



# **Minnesota Pollution Control Agency**

## **STATE OF MINNESOTA**

### **Minnesota Pollution Control Agency**

#### **MUNICIPAL DIVISION**

#### **PUBLIC NOTICE OF INTENT TO REISSUE**

#### **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/**

#### **STATE DISPOSAL SYSTEM (SDS) PERMIT MN0031241**

Public Comment Period Begins: April 4, 2013

Public Comment Period Ends: May 6, 2013

Current Permit Issued: June 30, 2008

Current Permit Expiration Date: May 31, 2013

#### **Name and Address of Permittee:**

City of Lonsdale

P.O. Box 357

Lonsdale, Minnesota 55046-0357

#### **Facility Name and Location:**

Lonsdale Wastewater Treatment Facility

835 Industrial Park Drive Southeast

Lonsdale, Minnesota 55046

**Receiving Water:** Unnamed Ditch (Class 7, 3C, 4A, 4B, 5, 6 water)

#### **Description of Permitted Facility**

The Lonsdale Wastewater Treatment Facility (Facility) is located in the SW¼ of Section 25, Township 112 North, Range 22 West, Lonsdale, Rice County, Minnesota. This is a Class B facility.

The application indicates that the existing Facility consists of influent screening and grit removal, two extended aeration-activated sludge basins, chemical phosphorus removal, two final clarifiers, and ultraviolet light disinfection. Biosolids are treated in an aerobic digester and land applied to approved agricultural sites. There are no bypass points known to exist in the system.

The Facility is designed to treat an influent average wet weather (AWW) design flow of 0.687 million gallons per day (mgd), an average dry weather design flow of 0.493 mgd and a peak hourly wet weather flow of 3.24 mgd, with a carbonaceous biochemical oxygen demand strength of 200 milligrams per liter. The Facility has a continuous discharge (Station SD003) to an unnamed ditch (Class 7, 3C, 4A, 4B, 5, 6 water) then to an unnamed creek and then to Union Lake. The location of the Facility is shown on the attached map.

In accordance with Minnesota Pollution Control Agency (MPCA) rules regarding nondegradation for all waters that are not Outstanding Resource Value Waters, nondegradation review is required for any new or expanded significant discharge (Minn. R. 7050.0185). A significant discharge is 1) a new discharge (not in existence before January 1, 1988) that is greater than 200,000 gallons per day (gpd) to any water other than a Class 7 water or 2) an expanded discharge that expands by greater than 200,000 gpd that discharges to any water other than a Class 7 water or 3) a new or expanded discharge containing any toxic pollutant at a mass loading rate likely to increase the concentration of the toxicant in the receiving water by greater than one percent over the baseline quality. The flow

rate used to determine significance is the design AWW flow. The January 1, 1988, design AWW flow for this Facility is 0.092 mgd. The Facility expanded to its current design flow in 2005 with the construction of the mechanical plant. Nondegradation review was completed as a part of this construction project.

This permit also complies with Minn. R. 7053.0275 regarding anti-backsliding. Any point source discharger of sewage, industrial, or other wastes for which a National Pollutant Discharge Elimination System (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.

#### **Expanded Fecal Coliform Bacteria Wasteload Allocation for the Lonsdale Wastewater Treatment Facility**

In 2003, the MPCA approved a design for the Facility to expand from an AWW design flow of 0.2418 mgd to 0.687 mgd. The authorization for the construction and operation of the expanded Facility was included in the June 27, 2003, permit issuance, with a fecal coliform limit of 200 organisms per 100 milliliters (mL) (May through October) for the surface discharge. Initiation of operation of the expanded Facility occurred in October 2004.

On April 5, 2006, the Lower Mississippi River Basin Total Maximum Daily Load (TMDL) - Regional Fecal Coliform report was approved by the U.S. Environmental Protection Agency. For wastewater treatment facilities, the wasteload allocations (WLA) were calculated by multiplying AWW design flow for continuously discharging facilities, or the maximum permitted discharge rate for controlled discharge facilities by the permitted discharge limit of 200 organisms per 100 mL. As long as the facilities' discharge at or below this permit limit, they will not cause violations of the fecal coliform water quality standard regardless of their fecal coliform load.

Unfortunately, the Lower Mississippi River Basin TMDL - Regional Fecal Coliform study did not calculate the WLA for the Facility with the expanded AWW design flow of 0.687 mgd. The TMDL calculated the WLA at the AWW design flow of 0.2418 mgd.

An analysis of the effects of expanded WLA, prepared by Tetrattech for the Zumbro River Turbidity TMDL (Cleland 2011), demonstrates that current discharges can be expanded and new NPDES discharges can be added while maintaining water quality standards, provided the permitted NPDES effluent concentrations remain at or below the in-stream concentration targets.

The permit's calendar month geometric mean Fecal Coliform bacteria effluent limit of 200 organisms per 100 mL is equivalent to the applicable water quality standard and ensures that discharges from the Facility will not cause or contribute to excursions in excess of the standard.

The Facility is designed to treat an AWW flow of up to 0.687 mgd. The expanded surface discharge will not result in a decrease in the Cannon River's water quality because Fecal Coliform bacteria loading capacities will increase as a result of the increased stream flow resulting from the expanded discharge. The discharge flow rate of 0.687 mgd from the Facility will result in a 0.689 cubic feet per second stream flow increase in the Cannon River, which, in turn, will expand the Fecal Coliform bacteria loading capacity by 0.101 trillion organisms/month. The permit will continue to include an effluent limit of 200 organisms per 100 mL, which equates to a fecal coliform load of 0.156 trillion organisms/month.

#### **Preliminary Determination on the Draft Permit**

The MPCA Commissioner has made a preliminary determination to reissue this NPDES / State Disposal System (SDS) permit for a term of approximately five years.

A draft permit is available for review at the MPCA's office at the Rochester address listed below and on-line at <http://www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notice/public-notice.html>.

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request at the Rochester office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Nancy Heskett at 507-206-2605.

### **Written Comments**

You may submit written comments on the conditions of the draft permit or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the permit application or the draft permit.
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit that you believe should be changed.
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

### **Petition for Public Informational Meeting**

You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern.
2. The information required under items 1 through 3 of "Written Comments," identified above.
3. A statement of the reasons the MPCA should hold a public informational meeting.
4. The issues that you would like the MPCA to address at the public informational meeting.

### **Petition for Contested Case Hearing**

You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft permit; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in Minn. R. 7000.1900, as discussed above.
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing.
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing.
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision**

You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the permit issuance. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of Minn. Stat. § 116.02, subd. 6(4), the decision whether to issue the permit and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the permit; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the Board as provided in Minn. R. 7000.0650.

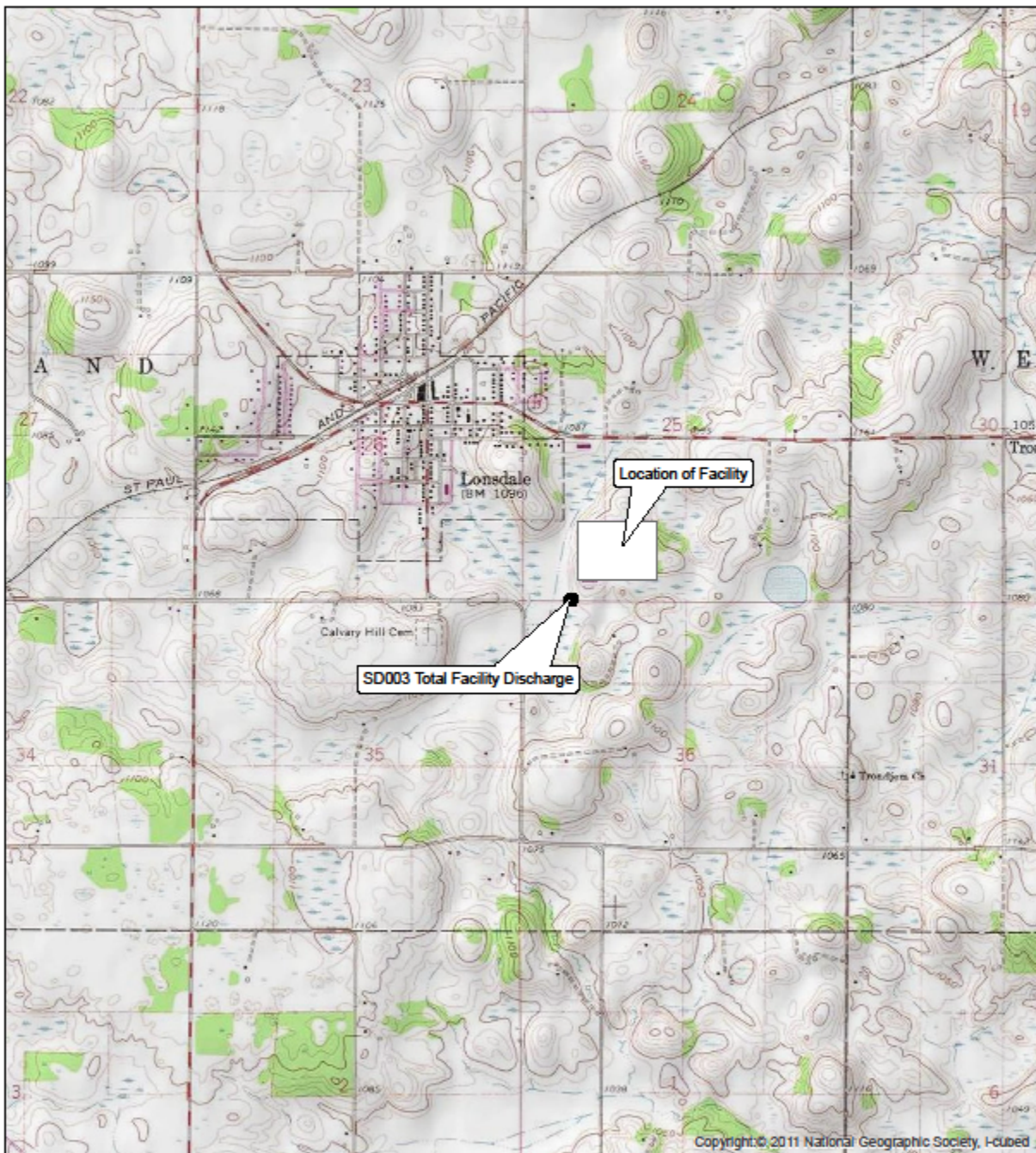
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, the MPCA staff, as authorized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

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to:

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

**Topographic Map of Permitted Facility**

MN0031241, Lonsdale Wastewater Treatment Facility  
T112N, R22W, Section 25  
Lonsdale, Rice County, Minnesota



Map produced by: MPCA Staff, 12/6/2012  
Source: USGS Quad  
Scale: 1:24,000

