



STATE OF MINNESOTA

Minnesota Pollution Control Agency**Municipal Division****National Pollutant Discharge Elimination System (NPDES)/
State Disposal System (SDS) Permit MN0049891**

PERMITTEE: Minnesota Department of Natural Resources (MDNR) Central Office
FACILITY NAME: MDNR Scenic State Park Wastewater Treatment Facility
RECEIVING WATER: Peat Bog (Class 2D, 3D, 4C, 5, 6 Water) to Cedar Lake

TOWNSHIP: Bigfork **COUNTY:** Itasca
ISSUANCE DATE: **EXPIRATION DATE:**

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to operate a disposal system at the facility named above and to discharge from this facility to the receiving water 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 US statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7050, 7053, 7060, and the US Clean Water Act.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility on June 27, 2008. This permit expires at midnight on the expiration date identified above.

Signature: _____
 Paul C. Scheirer, Supervisor *for The Minnesota Pollution Control Agency*
 Northeast/Northwest Regional Unit
 Municipal Division

Submit DMRs to:

Attention: Discharge Monitoring Reports
 Minnesota Pollution Control Agency
 520 Lafayette Rd N
 St Paul, MN 55155-4194

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 DMR and other permit reporting issues, contact: Belinda Nicholas, 651-757-2613.
- For specific permit requirements or permit compliance status, contact: Herschel Blasing, 218-316-3860.
- General permit or NPDES program questions, contact: MPCA, 651-282-6143 or 1-800-657-3938.

520 Lafayette Rd. N.; St. Paul, MN 55155-4194; 651-296-6300 (voice); 651-282-5332 (TTY)

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Facility Description

The Minnesota Department of Natural Resources Scenic State Park (Park) Wastewater Treatment Facility (Facility) is located in the NW ¼ of Section 6, Township 60 North, Range 25 West, Bigfork Township, Itasca County, Minnesota. The Park is approximately seven miles east of Bigfork. This is a Class D Facility.

Major components of the Facility include:

4 Septic Tanks – 1-5,000 gallon, 2-1,000 gallon, and 1-2,200 gallon

1 Imhoff Tank – 15,000 gallons

1 Primary Stabilization Pond - 1.8 acres

The existing Facility has four septic tanks, one Imhoff tank and one stabilization pond with two depression cells. Water flows freely between the depressions. The stabilization pond was originally designed to seep into the adjacent peat bog which leads to Cedar Lake. The Facility was built with a concrete outlet control structure on the west side of the stabilization pond that can be used to discharge through a 50-foot diversion pipe during hydraulically overloaded conditions to the peat bog; however, it is not in working order at this time. Due to high groundwater levels, discharge has been necessary most years; however, the stabilization pond dikes were raised in 2004 to prevent discharges from occurring. The capacity of the stabilization pond did not increase as a result of raising the dikes. When needed, the Permittee discharges via a pump and hose to the peat bog (Class 2D, 3D, 4C, 5, 6 Water).

The existing Facility is designed to treat an average wet weather flow of 15,500 gallons per day (gpd).

Wastewater enters the stabilization pond in two locations - WS001 to the north and WS002 to the east.

- WS001 consists of influent flow from the Lodge Campground and the Picnic Area Sanitation Building. From these sources, wastewater enters the Imhoff tank, flows into a lift station, and is pumped through 1,753 feet of force main. The wastewater drains by gravity through 787 feet of pipe to the stabilization pond.
- WS002 consists of influent flow from the Fish Cleaning House, the Chase Point Campground Sanitation Building, the Contact Station Building, and the Trailer Dump Station. Wastewater from the Fish Cleaning House enters a 1,000 gallon septic tank (WS003), and then drains by gravity to a 5,000 gallon septic tank (WS004). Wastewater from the Chase Point Campground Sanitation Building drains by gravity directly into the same 5,000 gallon septic tank. The combined wastewater then drains by gravity from the 5,000 gallon septic tank to the stabilization pond. Wastewater from the Contact Station Building enters a 2,200 gallon septic tank (WS005), and then drains by gravity to the stabilization pond. Wastewater from the Trailer Dump Station enters a 1,000 gallon septic tank (WS006), and then drains by gravity to the stabilization pond.

Although technically the Park is open year-round, this is a seasonal discharge as park buildings and facilities are closed from November 1 to May 1, depending on weather conditions. Typical operation times are:

- Lodge Campground/Picnic Area Building - Memorial Day weekend through Labor Day weekend
- Chase Point Campground - mid-May to mid-October, with peak use in July and August
- Contact Station Building – mid-May to mid-September, 1-2 staff only

The Facility is surrounded by a network of three groundwater monitoring wells. One monitoring well is located upgradient and two are located downgradient to monitor groundwater conditions at the stabilization pond site.

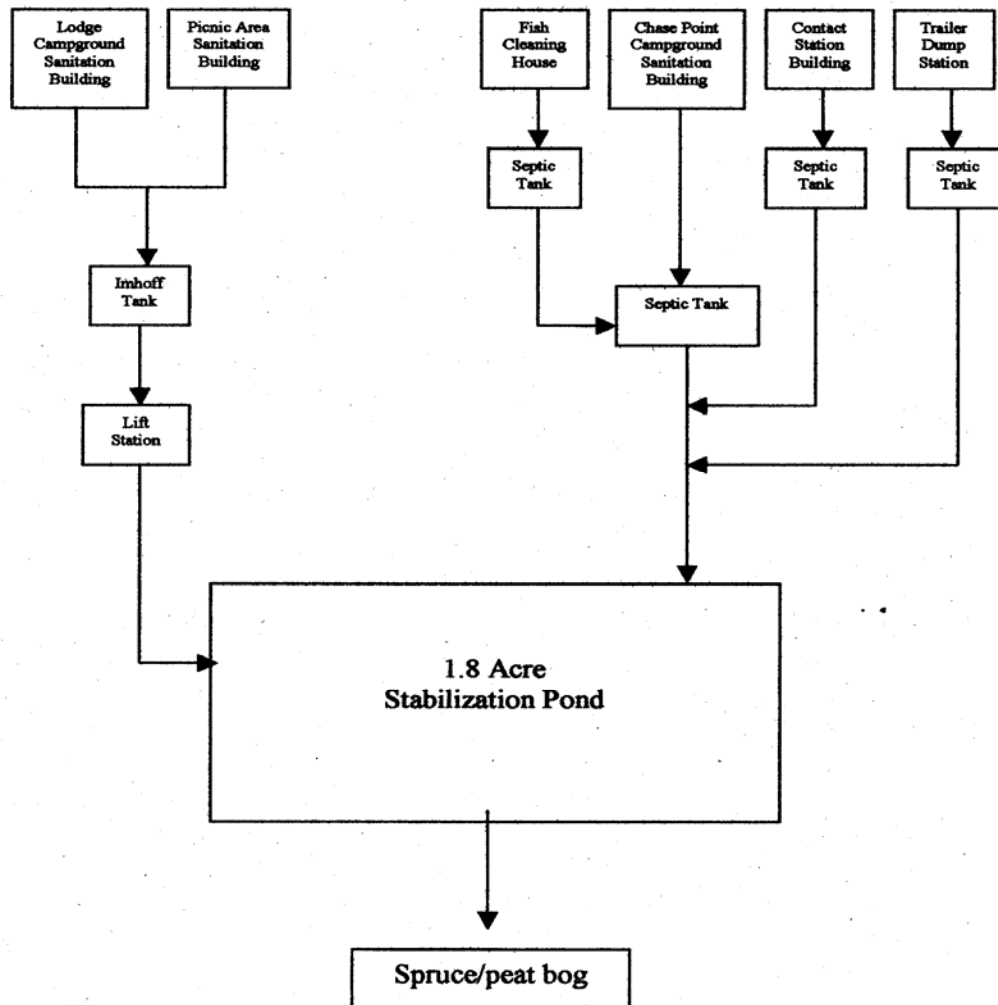
In accordance with MPCA rules regarding nondegradation for all waters that are not Outstanding Resource Value Waters, nondegradation review is required for any new or expanded significant discharge (Minn. R. 7050.0185). A significant discharge is 1) a new discharge (not in existence before January 1, 1988) that is greater than 200,000 gpd to any water other than a Class 7 water or 2) an expanded discharge that expands by greater than 200,000 gpd that discharges to any water other than a Class 7 water or 3) a new or expanded discharge containing any toxic pollutant at 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. The flow rate used to determine significance is the design average wet weather flow. The January 1, 1988, design average wet weather flow for this Facility is 15,500 gpd.

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 parts 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 flow diagram for the Facility is shown on page 5. The location of the Facility is shown on the "Topographical Map of Permitted Facility" on page 6 and the location of designated monitoring stations is specified on the "Summary of Stations" on page 7.

Scenic State Park Wastewater Flow



Topographic Map of Permitted Facility

MN0049891, MDNR Scenic State Park
T60N, R25W, Section 6,
Bigfork Township, Itasca County, Minnesota



Map produced by: MPCA Staff, 12/11/12
Source: MNGeo Information Office
Scale: 1:10,000

0 0.075 0.15 0.3 Miles



DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**Ground Water Stations**

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
GW001	Well, Upgradient	Unique Well Number: 684286	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
GW002	Well, Downgradient	Unique Well Number: 684285	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
GW003	Well, Downgradient	Unique Well Number: 684284	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West

Surface Discharge Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
SD001	Effluent To Surface Water	Total Facility Discharge	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West

Waste Stream Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
WS001	Internal Waste Stream	Influent Waste Stream 1 (Lodge Campground and Picnic Area)	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
WS002	Internal Waste Stream	Influent Waste Stream 2 (Fish House, Chase Point, Contact Station, Dump Station)	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
WS003	Influent Waste	Fish Cleaning House-Septic Tank Monitoring	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
WS004	Influent Waste	Chase Point Campground Sanitation Building-Septic Tank Monitoring	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
WS005	Influent Waste	Contact Station Building-Septic Tank Monitoring	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West
WS006	Influent Waste	Trailer Dump Station-Septic Tank Monitoring	SW Quarter of the NW Quarter of Section 6, Township 60 North, Range 25 West

**MDNR Scenic State Park WWTF
Limits and Monitoring Requirements**

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

GW 001: Unique Well Number: 684286

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	Monitor Only	mg/L	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	6
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	7
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	6
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	5
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	5
pH, Field	Monitor Only	SU	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	3
pH, Field	Monitor Only	SU	Instantaneous Minimum	Apr, Jul, Oct	Grab	1 x Month	3
Specific Conductance, Field	Monitor Only	umh/cm	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	1
Temperature, Water (C)	Monitor Only	Deg C	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	3

GW 002: Unique Well Number: 684285

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	250	mg/L	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	6
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	7
Nitrite Plus Nitrate, Total (as N)	10	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	6
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	5
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	5
pH, Field	Monitor Only	SU	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	3
pH, Field	Monitor Only	SU	Instantaneous Minimum	Apr, Jul, Oct	Grab	1 x Month	3
Specific Conductance, Field	Monitor Only	umh/cm	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	1
Temperature, Water (C)	Monitor Only	Deg C	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	3

GW 003: Unique Well Number: 684284

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	250	mg/L	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	6
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Instantaneous Maximum	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	7
Nitrite Plus Nitrate, Total (as N)	10	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	6
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	5

**MDNR Scenic State Park WWTF
Limits and Monitoring Requirements**

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

GW 003: Unique Well Number: 684284

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Apr, Jul, Oct	Grab	1 x Month	5
pH, Field	Monitor Only	SU	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	3
pH, Field	Monitor Only	SU	Instantaneous Minimum	Apr, Jul, Oct	Grab	1 x Month	3
Specific Conductance, Field	Monitor Only	umh/cm	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	1
Temperature, Water (C)	Monitor Only	Deg C	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	3

SD 001: Total Facility Discharge

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	27.7	kg/day	Calendar Month Average	Jan-Dec	Grab	2 x Week	4
BOD, Carbonaceous 05 Day (20 Deg C)	25	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Week	8
BOD, Carbonaceous 05 Day (20 Deg C)	44.3	kg/day	Maximum Calendar Week Average	Jan-Dec	Grab	2 x Week	4
BOD, Carbonaceous 05 Day (20 Deg C)	40	mg/L	Maximum Calendar Week Average	Jan-Dec	Grab	2 x Week	8
Chloride, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	8
Fecal Coliform, MPN or Membrane Filter 44.5C	200	#100ml	Calendar Month Geometric Mean	Apr-Oct	Grab	2 x Week	8
Flow	0	MG	Calendar Month Total Intervention	Jan-Feb, Jul, Aug	Measurement	1 x Day	11
Flow	Monitor Only	mgd	Calendar Month Average	Mar-Jun, Sep-Dec	Measurement	1 x Day	
Flow	Monitor Only	mgd	Calendar Month Maximum	Mar-Jun, Sep-Dec	Measurement	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Mar-Jun, Sep-Dec	Measurement	1 x Day	10
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	8
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	8
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	8
Oxygen, Dissolved	Monitor Only	mg/L	Calendar Month Minimum	Jan-Dec	Grab	2 x Week	2
pH	9.0	SU	Calendar Month Maximum	Jan-Dec	Grab	2 x Week	2
pH	6.0	SU	Calendar Month Minimum	Jan-Dec	Grab	2 x Week	2
Phosphorus, Total (as P)	21	kg/yr	12 Month Moving Total	Jan-Dec	Calculation	2 x Week	9
Phosphorus, Total (as P)	1.0	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Week	9
Phosphorus, Total (as P)	Monitor Only	kg/mo	Calendar Month Total	Jan-Dec	Grab	2 x Week	9
Solids, Total Suspended (TSS)	49.9	kg/day	Calendar Month Average	Jan-Dec	Grab	2 x Week	4

MDNR Scenic State Park WWTF

Limits and Monitoring Requirements

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

SD 001: Total Facility Discharge

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Solids, Total Suspended (TSS)	45	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Week	8
Solids, Total Suspended (TSS)	72.0	kg/day	Maximum Calendar Week Average	Jan-Dec	Grab	2 x Week	4
Solids, Total Suspended (TSS)	65	mg/L	Maximum Calendar Week Average	Jan-Dec	Grab	2 x Week	8

WS 001: Influent Waste Stream 1 (Lodge Campground and Picnic Area)

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	Jun-Aug	4-Hour Flow Composite	1 x Month	
Flow	Monitor Only	mgd	Calendar Month Average	Apr-Oct	Measurement, Continuous	1 x Week	
Flow	Monitor Only	mgd	Calendar Month Maximum	Apr-Oct	Measurement, Continuous	1 x Week	
Flow	Monitor Only	MG	Calendar Month Total	Apr-Oct	Measurement, Continuous	1 x Week	
pH, Field	Monitor Only	SU	Instantaneous Maximum	Jun-Aug	Grab	1 x Month	1
pH, Field	Monitor Only	SU	Instantaneous Minimum	Jun-Aug	Grab	1 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	Jun-Aug	4-Hour Flow Composite	1 x Month	

WS 002: Influent Waste Stream 2 (Fish House, Chase Point, Contact Station, Dump Station)

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	Jun-Aug	4-Hour Flow Composite	1 x Month	
Flow	Monitor Only	mgd	Calendar Month Average	Apr-Oct	Measurement, Continuous	1 x Week	
Flow	Monitor Only	mgd	Calendar Month Maximum	Apr-Oct	Measurement, Continuous	1 x Week	
Flow	Monitor Only	MG	Calendar Month Total	Apr-Oct	Measurement, Continuous	1 x Week	
pH, Field	Monitor Only	SU	Instantaneous Maximum	Jun-Aug	Grab	1 x Month	1
pH, Field	Monitor Only	SU	Instantaneous Minimum	Jun-Aug	Grab	1 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	Jun-Aug	4-Hour Flow Composite	1 x Month	

WS 003: Fish Cleaning House-Septic Tank Monitoring

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Remaining Scum Capacity	Monitor Only	in	Calendar Month Maximum	Sep	Measurement	1 x Month	

MDNR Scenic State Park WWTF

Limits and Monitoring Requirements

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

WS 003: Fish Cleaning House-Septic Tank Monitoring

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

WS 004: Chase Point Campground Sanitation Building-Septic Tank Monitoring

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

WS 005: Contact Station Building-Septic Tank Monitoring

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

WS 006: Trailer Dump Station-Septic Tank Monitoring

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

MDNR Scenic State Park WWTF
Limits and Monitoring Requirements

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

Notes:

- 1 -- Analyze immediately.
- 2 -- Analyze immediately. Samples shall be collected from the final cell outlet control structure.
- 3 -- Analyze immediately. Grab samples must be collected at all groundwater monitoring points after stabilization tests are conducted. If the analytical results are above applicable drinking water standards, further testing will be required.
- 4 -- Based on a maximum 6-inch per day drawdown rate from the 1.8-acre secondary cell.
- 5 -- Grab samples must be collected at all groundwater monitoring points after stabilization tests are conducted.
- 6 -- Grab samples must be collected at all groundwater monitoring points after stabilization tests are conducted. If the analytical results are above applicable drinking water standards, further testing will be required.
- 7 -- Prior to pumping or bailing of a monitoring well, the water elevation must be measured and recorded to the nearest 0.01 foot.
- 8 -- Samples shall be collected from the final cell outlet control structure.
- 9 -- See Surface Discharge Stations Chapter for additional information.
- 10 -- The acceptable discharge periods are March 1 through June 1 and September 1 through December 31.
- 11 -- The problem discharge periods are January, February, July, and August.

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Chapter 1. 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 calendar month following permit issuance.

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 Each monitoring well shall be clearly numbered on the outside of the well with either indelible paint or an inscribed number.
- 2.3 The monitoring wells shall be sampled in accordance with "Minnesota Pollution Control Agency, Water Quality Division: Sampling Protocol for Ground Water Monitoring Wells, July 1997," Triplett, et. al. Copies of this publication are available on the internet at <http://www.pca.state.mn.us/water/groundwater/wqsampling.html> or may be obtained from the MPCA by calling 651-282-6143 or 800-657-3938.
- 2.4 Grab samples must be collected at all ground water monitoring points after stabilization tests are conducted.
- 2.5 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.
- 2.6 Temperature, specific conductance and pH shall be reported as the final field measurements from well stabilization.
- 2.7 If the analytical results for pH, temperature, total chloride, or total nitrite plus nitrate (as N) are above applicable drinking water standards, further testing will be required.

Chapter 2. Surface Discharge Stations

1. Requirements for Specific Stations

- 1.1 SD 001: Submit a monthly DMR by 21 days after the end of each calendar month following permit issuance.

2. Sampling Location

- 2.1 Predischage samples for Station SD001 shall be collected from the pond basin and shall be a 4-sided composite sample.
- 2.2 Discharges from the pond will be completed via a pump and hose system rather than a control outlet structure. Samples for Station SD001 shall be collected from the end of the hose during discharge at the frequency specified in the limits and monitoring requirements section of this permit.
- 2.3 Samples and measurements required by this permit shall be representative of the monitored activity.

3. Surface Discharges

- 3.1 Floating solids or visible foam shall not be discharged in other than trace amounts.
- 3.2 Oil or other substances shall not be discharged in amounts that create a visible color film.
- 3.3 The Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion.

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Chapter 2. Surface Discharge Stations

4. Winter Sampling Conditions

- 4.1 The Permittee shall sample flows at the designated monitoring stations including when this requires removing ice to sample the water. If the station is completely frozen throughout a designated sampling month, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR) and note the ice conditions in Comments on the DMR.

5. Phosphorus Limits and Monitoring Requirements

- 5.1 Phosphorus limits are to be calculated as follows.
- 5.2 "12-Month Moving Total" is a rolling total. To calculate, for each month multiply the total volume of effluent flow (MG) by the monthly average concentration and by a 3.785 conversion factor to get kg/month. Then add all of the monthly values (kg/mo) during the last twelve months, starting with the monthly total for the month of the current reporting period. Facilities with a new 12-Month Moving Total phosphorus limit shall, for the first 11 months that the limit is effective, indicate '(NR) <12 months' in the eDMR comments field in place of a value for the 12-Month Moving Total until the 12th month of monitoring.

6. Discharge Monitoring Reports

- 6.1 The Permittee shall submit monitoring results for discharges in accordance with the limits and monitoring requirements for this station. If no discharge occurred during the reporting period, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR).

Chapter 3. Waste Stream Stations

1. Requirements for Specific Stations

- 1.1 WS 001, WS 002, WS 003, WS 004, WS 005, WS 006: Submit a monthly DMR by 21 days after the end of each calendar month following permit issuance.

2. Sampling Location

- 2.1 Influent grab and composite samples for Stations WS001 and WS002 shall be collected in the sewer system prior to the primary cell and shall be representative of influent flow to the system.
- 2.2 The Station WS001 influent waste stream consists of the total influent flow from the Lodge Campground and Picnic Area Sanitation Building.
- 2.3 The Station WS002 influent waste stream consists of the total influent flow from the Fish Cleaning House, the Chase Point Campground Sanitation Building, the Contact Station Building, and the Trailer Dump Station.
- 2.4 Monitoring for Station WS003 shall take place in the septic tank following the Fish Cleaning House.
- 2.5 Monitoring for Station WS004 shall take place in the septic tank following the Chase Point Campground Sanitation Building.
- 2.6 Monitoring for Station WS005 shall take place in the septic tank following the Contact Station Building.
- 2.7 Monitoring for Station WS006 shall take place in the septic tank following the Trailer Dump Station.

3. Discharge Monitoring Reports

- 3.1 The Permittee shall submit monitoring results in accordance with the limits and monitoring requirements for these stations. If no flow to the pond occurs during the reporting period, the Permittee shall check the "No Flow" box on the Discharge Monitoring Report.

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Chapter 4. Domestic Wastewater -- Septic Tanks

1. Septic Tank Maintenance

- 1.1 The owner of an individual sewage treatment system or the owner's agent shall regularly, but in no case less frequently than every three years, measure or remove the accumulation of scum, which includes grease and other floating materials at the top of each septic tank and compartment along with the sludge, which includes solids more dense than water. (Minn. R. pt. 7080.0175)
- 1.2 The owner of a septic tank or tanks or the owner's agent must arrange for the removal and disposal of septage from all tanks or compartments in which the top of the sludge layer is less than twelve 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. (Minn. R. pt. 7080.0175)
- 1.3 All tanks 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.
- 1.4 Individual sewage additives must not be used as a means to reduce the frequency of proper maintenance and removal of septage from the septic tank. (Minn. R. pt. 7080.0175)
- 1.5 Individual sewage additives which contain hazardous substances must not be used in individual sewage treatment systems. (Minn. R. pt. 7080.0175)

2. Septage

- 2.1 Any accumulation of solids in pump stations, distribution devices, valve boxes, or drop boxes shall be considered septage. (Minn. R. pt. 7080.0175)
- 2.2 Septage shall be disposed of in accordance with state, federal, or local requirements. (Minn. R. pt. 7080.0175)

Chapter 5. Domestic Wastewater -- Pond System

1. Bypass Structures

- 1.1 All structures capable of bypassing the treatment system shall be manually controlled and kept locked at all times.

2. Sanitary Sewer Extension Permit

- 2.1 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).

3. Operator Certification

- 3.1 The Permittee shall provide a Class D 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.
- 3.2 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, 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.
- 3.3 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

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Chapter 5. Domestic Wastewater -- Pond System

4. Ponds - Acceptable Discharge Periods

- 4.1 Acceptable Discharge Periods are March 1 through June 30 and September 1 through December 31 for facilities located in the Detroit Lakes, Brainerd and Duluth regions.
- 4.2 Effluent limitations for this permit have been assigned based upon the assumption that the receiving waters exhibit favorable flow and reaeration characteristics during the acceptable discharge periods.

5. Ponds - Discharges Outside Acceptable Discharge Periods

- 5.1 For discharges occurring outside the acceptable discharge periods, refer to the "Stabilization Pond Guidance Discharge Guidance" located at www.pca.state.mn.us/water/wastewater.html#operation. If any of the discharge occurs outside of the acceptable discharge periods, the Permittee shall notify the MPCA of the potential noncompliance prior to discharge. The Permittee shall call the appropriate regional office and indicate that the call is for notification of a pond discharge.
- 5.2 For any discharge outside of acceptable discharge periods or to an ice covered receiving water, an adequate dilution ratio is required. If an adequate dilution ratio is not available, receiving water monitoring is required.
- 5.3 For any discharge outside of acceptable discharge periods or to an ice covered receiving water, the Permittee shall submit a "Discharge Evaluation Report" on a form provided in the "Stabilization Pond Discharge Guidance" located at www.pca.state.mn.us/water/wastewater.html#operation.

6. Ponds - Discharge Rate

- 6.1 The discharge rate shall be limited so as not to create a shock load on the receiving waters, disturb the pond bottom sediment in the area of the intake of the outfall structure or flood downstream properties. If the drawdown rate should exceed six (6) inches per day, call the MPCA at the appropriate regional office and indicate that the call is for notification of a pond discharge.

7. Ponds - Pre-discharge Sampling

- 7.1 If predischage sample results indicate that one or more of the effluent limitations may be exceeded, the Permittee shall notify the MPCA of potential noncompliance prior to discharge. The Permittee shall call the MPCA at the appropriate regional office and indicate that the call is for notification of a pond discharge.
- 7.2 Samples shall be taken from four sides of the pond and composited prior to discharge and analyzed for permitted parameters. This sampling must be taken no more than two weeks prior to the beginning of the discharge; dissolved oxygen and pH (both are field tests) must be taken no more than 24 hours prior to the beginning of the discharge. If more than two weeks pass prior to the beginning of discharge, additional predischage samples shall be obtained and analyzed prior to discharge.

8. Ponds - Observations

- 8.1 The Permittee shall inspect the pond system weekly, and shall take measurements of pond water depth, estimate the coverage of aquatic plants, floating mats and ice cover on the surface of the ponds, and note odors, the condition of the dikes and the presence of muskrats. The Permittee shall maintain records of these weekly inspections for the last three (3) years, and submit the results on the Discharge Monitoring Report (DMR) supplemental form.
- 8.2 The Permittee shall maintain daily precipitation records.

Chapter 6. Total Facility Requirements

1. General Requirements

General Requirements

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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.1 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.
- 1.2 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)
- 1.3 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)
- 1.4 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)
- 1.5 Property Rights. This permit does not convey a property right or an exclusive privilege. (Minn. R. 7001.0150, subp. 3, item C)
- 1.6 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)
- 1.7 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)
- 1.8 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)
- 1.9 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)
- 1.10 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.
- 1.11 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.
- 1.12 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)

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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.13 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

- 1.14 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))
- 1.15 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)
- 1.16 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)
- 1.17 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.
- 1.18 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)
- 1.19 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):
- a. The exact place, date, and time of the sample or measurement;
 - b. The date of analysis;
 - c. The name of the person who performed the sample collection, measurement, analysis, or calculation; and
 - d. The analytical techniques, procedures and methods used; and
 - e. The results of the analysis.

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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.20 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.

- 1.21 Submitting Reports. DMRs and Supplementals shall be submitted to:

MPCA

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

DMRs, DMR supplemental forms and related attachments may be electronically submitted via the MPCA Online Services Portal after authorization is approved. When electronically submitted, the paper DMR submittal requirement is waived.

DMRs and DMR Supplemental Forms shall be postmarked or electronically submitted by the 21st day of the month following the sampling period 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 sampling period or as otherwise specified in this permit. A DMR shall be submitted for each required station even if no discharge occurred during the reporting period. (Minn. R. 7001.0150, subps. 2.B and 3.H)

Other reports required by this permit shall be postmarked by the date specified in the permit to:

MPCA

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

- 1.22 Incomplete or Incorrect Reports. The Permittee shall immediately submit an 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. (Minn. R. 7001.0150 subp. 3, item G)
- 1.23 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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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.24 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)
- 1.25 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)
- 1.26 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

- 1.27 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)
- 1.28 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)
- 1.29 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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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.30 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)
- 1.31 Unauthorized Releases of Wastewater Prohibited. Except for conditions specifically described in Minn. R. 7001.1090, subp. 1, items J and K, all unauthorized bypasses, 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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Chapter 6. Total Facility Requirements

1. General Requirements

1.32 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.
- d. 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.
- e. Submit the sampling results as directed by the MPCA. At a minimum, the results shall be submitted to the MPCA with the next DMR.

1.33 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.

Operation and Maintenance

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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.34 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.
- 1.35 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)
- 1.36 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)
- 1.37 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)
- 1.38 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

- 1.39 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.

- 1.40 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.
- 1.41 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.

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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.42 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)
- 1.43 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)
- 1.44 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.
- 1.45 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.
- 1.46 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 122.44.1.2.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.
- 1.47 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)

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Chapter 6. Total Facility Requirements

1. General Requirements

- 1.48 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)

- 1.49 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.