



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

MUNICIPAL DIVISION PUBLIC NOTICE OF INTENT TO REISSUE

STATE DISPOSAL SYSTEM (SDS) PERMIT MN0065960

Public Comment Period Begins: September 25, 2012
Public Comment Period Ends: October 24, 2012

Current Permit Issued: March 30, 2007
Current Permit Expiration Date: February 29, 2012

Name and Address of Permittee:

NSU IM MN LLC
11347 North Avenue, Suite 4
Chisago City, MN 55013

Facility Name and Location:

Rivercrest Farms Wastewater Treatment Facility
T33N, R27W, Section 5,
Big Lake, Sherburne County, Minnesota

Description of Permitted Facility

The Rivercrest Farms Wastewater Treatment Facility (Facility) is located in the SE 1/4 of NW 1/4 of Section 5, Township 33 North, Range 27 West, Big Lake, Sherburne County, Minnesota.

The application and plans indicate that the proposed project will be to construct a wastewater treatment system for a 91 single family residential home development located in Big Lake Township, Sherburne County. The existing treatment system consists of a lift station, two raw sewage manholes, two 13,000-gallon septic tanks, two 6,000-gallon dosing tanks each with dual pumps, and two pressure drainfield areas that each have three distribution zones. The drainfields cover a total of 38,500 square feet for final effluent disposal. Three monitoring wells are installed to measure local groundwater levels and sample the groundwater. The installed average wet weather design capacity of the system is 23,000 gpd which includes the flow for 46 homes. The treatment system was approved to be completed in multiple phases with a final installed capacity of 45,000 gpd. Due to elevated nitrogen in the groundwater monitoring well, additional phases of this project must address nitrogen before construction can begin.

The treatment system is also designed to treat an average influent five-day carbonaceous biochemical oxygen demand (CBOD₅) strength of 215 milligrams per liter (mg/L) and a total suspended solids (TSS) concentration of 240

mg/L, measured at the average wet weather flow.

The system is further described in plans and specifications on file with the Minnesota Pollution Control Agency (MPCA) and in an engineering report prepared by North American Wetland Engineering, P.A., Forest Lake, Minnesota.

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

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 Brainerd MPCA office listed below, at the St. Paul 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 Robin Novotny at 218-316-3851.

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.

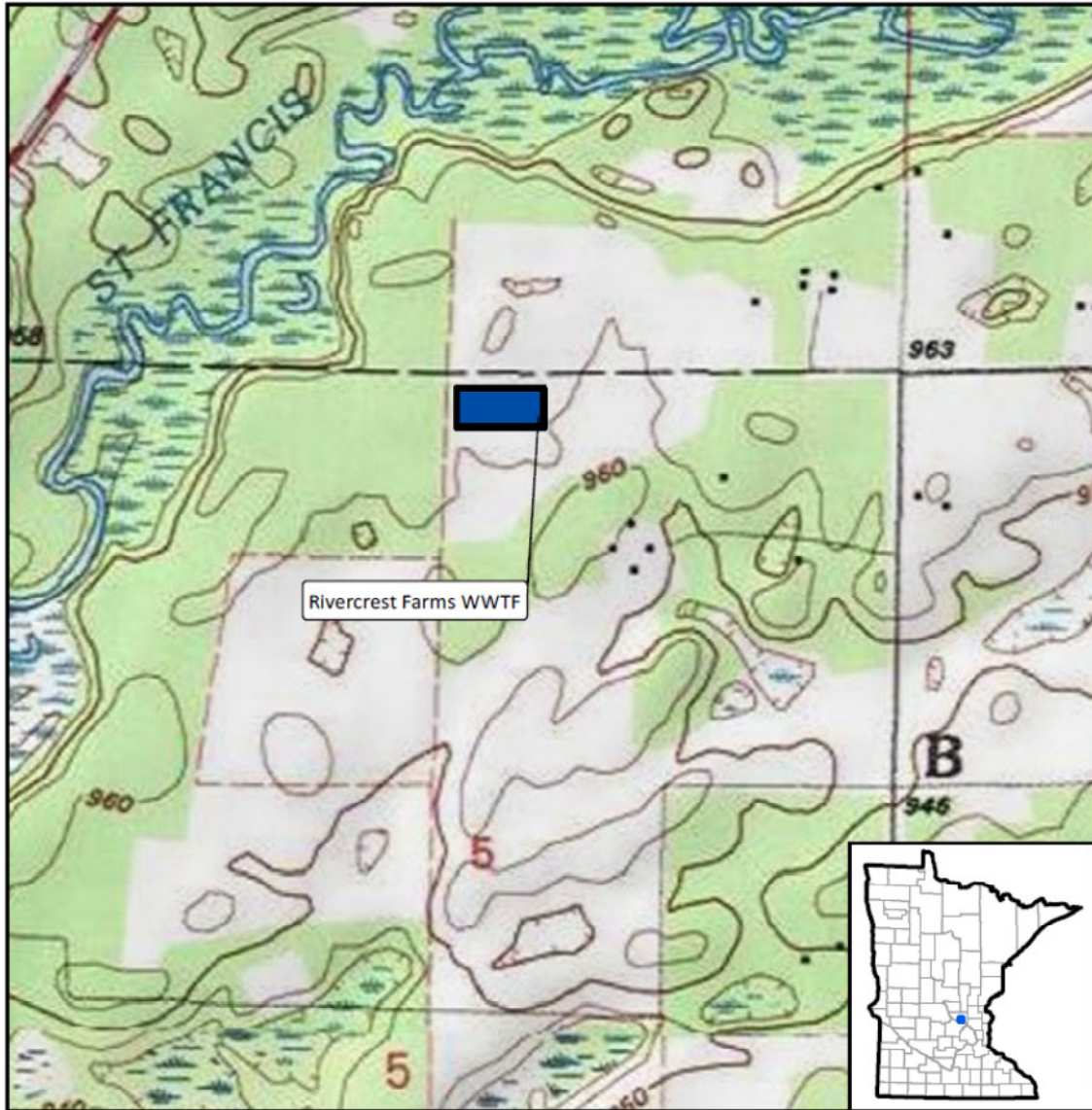
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the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

Robin Novotny
Municipal Division
7678 College Road, Suite 105

Topographic Map of Permitted Facility

MN0065960: Rivercrest Farms Wastewater Treatment Facility
T33N, R27W, Section 5
Big Lake, Sherburne County, Minnesota



Map produced by: MPCA Staff, 7/24/12
Source: USGS Quad
Scale: 1:10,000