



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

**MUNICIPAL DIVISION
PUBLIC NOTICE OF INTENT TO REISSUE
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0068705**

Public Comment Period Begins: May 21, 2013
Public Comment Period Ends: June 20, 2013

Current Permit Issued: December 4, 2007
Current Permit Expiration Date: November 30, 2012

Name and Address of Permittee:

BDM Properties, LLC
14 Ridge Road
North Oaks, MN 55127

Facility Name and Location:

Drahos Northwoods Wastewater Treatment
Facility
T134N, R28W, Section 9
Baxter, Crow Wing County, Minnesota

Description of Permitted Facility:

The Drahos Northwoods Wastewater Treatment Facility (Facility) will be located in the NE ¼ of Section 9, Township 134 North, Range 28 West, Baxter, Crow Wing County, Minnesota. This will be a Class C Facility.

Major components of the Facility will include:

Individual Septic Tanks – 1,500 gallons each, effluent gravity (Proposed)
5,900 feet of 4-inch gravity sewer
2 Community Stilling Tanks – 1,000 gallons each (Proposed)
2 Constructed Wetlands with Forced Bed Aeration – 6,144 square feet each, subsurface flow (Proposed)
1 Denitrification Tank with Carbon Addition – 10,000 gallons (Proposed)
1 Dosing Tank (Effluent Equalization) – 8,000 gallons (Proposed)
10 Subsurface Trench – 3,240 square feet each (Proposed)

The application and plans indicate that the proposed Facility will be designed to treat an average wet weather flow of 17,000 gallons per day with a 5-day carbonaceous biochemical oxygen demand strength of 50 pounds per day (lbs/day), a total suspended solids loading of 56.8 lbs/day, a total nitrogen loading of 6.1 lbs/day, and a total phosphorus loading of 1.8 lbs/day. Based on groundwater modeling, the Facility will be required to meet an end of pipe total nitrogen limit of 10 mg/l to ensure meeting the drinking water standard for nitrate at the nearest

drinking water well and the property boundary. This limit will go into effect when the 16th home in the development is constructed.

A nitrogen and phosphorus mitigation plan has been prepared for this Facility and will be implemented if the above concentrations are exceeded.

There are no designed bypass or overflow points at the proposed Facility.

The location of the Facility is shown on the map on page 4.

Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to reissue this SDS permit for a term of approximately five years. A draft permit is available for review at the MPCA office at the Detroit Lakes address listed below and on-line at <http://www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notices/public-notices.html>.

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request at this office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Holly Christensen at 218-846-8104.

Written Comments

You may submit written comments on the conditions of the draft permit or on the Commissioner's preliminary determination. Written comments must include the following:

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

Petition for Public Informational Meeting

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

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

Petition for Contested Case Hearing

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

resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

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

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

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

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

MPCA Decision

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

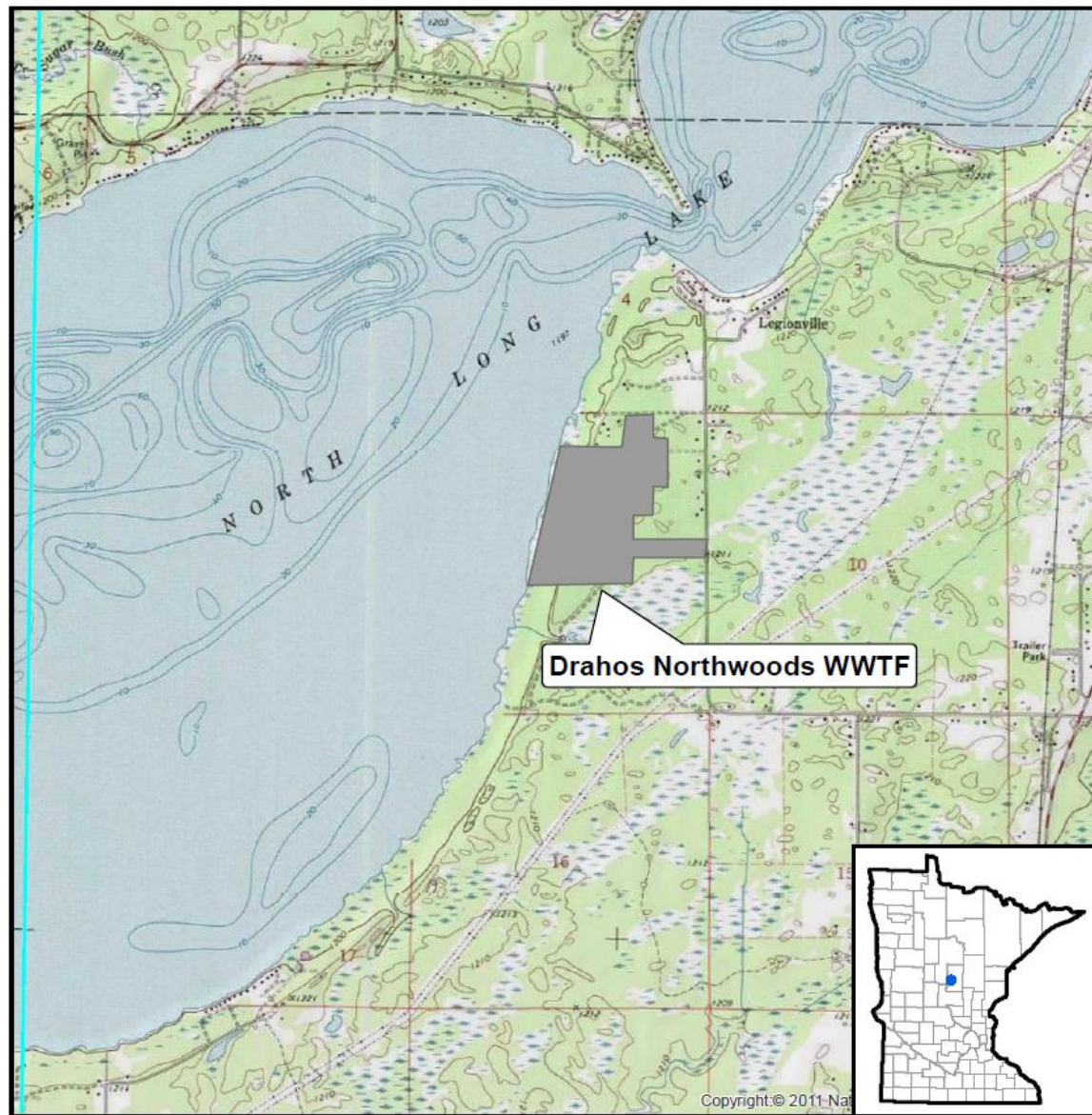
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the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

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

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

Topographic Map of Permitted Facility

MN0068705: Drahos Northwoods Wastewater Treatment Facility
T134N, R28W, Section 9
Baxter, Crow Wing County, Minnesota



Map produced by: MPCA Staff, 04/10/13
Source: USGS Quad, Drahos Northwoods WWTF
Scale: 1:30,606