



## STATE OF MINNESOTA

**Minnesota Pollution Control Agency****Municipal Division****State Disposal System (SDS) Permit MN0056871****PERMITTEE:** Sherrock Limited Partnership**FACILITY NAME:** Rockwood Estates WWTF**CITY:** Rice**COUNTY:** Benton**ISSUANCE DATE:****EXPIRATION DATE:**

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to construct, install and operate a disposal system at the facility named above, in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with Minnesota and US statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7050, 7053, 7060, and the US Clean Water Act.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility on April 20, 2007. This permit expires at midnight on the expiration date identified above.

*Signature:* \_\_\_\_\_

Ronald R. Swenson, Supervisor  
North Central Regional Office  
Municipal Division

*for* The Minnesota Pollution Control Agency

***Submit DMRs to:***

Attention: Discharge Monitoring Reports  
Minnesota Pollution Control Agency  
520 Lafayette Rd N  
St Paul, MN 55155-4194

***Submit Other WQ Reports to:***

Attention: WQ Submittals Center  
Minnesota Pollution Control Agency  
520 Lafayette Rd N  
St Paul, MN 55155-4194

***Questions on this permit?***

- For DMR and other permit reporting issues, contact:  
Belinda Nicholas, 651-757-2613.
- For specific permit requirements or permit compliance status, contact:  
Nicole Blasing, 218-316-3890.
- General permit or NPDES program questions, contact:  
MPCA, 651-282-6143 or 1-800-657-3938.

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## Facility Description

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The Rockwood Estates Wastewater Treatment Facility (Facility) treats wastewater from a mobile home park with approximately 220 connections. The Facility is located at W 1/2 of NW 1/4 of Section 3, Township 37 North, Range 31 West, Rice, Benton County, Minnesota. Major components of the Facility include:

- 2-Septic Tanks (30,000 gal and 40,000gal)
- 1- 5,000 gallon Pump Tank
- 2- 20,000 gallon Recirculating/Equalization Tanks
- 1 C2 BIOPAK Extended Aeration Package Plant (proposed)
- 48 AX 20 Textile Filters
- 1 Denitrification Unit (proposed)
- 1- 20,000 gallon Drainfield Dosing Tank
- 1- 20,000 gallon Sludge Holding Tank (proposed)
- 2 Subsurface Trench (23,300 sq ft)
- 5 Subsurface Trench (101,452 sq ft)

The existing Facility consists of two septic tanks (30,000 gallon and 40,000 gallon), one-5,000 gallon pumping tank, two-20,000 gallon recirculating tanks (tank #2 is equipped with four duplex pump vaults), a total of 48 textile filters (four cells with 12 textile filters per cell), one-20,000 gallon plastic drainfield tank with five duplex pump vaults, five alternating pressure drainfields with a total surface area of approximately 101,452 square feet, and two unused drainfields with a surface area of 23,300 sq ft (approximately 16,800 square feet and 6,500 square feet). This is a Class C Facility.

The existing Facility is designed to treat an average wet weather (AWW) flow of 40,000 gallons per day (gpd), with a peak instantaneous wet weather flow of 80,000 gpd, a five-day carbonaceous biochemical oxygen demand (CBOD<sub>5</sub>) strength of 240 milligrams per liter (mg/L), and Total Suspended Solids (TSS) of 94 pounds per day.

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This permit includes a compliance related construction schedule. The upgraded Facility will consist of two septic tanks (30,000 gallon and 40,000 gallon), one-5,000 gallon pumping tank, two-20,000 gallon equalization tanks (previously used as recirculating tanks), a two stage extended aeration package plant C2 BIOPAK followed by a separate stage denitrification unit with carbon addition post aeration and final settling with solids recycling, one-20,000 gallon plastic drainfield dosing tank with five duplex pump vaults, five alternating pressure drainfields with a total surface area of approximately 101,452 square feet, two unused drainfields with a total surface area of 23,300 sq ft (approximately 16,800 square feet and 6,500 square feet), and one-20,000 gallon sludge holding tank. The Facility will also maintain the exiting 48 AX 20 textile filters (four cells with 12 textile filters per cell) for additional treatment if necessary. This is a Class B Facility.

The upgraded Facility will be designed to treat an AWW flow of 49,000 gpd, with a peak instantaneous wet weather flow of 98,000 gpd, a CBOD<sub>5</sub> strength of 240 mg/L, and TSS of 280 mg/L.

The location of the Facility is shown on the "Topographical Map of Permitted Facility" (page 4). The location of designated monitoring stations is specified on the "Summary of Stations" (page 5).

# Topographic Map of Permitted Facility

MN0056871, Rockwood Estates WWTF

T37N, R31W, Section 3

Rice, Benton County, Minnesota



Map produced by: MPCA Staff, 12/09/08

Source: USGS Little Rock Lake

Scale: 1:24,000

0 0.15 0.3 0.6 Miles



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**Ground Water Stations**

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
GW001	Well, Downgradient	MW #1-So of Dispersal Fields 1& 2	NW Quarter of Section 3, Township 37 North, Range 31 West
GW002	Well, Downgradient	Lateral MW #2 - So of Drainfield Cell 4	NW Quarter of Section 3, Township 37 North, Range 31 West
GW004	Well, Downgradient	MW #4 - SE of Dispersal Fields 1& 2	NW Quarter of Section 3, Township 37 North, Range 31 West
GW006	Piezometer, Upgradient	Lateral MW #6 - No of Drainfield Cell 1	NW Quarter of Section 3, Township 37 North, Range 31 West
GW007	Well, Other	MW #7 - No of Drainfield Cell 2 (Lateral)	NW Quarter of Section 3, Township 37 North, Range 31 West
GW008	Well, Downgradient	MW #8 - East of Drainfield Cell 5	NW Quarter of Section 3, Township 37 North, Range 31 West

**Waste Stream Stations**

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
WS001	Influent Waste	Influent Waste Stream/Septic Tank #1	NW Quarter of Section 3, Township 37 North, Range 31 West
WS002	Internal Waste Stream	Septic Tank #2	NW Quarter of Section 3, Township 37 North, Range 31 West
WS004	Intermediate: WW to Land	Effluent to Drainfield	NW Quarter of Section 3, Township 37 North, Range 31 West

# **Rockwood Estates WWTF** **Limits and Monitoring Requirements**

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The Permittee shall comply with the limits and monitoring requirements as specified below.

**Period:** *Limits Applicable in the Interim Period*

**GW 001, GW 004, GW 008**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Single Value	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	3
Nitrite Plus Nitrate, Total (as N)	10.0	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
pH, Field	Monitor Only	SU	Single Value	Apr, Jul, Oct	Grab	1 x Month	2
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Apr, Jul, Oct	Grab	1 x Month	2
Temperature, Water (C)	Monitor Only	Deg C	Single Value	Apr, Jul, Oct	Grab	1 x Month	2

**GW 002, GW 006, GW 007**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Single Value	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	3
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
pH, Field	Monitor Only	SU	Single Value	Apr, Jul, Oct	Grab	1 x Month	2
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Apr, Jul, Oct	Grab	1 x Month	2
Temperature, Water (C)	Monitor Only	Deg C	Single Value	Apr, Jul, Oct	Grab	1 x Month	2

**WS 001**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	
Flow	0.04	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	0.06	mgd	Daily Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	

**Rockwood Estates WWTF**  
**Limits and Monitoring Requirements**

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The Permittee shall comply with the limits and monitoring requirements as specified below.

**Period:** *Limits Applicable in the Interim Period*

**WS 001**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
pH	Monitor Only	SU	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	1
pH	Monitor Only	SU	Calendar Quarter Minimum	Jan-Dec	Grab	1 x Quarter	1
Precipitation	Monitor Only	in	Calendar Month Total	Jan-Dec	Measurement	1 x Day	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	

**WS 002**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Remaining Scum Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Remaining Sludge Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Scum Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Sludge Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	

**WS 004**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Chloride, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Nitrogen, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	

**Period:** *Limits Applicable in the Final Period*

**GW 001, GW 004, GW 008**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Single Value	Jul	Measurement, Instantaneous	1 x Month	3

# **Rockwood Estates WWTF** **Limits and Monitoring Requirements**

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The Permittee shall comply with the limits and monitoring requirements as specified below.

**Period:** *Limits Applicable in the Final Period*

**GW 002, GW 006, GW 007**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Single Value	Jul	Measurement, Instantaneous	1 x Month	3

## **WS 001**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	
Flow	0.049	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	0.0735	mgd	Daily Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	
pH	Monitor Only	SU	Calendar Month Maximum	Jan-Dec	Grab	1 x Month	1
pH	Monitor Only	SU	Calendar Month Minimum	Jan-Dec	Grab	1 x Month	1
Precipitation	Monitor Only	in	Calendar Month Total	Jan-Dec	Measurement	1 x Day	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Month	

## **WS 002**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Remaining Scum Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Remaining Sludge Capacity	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Scum Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	
Sludge Depth, Maximum of Sample	Monitor Only	in	Calendar Quarter Maximum	Jan-Dec	Measurement	1 x Quarter	

## **WS 004**

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	
Chloride, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	



Permit Issued:  
Permit Expires:

Rockwood Estates WWTF  
Limits and Monitoring Requirements

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Permit #: MN0056871

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The Permittee shall comply with the limits and monitoring requirements as specified below.

Period: Limits Applicable in the Final Period  
WS 004

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Nitrogen, Total (as N)	10.0	mg/L	12 Month Moving Average	Jan-Dec	Grab	1 x Week	
Nitrogen, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	Grab	1 x Week	

Notes:  
1 -- Analyze immediately. Except weekends or holidays. This means within 15 minutes or less of sample collection.  
2 -- Final field measurement from stabilization tests at all monitoring wells may be used.  
3 -- Measured to the nearest 0.01 ft. prior to pumping or bailing.

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## **Chapter 1. Compliance Schedule**

### **1. Compliance Related Construction Schedule**

#### **Definitions**

- 1.1 "Initiation of operation" means the date that MPCA determines all components of the the wastewater treatment system are complete and functioning and the project begins operating for the purposes for which it was planned, designed, and built.
- 1.2 "Completion of construction" means all the construction is complete except for minor weather-related components and conforms to the approved plans and specifications and change orders.
- 1.3 "Notice to proceed" means a written notice given by the Permittee to the contractor that affixes the contract effective date and the date that the contractor begins performing the work specified in the contract documents.

#### **Schedule**

- 1.4 The Permittee must execute the Notice to Proceed by July 30, 2012. The Permittee must submit a copy of the executed Notice to Proceed to the MPCA with 14 days after its execution.
- 1.5 A monthly construction report is required to be submitted every 30 days after receipt of the Permittees Notice to Proceed until Initiation of Operation of the upgraded Facility. The construction report should include a summary of construction activies completed within the past 30 days and the construction activities that are planned to be completed within the upcoming 30 days.

Submit the monthly construction reports to:  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, MN 56425

- 1.6 The Permittee must submit to the MPCA at least 60 days before the planned initiation of operation of the upgraded Facility:
  - Written notification that it has employed a wastewater treatment facility operator, certified for the classification of the treatment system (according to Minn. R., Chapter 9400), that is directly responsible for the operation of the system;
  - An operation and maintenance manual or a maintenance plan; and
  - A start up plan for the upgraded Facility.
- 1.7 The Permittee must notify the MPCA in writing at least 14 days before June 1, 2013 (initiation of operation). Following MPCA staff's concurrence that the facility is adequately prepared, MPCA staff will notify the Permittee that it may initiate operation of the new or upgraded facility.
- 1.8 The Permittee must initiate operation of the facility on or before June 1, 2013. The Permittee must notify the MPCA in writing within 14 days after the actual initiation of operation date.
- 1.9 Upon initiation of operation, the upgraded Facility will be classified as a Class B Facility, and the Permittee must comply with all permit requirements and attain final limits within 90 days of the Initiation of Operation date.
- 1.10 The Permittee must complete construction by November 30, 2013. The Permittee must notify the MPCA in writing at least 14 days before the planned completion of construction date. The MPCA may complete a final inspection.

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## **Chapter 1. Compliance Schedule**

### **1. Compliance Related Construction Schedule**

- 1.11 Submit Final Technical Documents. The Permittee must submit the following to the MPCA within one year after the initiation of operation date:
  - a. An MPCA-approved certification form that is signed by a professional engineer registered in the state of Minnesota stating that the project meets the performance standards.
  - b. A revised operation and maintenance manual or a maintenance plan; or a certificate of completion of an operation and maintenance manual on a form prescribed by the MPCA. At a minimum, this plan must include a detailed discussion of operation and controls, maintenance, sampling and analysis, problem mitigation, VOC management, personnel records and reporting, and safety. This plan must be maintained and updated regularly and made available to the MPCA staff upon request.
  - c. A system effectiveness evaluation that summarizes the effectiveness of the treatment facility (including any applicable groundwater monitoring system) as detailed in the plan and specifications approval letter or through communication with the MPCA staff.
  - d. One copy of "as-built" plans and specifications, also known as record drawings, must be submitted in a format approved by the MPCA. The factsheet titled: "Wastewater Treatment Facility Construction Record Documents, As-built Submittal Requirements" contains specific information regarding the required format of the submittal. The document is located on the MPCA web page at:  
<http://www.pca.state.mn.us/index.php/view-document.html?gid=15492>.

## **Chapter 2. Ground Water Stations**

### **1. Monitoring Wells**

- 1.1 The Permittee shall install, maintain and abandon groundwater monitoring wells according to the Minnesota Water Well Construction Code, Minnesota Rules, ch. 4725. Damaged or improperly constructed monitoring wells shall be repaired or properly abandoned and replaced. Information on licensed water well contractors is available from the Minnesota Department of Health.
- 1.2 The Permittee shall submit a detailed monitoring well log for each monitoring well at the facility and a detailed US Geological Survey topographical map identifying the location of each well.
- 1.3 Each monitoring well shall be clearly numbered on the outside of the well with either indelible paint or an inscribed number.
- 1.4 The monitoring wells shall be sampled in accordance with "Minnesota Pollution Control Agency, Water Quality Division: Sampling Protocol for Ground Water Monitoring Wells, July 1997," Triplett, et. al. Copies of this publication are available on the internet at <http://www.pca.state.mn.us/water/groundwater/wqsampling.html> or may be obtained from the MPCA by calling 651-282-6143 or 800-657-3938.
- 1.5 Prior to well purging and sampling, depths to groundwater shall be measured to the nearest 0.01 foot below the top of the well casing, and groundwater elevations shall be reported to the nearest 0.01 foot above mean sea level.
- 1.6 Temperature, specific conductance and pH shall be reported as the final field measurements from well stabilization.

### **2. Discharges From Tile Lines**

- 2.1 The Permittee shall begin sampling at the frequencies noted two weeks prior to wastewater or waste application to the site, during periods of application, and continuing for two weeks after waste application ends.

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## **Chapter 2. Ground Water Stations**

### **3. Requirements for Specific Stations**

- 3.1 GW 001: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.
- 3.2 GW 002: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.
- 3.3 GW 004: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.
- 3.4 GW 006: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.
- 3.5 GW 007: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.
- 3.6 GW 008: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.

## **Chapter 3. Waste Stream Stations**

### **1. Requirements for Specific Stations**

- 1.1 WS 001: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.
- 1.2 WS 002: Submit a quarterly DMR quarterly by 21 days after the end of each calendar quarter following permit issuance.
- 1.3 WS 004: Submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.

### **2. Sampling Location**

- 2.1 Grab samples for WS-001 shall be collected at a point representative of the total influent flow into the system.
- 2.2 Samples for station WS-002 shall be taken from septic tank #2.
- 2.3 Samples for station WS-004 shall be taken at a point representative of the effluent flow to the drainfields.

## **Chapter 4. Domestic Wastewater -- Large Subsurface Treatment System (LSTS)**

### **1. Unauthorized Discharge**

- 1.1 There shall be no unauthorized discharge to the ground surface or surface water from these facilities.

### **2. Prohibitions**

- 2.1 The Permittee shall prevent the discharge of any wastes other than sewage into any component of the facility, including septic tanks, advanced treatment systems, and soil treatment systems that could result in damage to the treatment facility or inhibit treatment unless the discharge of such other substances is specifically approved in writing by the MPCA.

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## **Chapter 4. Domestic Wastewater -- Large Subsurface Treatment System (LSTS)**

### **3. Sanitary Sewer Extension Permit**

- 3.1 The Permittee may be required to obtain a Sanitary Sewer Extension Permit from the MPCA for any addition, extension or replacement to the sanitary sewer. If a sewer extension permit is required, construction may not begin until plans and specifications have been submitted and a written permit is granted except as allowed in Minn. Stat. 115.07, Subd. 3(b).

### **4. Operator Certification**

- 4.1 The Permittee shall provide a Class C state certified operator who is in direct responsible charge of the operation, maintenance and testing functions required to ensure compliance with the terms and conditions of this permit. (Minnesota Statutes, section 115.72)
- 4.2 The certified operator shall also become certified as a Service Provider within two years of permit issuance. Copies of the certificate of attendance and the exam results indicating a passing score shall be submitted to the agency within 2.5 years after permit issuance. Equivalent training may be allowed but must be pre-approved by the MPCA.
- 4.3 Within 2.5 years of permit issuance, submit a copy of the Service Provider's Subsurface Sewage Treatment System (SSTS) Individual Certification Card displaying the Certification Number to the MPCA, Attn: WQ Submittals Center.
- 4.4 If the Permittee chooses to meet operator certification requirements through a contractual agreement, the Permittee shall provide a copy of the contract to the MPCA, WQ Submittals Center. The contract shall include the certified operator's name, certificate number, company name if appropriate, the period covered by the contract and provisions for renewal; the duties and responsibilities of the certified operator; the duties and responsibilities of the permittee; and provisions for notifying the MPCA 30 days in advance of termination if the contract is terminated prior to the expiration date.
- 4.5 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

### **5. Special Requirements**

#### **Special Condition - Update O & M Manual**

- 5.1 The Permittee is required to have on-site and available an updated Operation and Maintenance manual. This manual must be available to MPCA staff upon request.

### **6. Facility Maintenance**

- 6.1 The facility shall be adequately protected to prevent damage.

### **7. Collection System**

- 7.1 The collection system shall be properly maintained to minimize inflow, infiltration, exfiltration, and obstructions. A record of all inspections and maintenance operations shall be kept by the Permittee for a minimum of three years.

### **8. Tank Maintenance**

- 8.1 All tanks (primary, secondary, holding, dosing, individual, etc) associated with this system shall be operated, pumped and maintained to ensure proper system operation and solids management. After every pumping event, all tanks shall be inspected for potential failure (such as cracks, roots, damaged baffles, etc.). Identified problems shall be corrected immediately.
- 8.2 The owner of a septic tank or tanks or the owner's agent must arrange for the removal and proper disposal of septage from all tanks or compartments in which the top of the sludge layer is less than 12 inches below the bottom of the outlet baffle or whenever the bottom of the scum layer is less than three inches above the outlet baffle. All accumulations of sludge, scum, and liquids must be removed through the maintenance hole.

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## **Chapter 4. Domestic Wastewater -- Large Subsurface Treatment System (LSTS)**

### **8. Tank Maintenance**

- 8.3 The Permittee shall properly clean the effluent screens as often as needed to maintain an adequate flow rate from the septic tank(s). The Permittee shall keep a record at the facility that indicates the dates that the effluent screens are inspected, removed and cleaned.
- 8.4 Tanks that are not specifically covered under the Limits & Monitoring section of this permit shall be inspected at least every three years and pumped as necessary unless more restrictive local requirements have been established.

### **9. Soil Treatment System Maintenance**

- 9.1 The soil treatment system(s) shall be adequately fenced.
- 9.2 A dense vegetative cover shall be maintained over the soil treatment system(s) at all times during the growing season to prevent the growth of unwanted vegetation such as trees, deep rooted nuisance plants, aquatic vegetation and to prevent erosion.
- 9.3 Routine maintenance shall be conducted to discourage the presence of rodents and other burrowing animals and deer on the soil treatment system and to allow inspection of observation ports installed in the soil treatment system(s) inspection pipes.

#### **Soil Treatment System Inspection**

- 9.4 Ponding depth inspections to determine the condition of each soil treatment system (trench, bed, at-grade, mound, or drip dispersal) /drainfield standpipe shall be conducted every other month during the time the soil treatment system is in use. The inspection of each soil treatment system shall include the identification of wet or saturated areas, depth of effluent ponding in the soil treatment observation ports, evidence of effluent at the surface, frozen components, and measurements in piezometers (if installed). Visual observations shall be recorded and inspection records shall be maintained by the owner for a minimum of three years following each inspection. The results of the inspection are not required to be submitted to the MPCA but shall be made available upon request by MPCA staff.
- 9.5 Indications of excessive hydraulic and organic loading to the wastewater treatment facility flow rate include ineffective septic tanks or advanced treatment systems, prolonged saturated soil conditions, vegetative drowning or excessive ground water mounding (observed from piezometers) and exceeding daily permitted flow rates as indicated by flow meters, event counters and running time clocks.

#### **Reserve Soil Treatment System**

- 9.6 The reserve area for the soil treatment system/drainfield must be properly protected to prevent the use of, and damage to, the area. The reserve area must be posted and identified for the public with at least one sign designating its future purpose and the boundaries must be visibly staked at all corners. In no case may this area be disturbed for any purpose, including vehicle traffic, storage, bike, hiking or ATV trails, playing fields, etc.

## **Chapter 5. Biosolids / Septage Transfer**

### **1. Reporting Requirements**

- 1.1 This permit authorizes the permittee to store and/or transfer only domestic wastewater biosolids and/or septage defined as biosolids to another permitted treatment facility for final treatment and disposal. Domestic wastewater septage is defined as biosolids in accordance with the provision in this chapter and Minn. R. ch. 7041. For the purpose for this permit chapter, septage is referred to as biosolids. □

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## **Chapter 5. Biosolids / Septage Transfer**

### **1. Reporting Requirements**

- 1.2 The permittee shall submit a Biosolids Annual Report by December 31 of each year for biosolids storage and transfer activities occurring during the cropping year previous to December 31. The report must indicate whether or not biosolids were transferred and/or stored. If biosolids were transferred, the report must describe how much was transferred, where it was transferred to, the name of the facility that accepted the transfer and the contact person at that facility. "Cropping year" means a year beginning on September 1 of the year prior to the growing season and ending August 31 the year the crop is harvested. For example, the 1994 cropping year began September 1, 1993, and ended August 31, 1994.
- 1.3 The Permittee shall submit the Biosolids Annual Report to:

Biosolids Coordinator  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194

## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

#### **General Requirements**

- 1.1 No Discharge. There shall be no point source discharge to surface water from the permitted activity.
- 1.2 Incorporation by Reference. The following applicable federal and state laws are incorporated by reference in this permit, are applicable to the Permittee, and are enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. pts. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. Sec. 115 and 116.
- 1.3 Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by the permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the Agency. (Minn. R. 7001.0150, subp. 3, item E)
- 1.4 Toxic Discharges Prohibited. Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to Code of Federal Regulations, Title 40, sections 400 to 460 and Minnesota Rules 7050, 7052, 7053 and any other applicable MPCA rules. (Minn. R. 7001.1090, subp.1, item A)
- 1.5 Nuisance Conditions Prohibited. The Permittee's discharge shall not cause any nuisance conditions including, but not limited to: floating solids, scum and visible oil film, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. (Minn. R. 7050.0210 subp. 2)
- 1.6 Property Rights. This permit does not convey a property right or an exclusive privilege. (Minn. R. 7001.0150, subp. 3, item C)
- 1.7 Liability Exemption. In issuing this permit, the state and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under this permit. To the extent the state and the MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act. (Minn. R. 7001.0150, subp. 3, item O)
- 1.8 The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what is authorized by Minnesota Statutes. (Minn. R. 7001.0150, subp.3, item D)

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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

- 1.9 Liabilities. The MPCA's issuance of this permit does not release the Permittee from any liability, penalty or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. (Minn. R. 7001.0150, subp.3, item A)
- 1.10 The issuance of this permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. (Minn. R. 7001.0150, subp.3, item B)
- 1.11 Severability. The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.
- 1.12 Compliance with Other Rules and Statutes. The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility.
- 1.13 Inspection and Entry. When authorized by Minn. Stat. Sec. 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. (Minn. R. 7001.0150, subp.3, item I)
- 1.14 Control Users. The Permittee shall regulate the users of its wastewater treatment facility so as to prevent the introduction of pollutants or materials that may result in the inhibition or disruption of the conveyance system, treatment facility or processes, or disposal system that would contribute to the violation of the conditions of this permit or any federal, state or local law or regulation.

### **Sampling**

- 1.15 Representative Sampling. Samples and measurements required by this permit shall be conducted as specified in this permit and shall be representative of the discharge or monitored activity. (40 CFR 122.41 (j)(1))
- 1.16 Additional Sampling. If the Permittee monitors more frequently than required, the results and the frequency of monitoring shall be reported on the Discharge Monitoring Report (DMR) or another MPCA-approved form for that reporting period. (Minn. R. 7001.1090, subp. 1, item E)
- 1.17 Certified Laboratory. A laboratory certified by the Minnesota Department of Health shall conduct analyses required by this permit. Analyses of dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine) do not need to be completed by a certified laboratory but shall comply with manufacturers specifications for equipment calibration and use. (Minn. Stat. Sec. 144.97 through 144.98 and Minn. R. 4740.2010 and 4740.2050 through 4740.2120) (Minn. R. 4740.2010 and 4740.2050 through 2120)
- 1.18 Sample Preservation and Procedure. Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200.
- 1.19 Equipment Calibration: Flow meters, pumps, flumes, lift stations or other flow monitoring equipment used for purposes of determining compliance with permit shall be checked and/or calibrated for accuracy at least twice annually. (Minn. R. 7001.0150, subp. 2, items B and C)



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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

- 1.20 Maintain Records. The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following information (Minn. R. 7001.0150, subp. 2, item C):
- a. The exact place, date, and time of the sample or measurement;
  - b. The date of analysis;
  - c. The name of the person who performed the sample collection, measurement, analysis, or calculation; and
  - d. The analytical techniques, procedures and methods used; and
  - e. The results of the analysis.
- 1.21 Completing Reports. The Permittee shall submit the results of the required sampling and monitoring activities on the forms provided, specified, or approved by the MPCA. The information shall be recorded in the specified areas on those forms and in the units specified. (Minn. R. 7001.1090, subp. 1, item D; Minn. R. 7001.0150, subp. 2, item B)

Required forms may include:

#### **DMR Supplemental Form**

Individual values for each sample and measurement must be recorded on the DMR Supplemental Form which, if required, will be provided by the MPCA. DMR Supplemental Forms shall be submitted with the appropriate DMRs. You may design and use your own supplemental form; however it must be approved by the MPCA.

Note: Required summary information **MUST** also be recorded on the DMR. Summary information that is submitted **ONLY** on the DMR Supplemental Form does not comply with the reporting requirements.

- 1.22 Submitting Reports. DMRs and Supplementals shall be submitted to:

**MPCA**

Attn: Discharge Monitoring Reports  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194.

DMRs, DMR supplemental forms and related attachments may be electronically submitted via the MPCA Online Services Portal after authorization is approved. When electronically submitted, the paper DMR submittal requirement is waived.

DMRs and DMR Supplemental Forms shall be postmarked or electronically submitted by the 21st day of the month following the sampling period or as otherwise specified in this permit. Electronic DMR submittal must be complete on or before 11:59 PM of the 21st day of the month following the sampling period or as otherwise specified in this permit. A DMR shall be submitted for each required station even if no discharge occurred during the reporting period. (Minn. R. 7001.0150, subps. 2.B and 3.H)

Other reports required by this permit shall be postmarked by the date specified in the permit to:

**MPCA**

Attn: WQ Submittals Center  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194

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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

- 1.23 Incomplete or Incorrect Reports. The Permittee shall immediately submit an amended report or DMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or DMR. The amended report or DMR shall contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. (Minn. R. 7001.0150 subp. 3, item G)
- 1.24 Required Signatures. All DMRs, forms, reports, and other documents submitted to the MPCA shall be signed by the Permittee or the duly authorized representative of the Permittee. Minn. R. 7001.0150, subp. 2, item D. The person or persons that sign the DMRs, forms, reports or other documents must certify that he or she understands and complies with the certification requirements of Minn. R. 7001.0070 and 7001.0540, including the penalties for submitting false information. Technical documents, such as design drawings and specifications and engineering studies required to be submitted as part of a permit application or by permit conditions, must be certified by a registered professional engineer. (Minn. R. 7001.0540)
- 1.25 Detection Level. The Permittee shall report monitoring results below the reporting limit (RL) of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the concentration shall be reported as "<0.1 mg/L." "Non-detected," "undetected," "below detection limit," and "zero" are unacceptable reporting results, and are permit reporting violations. (Minn. R. 7001.0150, subp. 2, item B)

Where sample values are less than the level of detection and the permit requires reporting of an average, the Permittee shall calculate the average as follows:

- a. If one or more values are greater than the level of detection, substitute zero for all nondetectable values to use in the average calculation.
  - b. If all values are below the level of detection, report the averages as "<" the corresponding level of detection.
  - c. Where one or more sample values are less than the level of detection, and the permit requires reporting of a mass, usually expressed as kg/day, the Permittee shall substitute zero for all nondetectable values. (Minn. R. 7001.0150, subp. 2, item B)
- 1.26 Records. The Permittee shall, when requested by the Agency, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. (Minn. R. 7001.0150, subp. 3, item H)
- 1.27 Confidential Information. Except for data determined to be confidential according to Minn. Stat. Sec. 116.075, subd. 2, all reports required by this permit shall be available for public inspection. Effluent data shall not be considered confidential. To request the Agency maintain data as confidential, the Permittee must follow Minn. R. 7000.1300.

### **Noncompliance and Enforcement**

- 1.28 Subject to Enforcement Action and Penalties. Noncompliance with a term or condition of this permit subjects the Permittee to penalties provided by federal and state law set forth in section 309 of the Clean Water Act; United States Code, title 33, section 1319, as amended; and in Minn. Stat. Sec. 115.071 and 116.072, including monetary penalties, imprisonment, or both. (Minn. R. 7001.1090, subp. 1, item B)
- 1.29 Criminal Activity. The Permittee may not knowingly make a false statement, representation, or certification in a record or other document submitted to the Agency. A person who falsifies a report or document submitted to the Agency, or tampers with, or knowingly renders inaccurate a monitoring device or method required to be maintained under this permit is subject to criminal and civil penalties provided by federal and state law. (Minn. R. 7001.0150, subp. 3, item G., 7001.1090, subps. 1, items G and H and Minn. Stat. Sec. 609.671)

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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

- 1.30 Noncompliance Defense. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. ( 40 CFR 122.41(c))
- 1.31 Effluent Violations. If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee shall within 24 hours of the discovery of the noncompliance, orally notify the commissioner and submit a written description of the noncompliance within 5 days of the discovery. The written description shall include items a. through e., as listed below. If the Permittee discovers other non-compliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the non-compliance shall be reported during the next reporting period to the MPCA with its Discharge Monitoring Report (DMR). If no DMR is required within 30 days, the Permittee shall submit a written report within 30 days of the discovery of the noncompliance. This description shall include the following information:
- a. a description of the event including volume, duration, monitoring results and receiving waters;
  - b. the cause of the event;
  - c. the steps taken to reduce, eliminate and prevent reoccurrence of the event;
  - d. the exact dates and times of the event; and
  - e. steps taken to reduce any adverse impact resulting from the event. (Minn. R. 7001.0150, subp. 3k)
- 1.32 Unauthorized Releases of Wastewater Prohibited. Except for conditions specifically described in Minn. R. 7001.1090, subp. 1, items J and K, all unauthorized bypasses, overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, are prohibited. However, the MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. (40 CFR 122.41 and Minn. Stat. Sec 115.061)

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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

1.33 Discovery of a release. Upon discovery of a release, the Permittee shall:

- a. Take all reasonable steps to immediately end the release.
- b. Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 (metro area) immediately upon discovery of the release. You may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area).
- c. Recover as rapidly and as thoroughly as possible all substances and materials released or immediately take other action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If the released materials or substances cannot be immediately or completely recovered, the Permittee shall contact the MPCA. If directed by the MPCA, the Permittee shall consult with other local, state or federal agencies (such as the Minnesota Department of Natural Resources and/or the Wetland Conservation Act authority) for implementation of additional clean-up or remediation activities in wetland or other sensitive areas.
- d. Collect representative samples of the release. The Permittee shall sample the release for parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, Fecal Coliform Bacteria samples shall be collected where it is determined by the Permittee that the release contains or may contain sewage. If the release cannot be immediately stopped, the Permittee shall consult with MPCA regarding additional sampling requirements. Samples shall be collected at least, but not limited to, two times per week for as long as the release continues.
- e. Submit the sampling results as directed by the MPCA. At a minimum, the results shall be submitted to the MPCA with the next DMR.

1.34 Upset Defense. In the event of temporary noncompliance by the Permittee with an applicable effluent limitation resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the Agency as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence:

- a. The specific cause of the upset;
- b. That the upset was unintentional;
- c. That the upset resulted from factors beyond the reasonable control of the Permittee and did not result from operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or increases in production which are beyond the design capability of the treatment facilities;
- d. That at the time of the upset the facility was being properly operated;
- e. That the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1, item I; and
- f. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J.

### **Operation and Maintenance**

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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

- 1.35 The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible Minn. R. 7001.0150. subp. 3, item F.
- 1.36 In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail its discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until the wastewater treatment facility has been restored or until an alternative method of treatment is provided. (Minn. R. 7001.1090, subp. 1, item C)
- 1.37 Solids Management. The Permittee shall properly store, transport, and dispose of biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or ground waters of the state. Solids should be disposed of in accordance with local, state and federal requirements. (40 CFR 503 and Minn. R. 7041 and applicable federal and state solid waste rules)
- 1.38 Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality, except where emergency maintenance is required to prevent a condition that would be detrimental to water quality or human health. (Minn. R. 7001.0150. subp. 3, item F and Minn. R. 7001.0150. subp. 2, item B)
- 1.39 Control Tests. In-plant control tests shall be conducted at a frequency adequate to ensure compliance with the conditions of this permit. (Minn. R. 7001.0150. subp. 3, item F and Minn. R. 7001.0150. subp. 2, item B)

#### **Changes to the Facility or Permit**

- 1.40 Permit Modifications. Except as provided under Minnesota Statutes, section 115.07, subdivisions 1 and 3, no person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the agency has issued a written permit for the facility or activity. (Minn. R. 7001.0030)

Permittees that propose to make a change to the facility or discharge that requires a permit modification must follow Minn. R. 7001.0190. If the Permittee cannot determine whether a permit modification is needed, the Permittee must contact the MPCA prior to any action. It is recommended that the application for permit modification be submitted to the MPCA at least 180 days prior to the planned change.

- 1.41 No person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted except as provided under Minnesota Statutes, section 115.07, subdivisions 1 and 3, nor shall a person commence an activity for which a permit is required by statute or rule until the agency has issued a written permit for the facility or activity.
- 1.42 Plans, specifications and MPCA approval are not necessary when maintenance dictates the need for installation of new equipment, provided the equipment is the same design size and has the same design intent. For instance, a broken pipe, lift station pump, aerator, or blower can be replaced with the same design-sized equipment without MPCA approval.

If the proposed construction is not expressly authorized by this permit, it may require a permit modification. If the construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until a negative declaration is issued and all approvals are received or implemented.

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## Chapter 6. Total Facility Requirements

### 1. General Requirements

- 1.43 Report Changes. The Permittee shall give advance notice as soon as possible to the MPCA of any substantial changes in operational procedures, activities that may alter the nature or frequency of the discharge, and/or material factors that may affect compliance with the conditions of this permit. (Minn. R. 7001.0150, subp. 3, item M)
- 1.44 Chemical Additives. The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit, in quantities or concentrations that have the potential to change the characteristics, nature and/or quality of the discharge.

The Permittee shall request approval for an increased or new use of a chemical additive at least 60 days, or as soon as possible, before the proposed increased or new use.

This written request shall include at least the following information for the proposed additive:

- a. The process for which the additive will be used;
  - b. Material Safety Data Sheet (MSDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive. The aquatic toxicity information shall include at minimum the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean;
  - c. A complete product use and instruction label;
  - d. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive (If the MSDS does not include information on chemical composition, including percentages for each ingredient totaling to 100%, the Permittee shall contact the supplier to have this information provided); and
  - e. The proposed method of application, application frequency, concentration, and daily average and maximum rates of use. (Minn. R. 7001.0170)
- 1.45 Upon review of the information submitted regarding the proposed chemical additive, the MPCA may require additional information be submitted for consideration. This permit may be modified to restrict the use or discharge of a chemical additive and include additional influent and effluent monitoring requirements.
- Approval for the use of an additive shall not justify the exceedance of any effluent limitation nor shall it be used as a defense against pollutant levels in the discharge causing or contributing to the violation of a water quality standard.
- 1.46 MPCA Initiated Permit Modification, Suspension, or Revocation. The MPCA may modify or revoke and reissue this permit pursuant to Minn. R. 7001.0170. The MPCA may revoke without reissuance this permit pursuant to Minn. R. 7001.0180.
- 1.47 TMDL Impacts. Facilities that discharge to an impaired surface water, watershed or drainage basin may be required to comply with additional permits or permit requirements, including additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR 122.44.l.2.i., necessary to ensure consistency with the assumptions and requirements of any applicable US EPA approved wasteload allocations resulting from Total Maximum Daily Load (TMDL) studies.
- 1.48 Permit Transfer. The permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit. (Minn. R., 7001.0150, subp. 3, item N)

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## **Chapter 6. Total Facility Requirements**

### **1. General Requirements**

- 1.49 Facility Closure. The Permittee is responsible for closure and post-closure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of the activities described in this permit at least 180 days before the reduction or cessation. The MPCA may require the Permittee to provide to the MPCA a facility Closure Plan for approval.

Facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or ground water, may require a permit modification or reissuance.

The MPCA may require the Permittee to establish and maintain financial assurance to ensure performance of certain obligations under this permit, including closure, post-closure care and remedial action at the facility. If financial assurance is required, the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance, shall be approved by the MPCA. (Minn. Stat. Sec. 116.07, subd. 4)

- 1.50 Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for reissuance at least 180 days before permit expiration. If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration.

If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160):

- a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit;
- b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit;
- c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies.