



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

**MUNICIPAL DIVISION
PUBLIC NOTICE OF INTENT TO MAJOR MODIFY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) /
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0023612**

Public Comment Period Begins: May 31, 2013
Public Comment Period Ends: July 1, 2013

Current Permit Issued: November 18, 2009
Current Permit Expiration Date: October 31, 2014

Name and Address of Permittee:

City of Hayfield
P.O. Box 53
Hayfield, Minnesota 55940-0053

Facility Name and Location:

Hayfield Wastewater Treatment Facility
215 State Highway 56 S
T105N, R17W, Section 22,
City of Hayfield, Dodge County, Minnesota

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

Description of Permitted Facility

The Hayfield Wastewater Treatment Facility (Facility) is located in the NW¼ of the NW¼ of Section 22, Township 105 North, Range 17 West, city of Hayfield, Hayfield Township, Dodge County, Minnesota. This is a Class C facility.

The application and plans indicate that the existing treatment system consists of pretreatment with a manually cleaned bar screen, primary treatment through a primary clarifier, secondary treatment with three trickling filters, an intermediate clarifier, two final clarifiers, two pumping stations, chlorination equipment, and an anaerobic sludge digester. The biosolids from this facility are land applied. There are currently no pretreatment agreements with any industrial facility at the Hayfield Wastewater Treatment Facility.

The Facility has a continuous discharge (SD002) to unnamed ditch (Class 7, 3C, 4A, 4B, 5, 6 water) to Judicial Ditch #1 (Class 7, 3C, 4A, 4B, 5, 6 receiving water) which turns into a (Class 2B, 3C, 4A, 4B, 5, 6 water). The Facility is designed for an average annual flow of 410,000 gallons per day (gpd) with a five-day carbonaceous biochemical oxygen demand strength of 117 milligrams per liter.

There are no designed bypasses to surface waters in the disposal system, but there is an internal bypass that passes the primary clarifier and sends the excess water to the secondary pumping station.

The original Facility is further described in plans and specifications by K. M. McGhie Engineers, Rochester, Minnesota, on file with the Minnesota Pollution Control Agency (MPCA), and in a permit/plans and specifications approval letter (Permit Number WPC-2406) dated January 27, 1958. The Facility was upgraded in 1988-89. The upgraded Facility is further described in "Municipal Compliance Plan of the City of Hayfield, Minnesota" prepared by Wallace Holland Kastler Schmitz & Company, Rochester, Minnesota, dated December 21, 1987, and plans and specifications approval letter dated September 28, 1988.

In accordance with the 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 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 average wet weather flow. The January 1, 1988 design average wet weather (AWW), flow for this Facility is 410,000 gpd.

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 agency that contains effluent limits more stringent than those that would be established by parts Minn. R. 7053.0215 to Minn. R. 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 Permittee has submitted an application for permit modification with a proposal to upgrade the existing Facility. Addition of two bar screens, grit removal, replacement of the existing primary clarifier with two new clarifiers, and a new main influent lift station are proposed. The current 410,000 gpd AWW design flow of the Facility will not change as a result of the proposed construction.

As a result of construction, the Facility classification will change from a Class C to a Class B facility and final limits will be triggered 90 days after completion of construction.

The upgraded Facility is further described in plans and specifications prepared by Wallace Holland Kastler Schmitz & Company, Rochester, Minnesota, which are on file with the MPCA.

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

Revisions made in this major modified permit will be the only items considered for public comment.

Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to major modify this NPDES/SDS permit for a term of approximately five years. The proposed permit modification is described above.

A draft permit is available for review at the MPCA's Rochester regional office at the address listed below, at the St. Paul office 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 the Rochester office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Melanie Miland at 507-206-2647.

Written Comments

You may submit written comments on the conditions of the draft permit or on the Commissioner's preliminary determination. Only comments or petitions concerning the proposed modification portions of the permit will be considered.

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.

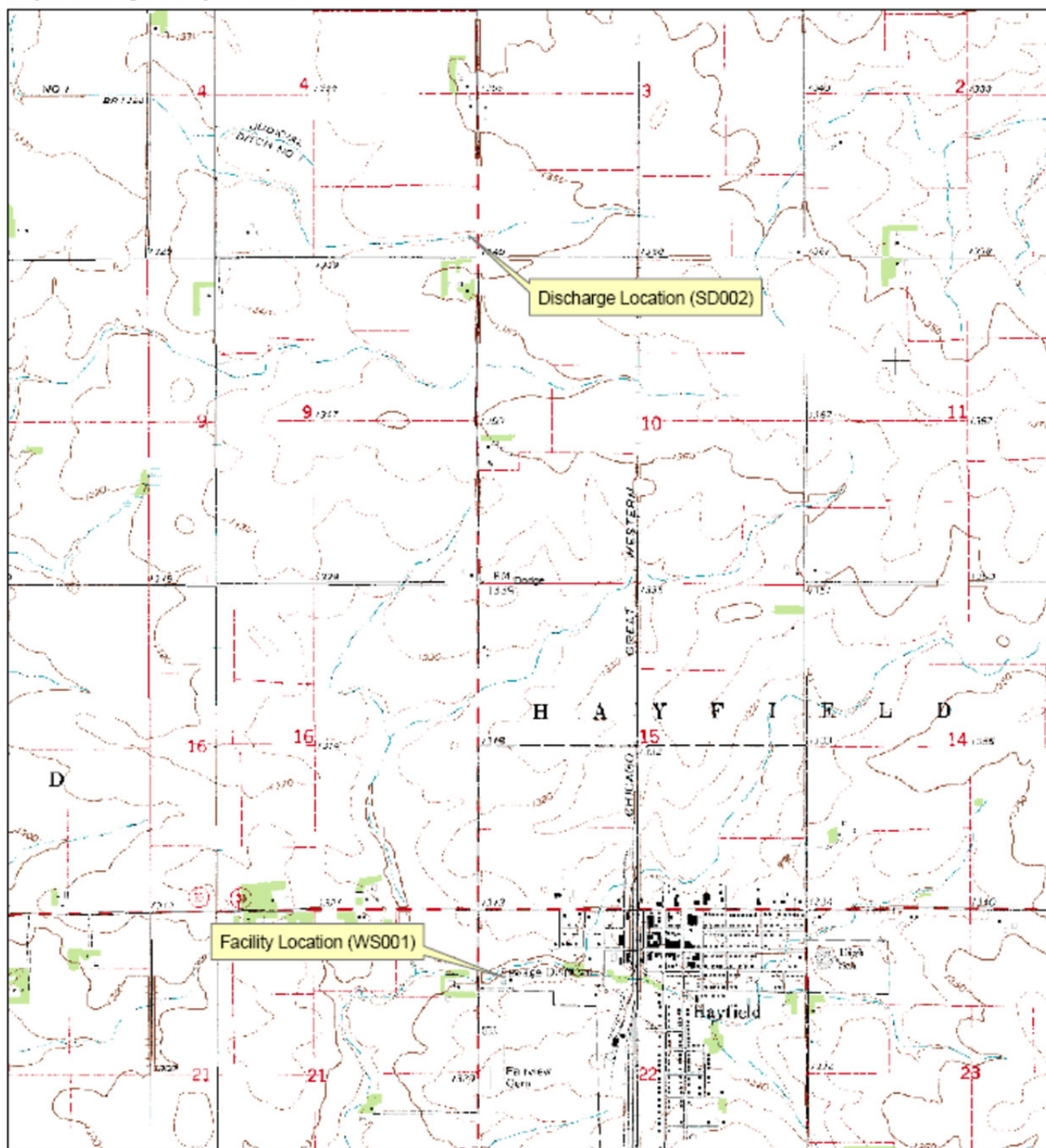
The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, the MPCA staff, as authorized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

Melanie Miland
Minnesota Pollution Control Agency
18 Wood Lake Drive Southeast
Rochester, Minnesota 55912

Topographic Map of Permitted Facility

MN0023612, Hayfield WWTF
T105N, R17W, Section 22
Hayfield, Dodge County, Minnesota



Map produced by: MPCA Staff, 6/23/09
Source: USGS Hayfield and Hayfield NW Quads
Scale: 1:24,000

0 0.25 0.5 1 Miles

