# 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 MN0020788

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| Public Comment Period Begins: | June 10, 2013 |
| Public Comment Period Ends: | July 10, 2013 |
| Current Permit Issued: | December 10, 2007 |
| Current Permit Expiration Date: | November 30, 2012 |

**Name and Address of Permittee**:
City of Elk River
13065 Orono Parkway
Elk River, Minnesota 55330

**Facility Name and Location**:
Elk River Wastewater Treatment Facility
248 Railroad Drive
T32N, R26W, Section 3,
Elk River, Sherburne County, Minnesota

**Receiving Water**: Mississippi River (Class 1C, 2Bd, 3C, 4A, 4B, 5, 6 Water) [ORVW]

**Description of Permitted Facility**
The Elk River Wastewater Treatment Facility (Facility) is located in the NW 1/4 of Section 3, Township 32 North, Range 26 West, Elk River, Sherburne County, Minnesota.

The existing Class A wastewater treatment facility consists of two mechanically cleaned bar screens, screenings wash press, influent Parshall flume, vortex-type grit removal system, two primary clarifiers, two trickling filters (currently run in series mode), aeration basin (no diffusers or blowers were provided/installed), chemical feed system for phosphorus removal, sodium hypochlorite chemical feed system, three secondary clarifiers, pump station, six-cell dual media sand filter with backwash, and ultraviolet (UV) disinfection. Biosolids treatment consists of anaerobic sludge digestion using one primary and one secondary anaerobic sludge digester. Biosolids are stored in two sludge storage tanks and eventually land applied.

There are no known bypass points in the disposal system.

The Facility has a continuous discharge (SD-001) to the Mississippi River (Class 1C, 2Bd, 3B, 3C, 4A, 4B, 5, 6 Water) and is designed to treat an average wet weather flow of 2.2 million gallons per day (mgd) and an average dry weather flow of 1.97 mgd. The Facility has a five-day carbonaceous biochemical oxygen demand ($CBOD_5$)

strength of 200 milligrams per liter (mg/l) based on the average wet weather design flow. The Facility was constructed in 1977 and upgraded in 1995.

The reach of the Mississippi River where the discharge from the Facility is located (between St. Cloud to Anoka) was classified as an Outstanding Resource Value Water (ORVW) on November 5, 1984. The design average wet weather flow of this Facility on the date of ORVW designation was 1.04 mgd. The Facility was upgraded in 1995. In order to comply with Minn. R. 7050.0180, the mass effluent limits in the National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) permit for $CBOD_5$ and total suspended solids (TSS) were frozen at the level of mass limits in existence on the date of ORVW designation. To restrict or "freeze" the mass of pollutants entering the ORVW reach, the Facility cannot increase the mass of pollutants in the effluent over that allowed by the permit on November 5, 1984.

In accordance with MPCA rules regarding nondegradation for ORVWs, nondegradation review is required for any new or expanded discharge (Minn. R. 7050.0180). A new discharge is a discharge that was not in existence on the effective date the ORVW was designated as described in Minn. R. 7050.0460 and 7050.0470. An expanded discharge is a discharge that changes in volume, quality, location, or any other manner after the effective date the outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470, such that an increased loading of one or more pollutants results. Any change that results in an increased mass loading of one or more pollutants is subject to nondegradation review in accordance with Minn. R. 7050.0180.

This permit also complies with Minn. R. 7053.0275 regarding anti-backsliding.

Any point source discharger of sewage, industrial, or other wastes for which an 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.

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 NPDES/SDS permit for a term of approximately five years.

A draft permit and factsheet are 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-notices/list.html.

A copy of the draft permit and factsheet 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 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:

**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 Novotny
Minnesota Pollution Control Agency
Municipal Division
7678 College Road, Suite 105
Baxter, Minnesota 56425