



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

MUNICIPAL DIVISION

PUBLIC NOTICE OF INTENT TO REISSUE

STATE DISPOSAL SYSTEM (SDS) GENERAL PERMIT MNG820000

Public Comment Period Begins: June 25, 2012

Public Comment Period Ends: July 24, 2012

Current Permit Issued: July 31, 2007

Current Permit Expiration Date: June 30, 2012

Description of Permitted Facility

All water treatment facilities (Facilities) covered under this General Permit use media filters for treatment of potable water.

Filtration is used to remove suspended particles in the source water. Media filters remove suspended solids by adsorption and straining. Single media beds or multi-media beds may be used. The most common type of filter is a rapid sand filter. There are two different types of filtration; gravity filtration and pressure filtration. In gravity filtration water is allowed to pass through the filter by gravity and in pressure filtration the water is forced through the filter under pressure.

To clean the filter, water is passed quickly upward through the filter, opposite the normal direction (called backwashing) to remove embedded particles. Prior to this, compressed air may be blown up through the bottom of the filter to break up the compacted filter media to aid the backwashing process; this is known as air scouring. The filter backwash water is discharged to a seepage basin/pond or rapid infiltration basin (RIB). Under this general permit, filter backwash is not discharged to surface water.

Water filter backwash solids (WFBS) settled out in the seepage basin/pond or RIB are periodically cleaned out and disposed of. Disposal of WFBS is regulated under this General Permit. There are four options for disposal: wastewater treatment facility, landfilling, use as non-residential construction fill, and land application. The requirements for each of these options is listed in a guidance document titled, "Guidelines – Disposal Methods for Water Filter Backwash Solids," included in Appendix B of the General Permit.

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 General Permit is available for review at the Brainerd/Baxter MPCA 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 General 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 Novotny at 218-316-3851 or Nicole Blasing at 218-316-3890.

Written Comments

You may submit written comments on the conditions of the draft General 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 General 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 General 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 General 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 General 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
Municipal Division
7678 College Road, Suite 105
Baxter, MN 56425