



Minnesota Pollution Control Agency

STATE OF MINNESOTA

Minnesota Pollution Control Agency

INDUSTRIAL DIVISION
PUBLIC NOTICE OF INTENT TO REISSUE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0060089

Public Comment Period Begins: June 29, 2012
Public Comment Period Ends: July 30, 2012

Current Permit Issued: June 25, 2007
Current Permit Expiration Date: May 31, 2012

Name and Address of Permittee:
Northern States Power Co a Minn Corp
414 Nicollet Mall MP 7
Minneapolis, MN 55401-1993

Facility Name and Location:
The Xcel Energy Service Area Throughout
Minnesota (See Facility Description for full list of
Counties and Service Area)

Receiving Water: Various throughout the Xcel Energy Service Area

Description of Permitted Activity

Northern States Power Company (NSP) d/b/a Xcel Energy is the owner and operator of a natural gas pipeline serving customers throughout the Twin Cities metropolitan area. Additionally, Xcel Energy services an area known as the Northwest Region which includes the Brainerd Lakes Area and such communities as New London, Spicer, St. Cloud, Waite Park, Royalton and Foley; a Southern Region which includes a large portion of southern Minnesota including the Minnesota –Wisconsin border area from Red Wing, to LaCrosse, communities along the Minnesota River, Interstate 35, US52, US212 and State Highway's 60, 23 and 30; and a North Dakota Region which includes Moorhead, Dilworth, Barnsville, Ada, and East Grand Forks.

Xcel Energy is responsible for periodically testing the structural integrity of new and existing pipelines used to transport natural gas and above-ground bulk storage tanks (ASTs) used for product storage. The permit authorizes the Permittee to request discharge authorization for hydrotest waters, potentially contaminated trench waters and stormwater associated with construction activities for projects not requiring detailed review (e.g., <50 acres of land disturbance). The permit establishes technology-based effluent limitations which shall consist of best management practices for the removal of product in existing assets (tanks and pipelines), the cleaning of slag or installation debris prior to filling the asset with test water; controlling discharge velocity so that the discharge activity does not result in scouring, erosion or sediment transport; and for discharges to surface waters taking measures to ensure the discharge and/or discharge activity does not cause or create delta or sediment plumes.

The permit also incorporates standard water quality-based effluent limitations including prohibiting the transfer of waters between waterbodies (e.g., water appropriated from one surface waterbody shall not be discharged into an alternate surface waterbody) and dissipating chlorine when present in a municipal water source prior to discharge to a surface waterbody protected for a 'fishable' designated beneficial use. The permit allows for the establishment of more stringent water quality-based effluent limitation on a case-by-case basis as necessary to protect for designated beneficial uses.

The Permittee has written a General Stormwater Pollution Prevention Plan for (SWPPP), submitted in conjunction with the permit application, for the management of stormwater associated with construction activities. The SWPPP provides Standard Operating Procedures and Best Management Practices to prevent polluted stormwater runoff as a result of gas-related construction projects. The SWPPP prescribes erosion and sediment control practices which will be implemented during construction activities. Standard conditions are adapted from the existing construction stormwater general permit with some exceptions. It was decided not to incorporate those requirements more applicable to commercial and residential developments and displacement of pervious surfaces (e.g., permanent stormwater management practices), but rather incorporate by reference so that these requirements remain applicable if the need arises.

Preliminary Determination on the Draft Permit

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this NPDES/SDS permit for a term of approximately five years.

A draft permit is available for review at the MPCA office at the St. Paul address listed below 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 this office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Deborah Idzorek at 651-757-2704.

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:

Deborah Idzorek, 5th Floor
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

