



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

MUNICIPAL DIVISION PUBLIC NOTICE OF INTENT TO REISSUE

STATE DISPOSAL SYSTEM (SDS) PERMIT MN0066346

Public Comment Period Begins: May 24, 2013
Public Comment Period Ends: June 24, 2013

Current Permit Issued: July 2, 2007
Current Permit Expiration Date: June 30, 2012

Name and Address of Permittee:

Windsor Park Homeowner's Association
P.O. Box 58
Elk River, MN 55330-0058

Facility Name and Location:

Windsor Park 3rd Addition Home Owners
T33N, R26W, Section 8,
Elk River, Sherburne County, Minnesota

Description of Permitted Facility

The Windsor Park 3rd Addition Home Owners Wastewater Treatment Facility (Facility) is located at SW 1/4 of Section 8, Township 33 North, Range 26 West, City of Elk River, Sherburne County, Minnesota.

The application and plans indicate the Facility consists of a 1,650-gallon two compartment septic tank and screened effluent pumps at each residence. These individual tanks drain to a sanitary sewer collection system (low pressure sewer). This Facility is considered a Septic Tank Effluent Pump (STEP) system. The sanitary sewer discharges the collected waste to 2 - 20,000 gallon fiberglass recirculation tanks (one for high flow periods that bypass the sand filter treatment), a recirculating sand filter (five zones with a total area of 80 by 100 feet), a 20,000 gallon fiberglass dosing tank and eight separate zones of drip tube disposal; five zones being approximately 75 by 150 feet and the other three being 100 by 110 feet for a total disposal area of 89,250 square feet. The loading rate to each zone will be 0.5 gallons per day per square foot and two zones will be loaded per discharge event.

The average wet weather design flow is 39,600 gallons per day (gpd) with a five day carbonaceous biochemical oxygen demand (CBOD₅) of 200 milligrams per liter (mg/L) and total suspended solids (TSS) of 250 mg/L.

The Facility is further described in plans and specifications prepared by Bogart Pederson & Associates, Inc., Becker, Minnesota and on file with the Minnesota Pollution Control Agency (MPCA) dated August 2002.

The location of the Facility is shown on the attached map.

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 Brainerd MPCA office listed below, at the St. Paul office and on-line at <http://www.pca.state.mn.us/index.php/public-notice/list.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 Robin L. Novotny at 218-316-3851.

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.

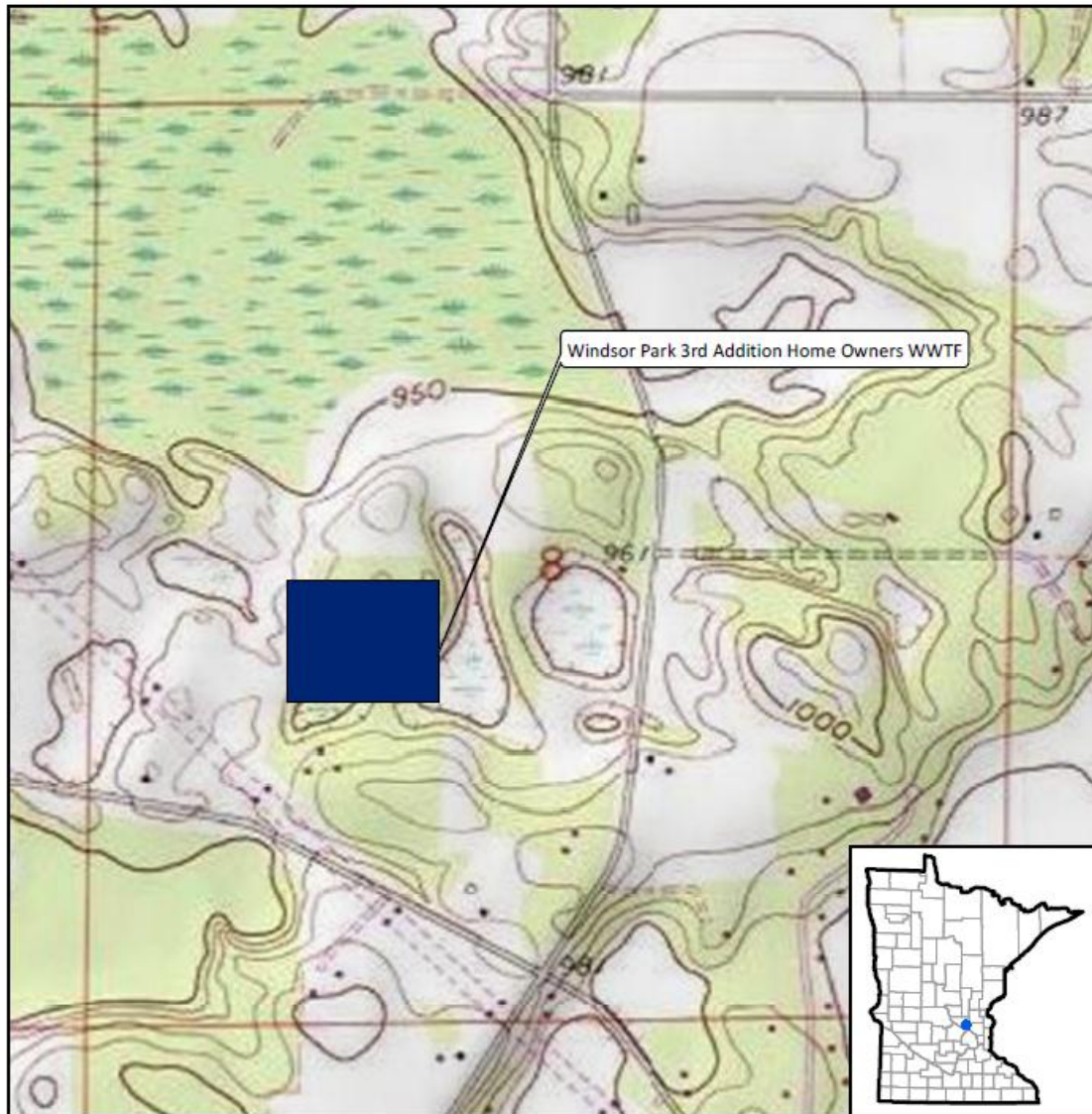
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the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

Robin L. Novotny
Municipal Division
7678 College Road, Suite 105
Baxter, MN 56425

Topographic Map of Permitted Facility

MN0066346: Windsor Park 3rd Addition Home Owners WWTF
T33N, R26W, Section 8
City of Elk River, Sherburne County, Minnesota



Map produced by: MPCA Staff, 10/9/12
Source: USGS Quad
Scale: 1:10,000