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October 23, 2012

Mark Radtke, Director of Public Works  
City of Menasha  
140 Main Street  
Menasha, Wisconsin 54212

Casetrack # 2008-NEEE-059  
WPDES Permit: WI-0047341-04  
Winnebago County

Subject: **No Further Enforcement Action**

Dear Mr. Radtke:

On September 25, 2008 and October 29, 2010, the Department of Natural Resources (Department) issued Notices of Violation to the City of Menasha (Menasha) for violations of its General Permit to Discharge under the Wisconsin Pollutant Discharge Elimination System (WPDES) permit, number WI-0047341-04 (the Permit) effective March 1, 2006. The Permit regulates bypasses or sanitary sewer overflows from a sewage collection system owned and operated by municipalities and non-municipal entities that do not own or operate a wastewater treatment plant. The NOV's stemmed from untreated wastewater bypassing Menasha's collection system on several occasions and being discharged to the Fox River.

On December 22, 2008, the Department and Menasha executed a compliance agreement requesting Menasha to:

- o Notify the Department both verbally and in writing of any sanitary sewer overflows as required in the Permit
- o In the Phase 1 area, evaluate the Ninth Street sewage lift station, evaluate flow entering the ninth Street lift station, and conduct residential sump pump and foundation drain inspections
- o In the Phase 2 area, evaluate contributions of wastewater received from Waverly, evaluate the hydraulic capacity of the major trunk and interceptor sewers, and evaluate cross connections between the Phase 2 and Phase 3 areas
- o In the Phase 4 area, conduct residential sump pump and foundation drain inspections, inspect manholes, and televise sewer lines

Menasha has since met the conditions of the compliance agreement and have taken corrective actions based on the evaluations outlined above. As a result, the Department will not take any further action on the violations listed in its September 25, 2008 and October 29, 2010, NOV's. The Department reserves the right to reconsider this decision if violations occur in the future.

I commend Menasha's environmental stewardship and hope that it continues. From our most recent discussion, I understand that ongoing communication between Menasha and the Lake Road Homeowners' Association is still a vital component to reduce inflow and infiltration in the Lake Road and Lake Road West area. The Department appreciates Menasha's endeavors in this area.

If you have technical questions regarding your compliance responsibilities, please contact Wastewater Engineer Mark Stanek at (920) 424-7895. If you have any questions concerning this letter, please contact me at (920) 662-5163.

Sincerely,



Anne Van Grinsven  
Environmental Enforcement Specialist

Cc: M. Stanek – Oshkosh  
Taryn Nall – Kaempfer & Associates, PO Box 150, Oconto Falls, WI 54154  
C. Heilman – LS/8