Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

MUNICIPAL DIVISION
PUBLIC NOTICE OF INTENT TO REISSUE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0024155

Public Comment Period Begins:	October 15, 2012
Public Comment Period Ends:	November 14, 2012
Current Permit Issued:	October 18, 2006
Current Permit Expiration Date:	February 28, 2010

Name and Address of Permittee:
City of Miltona
PO Box 195
Miltona, MN 56354-0195

Facility Name and Location:
Miltona Wastewater Treatment Facility
7064 County Road 14 NE
T130N, R37W, Section 25
Miltona Township, Douglas County, Minnesota

Receiving Water: unnamed wetland (Class 2D, 3D, 4C, 5, 6 Water)

Description of Permitted Facility
The Miltona Wastewater Treatment Facility (Facility) is located in the NW 1/4 of NE 1/4 of Section 25, Township 130 North, Range 37 West, Miltona Township, Douglas County, Minnesota. This is a Class D Facility.

Existing Facility Description
Major components of the Facility include:
1 Primary Stabilization Pond (3.72 acres)
1 Secondary Stabilization Pond (1.86 acres)

The existing Facility consists of four lift stations, approximately 6,300 feet of 6-inch force main, a 2-cell stabilization pond system, and approximately 2,100 feet of 12-inch outfall pipe.

The Facility has a controlled discharge (SD002) to an unnamed wetland (Class 2D, 3D, 4C, 5, 6 Water) which leads to an unnamed ditch (Class 7, 3C, 4A, 4B, 5, 6 Water). The Facility is designed to treat an average wet weather flow of 40,000 gallons per day (gpd) and an average dry weather design flow of 30,500 gpd, with a 5-day carbonaceous biochemical oxygen demand ($CBOD_5$) strength of 195 milligrams per liter (mg/l). The primary cell has a surface area of 3.72-acres measured at four feet with a volume of 4.85 million gallons. The secondary cell has a surface area of

1.86-acres measured at four feet with a volume of 2.43 million gallons. The total detention time for the pond system is approximately 182 days at the average wet weather design flow.

Approximately 1,500 feet of 6-inch drain tile has been installed around the north, west, and south sides of the ponds to maintain lower ground water conditions in the area. The drain tile discharges into manhole #2 on the outfall piping.

Beginning with this permit cycle, there will be a new monitoring station, SW001, to monitor the potential for effects to the receiving water, which is a wetland. In addition to chemical monitoring, Plant Community Surveys are required to inventory the plant taxa and the percentage of cover for each. Integrity Reports will be submitted twice during the permit cycle.

There are no bypass or overflow points known to exist in this treatment system.

The Facility is further described in a new Facility Plan (dated March 2010) and plans and specifications (dated September 21, 2012) on file with the Minnesota Pollution Control Agency which were prepared by Widseth Smith Nolting and Associates, Inc. Alexandria, Minnesota.

Proposed Facility Description
1 Primary Stabilization Pond (3.72 acres) - existing
1 Secondary Stabilization Pond (1.86 acres) - existing
1 Primary Stabilization Pond (3.67 acres) - proposed
1 Secondary Stabilization Pond (1.80 acres) - proposed

A new Facility Plan and set of plans and specifications show that the proposed expansion to the Facility will include an additional 3.67-acre primary pond and a 1.80-acre secondary pond, both measured at the four foot operating depth. The Facility will be designed to treat an average wet weather flow of 80,000 gpd, with a $CBOD_5$ strength of 243 mg/l. The total detention time of the proposed Facility will be 180 days at the new average wet weather design flow. Additional tile line will be constructed; however, the tile line and discharge locations will not change. There will be no bypass or overflow points designed into this expanded treatment system.

In accordance with Minnesota Pollution Control Agency rules regarding nondegradation for all waters that are not Outstanding Resource Value Waters (ORVW), 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 gallons per day to any water other than a Class 7 water or 2) an expanded discharge that expands by greater than 200,000 gallons per day 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 40,000 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 National Pollutant Discharge Elimination System permit has been issued by the agency 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 location of the existing and proposed Facility is shown on the topographic maps on pages 5 and 6.

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 Detroit Lakes address listed below, at the St. Paul regional office 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 Holly Christensen at 218-846-8104.

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:

Holly Christensen
Minnesota Pollution Control Agency
714 Lake Avenue, Suite 220
Detroit Lakes, Minnesota 56501