



# **Minnesota Pollution Control Agency**

STATE OF MINNESOTA

Minnesota Pollution Control Agency

INDUSTRIAL DIVISION

PUBLIC NOTICE OF INTENT TO REISSUE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/

STATE DISPOSAL SYSTEM (SDS) PERMIT MN0060101

Public Comment Period Begins: May 20, 2013

Public Comment Period Ends: June 19, 2013

Current Permit Issued: October 3, 2007

Current Permit Expiration Date: September 30, 2012

**Name and Address of Permittee:**

Bottling Group LLC/Pepsi Beverages Co  
11601 12th Avenue South  
Burnsville, Minnesota 55337

**Facility Name and Location:**

Pepsi Bottling Group  
11601 12th Avenue South  
T27N, R24W, Section 26,  
Burnsville, Dakota County, Minnesota

**Receiving Water:** Wetland near Blackdog lake via storm sew (Class 2D, 3D, 4C, 5, 6 water)

**Facility Description**

The Pepsi Bottling Group facility (Facility) is located at Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  of Section 26, Township 27 North, Range 24 West, at 11601 12<sup>th</sup> Ave South Burnsville, Dakota County, Minnesota.

The principal activity at this Facility is the manufacturing of bottled and canned soft drinks and bottled water at an average and maximum rate of 84,000 and 100,000 cases (8, 15, 20, 24, or 36 containers which vary in size from 12 ounces to 2 liters) per day respectively. The water source for the production of beverages is on-site groundwater well. Prior to use in the manufacture of beverages, the groundwater from one of two active wells is purified using a reverse osmosis system (RO). Approximately 100 million gallons of water are used annually to facilitate the production process.

In October 2012 the Facility sealed and capped the pipe that discharges to an unnamed ditch which Pepsi Bottling Group is permitted to discharge to through MN0060101. The RO Reject is now routed to the sanitary sewer and there is should be no discharge. The Facility has decided to keep this permit in case of emergency and discharge is necessary or if there is a change in current treatment technology. The discharge, if necessary, would be a continuous discharge to an Unnamed Ditch to wetland near Black Dog Lake via storm sewer (2B, 3C, 4A, 4B, 5 and 6).

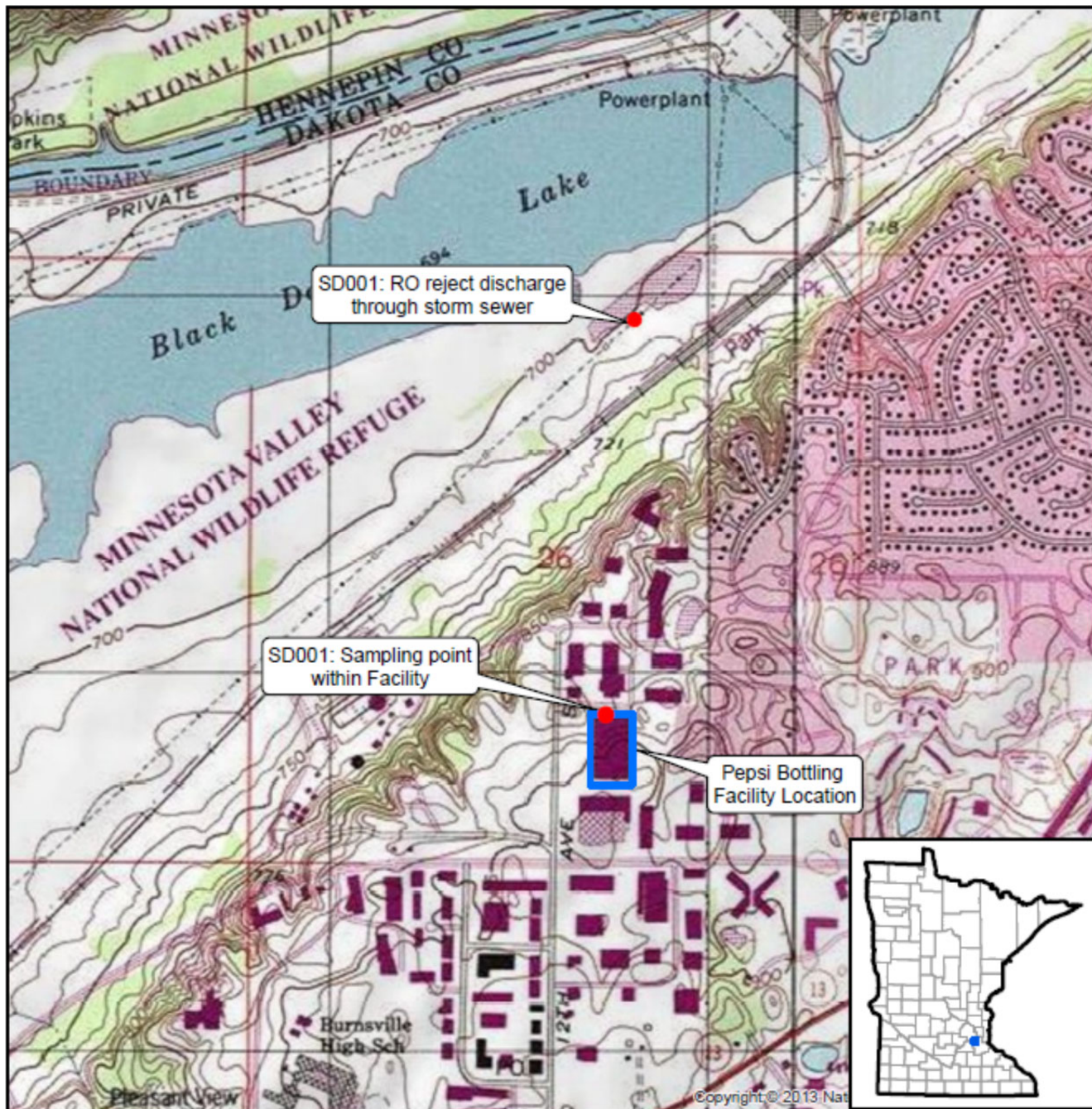
The discharge authorized by this permit consists of reverse osmosis (RO) reject water at an average rate of 95,000 gallons per day with a maximum flow of 125,000 gallons per day. The Facility would have a continuous discharge to an unnamed ditch to wetland near Black Dog Lake via a storm sewer (2B, 3C, 4A, 4B, 5 and 6). Currently the RO is discharged to the sanitary sewer. The facility has no discharge to waters of the state. Waters used to flush and clean the RO system, reject from the secondary RO system, other filter backwashes, industrial process water, and sanitary wastes are discharged to the sanitary sewer.

All stormwater on site is managed by a stormwater drainage system that includes roof drains, catch basins, conveyance pipes, and stormwater retention ponds that discharges from the Facility via multiple outfalls. The Facility is covered under Industrial Stormwater Multi-Sector General Permit MNR050000, Permit ID number MNR0537C. The facility has an active Storm Water Pollution Prevention Plan (SWPPP). Storm water control measures are outlined in the Facility's SWPPP.

The location of the facility is shown on the following topographical map.

### Topographic Map of Permitted Facility

MN0060101: Bottling Group LLC/Pepsi Beverages Co Facility  
T27N, R24W, Section 26  
Burnsville, Dakota County, Minnesota



Map produced by: MPCA Staff, 5/15/2013  
Source: USGS Bloomington and St. Paul Quad  
Scale: 1:14,945

0 0.15 0.3 0.6 Miles



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

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this NPDES/SDS permit for a term of approximately five years.

A draft permit is available for review at the MPCA office at the St. Paul address listed below and on-line at <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>.

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request at this office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Emma Ziebarth at 651-757-2445.

### **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:

Emma Ziebarth  
Industrial Division – 5<sup>th</sup> Floor  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul MN 55155-4194