



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

March 2, 2015

Mr. Ronald Moorse, City Administrator
City of Afton
3033 Saint Croix Trail South
Afton, Minnesota 55001

RECEIVED

MAR 5 2015

CITY OF AFTON

RE: Draft Issued State Disposal System Permit No. MN0070599
Afton Wastewater Treatment Facility
T28N, R20W, Section 14, Afton, Washington County, Minnesota

Dear Mr. Moorse:

Minnesota Pollution Control Agency (MPCA) staff recently completed an additional review of your State Disposal System (SDS) permit application and comments from the draft SDS permit that was previously placed on public notice from May 23, 2014, to June 23, 2014. Enclosed is a new draft of the permit and public notice for the Afton WWTF (Facility). This draft permit will go on public notice from March 2, 2015, to April 1, 2015. Please pay attention to the changes that have been made to the permit as outlined below.

Maps

An aerial map has been added to page 5 of the draft permit in order to better identify the location of the proposed wastewater treatment components. The topographic map on page 6 has been edited to point out the proposed treatment site.

Summary of Stations

In order to avoid confusion, the local names for each ground water station have been changed to correspond with the station ID number. For example, GW001 now has the local name "MW- 1 (Unique Well No. 797974)" instead of its previous local name of "Monitoring Well 2." The local names also include the MDH unique well numbers for each of the monitoring wells to better identify them. The locations of these monitoring wells can be found in the aerial map on page 5 of the draft permit.

Limits and Monitoring Section

A 30 mg/L carbonaceous biochemical oxygen demand (CBOD) limit has been added to the final limits of the WS004 (Effluent to Drainfield) station. In the previous draft permit this parameter was monitor only. This limit has been added to help ensure the drainfield cells do not get organically overloaded. This limit will remain monitor only in the interim period and become effective in the final limits of the permit.

Chapter 1: Special Requirements

Chapter 1, section 1 of the draft permit has a requirement to abandon a well located in the proposed treatment area. The previous draft permit referred to this well as "Groundwater Well #1." In order to avoid confusion with the monitoring well GW001 that will remain at the treatment site, this requirement has been edited to list the Unique Well number (797973) for the monitoring well that must be abandoned instead of "Groundwater Well #1."

Mr. Ronald J Moorse
Page 2
March 2, 2015

Chapter 4: Large Subsurface Treatment System Chapter

The permit language in section 6.1 (Facility Maintenance) has been edited to clarify its intention. The previous permit language stated "The facility shall be adequately protected to prevent damage." The language now reads "The Permittee is required to adequately protect the wastewater system to prevent damage to it."

Chapter 6: Pretreatment Chapter

This chapter previously contained a permit requirement discussing the acceptance of trucked-in wastes at the Facility. The Facility design submitted to the MPCA does not contain specifically designated points in the system to accept trucked-in waste. Therefore, this permit language has been removed from the draft permit to avoid confusion.

If you have any questions regarding any of the terms and conditions of the draft permit, please contact Shauna Bendt of our staff, at 651-757-2282.

Sincerely,



Bill D. Priebe, P.E.
Supervisor, Metro Regional & Infrastructure Financing Unit
Municipal Wastewater Section
Municipal Division

BDP/SB:Img

Enclosures

cc: Kim Swanson-Linner, City of Afton
Peter G. Miller, Wenck Associates Inc.
Eric Blasing, Wenck Associates Inc.
Diane Hanke, WSB & Associates Inc.
Jamie Wallerstedt, WSB & Associates Inc.



Minnesota Pollution Control Agency

STATE OF MINNESOTA Minnesota Pollution Control Agency

MUNICIPAL DIVISION
PUBLIC NOTICE OF INTENT TO ISSUE
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0070599

Public Comment Period Begins: March 2, 2015
Public Comment Period Ends: April 1, 2015

Name and Address of Permittee:

City of Afton
3033 Saint Croix Trail S
Afton, Minnesota 55001

Facility Name and Location:

Afton Wastewater Treatment Facility
2318 Saint Croix Trail S
T28N, R20W, Section 14
Afton, Washington County, Minnesota

An open house on this draft permit and the Environmental Assessment Worksheet (EAW) will be held on Monday, March 16th from 7pm to 8:30pm at Afton City Hall Chambers located at 3033 St. Croix Trail South, Afton, Minnesota. The Minnesota Pollution Control Agency (MPCA) staff will be available during this time to answer any questions or discuss the project. You are invited to attend at your convenience.

This permit was previously placed on public notice from May 23, 2014, to June 23, 2014. The MPCA has decided to re-notice the draft permit for public comment because changes have been made to the draft permit and due to the amount of time that has passed since the draft permit was originally noticed. If you previously submitted comments on the draft permit that was placed on public notice from May 23, 2014, to June 23, 2014, you will need to resubmit new comments if you want them to be considered in response to the revised permit.

Changes made to the draft permit are outlined below:

- An aerial map has been added to page 5 of the draft permit in order to better identify the location of the proposed wastewater treatment components. The topographic map on page 6 of the draft permit has been edited to point out the location of the proposed treatment site.
- In order to avoid confusion and better identify each monitoring well, the local names for each ground water station have been changed to correspond with the station ID number and include the MDH unique well numbers. For example, GW001 now has the local name "MW- 1 (Unique Well No. 797974)" instead of its previous local name of "Monitoring Well 2."
- A 30 mg/L carbonaceous biochemical oxygen demand (CBOD) limit has been added to the final limits of the WS004 (Effluent to Drainfield) station. In the previous draft permit this parameter was monitor only. This limit has been added to help ensure the drainfield cells do not get organically overloaded. This limit will remain monitor only in the interim period and become effective in the final limits of the permit.
- Chapter 1, section 1 of the draft permit has a requirement to abandon a well located in the proposed treatment area. The previous draft permit referred to this well as "Groundwater Well #1." In order to avoid confusion with the monitoring well GW001 that will remain at the treatment site, this requirement has been edited to list the Unique Well number (797973) for the monitoring well that must be abandoned instead of "Groundwater Well #1."

- The permit language in Chapter 4, section 6.1 (Facility Maintenance) has been edited to clarify its intention. The previous permit language stated: "The facility shall be adequately protected to prevent damage." The language now reads: "The Permittee is required to adequately protect the wastewater system to prevent damage to it."
- Chapter 6 previously contained a permit requirement discussing the acceptance of trucked-in wastes at the facility. The facility design submitted to the MPCA does not contain specifically designated points in the system to accept trucked-in waste. Therefore, this permit language has been removed from the draft permit to avoid confusion.

Description of Permitted Facility

The Afton Wastewater Treatment Facility (Facility) is proposed to be located in the NW 1/4 of Section 14, Township 28 North, Range 20 West, Afton, Washington County, Minnesota. This is a Class C Facility.

The application and plans indicate that the proposed Facility will consist of three septic tanks (38,000 gallons each), an aerated recirculation tank (38,000 gallons), a 10-cell recirculating gravel filter system with a total treatment area of 15,120 ft², a equalization tank (38,000 gallons), 2 ABC-N 9.0 denitrification clarifiers (9,000 gallons each), a MicroFAST 9.0 aerobic treatment unit (9,000 gallons), a dosing tank (12,000 gallons), and an 8 zone pressurized soil absorption bed with a total infiltrative area of 31,680 ft².

The Facility will serve residential and commercial establishments within the City of Afton. The community is currently meeting wastewater needs with individual subsurface sewage treatment systems or cluster subsurface sewage treatment systems.

The proposed treatment system is designed for an average wet weather design flow of 50,550 gallons per day. The design flow is calculated based on the MPCA's November 2013 *Design Guidance for Large Subsurface Wastewater Treatment Systems*. The treatment system will be designed based on 77 homes and 25 commercial connections. The Facility will be designed to treat an influent biochemical oxygen demand concentration of 365 mg/L.

There are no designed bypass/overflow points known to exist in the disposal system and this permit does not allow any discharge to surface waters of the state.

The proposed Facility is further described in plans and specifications on file with the MPCA, and in an engineering report by Wenck Associates, Inc.

The location of the proposed Facility is shown on the attached map.

Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to issue this SDS permit for a term of approximately five years.

A draft permit is available for review at the MPCA office at the St. Paul address listed below and on-line at <http://www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notices/public-notices.html>.

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request at this office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Shauna Bendt at 651-757-2282.

Written Comments

You may submit written comments on the conditions of the draft permit or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the permit application or the draft permit.
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit that you believe should be changed.
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting

You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern.
2. The information required under items 1 through 3 of "Written Comments," identified above.
3. A statement of the reasons the MPCA should hold a public informational meeting.
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing

You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft permit; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in Minn. R. 7000.1900, as discussed above.
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing.
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing.

3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision

You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the permit issuance. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of Minn. Stat. § 116.02, subd. 6(4), the decision whether to issue the permit and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the permit; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the Board as provided in Minn. R. 7000.0650.

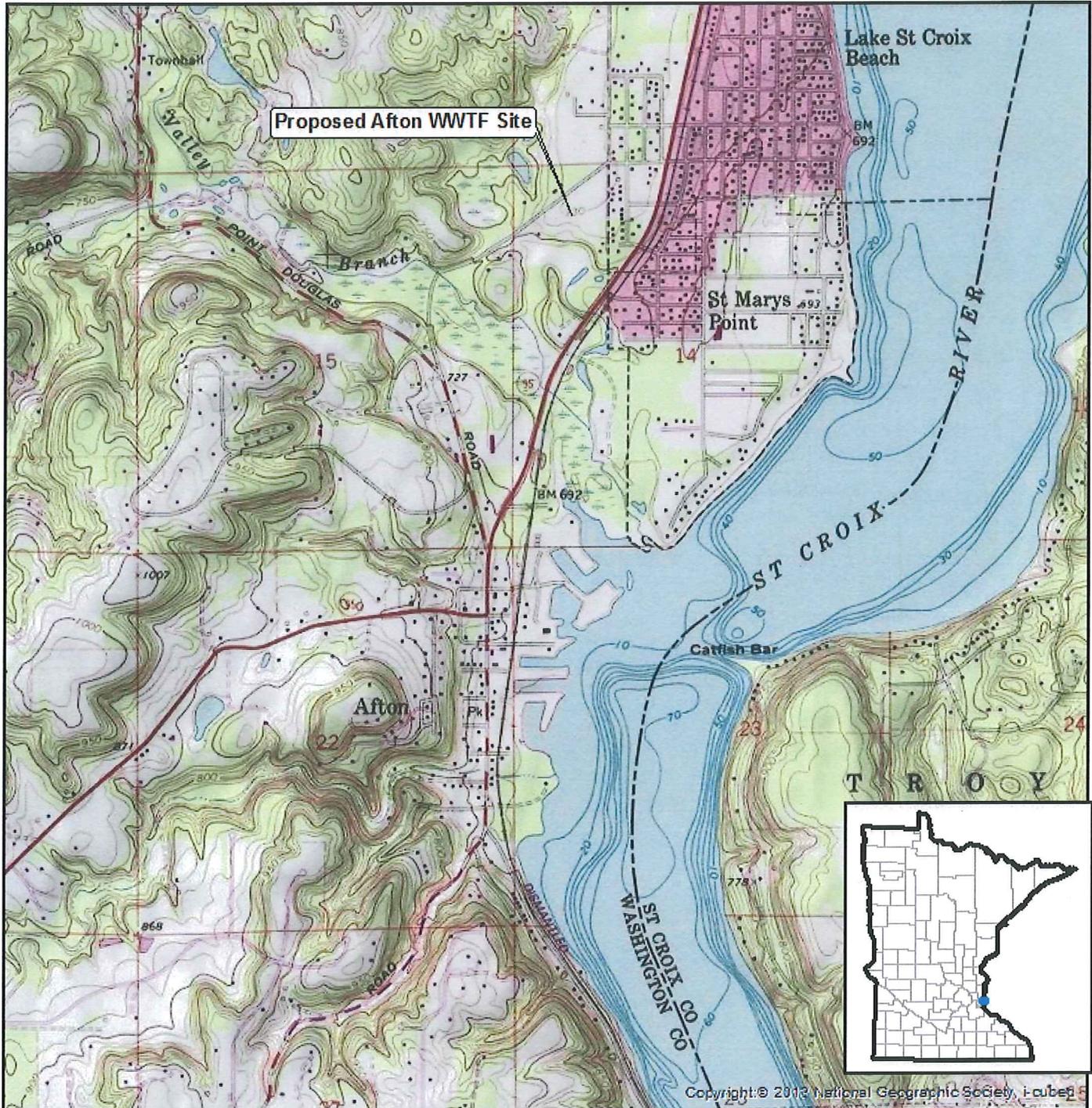
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft permit.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to:

Shauna Bendt – 4th Floor
MPCA
520 Lafayette Rd N
St. Paul, MN 55155-4194

Topographic Map of Proposed Facility

MN0070599: Afton Wastewater Treatment Facility (WWTF)
T28N, R20W, Section 14
Afton, Washington County, Minnesota



Map produced by: MPCA Staff, 2/25/2015
Scale: 1:24,000





STATE OF MINNESOTA

Minnesota Pollution Control Agency

Municipal Division

State Disposal System (SDS) Permit MN0070599

PERMITTEE: City of Afton
FACILITY NAME: Afton Wastewater Treatment Facility
CITY: Afton **COUNTY:** Washington
ISSUANCE DATE: **EXPIRATION DATE:**

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to construct, install and operate a disposal system at the facility named above, in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with Minnesota and U.S. statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7049, 7050, 7053, 7060, and the U.S. Clean Water Act.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: _____

Bill D. Priebe, P.E. *for* The Minnesota Pollution Control Agency
 Supervisor, Metro Regional & Infrastructure Financing Unit
 Municipal Wastewater Section
 Municipal Division

Submit eDMRs

Submit via the MPCA Online Services Portal at
<https://netweb.pca.state.mn.us/private/>

Submit Other WQ Reports to:

Attention: WQ Submittals Center
 Minnesota Pollution Control Agency
 520 Lafayette Rd N
 St Paul, MN 55155-4194

Questions on this permit?

- For eDMR and other permit reporting issues, contact:
Jennifer Satnik, 651-757-2692
- For specific permit requirements or permit compliance status, contact:
Kaitlin Jamieson, 651-757-2306
- General permit or NPDES program questions, contact:
MPCA, 651-282-6143 or 1-800-657-3938.

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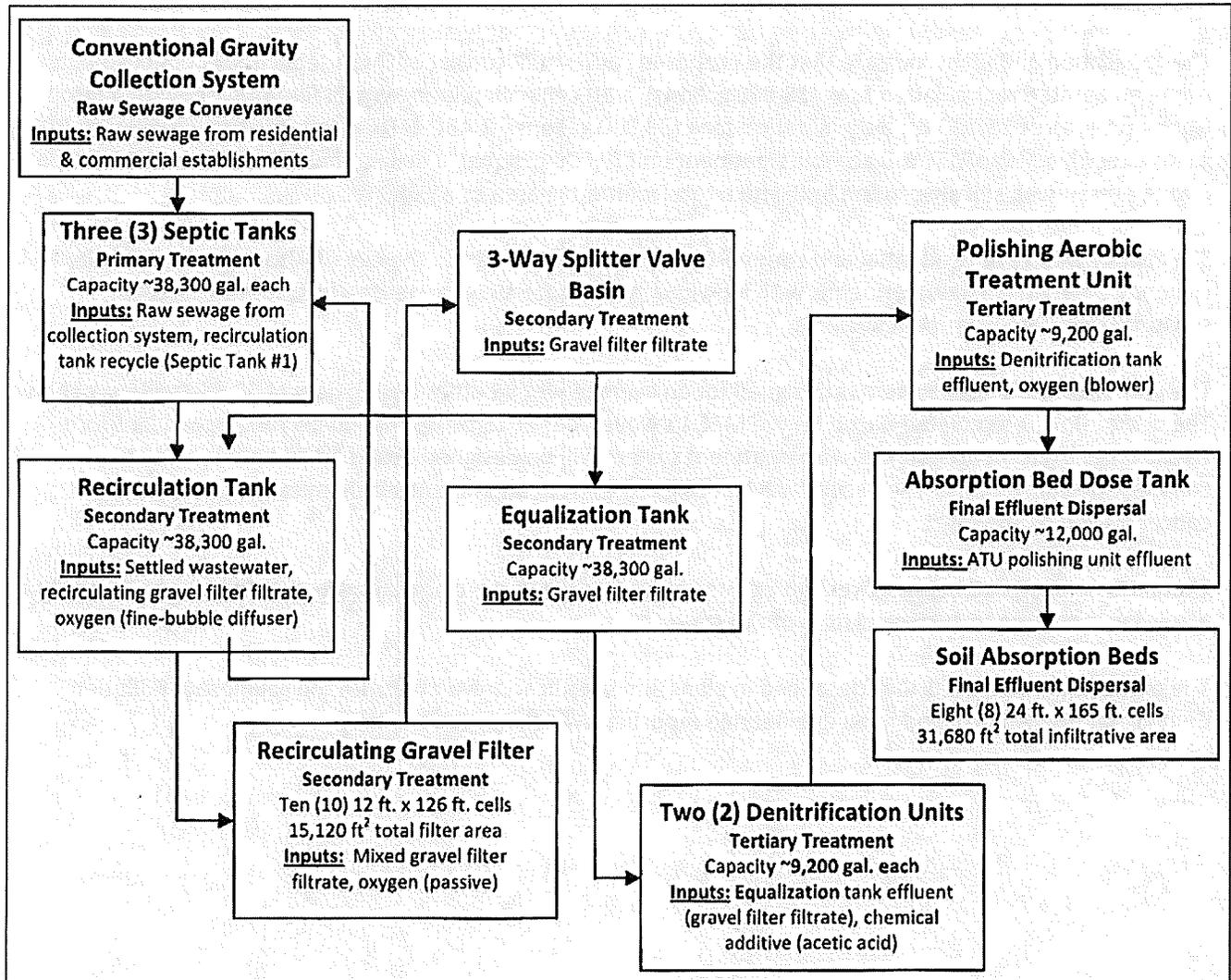
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There are no designed bypass/overflow points known to exist in the disposal system and this permit does not allow any discharge to surface waters of the state.

The proposed Facility is further described in plans and specifications on file with the Minnesota Pollution Control Agency (MPCA), and in an engineering report by Wenck Associates, Inc.

Facility Flow Schematic



Aerial Map of Proposed Facility

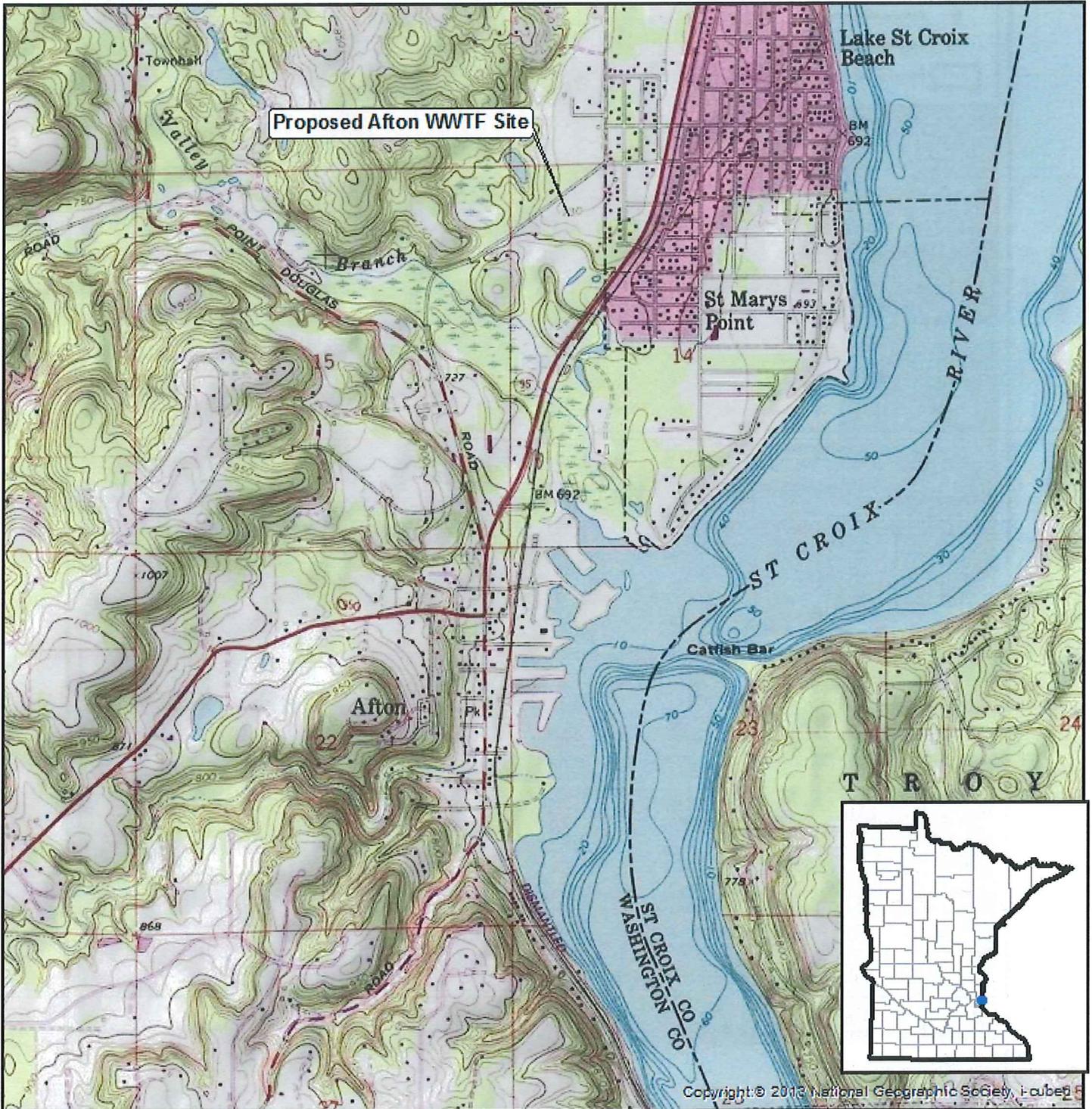


Topographic Map of Proposed Facility

MN0070599: Afton Wastewater Treatment Facility (WWTF)

T28N, R20W, Section 14

Afton, Washington County, Minnesota



Map produced by: MPCA Staff, 2/25/2015

Scale: 1:24,000

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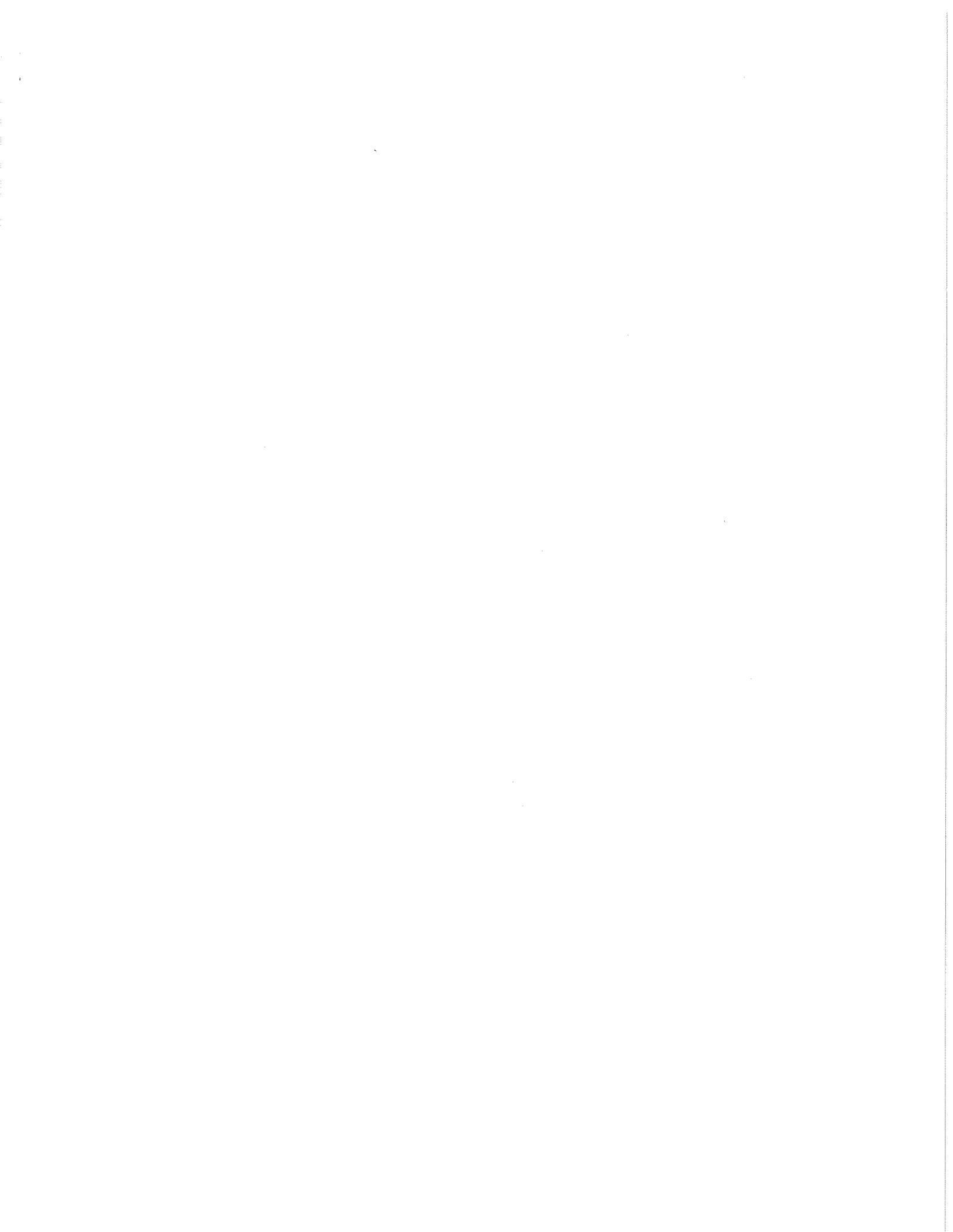
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Ground Water Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
GW001	Well, Downgradient	MW-1 (Unique Well No. 797974)	NW Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West
GW002	Well, Upgradient	MW-2 (Unique Well No. 797975)	NW Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West
GW003	Well, Upgradient	MW-3 (Unique Well No. 802701)	NE Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West

Waste Stream Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
WS001	Influent Waste	Influent Waste Stream	NW Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West
WS002	Internal Waste Stream	Septic Tank Monitoring	NW Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West
WS003	Intermediate: Pretreatment	Pretreatment Effluent	NW Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West
WS004	Intermediate: WW to Land	Effluent to Drainfield	NW Quarter of the NW Quarter of Section 14, Township 28 North, Range 20 West



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The Permittee shall comply with the limits and monitoring requirements as specified below

Period: Limits Applicable in the Interim Period

GW 001: MW-1 (Unique Well No. 797974)

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	2

GW 002: MW-2 (Unique Well No. 797975)

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	2

GW 003: MW-3 (Unique Well No. 802701)

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	2

WS 001: Influent Waste Stream

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Flow	0.05055	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	0.075825	mgd	Daily Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
pH	Monitor Only	SU	Calendar Month Maximum	Jan-Dec	Grab	2 x Month	1
pH	Monitor Only	SU	Calendar Month Minimum	Jan-Dec	Grab	2 x Month	1
Precipitation	Monitor Only	in	Calendar Month Total	Jan-Dec	Measurement	1 x Day	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	

WS 002: Septic Tank Monitoring

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Remaining Scum Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Remaining Sludge Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Scum Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Sludge Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	

Limits and Monitoring Requirements**DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**

The Permittee shall comply with the limits and monitoring requirements as specified below

Period: Limits Applicable in the Interim Period

WS 003: Pretreatment Effluent

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Chloride, Total	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Nitrogen, Total (as N)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	3
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	

WS 004: Effluent to Drainfield

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Chloride, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	3
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	

Period: Limits Applicable in the Final Period

GW 001: MW-1 (Unique Well No. 797974)

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	2

GW 002: MW-2 (Unique Well No. 797975)

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	2

GW 003: MW-3 (Unique Well No. 802701)

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	2

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The Permittee shall comply with the limits and monitoring requirements as specified below

Period: Limits Applicable in the Final Period

WS 001: Influent Waste Stream

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Flow	0.05055	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	0.075825	mgd	Daily Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
pH	Monitor Only	SU	Calendar Month Maximum	Jan-Dec	Grab	2 x Month	1
pH	Monitor Only	SU	Calendar Month Minimum	Jan-Dec	Grab	2 x Month	1
Precipitation	Monitor Only	in	Calendar Month Total	Jan-Dec	Measurement	1 x Day	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	

WS 002: Septic Tank Monitoring

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Remaining Scum Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Remaining Sludge Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Scum Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Sludge Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	

WS 003: Pretreatment Effluent

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Chloride, Total	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	
Nitrogen, Total (as N)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	3
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Quarter Average	Jan-Dec	Grab	1 x Quarter	

WS 004: Effluent to Drainfield

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	30.0	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Chloride, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	

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The Permittee shall comply with the limits and monitoring requirements as specified below

Period: Limits Applicable in the Final Period

WS 004: Effluent to Drainfield

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Total (as N)	10.0	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	3
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	

Notes:

- 1 -- Analyze immediately. Except weekends or holidays. This means within 15 minutes or less of sample collection.
- 2 -- Measured to the nearest 0.01 ft. prior to pumping or bailing.
- 3 -- The Total Nitrogen value is calculated by adding the Total Kjeldahl Nitrogen value and the Total Nitrite + Nitrate Nitrogen value.

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Chapter 1. Special Requirements

1. Special Requirements

- 1.1 The current on-site monitoring well with the MN Unique Well and Boring No. 797973 shall be abandoned prior to construction of the proposed drainfield area. The well shall be abandoned according to Minnesota Water Well Construction Code, Minnesota Rule, ch. 4725. Well abandonment records shall be submitted to the MPCA, Attn: WQ Submittals Center, within 30 days after proper abandonment.

2. Construction Schedule

Definitions

- 2.1 "Initiation of operation" means the date that MPCA determines all components of the the wastewater treatment system are complete and functioning and the project begins operating for the purposes for which it was planned, designed, and built.
- 2.2 "Completion of construction" means all the construction is complete except for minor weather-related components and conforms to the approved plans and specifications and change orders.
- 2.3 "Notice to proceed" means a written notice given by the Permittee to the contractor that affixes the contract effective date and the date that the contractor begins performing the work specified in the contract documents.

Schedule

- 2.4 Submit Notice to Proceed. The Permittee must submit a copy of the Notice to Proceed to the MPCA within 14 days of its execution.
- 2.5 Submit Notice for Pre-liner Inspection. The Permittee must notify the MPCA in writing at least 14 days before the scheduled placement of the liner. The MPCA may then complete a pre-liner inspection to observe the placement of the sub-base soil prior to placement of the liner. "Pre-liner" means that the Permittee has accepted the work necessary to begin placing the liner material.
- 2.6 Submit Notice for Pre-fill Inspection. The Permittee must notify the MPCA in writing at least 14 days before the scheduled pre-fill of the lined treatment unit. The MPCA may then complete a pre-fill inspection. "Pre-fill" means that the Permittee has accepted the work necessary to begin the water balance test in accordance with MPCA Prefill and Water Balance Criteria.
- 2.7 Submit Verification of Certified Operator and O&M Manual. The Permittee must notify the MPCA in writing at least 60 days before the planned initiation of operation of the new or upgraded facility that it has employed a wastewater treatment facility operator, certified for the classification of the treatment system (according to Minn. R., Chapter 9400), that is directly responsible for the operation of the system. The Permittee must also submit an operation and maintenance (O&M) manual or a maintenance plan; or a certificate of completion of an operation and maintenance manual.
- 2.8 Submit Notice of Intent to Initiate Operation. The Permittee must notify the MPCA in writing at least 14 days before the planned initiation of operation date. Following MPCA staff concurrence that the facility is adequately prepared, MPCA staff will notify the Permittee that it may initiate operation of the new or upgraded facility.
- 2.9 Submit Initiation of Operation Date. The Permittee must notify the MPCA in writing within 14 days after the actual initiation of operation date. The Permittee must comply with all permit requirements and attain final limits within 90 days of the Initiation of Operation date.
- 2.10 Submit Notice to Complete Construction. The Permittee must notify the MPCA in writing at least 14 days before the planned completion of construction date. The MPCA may complete a final inspection.

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Chapter 1. Special Requirements

2. Construction Schedule

- 2.11 Submit Final Technical Documents. The Permittee must submit the following to the MPCA within one year after the initiation of operation date:
- a. An MPCA-approved certification form that is signed by a professional engineer registered in the state of Minnesota stating that the project meets the performance standards.
 - b. A revised operation and maintenance manual or a maintenance plan; or a certificate of completion of an operation and maintenance manual on a form prescribed by the MPCA. At a minimum, this plan must include a detailed discussion of operation and controls, maintenance, sampling and analysis, problem mitigation, VOC management, personnel records and reporting, and safety. This plan must be maintained and updated regularly and made available to the MPCA staff upon request.
 - c. A system effectiveness evaluation that summarizes the effectiveness of the treatment facility (including any applicable groundwater monitoring system) as detailed in the plan and specifications approval letter or through communication with the MPCA staff.
 - d. One copy of "as-built" plans and specifications, also known as record drawings, must be submitted in a format approved by the MPCA. The factsheet titled: "Wastewater Treatment Facility Construction Record Documents, As-built Submittal Requirements" contains specific information regarding the required format of the submittal. The document is located on the MPCA web page at:
<http://www.pca.state.mn.us/index.php/view-document.html?gid=15492>.

Chapter 2. Ground Water Stations

1. Requirements for Specific Stations

- 1.1 GW 001, GW 002, GW 003: Submit a monthly DMR by 21 days after the end of each designated calendar month following initiation of operation.

2. Monitoring Wells

- 2.1 The Permittee shall install, maintain and abandon groundwater monitoring wells according to the Minnesota Water Well Construction Code, Minnesota Rules, ch. 4725. Damaged or improperly constructed monitoring wells shall be repaired or properly abandoned and replaced. Information on licensed water well contractors is available from the Minnesota Department of Health.
- 2.2 The Permittee shall submit a detailed monitoring well log for each monitoring well at the facility and a detailed US Geological Survey topographical map identifying the location of each well.
- 2.3 Each monitoring well shall be clearly numbered on the outside of the well with either indelible paint or an inscribed number.
- 2.4 The monitoring wells shall be sampled in accordance with "Minnesota Pollution Control Agency, Water Quality Division: Sampling Procedures for Ground Water Monitoring Wells, July 1997, Reviewed and re-approved September 2006." A copy of this publication is available on the MPCA website at: <http://www.pca.state.mn.us>.
- 2.5 Grab samples must be collected at all ground water monitoring points (lysimeters or wells) after stabilization tests are conducted.
- 2.6 Prior to well purging and sampling, depths to groundwater shall be measured to the nearest 0.01 foot below the top of the well casing, and groundwater elevations shall be reported to the nearest 0.01 foot above mean sea level.

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- 2.7 Temperature, specific conductance and pH shall be reported as the final field measurements from well stabilization.

Chapter 3. Waste Stream Stations**1. Requirements for Specific Stations**

- 1.1 WS 001, WS 004: Submit a monthly DMR by 21 days after the end of each calendar month following initiation of operation.
- 1.2 WS 002, WS 003: Submit a quarterly DMR by 21 days after the end of each calendar quarter following initiation of operation.

2. Sampling Location

- 2.1 Samples for Station WS001 shall be taken at a point representative of the total influent flow to the system.
- 2.2 Samples for Station WS002 shall be taken at the last septic tank in the series.
- 2.3 Samples for Station WS003 shall be taken at the equalization tank prior to the denitrification units.
- 2.4 Samples for Station WS004 shall be taken at the dosing tank prior to final effluent dispersal and shall be representative of the total effluent to the drainfields.

Chapter 4. Domestic Wastewater -- Large Subsurface Treatment System (LSTS)**1. Unauthorized Discharge**

- 1.1 There shall be no unauthorized discharge to the ground surface or surface water from these facilities.

2. Prohibitions

- 2.1 The Permittee shall prevent the discharge of any wastes other than sewage into any component of the facility, including septic tanks, advanced treatment systems, and soil treatment systems that could result in damage to the treatment facility or inhibit treatment unless the discharge of such other substances is specifically approved in writing by the MPCA.

3. Sanitary Sewer Extension Permit

- 3.1 The Permittee may be required to obtain a Sanitary Sewer Extension Permit from the MPCA for any addition, extension or replacement to the sanitary sewer. If a sewer extension permit is required, construction may not begin until plans and specifications have been submitted and a written permit is granted except as allowed in Minn. Stat. 115.07, Subd. 3(b).

4. Operator Certification

- 4.1 The Permittee shall provide a Class C state certified operator who is in direct responsible charge of the operation, maintenance and testing functions required to ensure compliance with the terms and conditions of this permit. (Minnesota Statutes, section 115.72)
- 4.2 The certified operator shall also become certified as a Service Provider within two years of permit issuance. Copies of the certificate of attendance and the exam results indicating a passing score shall be submitted to the agency within 2.5 years after permit issuance. Equivalent training may be allowed but must be pre-approved by the MPCA.

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Chapter 4. Domestic Wastewater -- Large Subsurface Treatment System (LSTS)

4. Operator Certification

- 4.3 Within 2.5 years of permit issuance, submit a copy of the Service Provider's Subsurface Sewage Treatment System (SSTS) Individual Certification Card displaying the Certification Number to the MPCA, Attn: WQ Submittals Center.
- 4.4 If the Permittee chooses to meet operator certification requirements through a contractual agreement, the Permittee shall provide a copy of the contract to the MPCA, WQ Submittals Center. The contract shall include the certified operator's name, certificate number, service provider certification number, company name if appropriate, the period covered by the contract and provisions for renewal; the duties and responsibilities of the certified operator; the duties and responsibilities of the permittee; and provisions for notifying the MPCA 30 days in advance of termination if the contract is terminated prior to the expiration date.
- 4.5 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

5. Special Requirements

Special Condition - Update O & M Manual

- 5.1 The Permittee is required to have on-site and available an updated Operation and Maintenance manual. This manual must be available to MPCA staff upon request.

6. Facility Maintenance

- 6.1 The Permittee is required to adequately protect the wastewater system to prevent damage to it.

7. Collection System

- 7.1 The collection system shall be properly maintained to minimize inflow, infiltration, exfiltration, and obstructions. A record of all inspections and maintenance operations shall be kept by the Permittee for a minimum of three years.

8. Tank Maintenance

- 8.1 All tanks (primary, secondary, holding, dosing, individual, etc) associated with this system shall be operated, pumped and maintained to ensure proper system operation and solids management. After every pumping event, all tanks shall be inspected for potential failure (such as cracks, roots, damaged baffles, etc.). Identified problems shall be corrected immediately.
- 8.2 The owner of a septic tank or tanks or the owner's agent must arrange for the removal and proper disposal of septage from all tanks or compartments in which the top of the sludge layer is less than 12 inches below the bottom of the outlet baffle or whenever the bottom of the scum layer is less than three inches above the outlet baffle. All accumulations of sludge, scum, and liquids must be removed through the maintenance hole.
- 8.3 The Permittee shall properly clean the effluent screens as often as needed to maintain an adequate flow rate from the septic tank(s). The Permittee shall keep a record at the facility that indicates the dates that the effluent screens are inspected, removed and cleaned.
- 8.4 Tanks that are not specifically covered under the Limits & Monitoring section of this permit shall be inspected at least every three years and pumped as necessary unless more restrictive local requirements have been established.

9. Soil Treatment System Maintenance

- 9.1 The soil treatment system(s) shall be adequately fenced.
- 9.2 A dense vegetative cover shall be maintained over the soil treatment system(s) at all times during the growing season to prevent the growth of unwanted vegetation such as trees, deep rooted nuisance plants, aquatic vegetation and to prevent erosion.

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Chapter 4. Domestic Wastewater -- Large Subsurface Treatment System (LSTS)

9. Soil Treatment System Maintenance

9.3 Routine maintenance shall be conducted to discourage the presence of rodents and other burrowing animals and deer on the soil treatment system and to allow inspection of observation ports installed in the soil treatment system(s) inspection pipes.

Soil Treatment System Inspection

9.4 Ponding depth inspections to determine the condition of each soil treatment system (trench, bed, at-grade, mound, or drip dispersal) /drainfield standpipe shall be conducted every other month during the time the soil treatment system is in use. The inspection of each soil treatment system shall include the identification of wet or saturated areas, depth of effluent ponding in the soil treatment observation ports, evidence of effluent at the surface, frozen components, and measurements in piezometers (if installed). Visual observations shall be recorded and inspection records shall be maintained by the owner for a minimum of three years following each inspection. The results of the inspection are not required to be submitted to the MPCA but shall be made available upon request by MPCA staff.

9.5 Indications of excessive hydraulic and organic loading to the wastewater treatment facility flow rate include ineffective septic tanks or advanced treatment systems, prolonged saturated soil conditions, vegetative drowning or excessive ground water mounding (observed from piezometers) and exceeding daily permitted flow rates as indicated by flow meters, event counters and running time clocks.

Reserve Soil Treatment System

9.6 The reserve area for the soil treatment system/drainfield must be properly protected to prevent the use of, and damage to, the area. The reserve area must be posted and identified for the public with at least one sign designating its future purpose and the boundaries must be visibly staked at all corners. In no case may this area be disturbed for any purpose, including vehicle traffic, storage, bike, hiking or ATV trails, playing fields, etc.

Chapter 5. Biosolids-Septage Transfer

1. Authorization

1.1 This permit authorizes the permittee to store and/or transfer only wastewater biosolids and/or septage to another permitted treatment facility for final treatment and disposal in accordance with the provision in this chapter and Minn. R. ch. 7041. For the purpose for this permit chapter, septage is referred to as biosolids.

Land application of biosolids and/or septage is not authorized by this permit.

2. Reporting Requirements

2.1 The permittee shall submit a Biosolids Annual Report by December 31 of each year for biosolids storage and/or transfer activities occurring during the cropping year previous to December 31. The report must indicate whether or not biosolids were transferred and/or stored. If biosolids were transferred, the report must describe how much was transferred, where it was transferred to, the name of the facility that accepted the transfer and the contact person at that facility. "Cropping year" means a year beginning on September 1 of the year prior to the growing season and ending August 31 the year the crop is harvested. For example, the 2012 cropping year began September 1, 2011, and ended August 31, 2012.

2.2 The Permittee shall submit the Biosolids Annual Report to:

Biosolids Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**Chapter 6. Domestic Wastewater -- Pretreatment****1. Pretreatment - Definitions**

- 1.1 An "Individual Control Mechanism" is a document, such as an agreement or permit, that imposes limitations or requirements on an individual industrial user of the POTW.
- 1.2 "Significant Industrial User" (SIU) means any industrial user that:
 - a. discharges 25,000 gallons per day or more of process wastewater;
 - b. contributes a load of five (5) % or more of the capacity of the POTW; or
 - c. is designated as significant by the Permittee or the MPCA on the basis that the SIU has a reasonable potential to adversely impact the POTW, or the quality of its effluent or residuals. (Minn. R. 7049.0120, Subp. 24)

2. Pretreatment - Permittee Responsibility to Control Users

- 2.1 It is the Permittee's responsibility to regulate the discharge from users of its wastewater treatment facility. The Permittee shall prevent any pass through of pollutants or any inhibition or disruption of the Permittee's facility, its treatment processes, or its sludge processes or disposal that contribute to the violation of the conditions of this permit or any federal or state law or regulation limiting the release of pollutants from the POTW. (Minn. R. 7049.0600)
- 2.2 The Permittee shall prohibit the discharge of the following to its wastewater treatment facility:
 - a. pollutants which create a fire or explosion hazard, including any discharge with a flash point less than 60 degrees C (140 degrees F);
 - b. pollutants which would cause corrosive structural damage to the POTW, including any waste stream with a pH of less than 5.0;
 - c. solid or viscous pollutants which would obstruct flow;
 - d. heat that would inhibit biological activity, including any discharge that would cause the temperature of the waste stream at the POTW treatment plant headworks to exceed 40 degrees C (104 degrees F);
 - e. pollutants which produce toxic gases, vapors, or fumes that may endanger the health or safety of workers; or
 - f. any pollutant, including oxygen demanding pollutants such as biochemical oxygen demand, released at a flow rate or pollutant concentration that will cause interference or pass through. (Minn. R. 7049.0140)
- 2.3 The Permittee shall prohibit new discharges of non-contact cooling waters unless there is no cost effective alternative. Existing discharges of non-contact cooling water to the Permittee's wastewater treatment facility shall be eliminated, where elimination is cost-effective, or where an infiltration/inflow analysis and sewer system evaluation survey indicates the need for such removal.
- 2.4 Pollutant of concern means a pollutant that is or may be discharged by an industrial user that is, or reasonably should be of concern on the basis that it may cause the permittee to violate any permit limits on the release of pollutants. The following pollutants shall be evaluated to determine if they should be pollutants of concern: pollutants limited in this permit, pollutants for which monitoring is required in this permit, pollutants that are likely to cause inhibition of the Permittee's POTW, pollutants which may interfere with sludge disposal and pollutants for which the Permittee's treatment facility has limited capacity. (Minn. R. 7049.0120, Subp. 13)

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Chapter 6. Domestic Wastewater -- Pretreatment

3. Control of Significant Industrial Users

- 3.1 The Permittee shall impose pretreatment requirements on SIUs which will ensure compliance with all applicable effluent limitations and other requirements set forth in this permit or any federal or state law or regulation limiting the release of pollutants from the POTW. These requirements shall be applied to SIUs by means of an individual control mechanism. (Minn. R. 7049.0600)
- 3.2 The Permittee shall not knowingly enter into an individual control mechanism with any user that would allow the user to contribute an amount or strength of wastewater that would cause violation of any limitation or requirement in the permit, or any applicable federal, state or local law or regulation. (Minn. R. 7049.0600 Subp. 3)

4. Monitoring of Significant Industrial Users

- 4.1 The Permittee shall obtain from SIUs specific information on the quality and quantity of the SIU's discharges to the Permittee's POTW. Except where specifically requested by the Permittee and approved by the MPCA, this information shall be obtained by means of representative monitoring conducted by the Permittee or by the SIU under requirements imposed by the Permittee in the SIU's individual control mechanism. Monitoring performed to comply with this requirement shall include all pollutants for which the SIU is significant and shall be done at a frequency commensurate with the significance of the SIU. (Minn. R. 7049.0710)

5. Reporting and Notification

- 5.1 If a SIU discharges to the POTW during a given calendar year, the Permittee shall submit a Pretreatment Annual Report for that calendar year, due by January 31 of the following year. The Pretreatment Annual Report shall be submitted on forms provided by the agency or shall provide equivalent information.

The Permittee shall submit the pre-treatment report to the following address:

MPCA
Attn: WQ Submittals Center
520 Lafayette Road North
St. Paul, Minnesota 55155-4194 (Minn. R. 7049.0720)

- 5.2 The Permittee shall notify the MPCA in writing of any:
 - a. SIU of the Permittee's POTW which has not been previously disclosed to the MPCA;
 - b. anticipated or actual changes in the volume or quality of discharge by an industrial user that could result in the industrial user becoming an SIU as defined in this chapter; or
 - c. anticipated or actual changes in the volume or quality of discharges by a SIU that would require changes to the SIU's required local limits.

This notification shall be submitted within 30 days of identifying the IU as a SIU. Where changes are proposed, they must be submitted prior to changes being made. (Minn. R. 7049.0700, Subp. 1)

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Chapter 6. Domestic Wastewater -- Pretreatment

5. Reporting and Notification

- 5.3 Upon notifying the MPCA of a SIU or change in a SIU discharge as required above, the Permittee shall submit the following information on forms provided by the agency or in a comparable format:
- a. the identity of the SIU and a description of the SIU's operation and process;
 - b. a characterization of the SIU's discharge;
 - c. the required local limits that will be imposed on the SIU;
 - d. a technical justification of the required local limits; and
 - e. a plan for monitoring the SIU which is consistent with monitoring requirements in this chapter. (Minn. R. 7049.0700)
- 5.4 In addition, the Permittee shall, upon request, submit the following to the MPCA for approval:
- a. additional information on the SIU, its processes and discharge;
 - b. a copy of the individual control mechanism used to control the SIU;
 - c. the Permittee's legal authority to be used for regulating the SIU; and
 - d. the Permittee's procedures for enforcing the requirements imposed on the SIU. (Minn. R. 7049.0700, Subp. 3)
- 5.5 The permittee shall notify MPCA of any of its industrial users that may be subject to national categorical pretreatment standards.
- 5.6 This permit may be modified in accordance with Minnesota Rules, ch. 7001 to require development of a pretreatment program approvable under the Federal General Pretreatment Regulation (40 CFR 403).

Chapter 7. Total Facility Requirements

1. General Requirements

General Requirements

- 1.1 No Discharge. There shall be no point source discharge to surface water from the permitted activity.
- 1.2 Incorporation by Reference. The following applicable federal and state laws are incorporated by reference in this permit, are applicable to the Permittee, and are enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. pts. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. Sec. 115 and 116.
- 1.3 Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by the permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the Agency. (Minn. R. 7001.0150, subp. 3, item E)
- 1.4 Toxic Discharges Prohibited. Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to Code of Federal Regulations, Title 40, sections 400 to 460 and Minnesota Rules 7050, 7052, 7053 and any other applicable MPCA rules. (Minn. R. 7001.1090, subp.1, item A)

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Chapter 7. Total Facility Requirements

1. General Requirements

- 1.5 Nuisance Conditions Prohibited. The Permittee's discharge shall not cause any nuisance conditions including, but not limited to: floating solids, scum and visible oil film, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. (Minn. R. 7050.0210 subp. 2)
- 1.6 Property Rights. This permit does not convey a property right or an exclusive privilege. (Minn. R. 7001.0150, subp. 3, item C)
- 1.7 Liability Exemption. In issuing this permit, the state and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under this permit. To the extent the state and the MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act. (Minn. R. 7001.0150, subp. 3, item O)
- 1.8 The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what is authorized by Minnesota Statutes. (Minn. R. 7001.0150, subp.3, item D)
- 1.9 Liabilities. The MPCA's issuance of this permit does not release the Permittee from any liability, penalty or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. (Minn. R. 7001.0150, subp.3, item A)
- 1.10 The issuance of this permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. (Minn. R. 7001.0150, subp.3, item B)
- 1.11 Severability. The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.
- 1.12 Compliance with Other Rules and Statutes. The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility.
- 1.13 Inspection and Entry. When authorized by Minn. Stat. Sec. 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. (Minn. R. 7001.0150, subp.3, item I)
- 1.14 Control Users. The Permittee shall regulate the users of its wastewater treatment facility so as to prevent the introduction of pollutants or materials that may result in the inhibition or disruption of the conveyance system, treatment facility or processes, or disposal system that would contribute to the violation of the conditions of this permit or any federal, state or local law or regulation.

Sampling

- 1.15 Representative Sampling. Samples and measurements required by this permit shall be conducted as specified in this permit and shall be representative of the discharge or monitored activity. (40 CFR 122.41 (j)(1))
- 1.16 Additional Sampling. If the Permittee monitors more frequently than required, the results and the frequency of monitoring shall be reported on the Discharge Monitoring Report (DMR) or another MPCA-approved form for that reporting period. (Minn. R. 7001.1090, subp. 1, item E)

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Chapter 7. Total Facility Requirements

1. General Requirements

- 1.17 Certified Laboratory. A laboratory certified by the Minnesota Department of Health and/or registered by the MPCA shall conduct analyses required by this permit. Analyses of dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine) do not need to be completed by a certified laboratory but shall comply with manufacturers specifications for equipment calibration and use. (Minn. Stat. Sec. 144.97 through 144.98 and Minn. R. 4740.2010 and 4740.2050 through 4740.2120) (Minn. R. 4740.2010 and 4740.2050 through 2120)
- 1.18 Sample Preservation and Procedure. Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200.
- 1.19 Equipment Calibration: Flow meters, pumps, flumes, lift stations or other flow monitoring equipment used for purposes of determining compliance with permit shall be checked and/or calibrated for accuracy at least twice annually. (Minn. R. 7001.0150, subp. 2, items B and C)
- 1.20 Maintain Records. The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following information (Minn. R. 7001.0150, subp. 2, item C):
- The exact place, date, and time of the sample or measurement;
 - The date of analysis;
 - The name of the person who performed the sample collection, measurement, analysis, or calculation; and
 - The analytical techniques, procedures and methods used; and
 - The results of the analysis.
- 1.21 Completing Reports. The Permittee shall submit the results of the required sampling and monitoring activities on the forms provided, specified, or approved by the MPCA. The information shall be recorded in the specified areas on those forms and in the units specified. (Minn. R. 7001.1090, subp. 1, item D; Minn. R. 7001.0150, subp. 2, item B)

Required forms may include:

DMR Supplemental Form

Individual values for each sample and measurement must be recorded on the DMR Supplemental Form which, if required, will be provided by the MPCA. DMR Supplemental Forms shall be submitted with the appropriate DMRs. You may design and use your own supplemental form; however it must be approved by the MPCA. Note: Required summary information MUST also be recorded on the DMR. Summary information that is submitted ONLY on the DMR Supplemental Form does not comply with the reporting requirements.

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Chapter 7. Total Facility Requirements

1. General Requirements

- 1.22 Submitting Reports. Discharge Monitoring Reports (DMRs), DMR supplemental forms, and related attachments shall be submitted electronically via the MPCA Online Services Portal after authorization is approved. Authorization must be applied for and approved prior to submittal via the Online Services Portal.

DMRs and DMR Supplemental Forms shall be electronically submitted by the 21st day of the month following the monitoring period end or as otherwise specified in this permit. Electronic DMR submittal must be complete on or before 11:59 PM of the 21st day of the month following the end of the monitoring period or as otherwise specified in this permit. A DMR shall be submitted for each required station even if no discharge occurred during the monitoring period. (Minn. R. 7001.0150, subps. 2.B and 3.H)

If electronic submittal is not possible, the Permittee must apply for an exception to electronic submittal. Exceptions requests for extreme conditions (no computer on-site is not an extreme condition) must at a minimum contain the extreme reason for the exception, actions to be taken, and date the facility will submit eDMR. All exception requests, and paper DMRs, DMR supplemental forms, and related attachments must be submitted by the 21st day of the month following the monitoring period end to:

MPCA

Attn: Discharge Monitoring Reports
520 Lafayette Road North
St. Paul, Minnesota 55155-4194.

Other reports required by this permit shall be submitted on or before the due date specified in the permit to:

MPCA

Attn: WQ Submittals Center
520 Lafayette Road North
St. Paul, Minnesota 55155-4194.

- 1.23 Incomplete or Incorrect Reports. The Permittee shall immediately submit an electronically amended report or DMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or DMR. The amended report or DMR shall contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. If it is impossible to electronically amend the report or DMR, the Permittee shall immediately notify the MPCA and the MPCA will provide direction for the amendment submittals. (Minn. R. 7001.0150 subp. 3, item G)
- 1.24 Required Signatures. All DMRs, forms, reports, and other documents submitted to the MPCA shall be signed by the Permittee or the duly authorized representative of the Permittee. Minn. R. 7001.0150, subp. 2, item D. The person or persons that sign the DMRs, forms, reports or other documents must certify that he or she understands and complies with the certification requirements of Minn. R. 7001.0070 and 7001.0540, including the penalties for submitting false information. Technical documents, such as design drawings and specifications and engineering studies required to be submitted as part of a permit application or by permit conditions, must be certified by a registered professional engineer. (Minn. R. 7001.0540)

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1.25 **Detection Level.** The Permittee shall report monitoring results below the reporting limit (RL) of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the concentration shall be reported as "<0.1 mg/L." "Non-detected," "undetected," "below detection limit," and "zero" are unacceptable reporting results, and are permit reporting violations. (Minn. R. 7001.0150, subp. 2, item B)

Where sample values are less than the level of detection and the permit requires reporting of an average, the Permittee shall calculate the average as follows:

- a. If one or more values are greater than the level of detection, substitute zero for all nondetectable values to use in the average calculation.
 - b. If all values are below the level of detection, report the averages as "<" the corresponding level of detection.
 - c. Where one or more sample values are less than the level of detection, and the permit requires reporting of a mass, usually expressed as kg/day, the Permittee shall substitute zero for all nondetectable values. (Minn. R. 7001.0150, subp. 2, item B)
- 1.26 **Records.** The Permittee shall, when requested by the Agency, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. (Minn. R. 7001.0150, subp. 3, item H)
- 1.27 **Confidential Information.** Except for data determined to be confidential according to Minn. Stat. Sec. 116.075, subd. 2, all reports required by this permit shall be available for public inspection. Effluent data shall not be considered confidential. To request the Agency maintain data as confidential, the Permittee must follow Minn. R. 7000.1300.

Noncompliance and Enforcement

- 1.28 **Subject to Enforcement Action and Penalties.** Noncompliance with a term or condition of this permit subjects the Permittee to penalties provided by federal and state law set forth in section 309 of the Clean Water Act; United States Code, title 33, section 1319, as amended; and in Minn. Stat. Sec. 115.071 and 116.072, including monetary penalties, imprisonment, or both. (Minn. R. 7001.1090, subp. 1, item B)
- 1.29 **Criminal Activity.** The Permittee may not knowingly make a false statement, representation, or certification in a record or other document submitted to the Agency. A person who falsifies a report or document submitted to the Agency, or tampers with, or knowingly renders inaccurate a monitoring device or method required to be maintained under this permit is subject to criminal and civil penalties provided by federal and state law. (Minn. R. 7001.0150, subp.3, item G., 7001.1090, subps. 1, items G and H and Minn. Stat. Sec. 609.671)
- 1.30 **Noncompliance Defense.** It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (40 CFR 122.41(c))

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- 1.31 Effluent Violations. If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee shall within 24 hours of the discovery of the noncompliance, orally notify the commissioner and submit a written description of the noncompliance within 5 days of the discovery. The written description shall include items a. through e., as listed below. If the Permittee discovers other non-compliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the non-compliance shall be reported during the next reporting period to the MPCA with its Discharge Monitoring Report (DMR). If no DMR is required within 30 days, the Permittee shall submit a written report within 30 days of the discovery of the noncompliance. This description shall include the following information:
- a. a description of the event including volume, duration, monitoring results and receiving waters;
 - b. the cause of the event;
 - c. the steps taken to reduce, eliminate and prevent reoccurrence of the event;
 - d. the exact dates and times of the event; and
 - e. steps taken to reduce any adverse impact resulting from the event. (Minn. R. 7001.0150, subp. 3k)
- 1.32 Upset Defense. In the event of temporary noncompliance by the Permittee with an applicable effluent limitation resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the Agency as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence:
- a. The specific cause of the upset;
 - b. That the upset was unintentional;
 - c. That the upset resulted from factors beyond the reasonable control of the Permittee and did not result from operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or increases in production which are beyond the design capability of the treatment facilities;
 - d. That at the time of the upset the facility was being properly operated;
 - e. That the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1, item I; and
 - f. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J.

Release

- 1.33 Unauthorized Releases of Wastewater Prohibited. Except for discharges from outfalls specifically authorized by this permit, overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, are prohibited. However, the MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. (40 CFR 122.41 and Minn. Stat. Sec 115.061)

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1.34 Discovery of a release. Upon discovery of a release, the Permittee shall:

- a. Take all reasonable steps to immediately end the release.
- b. Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 (metro area) immediately upon discovery of the release. You may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area).
- c. Recover as rapidly and as thoroughly as possible all substances and materials released or immediately take other action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If the released materials or substances cannot be immediately or completely recovered, the Permittee shall contact the MPCA. If directed by the MPCA, the Permittee shall consult with other local, state or federal agencies (such as the Minnesota Department of Natural Resources and/or the Wetland Conservation Act authority) for implementation of additional clean-up or remediation activities in wetland or other sensitive areas.

1.35 Sampling of a release. Upon discovery of a release, the Permittee shall:

- a. Collect representative samples of the release. The Permittee shall sample the release for parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, Fecal Coliform Bacteria samples shall be collected where it is determined by the Permittee that the release contains or may contain sewage. If the release cannot be immediately stopped, the Permittee shall consult with MPCA regarding additional sampling requirements. Samples shall be collected at least, but not limited to, two times per week for as long as the release continues.
- b. Submit the sampling results on the Release Sampling Form (<http://www.pca.state.mn.us/index.php/view-document.html?gid=18867>). The Release Sampling Form shall be submitted to the MPCA with the next DMR or within 30 days whichever is sooner.

Bypass

1.36 Anticipated bypass. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if the bypass is for essential maintenance to assure efficient operation of the facility. The permittee shall submit prior notice, if possible at least ten days before the date of the bypass to the MPCA (40 CFR 122.41(m)(2) and 122.41(m)(3) and Minn. R. Ch. 7001.1090, subp. 1, J).

The notice of the need for an anticipated bypass shall include the following information:

- a. The proposed date and estimated duration of the bypass;
- b. The alternatives to bypassing; and
- c. A proposal for effluent sampling during the bypass. Any bypass wastewater must enter waters of the state from outfalls specifically authorized by this permit. Therefore, samples shall be collected at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent.

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- 1.37 All other bypasses are prohibited. The MPCA may take enforcement action against the Permittee for a bypass, unless the specific conditions described in Minn. R. Ch. 7001.1090 subp. 1, K and 122.41(m)(4)(i) are met.

In the event of an unanticipated bypass, the permittee shall:

a. Take all reasonable steps to immediately end the bypass.

b. Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 (metro area) immediately upon commencement of the bypass. You may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area). (Minn. Stat. Sec 115.061)

c. Immediately take action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If directed by the MPCA, the Permittee shall consult with other local, state or federal agencies for implementation of abatement, clean-up, or remediation activities.

d. Only allow bypass wastewater as specified in this section to enter waters of the state from outfalls specifically authorized by this permit. Samples shall be collected at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. The permittee shall also follow the reporting requirements for effluent violations as specified in this permit.

Operation and Maintenance

- 1.38 The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible Minn. R. 7001.0150. subp. 3, item F.
- 1.39 In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail its discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until the wastewater treatment facility has been restored or until an alternative method of treatment is provided. (Minn. R. 7001.1090, subp. 1, item C)
- 1.40 Solids Management. The Permittee shall properly store, transport, and dispose of biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or ground waters of the state. Solids should be disposed of in accordance with local, state and federal requirements. (40 CFR 503 and Minn. R. 7041 and applicable federal and state solid waste rules)
- 1.41 Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality, except where emergency maintenance is required to prevent a condition that would be detrimental to water quality or human health. (Minn. R. 7001.0150. subp. 3, item F and Minn. R. 7001.0150. subp. 2, item B)
- 1.42 Control Tests. In-plant control tests shall be conducted at a frequency adequate to ensure compliance with the conditions of this permit. (Minn. R. 7001.0150. subp. 3, item F and Minn. R. 7001.0150. subp. 2, item B)

Changes to the Facility or Permit

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- 1.43 Permit Modifications. Except as provided under Minnesota Statutes, section 115.07, subdivisions 1 and 3, no person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the agency has issued a written permit for the facility or activity. (Minn. R. 7001.0030)

Permittees that propose to make a change to the facility or discharge that requires a permit modification must follow Minn. R. 7001.0190. If the Permittee cannot determine whether a permit modification is needed, the Permittee must contact the MPCA prior to any action. It is recommended that the application for permit modification be submitted to the MPCA at least 180 days prior to the planned change.

- 1.44 No person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted except as provided under Minnesota Statutes, section 115.07, subdivisions 1 and 3, nor shall a person commence an activity for which a permit is required by statute or rule until the agency has issued a written permit for the facility or activity.
- 1.45 Plans, specifications and MPCA approval are not necessary when maintenance dictates the need for installation of new equipment, provided the equipment is the same design size and has the same design intent. For instance, a broken pipe, lift station pump, aerator, or blower can be replaced with the same design-sized equipment without MPCA approval.

If the proposed construction is not expressly authorized by this permit, it may require a permit modification. If the construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until a negative declaration is issued and all approvals are received or implemented.

- 1.46 Report Changes. The Permittee shall give advance notice as soon as possible to the MPCA of any substantial changes in operational procedures, activities that may alter the nature or frequency of the discharge, and/or material factors that may affect compliance with the conditions of this permit. (Minn. R. 7001.0150, subp. 3, item M)
- 1.47 Chemical Additives. The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit, in quantities or concentrations that have the potential to change the characteristics, nature and/or quality of the discharge.

The Permittee shall request approval for an increased or new use of a chemical additive at least 60 days, or as soon as possible, before the proposed increased or new use.

This written request shall include at least the following information for the proposed additive:

- a. The process for which the additive will be used;
- b. Material Safety Data Sheet (MSDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive. The aquatic toxicity information shall include at minimum the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean;
- c. A complete product use and instruction label;
- d. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive (If the MSDS does not include information on chemical composition, including percentages for each ingredient totaling to 100%, the Permittee shall contact the supplier to have this information provided); and
- e. The proposed method of application, application frequency, concentration, and daily average and maximum rates of use. (Minn. R. 7001.0170)

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1.48 Upon review of the information submitted regarding the proposed chemical additive, the MPCA may require additional information be submitted for consideration. This permit may be modified to restrict the use or discharge of a chemical additive and include additional influent and effluent monitoring requirements.

Approval for the use of an additive shall not justify the exceedance of any effluent limitation nor shall it be used as a defense against pollutant levels in the discharge causing or contributing to the violation of a water quality standard.

1.49 MPCA Initiated Permit Modification, Suspension, or Revocation. The MPCA may modify or revoke and reissue this permit pursuant to Minn. R. 7001.0170. The MPCA may revoke without reissuance this permit pursuant to Minn. R. 7001.0180.

1.50 TMDL Impacts. Facilities that discharge to an impaired surface water, watershed or drainage basin may be required to comply with additional permits or permit requirements, including additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR 122.44.l.2.i., necessary to ensure consistency with the assumptions and requirements of any applicable US EPA approved wasteload allocations resulting from Total Maximum Daily Load (TMDL) studies.

1.51 Permit Transfer. The permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit. (Minn. R., 7001.0150, subp. 3, item N)

1.52 Facility Closure. The Permittee is responsible for closure and post-closure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of the activities described in this permit at least 180 days before the reduction or cessation. The MPCA may require the Permittee to provide to the MPCA a facility Closure Plan for approval.

Facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or ground water, may require a permit modification or reissuance.

The MPCA may require the Permittee to establish and maintain financial assurance to ensure performance of certain obligations under this permit, including closure, post-closure care and remedial action at the facility. If financial assurance is required, the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance, shall be approved by the MPCA. (Minn. Stat. Sec. 116.07, subd. 4)

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1.53 Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for reissuance at least 180 days before permit expiration. If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration.

If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160):

- a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit;
- b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit;
- c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies.