



STATE OF MINNESOTA

Minnesota Pollution Control Agency**Municipal Division****National Pollutant Discharge Elimination System (NPDES)/
State Disposal System (SDS) Permit MN0040878**

PERMITTEE: City of Saint Cloud
FACILITY NAME: Saint Cloud Wastewater Treatment Facility
RECEIVING WATER: Mississippi River (Class 1C, 2Bd, 3C, 4A, 4B, 5, 6 Water) [ORVW]

CITY: Saint Cloud **COUNTY:** Stearns
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, 7041, 7049, 7050, 7053, 7060, 7090, 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 April 28, 2008. This permit expires at midnight on the expiration date identified above.

Signature: _____
Ronald R. Swenson, Supervisor for The Minnesota Pollution Control Agency
North Central Regional Office
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:
Tamara Dahl, 507-476-4252.
- For specific permit requirements or permit compliance status, contact:
Justin Barrick, 218-316-3858.
- General permit or NPDES program questions, contact:
MPCA, 651-282-6143 or 1-800-657-3938.

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Facility Description

The Saint Cloud Wastewater Treatment Facility (Facility) is located in the SE ¼ of Section 7, Township 123 North, Range 27 West, City of Saint Cloud, Stearns County, Minnesota. This is a Class A Facility.

Major components of the Facility include:

Collection System with Gravity and/or Pressure Sewer

1 Mechanical Bar Screen – main lift station

1 Influent Flow Meter – Parshall Flume

1 Mechanical Bar Screen – main inlet channel, pretreatment building

1 Manual Bar Screen – backup inlet channel, pretreatment building

2 Vortex Grit Removal Units

4 Primary Clarifiers

4 Activated Sludge Units – biological nutrient removal (phosphorus and nitrogen), pre-anoxic, anaerobic, anoxic and oxic zones

4 Secondary Clarifiers

Phosphorus Removal - biological

Phosphorus Removal – chemical, ferric chloride feed system

Ultraviolet (UV) Disinfection – 2 channels with 2 UV banks per channel

2 Gravity Belt Thickeners – with polymer feed system

3 Anaerobic Digesters - complete mixed, heated – mesophilic, 572,000 gallons each

1 Aerobic Storage Tank – 572,000 gallons

1 Storage Tank – underground, 5 million gallons

Biosolids Land Application

Effluent Pumping – 4 pumps at 500 gallons per minute each

3 Effluent Screens – 50 micron manifold strainers

Chlorination – sodium hypochlorite feed system at diffuser locations

The existing Facility consists of a pump station with a mechanical bar screen, 30-inch and 42-inch force mains, Parshall flume, fine mechanical bar screen, manual bar screen, two vortex grit removal systems, four primary clarifiers, four biological nutrient removal (BNR) trains, ferric chloride feed system, four secondary clarifiers and ultraviolet disinfection. The existing solids processing system consist of two gravity belt thickeners, three anaerobic digesters, an aerated biosolids storage tank and biosolids storage. Biosolids are land applied at approved sites. The Facility has a recycled effluent water system for on-site use. The system has four recycled effluent pumps, three manifold strainers and a sodium hypochlorite feed system.

The Facility has a continuous discharge (SD004) to the Mississippi River (Class 1C, 2Bd, 3B, 3C, 4A, 4B, 5, 6, Water), an Outstanding Resource Value Water (ORVW), and is designed to treat an average wet weather flow of 17.9 million gallons per day (mgd), an average dry weather flow of 17.6 mgd, a peak hourly wet weather flow of 34.33 mgd, a five-day carbonaceous biochemical oxygen demand (CBOD₅) concentration of 239 milligrams per Liter (mg/L) and a total suspended solids (TSS) concentration of 307 mg/L when using the average wet weather design flow of 17.9 mgd.

The Facility is capable of full nitrification and biological nutrient removal (BNR). When the Facility is operating in the Bio-P mode, the total capacity of all four BNR trains is 17.9 mgd average wet weather flow and the capacity per train is 4.475 mgd. When the Facility is operating in the BNR mode, the total capacity of all four trains is 15.0 mgd average wet weather flow and the capacity per train is 3.75 mgd.

In accordance with MPCA rules regarding nondegradation for ORVWs, nondegradation review is required for any new or expanded discharge (Minn. R. 7050.0180). A new discharge is a discharge that was not in existence on the effective date the ORVW was designated as described in Minn. R. 7050.0460 and 7050.0470. An expanded discharge is a discharge that changes in volume, quality, location, or any other manner after the effective date the outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470, such that an increased loading of one or more pollutants results. Any change that results in an increased mass loading of one or more pollutants is subject to nondegradation review in accordance with Minn. R. 7050.0180.

The Mississippi River was designated an ORVW on November 5, 1984. The design average wet weather flow of this Facility on the date of ORVW designation is 13.0 mgd. Mass limits for CBOD₅ and TSS have been frozen based on the design flow of 13.0 mgd and associated mass limits that were permitted as of November 5, 1984. The calendar year to date total mass limit for Total Phosphorus is based on a 0.8 mg/L concentration and an average wet weather design flow of 17.9 mgd.

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.

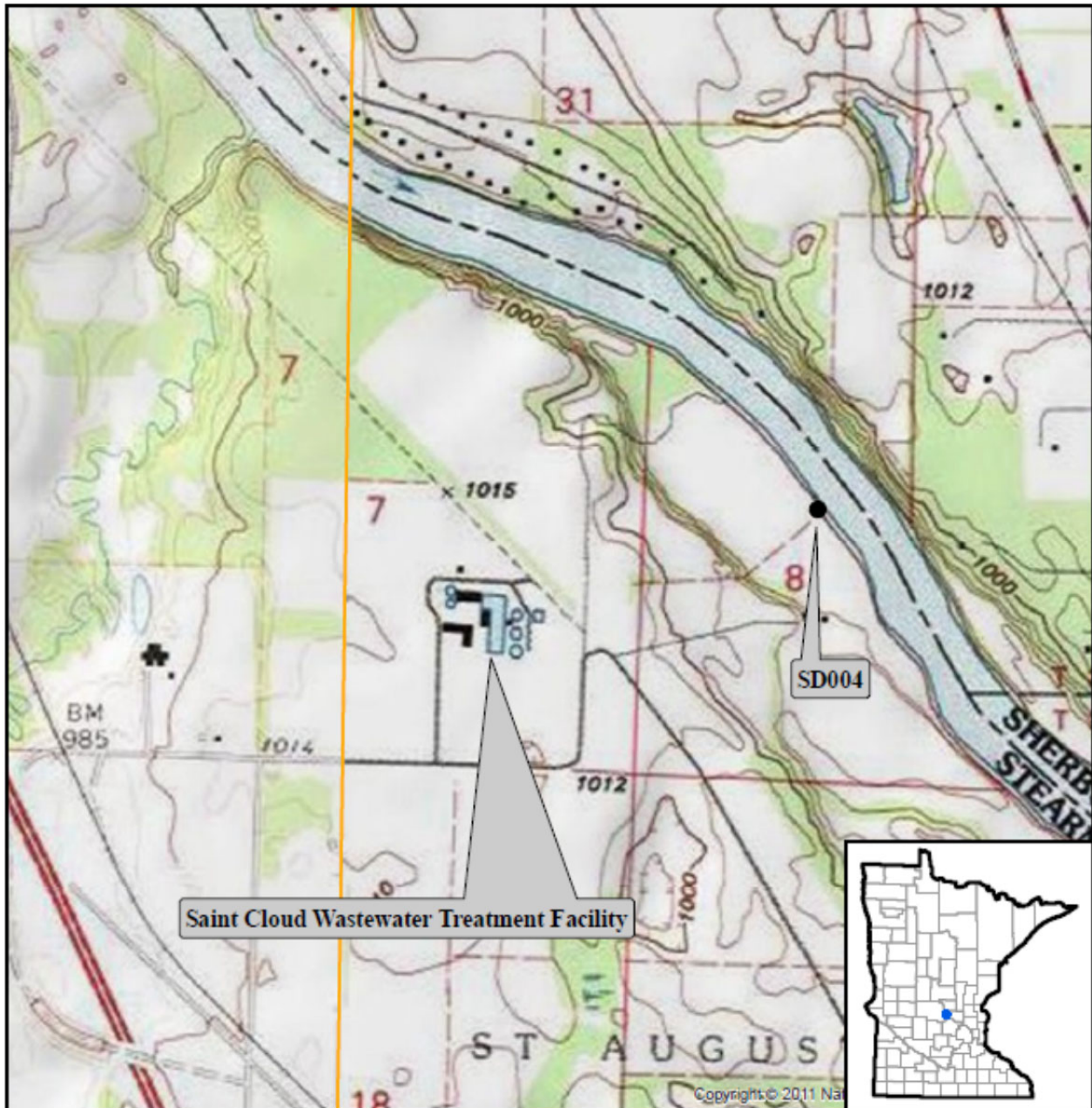
The location of the Facility is shown on the "Topographic Map of Permitted Facility" on page 5. The location of designated monitoring stations is specified on the "Summary of Stations" on page 6.

Topographic Map of Permitted Facility

MN0040878: Saint Cloud Wastewater Treatment Facility

T123N, R27W, Section 7

Saint Cloud, Stearns County, Minnesota



Map produced by: MPCA Staff, 02/13/13
Source: USGS Quad, Saint Cloud WWTF
Scale: 1:12,000

0 0.125 0.25 0.5 Miles



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Surface Discharge Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
SD004	Effluent To Surface Water	Surface Water Discharge	SW Quarter of Section 8, Township 123 North, Range 27 West

Waste Stream Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
WS001	Influent Waste	Influent Waste Stream	SE Quarter of Section 7, Township 123 North, Range 27 West
WS002	Internal Waste Stream	Post Filtration & UV monitoring point	SE Quarter of Section 7, Township 123 North, Range 27 West

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

SD 004: Surface Water Discharge

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	1229.0	kg/day	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	2
BOD, Carbonaceous 05 Day (20 Deg C)	25.0	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C)	1966.0	kg/day	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	2
BOD, Carbonaceous 05 Day (20 Deg C)	40.0	mg/L	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C) Percent Removal	85	%	Minimum Calendar Month Average	Jan-Dec	Calculation	3 x Week	
Fecal Coliform, MPN or Membrane Filter 44.5C	200	#100ml	Calendar Month Geometric Mean	Apr-Oct	Grab	3 x Week	
Flow	Monitor Only	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	mgd	Calendar Month Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Mercury, Dissolved (as Hg)	Monitor Only	ng/L	Calendar Month Maximum	May, Sep	Grab	1 x Month	4
Mercury, Total (as Hg)	Monitor Only	ng/L	Calendar Month Maximum	May, Sep	Grab	1 x Month	4
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Sep	24-Hour Flow Composite	1 x Month	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	1 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Apr, Sep	24-Hour Flow Composite	1 x Month	
Oxygen, Dissolved	Monitor Only	mg/L	Calendar Month Minimum	Jan-Dec	Grab	1 x Day	1
pH	9.0	SU	Calendar Month Maximum	Jan-Dec	Grab	1 x Day	1
pH	6.0	SU	Calendar Month Minimum	Jan-Dec	Grab	1 x Day	1
Phosphorus, Total (as P)	1.0	mg/L	12 Month Moving Average	Jan-Dec	24-Hour Flow Composite	1 x Week	4
Phosphorus, Total (as P)	19783	kg/yr	12 Month Moving Total	Jan-Dec	Calculation	1 x Week	4
Phosphorus, Total (as P)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	1 x Week	
Phosphorus, Total (as P)	Monitor Only	kg/mo	Calendar Month Total	Jan-Dec	24-Hour Flow Composite	1 x Week	
Solids, Total Dissolved (TDS)	Monitor Only	mg/L	Calendar Month Average	Apr, Sep	24-Hour Flow Composite	1 x Month	
Solids, Total Suspended (TSS)	1474.0	kg/day	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	2
Solids, Total Suspended (TSS)	30.0	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS)	2211.0	kg/day	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	2
Solids, Total Suspended (TSS)	45.0	mg/L	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS) Percent Removal	85	%	Minimum Calendar Month Average	Jan-Dec	Calculation	3 x Week	
Solids, Total Suspended (TSS), grab (Mercury)	Monitor Only	mg/L	Calendar Month Maximum	May, Sep	Grab	1 x Month	4

Saint Cloud Wastewater Treatment Facility

Limits and Monitoring Requirements

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

WS 001: Influent Waste Stream

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	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	3 x Week	
Flow	Monitor Only	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	mgd	Calendar Month Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
pH	Monitor Only	SU	Calendar Month Maximum	Jan-Dec	Grab	1 x Day	1
pH	Monitor Only	SU	Calendar Month Minimum	Jan-Dec	Grab	1 x Day	1
Phosphorus, Total (as P)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	1 x Week	
Precipitation	Monitor Only	in	Calendar Month Total	Jan-Dec	Measurement	1 x Day	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	3 x Week	

WS 002: Post Filtration & UV monitoring point

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Coliform, Total, MPN, Confirmed (1)	240	#100ml	Calendar Month Maximum	Jan-Dec	Grab	1 x Day	
Coliform, Total, MPN, Confirmed (2)	2.2	#100ml	Maximum Calendar Week Average	Jan-Dec	Grab	1 x Day	
Flow	Monitor Only	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	3
Flow	Monitor Only	mgd	Calendar Month Maximum	Jan-Dec	Measurement, Continuous	1 x Day	3
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	3
Turbidity	2	NTU	Daily Average	Jan-Dec	Measurement, Continuous	6 x Day	
Turbidity	10	NTU	Daily Maximum	Jan-Dec	Measurement, Continuous	6 x Day	

Notes:

- 1 -- Analyze immediately.
- 2 -- Mass loading frozen at November 5, 1984 values.
- 3 -- Required only during periods of discharge to the irrigation site. "No Discharge" should be noted otherwise.
- 4 -- See Surface Discharge Stations Chapter for additional information.

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Chapter 1. Special Requirements

1. Special Requirements

Effluent Re-Use Water

- 1.1 The permittee must have a contingency plan which will assure that no untreated or inadequately treated wastewater will be delivered to the use area. There shall be no bypassing of untreated or partially treated wastewater from the wastewater treatment facility to the point of use. Any such discharge must be reported immediately to the Agency.
- 1.2 The portions of the recycled water piping system that are in areas subject to access by the general public shall not include any hose bibbs. Only quick couplers that differ from those used on the potable water system shall be used on the portions of the recycled water piping system in areas subject to public access.
- 1.3 Disinfected tertiary recycled water definition under the California Code of Regulations. "Disinfected tertiary recycled water" means a filtered and subsequently disinfected water that meets the following criteria:
 - (a) The filtered wastewater has been disinfected by either:
 - (1) A chlorine disinfection process following filtration that provides a CT (the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow; or
 - (2) A disinfection process that, when combined with the filtration process, has been demonstrated to inactivate and/or remove 99.999 percent of the plaqueforming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration.
 - (b) The median concentration of total coliform bacteria measured in the disinfected effluent does not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed and the number of total coliform bacteria does not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30 day period. No sampled shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.
- 1.4 A vegetative cover shall be seeded and maintained on the sprayfield during the entire application season unless otherwise approved by the MPCA.
- 1.5 The wastewater flow to a land application site shall not have physical or chemical characteristics that prevent the proper operation of the land disposal system. The wastewater shall be free of material that interferes with the operation of nozzles, orifices or flow measurement devices.
- 1.6 All use areas where recycled water is used that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that include the following wording: "RECYCLED WATER - DO NOT DRINK". Each sign shall display an international symbol. The MPCA may accept alternative signage and wording, or an educational program, provided the applicant demonstrates to the MPCA that the alternative approach will assure an equivalent degree of public notification.

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Chapter 1. Special Requirements

1. Special Requirements

- 1.7 Filtered wastewater definition under the California Code of Regulations. "Filtered wastewater" means an oxidized wastewater that meets the criteria in subsection (a) or (b):
- (a) Has been coagulated and passed through natural undisturbed soils or a bed of filter media pursuant to the following:
 - (1) At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in traveling bridge automatic backwash filters; and
 - (2) So that the turbidity of the filtered wastewater does not exceed any of the following:
 - (A) An average of 2 NTU within a 24 hour period;
 - (B) 5 NTU more that 5 percent of the time within a 24 hour period; and
 - (C) 10 NTU at any time.
 - (b) Has been passed through a microfiltration, ultrafiltration , nanofiltration, or reverse osmosis membrane so that the turbidity of the filtered wastewater does not exceed any of the following:
 - (1) 0.2 NTU more than 5 percent (%) of the time within a 24-hour period; and
 - (2) 0.5 NTU at any time.
- 1.8 No spray irrigation of any recycled water, other than disinfected tertiary recycled water, shall take place within 100 feet of a residence or a place where public exposure could be similar to that of a park, playground, or school yard.
- 1.9 Wastewater shall be applied so as not to harm vegetative cover and so that prolonged saturated soil conditions do not develop due to the application. Wastewater shall not be applied during precipitation periods.
- 1.10 Any use of recycled water shall comply with the following:
- 1) Any irrigation runoff shall be confined to the recycled water use area, unless the runoff does not pose a public health threat and is authorized by the regulatory agency.
 - 2) Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities.
 - 3) Drinking water fountains shall be protected against contact with recycled water spray, mist, or runoff.
- 1.11 The Permittee shall prevent the surface runoff of wastewater, and precipitation runoff mixed with wastewater, from the land application site(s). The Permittee shall provide runoff collection and re-application systems as appropriate to prevent the discharge of surface runoff.
- 1.12 The Final Limits included in the Limits and Monitoring Section of this permit apply after initiation of operation of the water reclamation system.
- 1.13 Wastewater shall not be applied after vegetative cover has become dormant as a result of frost or below freezing temperatures.
- 1.14 If odor or aerosol drift resulting from operation of the wastewater disposal system creates a nuisance condition, the Permittee shall immediately take appropriate action to control or abate the odor or aerosol drift. The Permittee shall notify the Agency of a nuisance condition within five (5) days of discovery.

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Chapter 1. Special Requirements

1. Special Requirements

1.15 Uses of Recycled Water

(a) Exceptions

The requirements set forth in this chapter shall not apply for use of recycled water onsite at a water recycling plant, or wastewater treatment plant, provided access by the public to the area of onsite recycled water use is restricted.

(b) Use of recycled water for irrigation.

(a) Recycled water used for the surface irrigation of the following shall be a disinfected tertiary recycled water.

(1) Food crops, including all edible root crops, where the recycled water comes into contact with the edible portion of the crop; Parks and playgrounds; School yards; Residential landscaping; Unrestricted access golf courses; and Any other irrigation use not specified in this section.

1.16 No impoundment of disinfected tertiary recycled water shall occur within 100 feet of any domestic water supply well.

1.17 No physical connection shall be made or allowed to exist between any recycled water system and any separate system conveying potable water.

1.18 No irrigation with disinfected tertiary recycled water shall take place within 50 feet of any domestic water supply well unless all of the following conditions have been met:

- 1) A geological investigation demonstrates that an aquitard exists at the well between the uppermost aquifer being drawn from and the ground surface.
- 2) The well contains an annular seal that extends from the surface into the aquitard.
- 3) The well is housed to prevent any recycled water spray from coming into contact with the wellhead facilities.
- 4) The ground surface immediately around the wellhead is contoured to allow surface water to drain away from the well.
- 5) The owner of the well approves of the elimination of the buffer zone requirement.

1.19 The Permittee shall submit an Effluent Re-Use Annual Report by January 21st of each year following permit issuance.

Chapter 2. Surface Discharge Stations

1. Requirements for Specific Stations

1.1 SD 004: Submit a monthly DMR by 21 days after the end of each calendar month following permit issuance.

2. Sampling Location

2.1 Samples and measurements for Station SD004 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. Special Requirements

Conditional Exclusion for No Exposure for Industrial Stormwater

- 4.1 "No Exposure" means all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snow melt, and/or runoff. Industrial activities or materials include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products.
- 4.2 The conditional exclusion for No Exposure is available on a facility-wide basis in accordance with Minn. R. 7090.3060, subp. 5(B).
- 4.3 The No Exposure certification is non-transferable in accordance with Minn. R. 7090.3060, subp. 5(D). In the event that the facility operator changes, then the new operator must submit a new No Exposure certification to the MPCA, Industrial Stormwater Program, 520 Lafayette Road North, St. Paul, MN 55155-4194.
- 4.4 The MPCA retains the authority to require the facility operator to apply for a permit modification for stormwater coverage or to apply for coverage under the Industrial Stormwater General Permit (MNR050000), even when an industrial operator certifies No Exposure, if the MPCA has determined that the discharge is contributing to the violation of, or interfering with the attainment or maintenance of water quality standards, including designated uses.
- 4.5 Any facility that has previously obtained a conditional exclusion for No Exposure shall recertify for the exclusion no later than five years from the effective date of the most recent No Exposure certificate issued to the facility by the Agency.
- 4.6 Any facility authorized for the conditional exclusion for No Exposure by the Agency shall post the No Exposure Coverage Card in an area of the facility that provides the highest visibility to employees and visitors.
- 4.7 The No Exposure exclusion is conditional. The facility must maintain a condition of No Exposure at the facility in order for the No Exposure exclusion to remain applicable. In the event of any change or circumstance that causes exposure of industrial activities or materials to stormwater, the facility must comply with the stormwater requirements of this chapter.
- 4.8 Based on the information submitted with the permit application, the Agency has determined the Permittee meets the exclusion criteria for No Exposure in accordance with Minn. R. 7090.3060.

5. Phosphorus Limits and Monitoring Requirements

- 5.1 Phosphorus limits are to be calculated as follows.
- 5.2 "12-Month Moving Average" is a rolling average. To calculate, add all of the monthly average values during the last 12 months and divide by 12. Facilities with a new 12-Month Moving Average 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 Average until the 12th month of monitoring.
- 5.3 "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. Mercury Limits and Monitoring Requirements

- 6.1 Permittees are required to sample for TSS (grab sample) at the same time that Total/Dissolved Mercury samples are taken. All results must be recorded on DMRs.

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Chapter 2. Surface Discharge Stations

6. Mercury Limits and Monitoring Requirements

- 6.2 Total and Dissolved Mercury samples must be analyzed using EPA Method 1631 with clean techniques method 1669 and any revisions to those methods. Should another mercury analytical method that has a reportable quantitation level that allows for low-level sample characterization be approved by the EPA and certified by the Minnesota Department of Health, the Permittee is authorized to use that method.

7. Priority Pollutants - Monitoring Requirements

- 7.1 The Permittee shall monitor the effluent three times in the life of the permit for the following specified priority pollutants. Sampling events shall not be less than one year apart.

Monitoring shall be for the organic priority pollutants identified under the volatile, acid, base/neutral, and pesticide fractions using EPA methods 624, 625 and 608 (40 CFR Part 136, October 25, 1984) as listed in Table II of 40 CFR Part 122, Appendix D.

The following priority pollutant total metals shall also be monitored using either EPA method 200.8 or their corresponding graphite furnace method found in Table IB of 40 CFR Part 136: antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, and zinc. In addition, the Permittee shall monitor for Total Cyanide (EPA method 335), Total Phenolic Compounds (EPA method 420), and Hardness (total as CaCO₃) (EPA method 130). Total Mercury shall be monitored by EPA method 1631, if not already required by the permit.

- 7.2 Submit the results of the first sampling event no later than three years prior to the expiration date of this permit.
- 7.3 Submit the results of the second sampling event no later than two years prior to the expiration date of this permit.
- 7.4 Submit the results of the third or final sampling event no later than one year prior to the expiration date of this permit.

8. Discharge Monitoring Reports

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

2. Sampling Location

- 2.1 Grab and composite samples for Station WS001 shall be collected at a point representative of total influent flow to the system.
- 2.2 Samples for Station WS002 shall be collected after micro fiber filtration and ultraviolet disinfection.

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Chapter 4. Mercury Minimization Plan

1. Mercury Pollutant Minimization Plan

- 1.1 The Permittee is required to complete and submit a Mercury Minimization Plan (MMP) to the MPCA as detailed in this section. If the Permittee has previously submitted a MMP, it must update its MMP and submit the updated MMP to the MPCA. The purpose of the MMP is to evaluate collection and treatment systems to determine possible sources of mercury as well as potential mercury reduction options. Guidelines for developing a MMP are detailed in this section.
- 1.2 The specific mercury monitoring requirements are detailed in the limits and monitoring section of this permit. Information gained through the MMP process can be used to reduce mercury concentrations. As part of its mercury control strategy, the Permittee should consider selecting activities based on the potential of those activities to reduce mercury loadings to the wastewater treatment facility.
- 1.3 The Permittee shall submit a Mercury Minimization Plan by 180 days after permit issuance. At a minimum, the MMP must include the following:
 - a) A summary of mercury influent and effluent concentrations and biosolids monitoring data using the most recent five years of monitoring data, if available.
 - b) Identification of existing and potential sources of mercury concentrations and/or loading to the facility. As appropriate for your facility, you should consider residential, institutional, municipal, and commercial sources (such as dental clinics, hospitals, medical clinics, nursing homes, schools, laundries, and industries with potential for mercury contributions). You should also consider other influent mercury sources, such as stormwater inputs, ground water (inflow & infiltration) inputs, and waste streams or sewer tributaries to the wastewater treatment facility.
 - c) An evaluation of past and present WWTF operations to determine those operating procedures that maximize mercury removal.
 - d) A summary of any mercury reduction activities implemented during the last five years.
 - e) A plan to implement mercury management and reduction measures during the next five years.

Chapter 5. Total Residual Oxidants - Domestic

1. General Requirements

- 1.1 "Daily Maximum" for Total Residual Chlorine (TRC) concentration limits means:
 - a. The value of a single sample in a 24-hour period if the concentration of TRC in that sample is 0.038 mg/L or less, or below the Reportable Limit (RL).
 - b. If the concentration of TRC in the first sample is greater than 0.038 mg/L or greater than the RL, reporting the average of two to twelve samples analyzed in a 24-hour period is allowed. The second sample must be taken two hours after the first sample and subsequent samples are to be taken at one-hour intervals thereafter, not to exceed a total of twelve samples in a 24-hour period. Values below the Reportable Limit for TRC are assumed to be zero for averaging purposes only. Whenever daily TRC values are averaged, the 0.038 mg/L limit must be met and the average value must be reported, not < the RL.
 - c. The average value of multiple daily TRC effluent sample analyses must meet the 0.038 mg/L limit to be in compliance.
- 1.2 Total Residual Chlorine must be analyzed immediately. This means within 15 minutes or less of sample collection. (40 CFR Part 136 and Standard Methods for the Examination of Water and Wastewater, Latest Edition)

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Chapter 5. Total Residual Oxidants - Domestic

1. General Requirements

- 1.3 A Method Detection Limit (MDL) must be established for this parameter.
- 1.4 The Reportable Limit must be established for this parameter. This should be based on the Method Detection Limit and laboratory, analyst, and equipment used in the analysis. The Reportable Limit cannot be greater than 0.1 mg/L.
- 1.5 The Method Detection Limit and Reportable Limit should be reassessed when the method, equipment, laboratory, or analyst changes.
- 1.6 Monitoring results below the Reportable Limit should be reported as "<" the Reportable Limit. For example, if the Reportable Limit is 0.01 mg/L and a parameter is not detected at a value of 0.01 mg/L or greater, the concentration shall be reported as "<0.01mg/L." The symbol "<" means "less than."
- 1.7 The equipment should be checked against a known standard at least monthly.

Chapter 6. Whole Effluent Toxicity (WET) Testing - Acute

1. General Requirements

- 1.1 This permit does not include an acute whole effluent toxicity limit; however the facility is required to conduct acute toxicity tests for Discharge SD004. Results of acute toxicity tests will be evaluated against a monitoring threshold value of 0.9999 TUa.
- 1.2 The Permittee shall conduct annual acute toxicity test batteries on Discharge SD004 beginning with the first full calendar quarter following the issuance date of the permit. An annual acute WET test battery is required for each year of the permit, for the life of the permit. The first set of annual acute WET battery results are due on the last day of the first full calendar quarter following permit issuance. Each of the other annual acute WET battery tests are due on an annual basis within the same quarter the first acute WET battery results were submitted. (For example, if the permit is issued April 28, the first test battery results are due by September 30th. Each of the following annual test battery results are due by September 30th of each of the proceeding years for the life of the permit.)

2. Species and Procedural Requirements

- 2.1 Tests shall be conducted in accordance with procedures outlined in EPA-821-R-02-012 "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" - Fifth Edition (Acute Manual) and any revisions to the Manual. Any test that is begun with an effluent sample that is equal to or exceeds a total ammonia concentration of 5 mg/l shall use the carbon dioxide-controlled atmosphere technique to control pH drift.
- 2.2 Test organisms for each test battery shall include the fathead minnow (*Pimephales promelas*)-Method 2001.0, *Ceriodaphnia dubia*-Method 2002.0, and *Daphnia magna*-Method 2021.0.
- 2.3 Static renewal acute serial dilution tests of the effluent shall consist of a control, 12.5%, 25%, 50%, 75%, and 100% effluent.
- 2.4 All effluent samples shall be flow proportioned 24-hour composite samples. Test solutions shall be renewed daily. Testing of the effluent shall begin within 36 hours of sample collection. Receiving water collected outside of the influence of discharge shall be used for dilution and controls.
- 2.5 Acute toxicity tests shall be conducted in accordance with procedures outlined in EPA Manual 821-R-02-012 "Methods of Measuring Acute Toxicity in Effluent and Receiving Waters to Freshwater and Marine Organisms" Fifth Edition (Acute Manual), and any revisions to the Manual.
- 2.6 Any other circumstances not addressed in the previous requirements or that require deviation from that specified in the previous requirements shall first be approved by the MPCA.

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Chapter 6. Whole Effluent Toxicity (WET) Testing - Acute

3. Quality Control and Report Submittals

- 3.1 Any test that does not meet quality control measures, or results which the Permittee believes reflect an artifact of testing shall be repeated within two (2) weeks. These reports shall contain information consistent with the report preparation section of the Acute Manual. The MPCA shall make the final determination regarding test validity.

4. Positive Toxicity Result for WET

- 4.1 Should a test exceed 0.9999 TUa for whole effluent toxicity based on results from the most sensitive test species, the Permittee shall conduct two repeat test batteries on all species. The repeat tests are to be completed within forty-five (45) days after completion of the positive test. These tests will be used to determine if toxicity exceeding 0.9999 TUa remains present for any test species. For both retests, if no toxicity is present above 0.9999 TUa for any test species, the Permittee shall return to the test frequency specified by the permit. If either of the repeat test batteries indicate toxicity above 0.9999 TUa for any test species, the Permittee shall submit for MPCA review a plan for conducting a Toxicity Reduction Evaluation (TRE) including the Facility Performance Review (to be submitted to the MPCA WQ Submittals Center within 60 days after the toxicity discovery date), and at a minimum, provide quarterly reports, starting from the date of TRE plan submittal, regarding progress towards the identity, source, and any plans for the removal of the toxicity. The TRE shall be consistent with EPA guidance or subsequent procedures approved by the MPCA in attempting to identify and remove the source of the toxicity. Routinely scheduled acute toxicity test batteries required in this permit section shall be suspended for the duration of the TRE. The return to routine acute toxicity testing is subject to successful completion of conformation testing, as determined by the MPCA. Amendments to the initial TRE shall be approved by MPCA staff and the schedules identified therein.

5. WET Data and Test Acceptability Criteria (TAC) Submittal

- 5.1 All WET test data and TAC must be submitted to the MPCA by the dates required by this section of the permit using the Minnesota Pollution Control Agency Acute Toxicity Test Report and associated instruction form. Data not submitted on the correct form, or submitted incomplete, will be returned to the permittee and deemed incomplete until adequately submitted on the designated form (identified above). Data should be submitted to:

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

6. Permit Re-opening for WET

- 6.1 Based on the results of the testing, the permit may be modified to include additional toxicity testing and a whole effluent toxicity limit.

7. Whole Effluent Toxicity Requirement Definitions

- 7.1 "Acute Whole Effluent Toxicity (WET) Toxicity Test" is a static renewal test conducted on an exponentially diluted series of effluent. The purpose is to calculate the proportion of effluent that causes 50 percent mortality/immobility of aquatic organisms at 48 daphnia magna and ceriodaphnia dubia or 96 hours for fathead minnows. An LC50/EC50 (lethal/immobile concentration) less than or equal to 100 percent effluent constitutes a positive for toxicity.
- 7.2 "Acute toxic unit (TUa)" is the reciprocal of the effluent dilution that causes the acute effect by the end of the acute exposure period. For example, a TUa equals $(100\% \text{ effluent}) / (48 \text{ LC50/EC50 for daphnia magna and ceriodaphnia dubia or 96 hour LC50/EC50 for fathead minnows in } \%)$.
- 7.3 "Test" refers to an individual species.
- 7.4 "Test Battery" consists of WET testing of all test species for the specified test. For acute WET testing, all test species includes Fathead minnows, daphnia magna, and ceriodaphnia dubia.

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Chapter 7. Domestic Wastewater -- Mechanical 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 A 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 The Permittee shall provide the appropriate number of operators with a Type IV certification to be responsible for the land application of biosolids or semisolids from commercial or industrial operations.
- 3.3 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.
- 3.4 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

Chapter 8. Domestic Wastewater -- Pretreatment

1. Pretreatment - Definitions

- 1.1 For the purposes of these pretreatment requirements, "Significant Industrial User" (SIU) shall mean any industrial user (IU) which:
 - a. is subject to Categorical Pretreatment Standards, as defined in Minnesota Rules 7049.0120, subpart 5;
 - b. discharges 25,000 gallons per day or more of process wastewater, excluding sanitary, noncontact cooling or boiler blowdown wastewater, to the POTW;
 - c. contributes a process wastewater containing five percent or more of the flow or load of any pollutant of concern to the POTW treatment plant; or
 - d. is designated as significant by the Permittee on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

2. Exemption

- 2.1 Industrial users qualifying as significant solely on the basis of criteria b. or c. above may be exempted from consideration as a SIU if the Permittee finds that they have no reasonable potential to adversely affect the POTW's operation or to violate pretreatment standards or requirements.
- 2.2 The Permittee must notify the MPCA in writing of any Industrial User so exempted and provide justification for their exemption.

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Chapter 8. Domestic Wastewater -- Pretreatment

3. Pretreatment - Delegated Authority

- 3.1 Under the authority of the General Pretreatment Regulations (40 CFR 403), the Permittee's pretreatment program was approved on November 9, 1993 and has been modified through October 4, 2006. The Permittee has been delegated authority to operate as the Publicly Owned Treatment Works (POTW) control authority under the General Pretreatment Regulations. The Permittee shall fully and effectively implement and operate the approved pretreatment program according to the legal authorities contained therein and the General Pretreatment Regulations.
- 3.2 In addition to the Prohibitions contained in the General Pretreatment Regulations and the approved program, the Permittee shall prohibit new discharges of non-contact cooling waters to the POTW unless there are no cost-effective alternatives.
- 3.3 Existing discharges of non-contact cooling water to the wastewater treatment facility shall be eliminated where elimination is cost effective, or where an infiltration/inflow analysis and sewer system evaluation survey indicate the need for such removal.
- 3.4 Pollutants of concern in the administration of the Permittee's pretreatment program shall be considered in the determination of the Significance of Industrial Users, monitoring of Significant Industrial Users, establishment of limitations on users, and communications with users. A pollutant of concern is a pollutant that is discharged, or may be discharged by an industrial user to the permittees treatment works and that is, or should be, of concern on the basis that it may cause interference or pass through as defined in Minnesota Rules 7049.0120, subparts 10 and 12.

4. Legal Authority

- 4.1 The Permittee shall maintain the legal authority that allows it to fully implement its approved pretreatment program in conformance with the requirements of the General Pretreatment Regulation.

5. Industrial Users Inventory

- 5.1 The Permittee shall update its inventory of Industrial Users at least annually and as needed to ensure that all SIUs are properly identified, characterized and categorized. The Permittee shall:
 - a. identify Industrial Users which may be subject to the POTW pretreatment program;
 - b. characterize the discharge of pollutants to the POTW by the Industrial User; and
 - c. determine the applicable categories for industrial users subject to National Categorical Pretreatment Standards.
- 5.2 Within 30 days of the designation of an Industrial User as significant, the Permittee shall notify the SIU of all applicable pretreatment standards and requirements. The Permittee shall also notify all Industrial Users of all applicable pretreatment standards and requirements, and the Industrial Users' obligation to comply with applicable requirements under Subtitles C and D of the Resource Conservation and Recovery Act (RCRA).

6. Local Limits

- 6.1 The Permittee shall develop, maintain and enforce specific local limits to implement the prohibitions listed in Minnesota Rules 7049.0140.
- 6.2 The Permittee shall evaluate the need to revise local limits to effectively implement these prohibitions at least once during the term of this permit. Prior to the expiration date of this permit, the permittee shall submit, for approval, a report on the evaluation. If the evaluation determines that a more restrictive local limit is needed, the permittee shall submit for approval a suggested schedule for amending the permittee's local limits.

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Chapter 8. Domestic Wastewater -- Pretreatment

6. Local Limits

- 6.3 The evaluation shall include a pollutant mass balance for all pollutants of concern. The mass balance shall attempt to balance the source of the pollutants (Industrial Users and other sources), the measured headworks loading of the pollutants and the fates of the pollutants (discharge, biosolids and others). The mass balance shall make use of all available and appropriate monitoring data.

The permittee shall, for all pollutants of concern, obtain sufficient data to allow the permittee to evaluate the need for local limits and to set local limits if they are needed. Monitoring shall be done at a sensitivity adequate to evaluate the need for local limits and set local limits if needed.

7. Permit Significant Industrial Users

- 7.1 The Permittee shall issue and reissue permits to all existing SIUs within 180 days of expiration of the existing SIU permit for existing SIUs, or identification of a new SIU. The permit shall contain at least the following:
- a. a statement of duration (no longer than five (5) years);
 - b. a statement of nontransferability without prior approval by the POTW, and provision of a copy of the existing permit to the new owner or operator;
 - c. discharge limits based on applicable prohibited discharges in Minnesota Wastewater Pretreatment Rules (Minn. R. 7049.0140), National Categorical Pretreatment Standards, and local limits and local discharge prohibitions;
 - d. self-monitoring, sampling, reporting, notification and record keeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency and sample type; and
 - e. a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule.
- 7.2 The Permittee may not extend the compliance date beyond applicable federal deadlines in any compliance schedule.

8. Compliance Monitoring and Inspections

- 8.1 The Permittee shall randomly sample and analyze the discharge from Industrial Users and conduct surveillance activities to identify, independent of information supplied by Industrial Users, noncompliance with pretreatment standards. The Permittee shall inspect and sample the discharge from each SIU at least once a year.
- 8.2 The Permittee shall evaluate whether each SIU needs a plan to control spill and slug discharges as provided in Minnesota Rules 7049.0830 G. Where a control plan is determined to be needed, the Permittee shall require, in the permit issued to the industrial user, that the industrial user develop and implement such a plan.

9. Industrial User Reports

- 9.1 The Permittee shall receive and analyze self-monitoring reports and other reports and notices submitted by Industrial Users in accordance with requirements contained in permits issued by the Permittee and in accordance with the General Pretreatment Regulation.

10. Enforcement Actions

- 10.1 The Permittee shall investigate instances of noncompliance with pretreatment standards and requirements as indicated by reports submitted by Industrial Users, by information collected by the Permittee or by other means.
- 10.2 The Permittee shall collect samples, analyze data and compile information in a manner to ensure accuracy and admissibility in enforcement proceedings and judicial actions.

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Chapter 8. Domestic Wastewater -- Pretreatment

10. Enforcement Actions

- 10.3 In instances of noncompliance, the Permittee shall take effective enforcement action in accordance with the approved enforcement response plan.

11. Data Management and Record Keeping

- 11.1 The Permittee shall maintain records documenting pretreatment activities. These records shall contain an inventory of industrial users, characterization of discharges, compliance status, permit status, and records of enforcement actions.
- 11.2 The Permittee shall retain all records of monitoring activities and results for at least three (3) years and shall make the records available to EPA and the MPCA upon request.

12. Public Participation

- 12.1 The Permittee shall comply with public participation requirements of 40 CFR 25 in the enforcement of national pretreatment standards.
- 12.2 The Permittee shall, once a year, publish the names of Industrial Users that were in significant noncompliance with pretreatment requirements, as defined in Minnesota Rules 7049.0120, subpart 25, any time during the previous twelve (12) months.
- 12.3 All industrial discharge data shall be made available to the public upon request.

13. Program Resources

- 13.1 The Permittee shall acquire sufficient resources and qualified personnel to carry out the program implementation procedures described in this permit.

14. Program Modification

- 14.1 The Permittee shall submit to the MPCA a statement of the basis for desired program modifications and a modified program description for all substantial modifications as defined in Minnesota Rules 7049.0980. The Permittee must await formal approval from the MPCA before implementing substantial program modifications.
- 14.2 The Permittee shall notify the MPCA of non-substantial modifications to its pretreatment program at least 45 days prior to implementing the modification.
- 14.3 Non-substantial modifications are deemed approved unless the MPCA notifies the Permittee otherwise within 45 days.

15. Multijurisdictional Agreements

- 15.1 The Permittee must maintain agreements with its contract cities to maintain required pretreatment legal authority and procedures in the contract cities.

16. Notification Requirements

- 16.1 The Permittee shall notify the MPCA of planned or actual changes in the discharges from SIUs which will require changes to the user's control document and which may affect the Permittee's effluent.
- 16.2 The Permittee shall supply the MPCA with information regarding the discharge, compliance status, or enforcement actions taken for any industrial user upon request.

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Chapter 8. Domestic Wastewater -- Pretreatment

17. Pretreatment Annual Report

17.1 The Permittee shall submit the pre-treatment report annually to the following address:

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

The report shall describe the Permittee's pretreatment activities during the previous calendar year and is due on February 28th of each year and shall contain at least the following information.

17.2 The Pretreatment Annual Report shall describe the pretreatment activities during the previous calendar year and shall contain the following lists:

- a. An updated list of the Permittee's significant industrial users including their names, addresses, any applicable federal categorical standards, and a summary total of significant industrial users and categorical industrial users.
- b. A separate list of deletions from and additions to previously submitted lists of SIUs, with a brief explanation for each deletion.
- c. A list of SIUs with expired permits.

17.3 The Pretreatment Annual Report shall contain the following descriptions:

a. A characterization of the compliance status of each SIU during the reporting year. The compliance characterization shall at least indicate status as follows:

- 1) no violations noted with discharge limits, and compliance with monitoring and reporting requirements is sufficient to determine compliance with discharge limitations;
- 2) violations were noted with discharge limits, or violations of monitoring and reporting requirements that may have impaired the Permittee's ability to determine compliance with discharge limitations were noted, but the noncompliance does not meet the definition of significant noncompliance as referenced below;
- 3) significant noncompliance (as defined by 40 CFR 403.8(f)(2)(vii)); or
- 4) status unknown.

b. A description of the standards or requirements that were violated for SIUs that are out of compliance with pretreatment standards. For an SIU in significant noncompliance, the characterization shall note the reason for the significant violations (if known) and whether the SIU is on a compliance schedule. If the SIU is on a compliance schedule, the date of final compliance shall be noted in the report.

c. A description of any upsets, interference, or pass through incidents at the POTW which the Permittee knows or suspects were caused by Industrial Users of the POTW system. The description shall include the reasons why the incidents occurred, the corrective actions taken, and the Industrial Users responsible, if known.

17.4 The permittee shall, for all pollutants of concern, obtain sufficient data to allow the permittee to evaluate the need for local limits, and shall set local limits if they are needed. Monitoring shall be done at a sensitivity adequate to evaluate the need for local limits and set local limits if they are needed.

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Chapter 8. Domestic Wastewater -- Pretreatment

17. Pretreatment Annual Report

17.5 The Pretreatment Annual Report shall contain the following summaries:

- a. A summary of the discharge monitoring data for each SIU for the reporting year. This summary shall include all available data and shall accurately represent the discharge by the user.
- b. A summary of the inspection and sampling activities conducted by the POTW during the reporting year to gather information and data regarding Industrial Users. The summary shall include identification of the Industrial Users subject to surveillance by the POTW and an indication of the type (inspection or sampling) and the number of surveillance activities performed.
- c. A summary of the enforcement actions by the POTW during the reporting year. The summary shall include the names and addresses of the Industrial Users that were the subject of enforcement action, the enforcement action taken, and whether the Industrial User has returned to compliance.
- d. A summary of the Permittee's pretreatment budget for the reporting year, including the cost of personnel, equipment and services employed in the pretreatment program.
- e. A summary of public participation activities to involve and inform the public. This shall include a copy of the annual publication of significant noncompliance, if such publication was needed to comply with 40 CFR 403.8(f)(2)(vii).

Chapter 9. Biosolids Land Application

1. Authorization

- 1.1 This permit authorizes the Permittee to store and land apply domestic wastewater treatment biosolids in accordance with the provisions in this chapter and Minnesota Rules, ch. 7041.
- 1.2 Permittees who prepare bulk biosolids must obtain approval of the sites on which bulk biosolids are applied before they are applied unless they are exceptional quality biosolids. Site application procedures are set forth in Minnesota Rules, pt. 7041.0800.

2. Compliance Responsibility

- 2.1 The Permittee is responsible for ensuring that the applicable requirements in this chapter and Minnesota Rules ch. 7041 are met when biosolids are prepared, distributed, or applied to the land.

3. Notification Requirements

- 3.1 The Permittee shall provide information needed to comply with the biosolids requirements of Minnesota Rules, ch. 7041 to others who prepare or use the biosolids.

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Chapter 9. Biosolids Land Application

4. Pollutant Limits

4.1 Biosolids which are applied to the land must not exceed the ceiling concentrations in Table 1 and must not be applied so that the cumulative amounts of pollutant in Table 2 are exceeded.

Table 1 Ceiling Concentrations (dry weight basis)

Parameter in units mg/kg
Arsenic 75
Cadmium 85
Copper 4300
Lead 840
Mercury 57
Molybdenum 75
Nickel 420
Selenium 100
Zinc 7500

Table 2 Cumulative Loading Limits

Parameter in units lbs/acre
Arsenic 37
Cadmium 35
Copper 1339
Lead 268
Mercury 15
Molybdenum not established*
Nickel 375
Selenium 89
Zinc 2500

*The cumulative limit for molybdenum has not been established at the time of permit issuance

5. Pathogen and Vector Attraction Reduction

- 5.1 Biosolids shall be processed, treated, or be incorporated or injected into the soil to meet one of the vector attraction reduction requirements in Minnesota Rules, pt. 7041.1400.
- 5.2 Biosolids shall be processed or treated by one of the alternatives in Minnesota Rules, pt. 7041.1300 to meet the Class A or Class B standards for the reduction of pathogens. When Class B biosolids are applied to the land, the site restrictions in Minnesota Rules, pt. 7041.1300 must also be met.

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Chapter 9. Biosolids Land Application

5. Pathogen and Vector Attraction Reduction

5.3 The minimum duration between application and harvest, grazing or public access to areas where Class B biosolids have been applied to the land is as follows:

- a. 14 months for food crops whose harvested parts may touch the soil/biosolids mixture (such as melons, squash, tomatoes, etc.), when biosolids are surface applied, incorporated or injected.
- b. 20 months or 38 months depending on the application method for food crops whose harvested parts grow in the soil (such as potatoes, carrots, onions, etc.). The 20 month time period is required when biosolids are surface applied or surface applied and incorporated after they have been on the soil surface for at least four (4) months. The 38 month time period is required when the biosolids are injected or surface applied and incorporated within four (4) months of application.
- c. 30 days for feed crops, other food crops (such as field corn, sweet corn, etc.), hay or fiber crops when biosolids are surface applied, incorporated or injected.
- d. 30 days for grazing of animals when biosolids are surface applied, incorporated or injected.
- e. One year where there is a high potential for public contact with the site, (such as a reclamation site located in populated areas, a construction site located in a city, turf farms, plant nurseries, etc.) and 30 days where there is low potential for public contact (such as agricultural land, forest, a reclamation site located in an unpopulated area, etc.) when biosolids are surface applied, incorporated, or injected.

6. Management Practices

6.1 The management practices for the land application of biosolids are described in detail in Minnesota Rules, pt. 7041.1200 and must be followed unless specified otherwise in a site approval letter or a permit issued by the MPCA.

6.2 Overall management requirements:

- a. Biosolids must not be applied to the land if it is likely to adversely affect a threatened or endangered species listed under Section 4 of the Endangered Species Act or its designated critical habitat.
- b. Biosolids must not be applied to flooded, frozen or snow covered ground so that the biosolids enter wetlands or other waters of the state.
- c. Biosolids must be applied at an agronomic rate unless specified otherwise by the MPCA in a permit.
- d. Biosolids shall not be applied within 33 feet of a wetland or waters of the state unless specified otherwise by the MPCA in a permit.

7. Monitoring Requirements

7.1 Representative samples of biosolids applied to the land must be analyzed by methods specified in Minnesota Rule pt. 7041.3200 for the following parameters: arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, zinc, Kjeldahl nitrogen, ammonia nitrogen, total solids, volatile solids, phosphorus, potassium and pH.

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Chapter 9. Biosolids Land Application

7. Monitoring Requirements

- 7.2 At a minimum, biosolids must be monitored at the frequencies specified in Table 3 for the parameters listed above, and any pathogen or vector attraction reduction requirements in Minnesota Rules, pts. 7041.1300 and 7041.1400 if used to determine compliance with those parts.

Table 3 Minimum Sampling Frequencies

Biosolids Applied* (metric tons/365-day period)	Biosolids Applied* (tons/365-day period)	Frequency (times/365-day period)
>0 but <290	>0 but <320	1
>=290 but <1,500	>=320 but <1,650	4
>=1,500 but <15,000	>=1,650 but <16,500	6
>=15,000	>=16,500	12

* Either the amount of bulk biosolids applied to the land or the amount of biosolids received by a person who prepares biosolids that are sold or given away in a bag or other container for application to the land (dry weight basis).

- 7.3 Representative samples of biosolids that are transferred to storage units and are stored for more than two years shall be analyzed by methods specified in Minnesota Rule pt. 7041.3200 for each cropping year they are stored for the following parameters: arsenic, cadmium, copper, lead, molybdenum, nickel, selenium, and zinc. Mercury is specifically NOT included in the stored biosolids analysis because of the short holding time [28 days] required between sampling and analysis.
- 7.4 Increased sampling frequencies are specified for the parameters listed in Table 4. Sampling at a frequency at twice the minimum frequencies in Table 3 is required if concentrations listed in Table 4 are exceeded (based on the average of all analyses made during the previous cropping year).

Table 4 Increased Frequency of Sampling

Parameter (mg/kg dry weight basis)
Arsenic 38
Cadmium 43
Copper 2150
Lead 420
Mercury 28
Molybdenum 38
Nickel 210
Selenium 50
Zinc 3750

8. Records

- 8.1 The Permittee shall keep records of the information necessary to show compliance with pollutant concentrations and loadings, pathogen reduction requirements, vector attraction reduction requirements and management practices as specified in Minnesota Rules, pt. 7041.1600, as applicable to the quality of biosolids produced.

9. Reporting Requirements

- 9.1 By December 31 following the end of each cropping year, the Permittee shall submit a Biosolids Annual Report for the land application of biosolids on a form provided by or approved by the MPCA. The report shall include the requirements in Minnesota Rules, part 7041.1700.

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Chapter 9. Biosolids Land Application

9. Reporting Requirements

- 9.2 If, during any cropping year, biosolids were transferred, or not land applied, the Permittee shall submit a Biosolids Annual Report by December 31 following the end of the cropping year. The report shall state that biosolids were not land applied, how much was generated, and where they were transferred to.
- 9.3 For biosolids that are stored for more than two years, the Biosolids Annual Report must also include the analytical data from the representative sample of the biosolids generated during the cropping year.
- 9.4 The Permittee shall submit the Biosolids Annual Report to:
- Biosolids Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
- 9.5 The Permittee must notify the MPCA in writing when 90 percent or more of any of the cumulative pollutant loading rates listed for any Land Application Sites has been reached for a site.

Chapter 10. Total Facility Requirements

1. General Requirements

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)

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Chapter 10. Total Facility Requirements

1. General Requirements

- 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)
- 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)

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Chapter 10. Total Facility Requirements

1. General Requirements

- 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.
- 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

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Chapter 10. Total Facility Requirements

1. General Requirements

- 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)
- 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)

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Chapter 10. Total Facility Requirements

1. General Requirements

- 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))
- 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 10. 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 10. 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 10. 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 10. 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.