



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 MN0022322**

Public Comment Period Begins: October 22, 2012
Public Comment Period Ends: November 21, 2012

Current Permit Issued: February 29, 2008
Current Permit Expiration Date: January 31, 2013

Name and Address of Permittee:

City of Harmony
P.O. Box 488
Harmony, Minnesota 55939-0488

Facility Name and Location:

Harmony Wastewater Treatment Facility
120 10th St SE
T101N, R10W, Section 23,
Harmony, Fillmore County, Minnesota

Receiving Water: Pine Creek (Class 7, 3C, 4A, 4B, 5, 6 Water)

Description of Permitted Facility

The Harmony Wastewater Treatment Facility (Facility) is located at NW¼ of the NW¼ of Section 23, Township 101 North, Range 10 West, Harmony, Fillmore County, Minnesota.

The application and plans indicate that the existing treatment system consists of mechanical screening and grit removal, a primary clarifier, a trickling filter, intermediate clarifiers, aeration basins, final clarifiers, a chlorine contact tank, an anaerobic digester, sludge drying beds, and a sludge storage tank. This is a Class B facility.

The Facility has a continuous discharge (SD003) to Pine Creek (Class 7 water) and is designed to treat an average wet weather (AWW) flow of 194,000 gallons per day (gpd), an average dry weather flow of 120,000 gpd, and an influent five-day biochemical oxygen demand strength of 200 milligrams per liter.

The Facility is further described in a facilities plan prepared by the firm of Wallace, Holland, Kastler, Schmitz and Company and on file with the Minnesota Pollution Control Agency (MCPA). The Facility improvements are further detailed in the plans and specifications prepared by Bonestroo, Rosene, Anderlik & Associates.

In accordance with MPCA rules regarding nondegradation for all waters that are not Outstanding Resource Value Waters, nondegradation review is required for any new or expanded significant discharge (Minn. R. 7050.0185). A significant discharge is 1) a new discharge (not in existence before January 1, 1988) that is greater than 200,000 gpd to any water other than a Class 7 water or 2) an expanded discharge that expands by greater than 200,000 gpd that discharges to any water other than a Class 7 water or 3) a new or expanded discharge containing any toxic pollutant at a mass loading rate likely to increase the concentration of the toxicant in the receiving water by greater than one percent over the baseline quality. The flow rate used to determine significance is the design AWW flow. The January 1, 1988, design AWW flow for this facility is 0.194 million gallons per day.

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

Any point source discharger of sewage, industrial, or other wastes for which a National Pollutant Discharge Elimination System (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 (page 5).

A compliance schedule is included in the Permit that requires the Facility to attain a final limit for Total Residual Chlorine as soon as possible or by 180 days before permit expiration.

Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to reissue this (NPDES) / State Disposal System Permit for a term of approximately five years.

A draft permit is available for review at the MPCA's Rochester regional office address listed below, the MPCA's St. Paul office located at 520 Lafayette Road North, St. Paul, MN 55155-4194 and on-line at <http://www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notices/public-notices.html>.

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request at the Rochester office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Melanie Miland at 507-206-2647.

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, the 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:

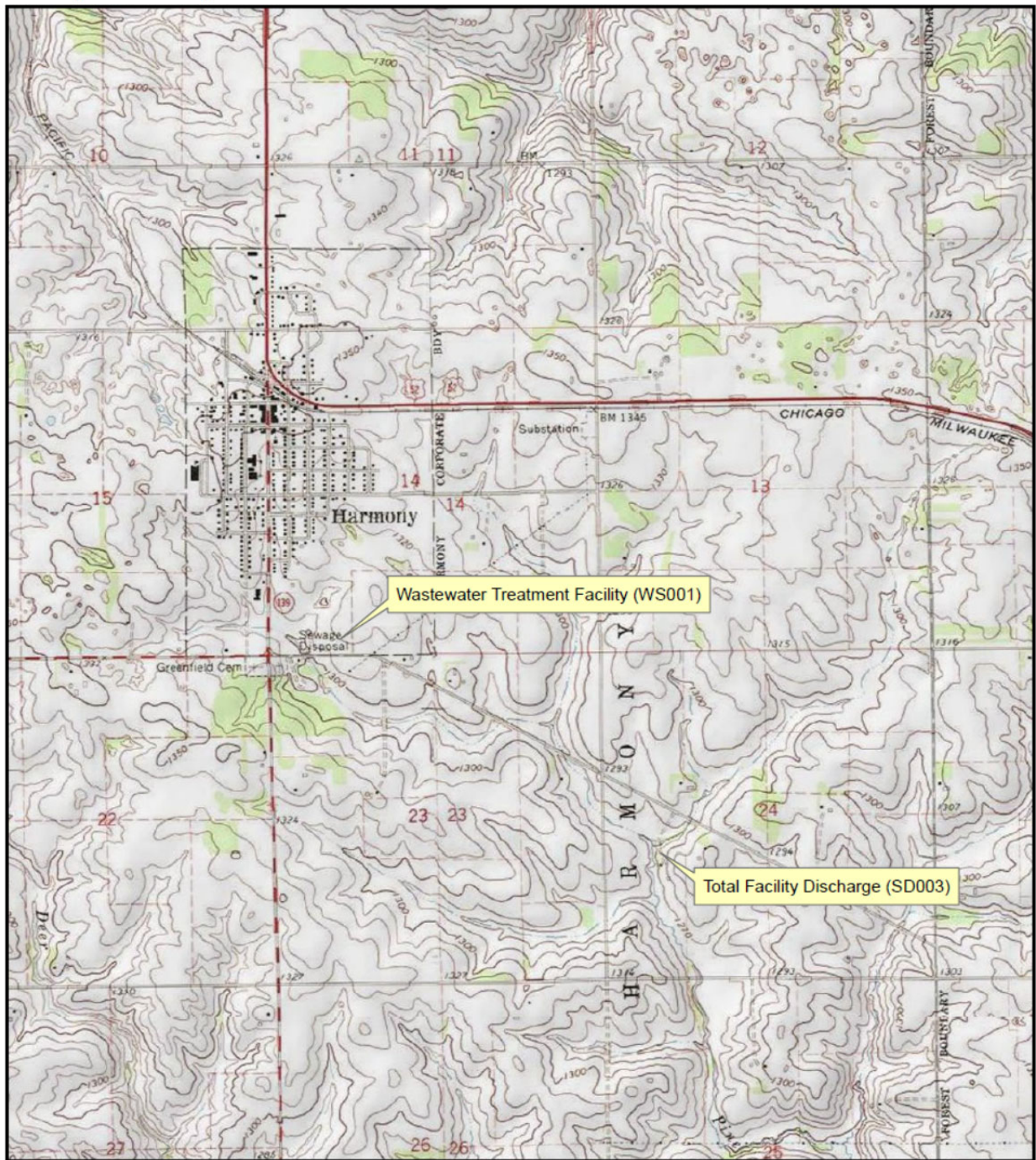
Melanie Miland
Municipal Division
Minnesota Pollution Control Agency
18 Wood Lake Drive Southeast
Rochester, Minnesota 55904

Topographic Map of Permitted Facility

MN0022322, Harmony Wastewater Treatment Facility

T101N, R10W, Section 23

Harmony, Fillmore County, Minnesota



Map produced by: MPCA Staff, 9/18/2012

Source: USGS USA Topo Maps

Scale: 1:24,000

0 0.25 0.5 1 Miles

