



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

INDUSTRIAL DIVISION

PUBLIC NOTICE OF INTENT TO REISSUE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/

STATE DISPOSAL SYSTEM (SDS) PERMIT MN0022284

Public Comment Period Begins: January 31, 2013

Public Comment Period Ends: March 4, 2013

Current Permit Issued: June 24, 2004

Current Permit Expiration Date: May 31, 2009

Name and Address of Permittee:

August Schell Brewing Co

PO Box 128

New Ulm, Minnesota 56073-0128

Facility Name and Location:

August Schell Brewing Co

1860 Schell Rd

T110N, R30W, Section 33,

Cottonwood, Brown County, Minnesota

Receiving Water: Cottonwood River (Class 2B,3B,4A,4B,5,6 water)

Description of Permitted Facility

The August Schell Brewing Co (Facility) is located at SW ¼ of Section 33, Township 110 North, Range 30 West, New Ulm, located in Brown County, Minnesota. The principal activity at the Facility is the manufacture of beer and soft drink products and the facility estimates producing 2 million case (a case = twenty four 12 ounce bottles or cans) equivalents of beer and 189 thousand case equivalents of soft drinks this year. The source of the facility's makeup water is from the municipal supply from New Ulm, which provides an average rate of 27 million gallons per year.

- Reverse Osmosis Concentrate: Reverse Osmosis system rejects a percentage of the makeup water at a rate of 10 gallons per minute for 240 minutes followed by a rinse at a rate of 7.5 gallons per minute for 15 minutes. This reject and rinse cycle is performed 6 times per day. The total discharge is composed of Ammonia Compressor wastewater mixed with a portion of reverse osmosis reject water to a maximum of 23,000 gallons per day over a 24 hour period every day. The exact portion of reverse osmosis reject wastewater included in the total facility discharge will be determined by the facility to comply with Limits included in the Limits and Monitoring table.

- **Non-Contact Cooling water from the Ammonia Compressor System:** The total discharge occurs at an average rate of 11,500 gallons per day over a 24 hour period every day. When there is a demand from the cooling tower, part of the discharge water from the air compressors is diverted to the make-up water in the cooling tower. The amount varies throughout the year depending on the seasonal production at the Facility. Any discharge from the cooling tower is discharged to the sanitary sewer.

The combined discharge (SD002) of reverse osmosis concentrate and non-contact cooling water from the ammonia compressor system is discharged at an average rate of 35,000 gallons per day and a maximum rate of 40,000 per day to the Cottonwood River (Class 2B, 3C, 4A, 4B, 5, 6 water). The discharge is continuous and occurs year round.

Regeneration waste from the water softener, pasteurizer, evaporative condenser cooling water, process wastewater associated with the beverage-making operations, floor and equipment wash waters, and sanitary wastewaters are discharged to the sanitary sewer and therefore not authorized by this permit.

Industrial stormwater coverage for the facility has been included in Chapter 3, Industrial Stormwater. A station, SD 003, has been included to monitor intervention limits.

The only chemical additive approved for use at the Facility is Sodium Metabisulfate for dechlorination prior to the use in the reverse osmosis system. This authorization is included in Chapter 1 in the permit language. Use of chemicals at the facility does not exceed the rates permitted by this permit language.

There are 2 Aboveground Storage Tanks used for malt and carbon dioxide storage, which are part of the production facility. However, the combined size of the tanks is below the permitting threshold and therefore not covered under an aboveground storage tank permit.

The January 1, 1988, calculated design **maximum daily** flow for this Facility is 0 million gallons per day (mgd). In accordance with the Minnesota Pollution Control Agency (MPCA) rules regarding nondegradation for all waters, the design **maximum daily** flow of the Facility as of January 1, 1988, and associated mass loading, is the baseline design flow and mass loading. This baseline flow and mass loading will be used to determine whether nondegradation review is required for any change in the discharge. Any change that results in an increase in design flow greater than 0.2 mgd and an increased loading of one or more pollutants, or any change in a discharge containing a toxic pollutant that results in a mass loading rate likely to increase the concentration of the toxicant in the receiving water by greater than one percent over the baseline quality, is subject to nondegradation review in accordance with Minn. R. 7050.0185.

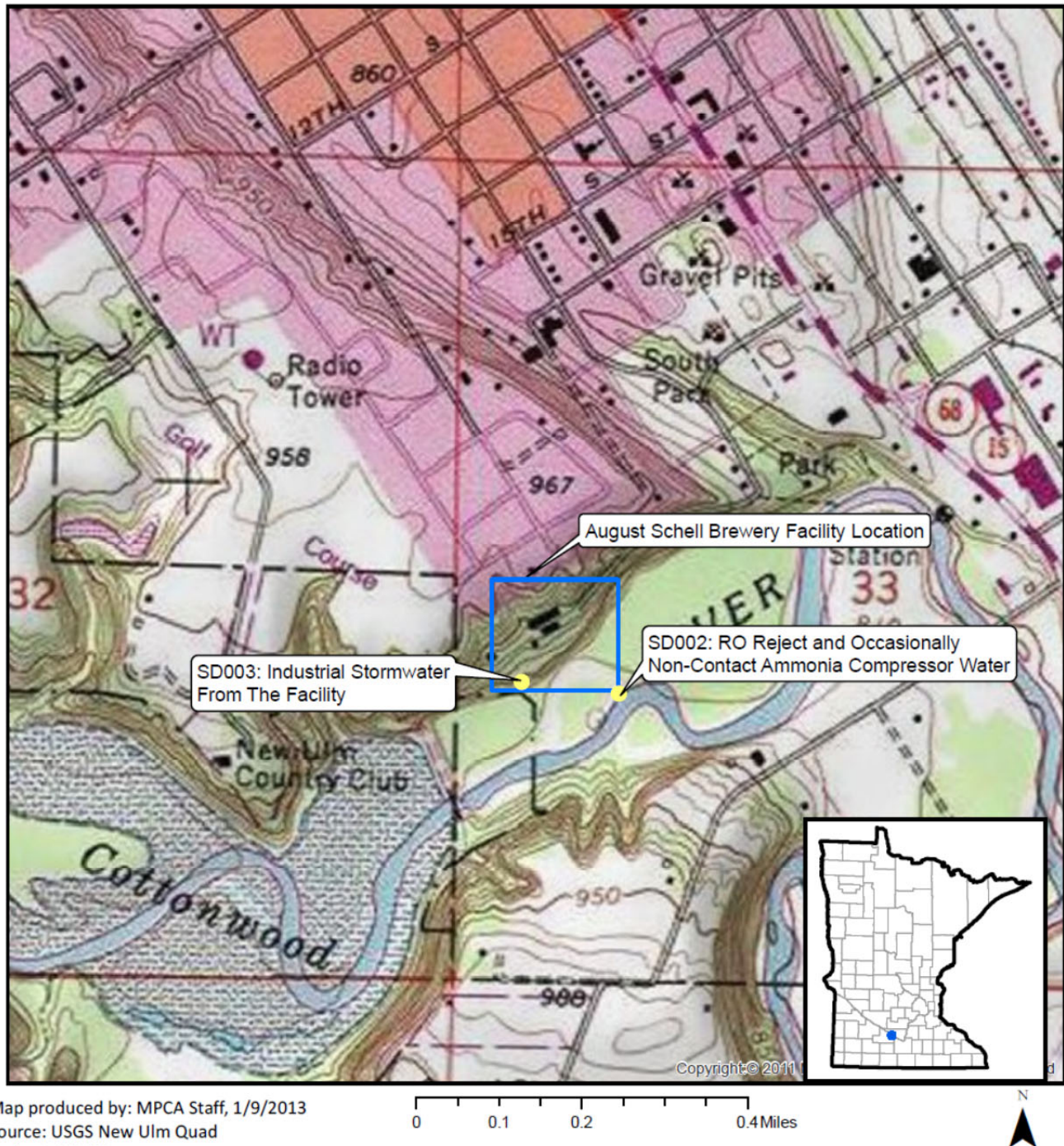
This Permit also complies with Minn. R. 7053.0275 regarding anti-backsliding.

Any point source discharger of sewage, industrial, or other wastes for which a NPDES permit has been issued by the MPCA that contains effluent limits more stringent than those that would be established by Minn. R. 7053.0215 to 7053.0265 shall continue to meet the effluent limits established by the permit, unless the permittee establishes that less stringent effluent limits are allowable pursuant to federal law, under section 402(o) of the Clean Water Act, United States Code, title 33, section 1342.

The location of the facility is shown on the attached topographic map.

Topographic Map of Permitted Facility

MN002284: August Schell Brewing Facility
T110N, R30W, Section 33
New Ulm, Brown County, Minnesota



Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to reissue this NPDES/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, at the Rochester regional office and on-line at <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>.

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 Emma Ziebarth at 651-757-2445.

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:

Emma Ziebarth
MPCA – 5th floor
520 Lafayette Road North
St. Paul MN 55155-4194