



# **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 MN0031917

**Public Comment Period Begins:** August 9, 2012  
**Public Comment Period Ends:** September 10, 2012

Current Permit Issued: August 23, 2007  
Current Permit Expiration Date: July 31, 2012

**Name and Address of Permittee:**  
Rahr Malting Company  
PO Box 15186  
Minneapolis, Minnesota 55415

**Facility Name and Location:**  
Rahr Malting Company  
800 W 1st Avenue  
T115N, R23W, Section 1,  
Shakopee, Scott County, Minnesota

**Receiving Water:** Minnesota River

#### **Description of Permitted Facility**

The Rahr Malting Co facility (Facility) is located at SE 1/4 of SW 1/4 of Section 1, Township 115 North, Range 23 West, Shakopee, Scott County, Minnesota.

The principal activity at this Facility is the conversion of barley to barley malt for use in brewing, distilling, and malting food industries. Approximately 2.5 million pounds of barley is converted into 2.1 million pounds of malt per day. The Facility has an annual production capacity of approximately 23 million bushels of malt.

Treated process wastewater and noncontact cooling water are discharged from this Facility. The noncontact cooling water discharge consists of untreated well water which is discharged to the Minnesota River (Class 2B) at a design average and maximum rate of 1,500,000 gallons per day (gpd) and 3,500,000 gpd, respectively.

Process wastewater is treated and discharged from an existing wastewater treatment plant (WWTP) which was originally designed to treat a flow of 1,500,000 gpd. The WWTP was expanded and upgraded. The expanded/upgraded WWTP is designed to treat a peak hourly wet weather flow of 2.41 million gallons per day (see the Updated Engineering Design Report, Rahr Malting Company, Wastewater Treatment Facility Phase II, revised

November 2006; and the Rahr Malting Company Wastewater Treatment Plant Expansion and Koda Energy Biomass Combined Heat and Power Plant Environmental Assessment Worksheet (EAW), 2007).

Both the noncontact cooling water and the treated process wastewater are discharge to the Minnesota River (Class 2B) through the same pipe. However, all sampling is done prior to the mixing point. Sanitary wastes discharge to the municipal sanitary sewer. Sludges generated at the facility will be handled pursuant to the Minnesota Pollution Control Agency's (MPCA)'s Industrial By-Product permit, SDS General Permit No. MNG960040.

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

#### **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 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 Scott Knowles, P. E., at 218-302-6651.

#### **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.

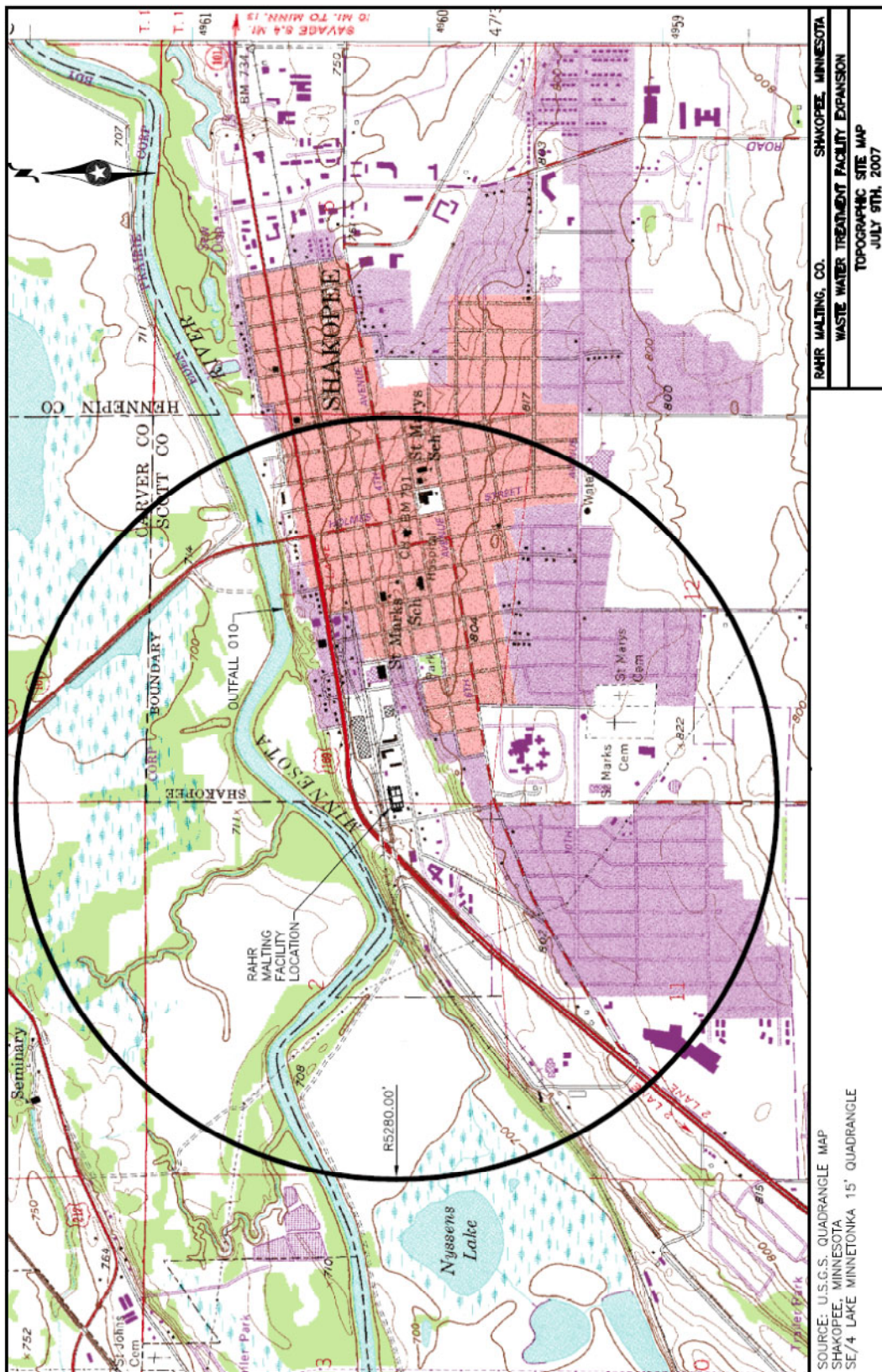
#### **MPCA Decision**

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:

Scott Knowles, P. E.  
Minnesota Pollution Control Agency  
525 S. Lake Ave., Ste. 400  
Duluth, MN 55802







Google earth