



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

MUNICIPAL DIVISION

PUBLIC NOTICE OF INTENT TO REISSUE

STATE DISPOSAL SYSTEM (SDS) PERMIT MN0069167

Public Comment Period Begins: March 12, 2013
Public Comment Period Ends: April 11, 2013

Current Permit Issued: July 2, 2008
Current Permit Expiration Date: June 30, 2013

Name and Address of Permittee:

Albert Lea/Austin KOA Campground
84259 County Road 46
Hayward, MN 56043

Facility Name and Location:

Albert Lea/Austin KOA Campground
84259 County Road 46
T102N, R20W, Section 1,
Hayward Township, Freeborn County, Minnesota

Description of Permitted Facility

The KOA Campground facility (Facility) is located at the SW¼ of SW¼, Section 1, Township 102 North, Range 20 West, Hayward, Freeborn County, Minnesota.

The existing Facility serves the KOA Campground located east of Hayward, Minnesota. This privately-owned campground operates from May through October each year, occupies approximately 23 acres of land, and includes 85 campsites. Twenty of these campsites have sewer and water available at the site, as well as a main office building with a shower and laundry facilities that discharge to the treatment system.

The Facility includes a three-cell stabilization pond system. The Facility is designed to treat an average wet-weather flow of up to 7,200 gallons per day with a five-day carbonaceous biochemical oxygen demand strength of 2,250 milligrams per liter. The primary ponds have surface areas of 1.69 acres, both measured at a depth of two feet. The secondary pond cell has a surface area of 0.44 acres, at a depth of three feet. The pond system is a non-discharging system. There are no bypass or overflow points known to exist in this treatment system.

Preliminary Determination on the Draft Permit

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

A draft permit is available for review at the MPCA office at the Rochester address listed below, at the St. Paul office located at 520 Lafayette Road North, St. Paul, Minnesota 55155, 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 Nancy Heskett at 507-206-2605.

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.

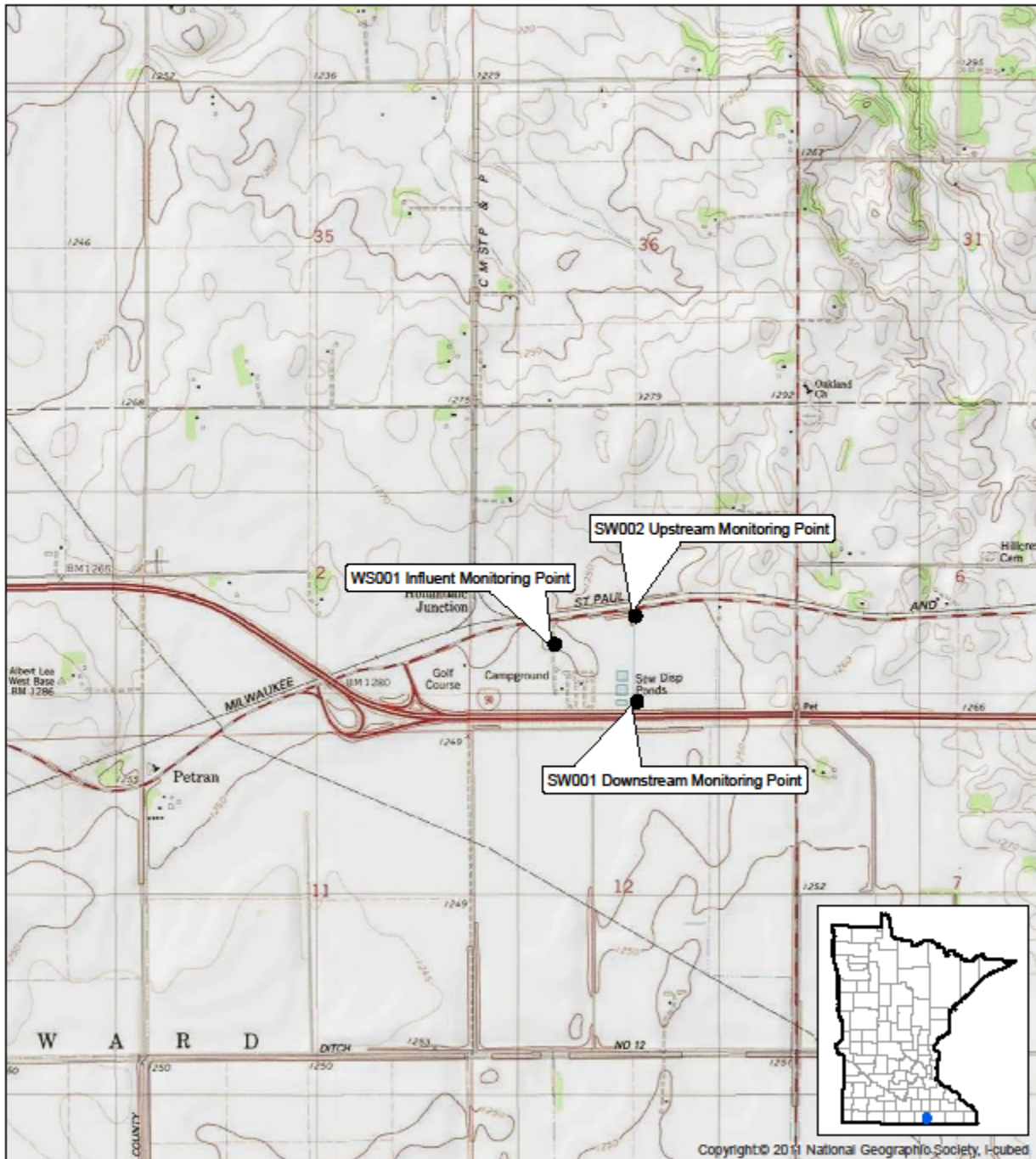
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the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

Nancy Heskett
Municipal Division
18 Wood Lake Drive SE
Rochester, MN 55904

Topographic Map of Permitted Facility

MN0069167 Albert Lea/Austin KOA Wastewater Treatment Facility
T102N, R20W, Section 1
Hayward Township, Freeborn County, Minnesota



Map produced by: MPCA Staff, 1/22/2013
Source: USGS Quad
Scale: 1:24,000