dewatering activities associated with the proposed construction be obtained prior to start of construction. In instances of contaminated groundwater, these permits may require treatment and monitoring of the dewatering discharge for various organic and other chemicals.
 16. That the improvements be installed in accordance with the plans and specifications, and the above conditions, or subsequent essential and approved modifications.

The Department has the authority under s. 281.19(1), Wis. Stats., to adopt rules for the construction, installation, use, and operation of sewerage systems. Chapters NR 108 and 110, Wis. Adm. Code, have been adopted by the Department pursuant to this statutory authority. The Department has the authority to approve, conditionally approve, or deny plans under s. 281.41, Wis. Stats.

This approval is not to be construed as a Department determination on the issuance of a Wisconsin Pollutant Discharge Elimination System (WPDES) permit or an opinion as to the ability of the proposed system to comply with effluent limitations in such a permit.

Tangible personal property, which becomes a part of a waste treatment or pollution abatement plant or equipment, may be exempt from property and sales tax under ss. 70.11(21) and 77.54(26), Wis. Stats. A prerequisite to exemption under this subsection is the filing of a statement on forms prescribed by the Department of Revenue. The forms and instructions may be obtained from the Department of Revenue, Manufacturing and Telco Assessment Bureau, P.O. Box 8933, Madison, Wisconsin 53708-8933.

The plans and specifications have been reviewed in accordance with s. 281.41, Wis. Stats., for compliance with chs. NR 108 and 110, Wis. Adm. Code (or any other applicable section of the Wisconsin Administrative Code or Statutes which may be specifically referenced in the conditions above). This letter should not be construed as an approval for activities requiring approval under other Statutes or by other federal, state or local agencies.

The Department reserves the right to order changes or additions should conditions arise making this necessary.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 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. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 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. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

In case construction of this improvement has not commenced or contracts awarded to complete this improvement within four years from this date, this approval shall become void. After four years a new application and plan submittal must be made and approval obtained of this or other plans before any construction work is undertaken.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

Jason R. Knutson, P.E.
Wastewater Section Chief
Bureau of Water Quality

Monica Begley
Wastewater Engineer
Bureau of Water Quality

e-cc:
Dan Hinzmann – SEH, Duluth
Eric De Venecia – WDNR, Superior
Dave Andruczyk – WDNR, Woodruff
Lisa Bushby – WDNR Clean Water Fund Loan Program, Madison