

National Pollutant Discharge Elimination System/State Disposal System**MNG490000**

Permittee: Multiple
Facility name: Nonmetallic Mining/Associated Activities General Permit
Issuance date: June 10, 2022
Expiration date: May 31, 2027

The Permittee is an owner or operator of facilities within the boundary of the state of Minnesota that:

- a. Discharge stormwater to waters of the state, including groundwater, from the construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, crushed and broken stone (not elsewhere classified) mining and quarrying areas, asphalt production areas, (including portable asphalt plants), concrete block and brick, concrete products (other than block and brick), and ready-mix concrete, as well as aggregate dredging operations and uncontaminated asphalt and concrete rubble recycling at sites already listed.
- b. Discharge mine site dewatering to waters of the state, including groundwater, from construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, and crushed and broken stone (not elsewhere classified) mining and quarrying areas.
- c. Non-stormwater discharges that meet the requirements of this permit and occur at the above-mentioned facilities.

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 facilities named above and to discharge to a receiving water of the state of Minnesota 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 the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: *Elise M. Doucette*

This document has been electronically signed.

Elise M. Doucette, Supervisor
Water Section
Industrial Division

for the Minnesota Pollution Control Agency

Submit eDMRs

Submit via the MPCA e-Services at
https://rsp.pca.state.mn.us/TEMPO_RSP/Orchestrate.do?initiate=true

Submit WQ reports to:

Electronically: wq.submittals.mPCA@state.mn.us

Include *Water quality submittals form*:
<https://www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx>

Questions on this permit?

For eDMR and other permit reporting issues, use the directory listed at the bottom of the DMR page:

<https://www.pca.state.mn.us/water/discharge-monitoring-reports>

For specific permit requirements, contact your compliance staff:
<https://www.pca.state.mn.us/water/wastewater-compliance>

Or, by mail:

Attention: WQ Submittals Center
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

*Whole Effluent Testing (WET) and Pretreatment Annual Reports
must be mailed to the WQ Submittals Center*

[and-enforcement-staff-contacts](#)

Wastewater Permit Program general questions, contact:
MPCA, 651-282-6143 or 1-800-657-3938.

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1. Summary of stations and station locations

Station	Type of station	Local name	PLS location
LA 001	MNG49 Wastewater	Stormwater and/or Washwater Contained on Site	T29N, R22W, S32, NW Quarter
SD 001	MNG49 Stormwater, Non-specific	Subsector J1, J2 & D1 Industrial Stormwater	T29N, R22W, S32, NW Quarter
SD 002	MNG49 Stormwater, Non-specific	Subsector E2 Industrial Stormwater	T29N, R22W, S32, NW Quarter
SD 003	MNG49 Dewatering	SIC 1442 Dewatering	T29N, R22W, S32, NW Quarter
SD 004	MNG49 Dewatering	SIC 1446 Dewatering	T29N, R22W, S32, NW Quarter
SD 005	MNG49 Dewatering	SUBSECTOR J2 Dewatering	T29N, R22W, S32, NW Quarter

2. Permit requirements

SD 001	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Subsectors D1, J1, J2
	5.1.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 002	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Subsector E2
	5.2.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 003	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Construction Sand and Gravel (1442)
	5.3.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	5.3.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 004	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Industrial Sand Mining (1446)
	5.4.1	The Permittee shall submit a monthly DMR : Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001]
	5.4.2	Parameters that have a monitoring frequency of once per quarter and an effective period of Mar, June, Sept, Dec may be collected any time during that quarter. The sample data must be reported on the March, June, September, and December DMRs. [Minn. R. 7001]
	5.4.3	Parameters that have a monitoring frequency of once per year and an effective period of Dec may be collected any time during the calendar year. The sample data must be reported on the DMRs. [Minn. R. 7001]
SD 005	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Subsector J2 (1411, 1422, 1423, 1429)
	5.5.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	5.5.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
MNG490000	Nonmetallic Mining/Associated Activities General Permit	
		Non-Metallic Mining and Associated Activities General Permit Requirements
	5.6.1	Applicability. [Minn. R. 7001]
	5.6.2	This permit authorizes stormwater discharges associated with the following industrial activities: A. Construction sand and gravel (Standard Industrial Classification [SIC] Code 1442) and industrial sand mining areas (SIC Code 1446) - hereinafter Subsector J1.

		<p>B. Dimension stone (SIC Code 1411), crushed and broken limestone (SIC Code 1422), crushed and broken granite (SIC Code 1423), crushed and broken stone (not elsewhere classified, SIC Code 1429) mining and quarrying areas - Subsector J2.</p> <p>C. Asphalt production areas, also known as asphalt paving mixtures and blocks (SIC Code 2951), including portable asphalt plants - Subsector D1.</p> <p>D. Concrete block and brick (SIC Code 3271), concrete products other than block and brick (SIC Code 3272), and ready-mix concrete (SIC Code 3273), including portable concrete plants - Subsector E2.</p> <p>E. Recycling and storage of materials approved in Minn. R. 7035.2860 (Beneficial Use of Solid Waste) at sites engaged in facility activities associated with all SIC Codes listed in A. through D. above.</p> <p>F. Activities associated with the above facilities noted, including maintenance activities and facilities, unless otherwise prohibited in this permit.</p> <p>This Permit authorizes stormwater discharges associated with construction activity and small construction activity, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15), respectively. The Permittee shall comply with the "Stormwater Discharge Design Requirements" chapter and the "Construction Activity Requirements" chapter of the MPCA Construction Stormwater (CSW) NPDES general permit (https://www.pca.state.mn.us/sites/default/files/wq-strm2-68a.pdf) when conducting construction activity and small construction activity. Earth disturbing activities conducted as a normal part of post-construction use of the permitted facility do not trigger the need for CSW permit coverage. The earth disturbing activity has to be part of a project to build, demolish, or replace a structure (e.g., building, road, pad, pipeline, transmission line) to trigger the need to comply with the CSW permit. Earth disturbance that is a normal part of the long-term use or maintenance of the property is not "active construction" and does not trigger the need for CSW permit coverage. [Minn. R. 7001]</p>
5.6.3		<p>This permit authorizes non-stormwater discharges to surface waters of the state from dewatering of mine or quarry areas at J1 and J2 Subsectors that meet the effluent limits and requirements in this permit. "Mine Pit Dewatering" means any water that is impounded or that collects in the mine and is pumped from the mine through the efforts of the mine operator. Uncontaminated groundwater and stormwater collecting in a low area in which there is a stormwater outlet for stormwater/seepage/drainage by gravity overflow shall not be considered mine pit dewatering. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharge of process generated wastewater and is not authorized under this permit. [Minn. R. 7001]</p>
5.6.4		<p>This permit authorizes non-stormwater discharges that do not discharge to a surface water of the state provided these discharges are not already authorized in a separate NPDES/SDS permit. Non-stormwater that co-mingles with stormwater is considered a non-stormwater discharge (wastewater) and must be managed compliant with this Permit. To be authorized under this permit, the following discharges must be collected, contained or infiltrate into the ground and Best Management Practices must be implemented to prevent contamination of groundwater:</p> <p>A. Aggregate wash water from Subsector J1 and J2 facilities.</p> <p>B. Dredging operations from Subsector J1 and J2 facilities.</p> <p>C. Installation, construction, and operation of wet scrubbers at asphalt production areas, including portable asphalt plants (Subsector D1).</p> <p>D. Washing trucks, mixers, transport buckets, forms and/or other equipment at concrete block and brick, concrete products other than block and brick, and ready-mix concrete facilities (Subsector E2).</p> <p>E. Uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers.</p> <p>F. Stormwater and deck wash water collected in holding tanks under scales.</p> <p>G. Wash water associated with cleaning of mobile equipment that does not use detergents,</p>

	<p>solvents, or degreasers.</p> <p>H. Waters used for sawing stone or dust control on crushers, conveyors, associated equipment, stockpiles, and site roadways.</p> <p>I. Boiler blowdown and reverse osmosis reject.</p> <p>J. Low or high pressure steam curing.</p> <p>K. Noncontact cooling water used for dryer, pump, and air compressor cooling.</p> <p>For wastewater discharges listed above, see the Technology Based Effluent Limits - Non-Stormwater Discharges section of this permit for Wastewater Basin Design and Construction Requirements for newly constructed basins as of the issuance date of this permit. [Minn. R. 7001]</p>
5.6.5	<p>This permit authorizes non-stormwater discharges provided these discharges are not already authorized in a separate NPDES/SDS permit and that appropriate Best Management Practices are utilized to minimize erosion and the discharges of sediment when necessary:</p> <p>A. Emergency fire-fighting activities.</p> <p>B. Fire hydrant and fire suppression system flushing.</p> <p>C. Potable water line flushing.</p> <p>D. Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids.</p> <p>E. Landscape watering provided all pesticides, herbicides and fertilizers have been applied in accordance with manufacturer's instructions.</p> <p>F. Pavement wash waters where no detergents are used and no spills or leaks of potential pollutants such as fertilizers, salts, or toxic and hazardous materials have occurred unless all spilled material has been removed.</p> <p>G. Routine external building wash down that does not use detergents, solvents, or degreasers.</p> <p>H. Uncontaminated groundwater or spring water.</p> <p>I. Foundation or footing drains where flows are not contaminated.</p> <p>J. Incident windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g. 'piped' cooling tower blowdown or drains). [Minn. R. 7001]</p>
5.6.6	<p>Not all activities covered by this permit will be conducted at each site covered under this permit. Therefore, only those provisions of this permit that address activities occurring at a particular site are applicable to that site. [Minn. R. 7001]</p>
5.6.7	<p>Activities Not Covered/Limitations on Coverage. [Minn. R. 7001]</p>
5.6.8	<p>This permit does not authorize the discharge from the following activities except as authorized in the Applicability Section of this permit:</p> <p>A. Dewatering of mine or quarry areas other than those under Subsector J1 and J2.</p> <p>B. Surface water discharges of scrubber or other air emissions control wastewater, cooling or boiler wastewater, floor drains from process areas, equipment/vehicle washing, cleaning and maintenance wastewaters, and sewage.</p> <p>C. Contaminated groundwater discharges.</p> <p>D. Petroleum refinement.</p> <p>E. Manufacturing of asphalt or asphalt emulsions.</p> <p>F. Industrial sand mines (SIC 1446) that utilize HF flotation.</p> <p>G. Dredging or filling of wetlands or other surface waters of the state.</p> <p>H. Discharges of hazardous substances, lubricants, fuel leaks, or fuel spills.</p> <p>I. Sites for which Environmental Assessment Worksheets or Environmental Impact Statements are required by Minn. R. ch. 116D and/or 42 U.S.C. Sec 4321 - 4370f, until that environmental review is completed. [Minn. R. 7001]</p>
5.6.9	<p>This permit does not authorize new or expanded discharges that the MPCA determines are or may be discharged at a level which will cause, have thereasonable potential to cause, or contribute to a violation of water quality standards consistent with the requirements of 40 CFR 122.4(i) and 122.44(d)(1)(i). This includes the discharge to groundwater where pollutants</p>

		in the discharge reach surface waters and exceed applicable surface water quality standards. [40 CFR pt. 122, 4(i)]
5.6.10		This permit does not authorize existing discharges that the MPCA determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to a violation of water quality standards consistent with the requirements of 40 CFR 122.44. This includes the discharge to groundwater where pollutants in the discharge reach surface waters and exceed applicable surface water quality standards. [40 CFR pt. 122, 44]
5.6.11		This permit does not authorize discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a designated critical habitat. This permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a designated critical habitat. The owner must conduct any required review and coordinate with appropriate agencies for any project with the potential of affecting endangered or threatened species, or their critical habitat. [Minn. R. 7001]
5.6.12		This permit does not authorize discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. This permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. The owner must be in compliance with the National Historic Preservation Act and conduct all required review and coordination related to historic preservation, including significant anthropological sites and any burial sites, with the Minnesota Historic Preservation Officer. [Minn. R. 7001]
5.6.13		Facilities located within the exterior boundaries of an Indian reservation must apply to the U.S. EPA for coverage under the multi-sector general permit or for an individual permit. Note: "Indian country is defined under 18 USC Â§1151 and includes all lands within the exterior boundaries of federally recognized Indian reservations and on lands held in federal trust status. Facilities that currently do not have storm water discharge permit coverage and are located within Indian Country shall contact the United States Environmental Protection Agency (EPA) to apply for permit coverage. For existing discharges covered under a NPDES permit from EPA, discharges will continue to be covered by a NPDES permit. Dischargers that previously held permit coverage under previous versions of this permit after September 30, 2001, are no longer eligible for coverage under this permit and must contact EPA to apply for permit coverage.". [Minn. R. 7001]
5.6.14		This permit does not authorize discharges to calcareous fens listed in Minn. R. 7050.0335. [Minn. R. 7007.0335]
5.6.15		Mine site dewatering discharges from Subsectors J1 and J2 that discharge directly to the following receiving waters are not authorized by this permit: A. Outstanding Resource Value Waters (ORVWs) as defined by Minnesota Rules 7050.0335 and as listed in Minnesota Rules 7050.0470; B. Department of Natural Resources (DNR)-designated trout waters (trout waters are designated in Minn. R. 6264.0050, subp. 2 and 4); and C. DNR-posted fish-spawning areas. [Minn. R. 6264.0125]
5.6.16		Authorization. [Minn. R. 7001]
5.6.17		Permit Application. Owners and operators of a site or sites with covered facility activities identified in this permit, and who provide a complete and approvable application for a permit, are eligible for coverage under this permit for those activities. [Minn. R. 7001]
5.6.18		Notice of Coverage. [Minn. R. 7001]
5.6.19		Permittees requesting initial coverage are covered under this permit when the MPCA notifies them in writing of this coverage. [Minn. R. 7001]
5.6.20		Additional sites may be covered under this permit provided that the new site(s) meet all

		applicability criteria of this permit and that all information required by the Site Inventory Report Form is submitted to the MPCA at least 10 days prior to initiation of land-disturbing activities at the new site(s) or initiation of operation at a previously developed site. [Minn. R. 7001]
5.6.21		Requiring an Individual Permit. [Minn. R. 7001]
5.6.22		If the MPCA finds that the facility site of a permit applicant or a Permittee covered under this permit would be more appropriately covered under an individual permit, the MPCA may require an individual permit for the applicant or the Permittee, in accordance with Minn. R. 7001.0210, subp. 6. In considering whether it is appropriate to issue an individual permit for a site, the MPCA will consider whether the site is contributing, or may contribute, to a water quality standard violation. Any interested person may petition the MPCA commissioner to take action under 40 CFR Â§ 122.28(b)(3)(i) to require a facility covered by the general permit to apply for and obtain an individual permit. [Minn. R. 7001.0210, subp. 6]
5.6.23		This general permit does not cover activities or discharges covered under a pre-existing individual permit unless the MPCA has specifically revoked or terminated that individual permit. [Minn. R. 7001]
5.6.24		This general permit does not cover industrial sand mining activities (SIC Code 1446) that: A. Meet or exceed the thresholds for mandatory environmental review and the MPCA determines the operations, emissions, activities, discharges, or facilities of the permit applicant or permittee have characteristics creating the potential for significant environmental effects; or B. The MPCA determines the need for site-specific permit requirements including, but not limited to, groundwater monitoring, additional surface discharge monitoring, hydrogeological study, etc. which are beyond those contained in this permit in order to protect waters of the state. If the MPCA determines that A or B apply, a permit applicant or Permittee shall obtain coverage under an individual permit for the facility site. Sites that are required to obtain individual permit coverage, at the Permittee's request, may be reviewed for general permit eligibility following the first full term of individual permit coverage. [Minn. R. 7001]
5.6.25		Notice of Temporarily Inactive Site(s). [Minn. R. 7001]
5.6.26		The Permittee(s) must ensure that permanent stormwater Best Management Practices (BMPs) are in place if the site is temporarily inactive. [Minn. R. 7001]
5.6.27		During the temporarily inactive period, intervention limit monitoring is not required, but the Permittee must indicate on the Comments field of the Discharge Monitoring Report the inactivity. Should the site become active, the Permittee is required to sample in accordance with the Monitoring Requirements section of the permit for the calendar year the site becomes active. [Minn. R. 7001]
5.6.28		Notice of Inactive Site(s). [Minn. R. 7001]
5.6.29		The Permittee(s) must ensure stabilization of the site upon cessation of mining activities. Stabilization shall be initiated immediately after the termination of the mining operation and upon completion the area shall be restored to its intended state. [Minn. R. 7001]
5.6.30		The Permittee(s) must complete the following to achieve final stabilization: A. The drainage ways that leave the site must be stabilized to prevent erosion with riprap or other protective material. B. All soils must be stabilized by a uniform perennial vegetative cover with a density of 70 percent over the entire pervious surface area, or other equivalent means necessary to prevent soil failure under erosive conditions. C. Temporary BMPs for erosion prevention, such as synthetic liners and silt fences, must be removed. BMPs designed to decompose on site (such as some compost logs) may be left in place.

	<p>D. All sediment must be removed from conveyances and from temporary sedimentation basins that are to be used as permanent water quality management basins in order to sufficiently return the basin to design capacity. Sediment must be stabilized to prevent it from being washed back into the basin, conveyances or drainage-ways discharging off-site or to surface waters.</p> <p>E. Other BMPs as necessary must be implemented so as to prevent erosion from the site excavation areas and stockpiles that have been used by the Permittee. [Minn. R. 7001]</p>
5.6.31	<p>In order to have permit coverage terminated and have the Permittee released from inspection, recording and reporting requirements, the Permittee shall ensure and certify on the Site Inventory Form for site(s) where the Permittee no longer conducts the activities authorized by this permit that:</p> <p>A. The site closure achieves final stabilization requirements; or</p> <p>B. There is no longer a discharge of pollutants to waters of the state, including groundwater, from activities covered by this permit; or</p> <p>C. The Permittee supplies the name and contact information for the owner or operator that is responsible for the site. [Minn. R. 7001]</p>
5.6.32	Water Quality Based Effluent Limits. [Minn. R. 7001]
5.6.33	A wastewater discharge shall not cause or contribute to a violation of water quality standards unless the discharge meets all requirements of 40 CFR 122.44. [40 CFR pt. 122, 44]
5.6.34	The Permittee shall operate and maintain the facility and shall control runoff, including stormwater, from the facility to prevent the exceedance of water quality standards specified in Minnesota Rules, chs. 7050 and 7060. [Minn. R. 7050, Minn. R. 7060]
5.6.35	The Permittee shall limit and control the use of materials at the facility that may cause exceedances of surface water and groundwater standards specified in Minnesota Rules, chs. 7050 and 7060. These materials include, but are not limited to, detergents and cleaning agents, solvents, chemical dust suppressants, lubricants, fuels, drilling fluids, oils, fertilizers, explosives and blasting agents. [Minn. R. 7050, Minn. R. 7060]
5.6.36	The MPCA may modify this permit, require corrective actions or take other actions if it determines that a discharge authorized by this permit is causing or contributing to a violation of water quality standards. [Minn. R. 7001]
5.6.37	Floating solids or visible foam shall not be discharged in other than trace amounts. [Minn. R. 7001]
5.6.38	Oil or other substances shall not be discharged in amounts that create a visible color film. [Minn. R. 7001]
5.6.39	Any outlet pipe, culvert or hose outlets for the discharge shall be located at ground level. The Permittee shall install and maintain outlet protection measures, such as properly sized riprap, splash pads or gabions at the discharge stations (outlets) to prevent erosion. [Minn. R. 7001]
5.6.40	All water from dewatering or basin draining activities must be discharged in a manner that does not cause nuisance conditions, flooding on nearby properties, erosion in receiving channels or on downslope properties, or inundation in a wetland causing adverse impact to the wetland. [Minn. R. 7001]
5.6.41	Special Requirements. [Minn. R. 7001]
5.6.42	<p>For stormwater discharges with a discharge location that flows to and is within one mile of Outstanding Resource Value Waters (ORVWs) as defined in Minn. R. 7050.0335, subp. 1, 2, 3, and 4 (not including calcareous fens listed in Minn. R. 7050.0335 & Minn. R. 7050.0470) and trout waters as listed in Minn. R. 6264.0050, subp. 2 and 4:</p> <p>A. The Permittee shall develop and implement stormwater control measures, including BMPs that restrict the facility industrial stormwater discharges to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the water an Outstanding Resource Value Water. In addition, a stormwater intervention limit value of 65 mg/L for Solids, Total Suspended (TSS) applies to the discharge at a stormwater monitoring location, instead of 100 mg/L as specified in the 'Stormwater Limits and Monitoring Intervention Limits' section of this Permit. If the Permittee</p>

	<p>has a waiver from the requirements to conduct benchmark monitoring in accordance with the Technology Based Effluent Limits - Stormwater Discharges section of this permit, the benchmark value does not apply.</p> <p>B. If the discharge is to a trout stream, BMPs shall also be designed and implemented to protect the water quality from excess temperature increases.</p> <p>C. If the discharge is to a trout lake, BMPs shall also be designed and implemented to protect the water quality from excess phosphorus increases.</p> <p>D. If the discharge is to a wetland, the Permittee shall also comply with the requirements of Minn. R. 7050.0186 WETLAND STANDARDS AND MITIGATION. [Minn. R. 7050]</p>
5.6.43	<p>If the site has any stormwater discharges with the potential for significant adverse impacts to a wetland (e.g., conversion of a natural wetland to a stormwater pond), the Permittee must demonstrate that the wetland mitigative sequence has been followed prior to the impacts to the wetland. [Minn. R. 7001]</p>
5.6.44	<p>If the potential adverse impacts to a wetland on a specific site have been addressed by permits or other approvals from an official statewide program (U.S. Army Corps of Engineers 404 program, Minnesota Department of Natural Resources, or the State of Minnesota Wetland Conservation Act) specifically for the site, the Permittee may use that permit or other determination issued by these agencies to show that the potential adverse impacts have been addressed. For the purposes of this permit, de minimis actions are determinations by the permitting MPCA that address the site impacts, whereas a non-jurisdictional determination does not address site impacts. [Minn. R. 7001]</p>
5.6.45	<p>If there are impacts from the site that are not addressed in one of the permits addressed in the Special Requirements section of this permit or other determinations (e.g., permanent inundation or flooding of the wetland, significant degradation of water quality, excavation, filling, draining), the Permittee must minimize all adverse impacts to wetlands by utilizing appropriate measures. Measures used must be based on the nature of the wetland, its vegetative community types and the established hydrology. These measures include in order of preference:</p> <p>A. Avoid all significant adverse impacts to wetlands from site discharges.</p> <p>B. Minimize any unavoidable impacts to wetlands from site discharges.</p> <p>C. Provide compensatory mitigation when the Permittee determines that there is no reasonable and practicable alternative to having a significant adverse impact on a wetland. For compensatory mitigation, wetland restoration or creation shall be of the same type, size, and whenever reasonable and practicable in the same watershed as the impacted wetland. [Minn. R. 7001]</p>
5.6.46	<p>If a site discharges to a water of the state that appears on the current U.S. Environmental Protection MPCA (USEPA) approved list of impaired waters under Section 303 (d) of the Clean Water Act (33 U.S.C. Sec 303 (d)), the Permittee must review whether changes may be warranted in the site's Pollution Prevention Plan (Plan) to reduce the impact of the discharge. If a USEPA approved Total Maximum Daily Load (TMDL) has been developed, the Permittee must review the adequacy of the Plan to meet the TMDLs Waste Load Allocation. [Minn. R. 7001]</p>
5.6.47	<p>Technology Based Effluent Limits - Stormwater Discharges. [Minn. R. 7001]</p>
5.6.48	<p>Stormwater Management Devices. [Minn. R. 7001]</p>
5.6.49	<p>The Permittee is authorized to use industrial stormwater ponds, sedimentation basins, and/or infiltration devices for stormwater management. [Minn. R. 7001]</p>
5.6.50	<p>Industrial stormwater ponds, sedimentation basins, and/or infiltration devices shall not be located in areas that receive direct discharges from permanent or stationary vehicle fueling tanks (aboveground or underground storage tanks) and maintenance activity areas (shops), except where adequate secondary containment is provided as required under the SPCC Rule, and/or the basin is designed specifically to satisfy the federal SPCC Rule. Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. [Minn. R. 7001]</p>

5.6.51	When wastewater from authorized activities is co-mingled with stormwater, it is considered wastewater, and a surface water discharge is not authorized under this permit. This does not include stormwater co-mingling with mine dewatering from Subsector J1 and J2 facilities, which is approved for a surface water discharge under this permit. [Minn. R. 7001]
5.6.52	If the Permittee provides documentation to MPCA that the stormwater management device was designed by a registered professional engineer to control a 10-year, 24-hour storm event (based on National Oceanic and Atmospheric Administration Atlas 14, Volume 8 (NOAA Atlas 14, Volume 8)), then no sampling of a discharge is required upon MPCA approval. If the stormwater management device is already in place at an existing facility, the sizing of the device shall be confirmed by a registered professional engineer before the sampling requirement is waived. This does not include unauthorized non-stormwater discharges to surface waters. This waiver is for monitoring only; effluent limits still apply to the discharge and Permittees must maintain compliance with the limits. This waiver is only effective for the term of the permit. Permittees must reapply for the waiver every permit term. [Minn. R. 7001]
5.6.53	Erosion and Sediment Control Practices. [Minn. R. 7001]
5.6.54	Sediment control practices must be established on all down-gradient perimeters and be located up-gradient of any buffer zones. The perimeter sediment control practice must be in place before any up-gradient land disturbing activities begin. Use a range of erosion controls within the broad categories of flow diversion (e.g. swales, berms) and structural controls (e.g. sediment traps, dikes, silt fences). These practices shall remain in place until the site has been stabilized. [Minn. R. 7001]
5.6.55	The Permittee shall re-install all sediment control practices that have been adjusted or removed to accommodate short-term activities such as clearing or grubbing, or passage of vehicles, immediately after the short-term activity has been completed. Short-term activities shall be completed as quickly as possible. Re-installation of sediment control practices shall be completed no later than before the next precipitation event, even if the short-term activity is not complete. [Minn. R. 7001]
5.6.56	The Permittee(s) shall plan for and implement appropriate BMPs such as construction phasing, vegetative buffer strips, horizontal slope grading, and other construction practices that minimize erosion. The location of areas not to be disturbed shall be delineated (e.g. with flags, stakes, signs, silt fence etc.) on the project site before work begins. [Minn. R. 7001]
5.6.57	Temporary stockpiles or stripping/overburden stored outside the pit shall have sediment control mechanisms in place until the material is completely removed. Materials shall not be placed in any natural buffers, surface water, or stormwater conveyances such as curb and gutter systems, or conduits and ditches. [Minn. R. 7001]
5.6.58	Vehicle Tracking. Vehicle tracking of sediment onto paved surfaces from the site or operation must be minimized by BMPs such as stone pads, concrete or steel wash racks, or equivalent systems. Street sweeping must be used if such BMPs are not adequate to prevent sediment from being tracked onto the street within 24 hours of discovery. The MPCA Vehicle Tracking factsheet may be used as guidance in BMP development: http://www.pca.state.mn.us/index.php/view-document.html?gid=7419 . [Minn. R. 7001]
5.6.59	Good Housekeeping. Permittees conducting the industrial activities described in this permit shall keep exposed areas that may contribute pollutants to stormwater sufficiently clean to reduce or eliminate contaminated stormwater runoff. [Minn. R. 7001]
5.6.60	BMP Maintenance. [Minn. R. 7001]
5.6.61	The Permittee shall maintain all BMPs identified in the Pollution Prevention Plan (Plan) and implemented at the facility, to ensure BMP effectiveness. [Minn. R. 7001]
5.6.62	The Permittee shall develop a schedule for preventive maintenance of all BMPs. The schedule shall be stored with the Plan. [Minn. R. 7001]
5.6.63	If the Permittee identifies BMPs that are not functioning properly, the Permittee shall replace, maintain, or repair the BMPs within seven (7) calendar days of discovery. If BMP replacement, maintenance, or repair cannot be completed within seven (7) calendar days, the Permittee shall implement effective backup BMPs (temporary or permanent) until the effectiveness of

		the original BMPs can be restored. The Permittee shall document the justification for an extended replacement, maintenance, or repair schedule of the failed BMPs, and maintain it with the Plan. [Minn. R. 7001]
5.6.64		The Permittee shall record dates of all maintenance and repairs. The Permittee shall maintain these records with the Plan. [Minn. R. 7001]
5.6.65		All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/2 of the height of the device. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. [Minn. R. 7001]
5.6.66		If sediment escapes the facility, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts (e.g., fugitive sediment in streets could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets). For sediment releases to surface waters, the release must be reported to the MPCA/DNR. The sediment shall be removed from the surface water if approved by the DNR. [Minn. R. 7001]
5.6.67		Temporary and permanent sedimentation basins must have the sediment removed once the depth of sediment collected in the basin reaches 1/2 the storage volume. Removal must be completed within 72 hours of discovery, or as soon as field conditions allow access. [Minn. R. 7001]
5.6.68		Spills and Leaks. [Minn. R. 7001]
5.6.69		The Permittee shall develop and implement a spill prevention and response procedure. If the site already has a separate plan (e.g. Prevention and Response Plan as required by Minn. Stat. 115E, or Spill Prevention Control and Countermeasure Plan as required by Federal Law), that plan can be incorporated by reference into the Pollution Prevention Plan (Plan). In either case, a minimum of the following components shall be included with the Plan, or in a separate document: A. The Permittee shall report and document spills or leaks (as defined in Minn. Stat. Section 115.061) that occur in exposed areas, or that drain to a monitoring location. B. Material handling procedures, storage requirements, and cleanup equipment/materials and procedures necessary to recover as rapidly and thoroughly as possible spills or leaks pursuant to Minn. Stat. Section 115.061. All methods and procedures must be made available to appropriate site personnel. C. Contact information for individuals and emergency and regulatory agencies that must be notified in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (metro area) per Minn. Stat. Section 115.061. [Minn. Stat. ch. 115]
5.6.70		Subsector D1 - Asphalt Production - Additional Spills and Leaks Requirements. [Minn. R. 7001]
5.6.71		In addition to the requirements in this Section, the Permittee shall use drip pans and splash guards where spills frequently occur at Subsector D1 facilities. [Minn. R. 7001]
5.6.72		Subsector E2 - Ready-Mix and Other Concrete Operations - Additional Spills and Leaks Requirements. [Minn. R. 7001]
5.6.73		In addition to the requirements in this Section, the Permittee shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, or settled dust from paved portions of the facility that are exposed to stormwater at Subsector E2 facilities. [Minn. R. 7001]
5.6.74		The Permittee shall determine the frequency of sweeping or equivalent by the amount of industrial activity occurring at Subsector E2 facilities and the frequency of exposure to stormwater, but it shall be performed at least once per week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed and materials are present on paved surfaces. [Minn. R. 7001]
5.6.75		The Permittee shall also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to stormwater, where practicable, by storing these materials in enclosed silos,

		hoppers, buildings, and under other coverings. [Minn. R. 7001]
5.6.76		The Permittee shall include measures in the Plan to ensure that process wastewater resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with applicable parts of this permit for Subsector E2 facilities. [Minn. R. 7001]
5.6.77		Technology Based Effluent Limits - Non-Stormwater Discharges. [Minn. R. 7001]
5.6.78		Wastewater Basin Design and Construction Requirements. [Minn. R. 7001]
5.6.79		When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges, not including uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers, wash water associated with cleaning of mobile equipment that does not use detergents, solvents, or degreasers and/or waters used for sawing stone or dust control on crushers, conveyors, associated equipment, stockpiles, and site roadways, of this permit from Subsector J1 and J2 activities, it shall: A. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. B. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24 hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system. C. Not be constructed in areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. [Minn. R. 7001]
5.6.80		When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges from Subsector E2 activities, it shall: A. Be designed consistent with accepted engineering practices. Designs shall be approved by a professional engineer or other licensed professional. B. Be constructed and maintained to allow for infiltration of wastewater. Long term soil infiltration rates for new infiltration devices shall not be greater than 1.63 inches per hour unless pretreatment practices are implemented prior to infiltration. C. Be constructed to allow for maximum separation distance from groundwater with a minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. D. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. E. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24 hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system. F. Not be constructed in areas with standing water or areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. The Permittee shall maintain design documentation to demonstrate containment basins meet the requirements of (A) through (F). [Minn. R. 7001]
5.6.81		If a Permittee has indicated all stormwater and/or process wastewater is contained and/or infiltrates on site, the site is prohibited from discharging to surface waters and will not be required to submit Discharge Monitoring Reports (DMRs). The site will be assigned a Land Application (LA) designation in lieu of a Surface Discharge (SD) designation. [Minn. R. 7001]
5.6.82		Karst Topography. [Minn. R. 7001]
5.6.83		New Basins. New infiltration devices for authorized non-stormwater discharges are prohibited within 1000 feet up-gradient or 100 feet downgradient of active karst features. [Minn. R. 7001]
5.6.84		Existing Basins. The design and construction of containment basins shall include additional or different measures as necessary (e.g. impervious liner in pond bottom) to assure compliance

	with surface and groundwater standards in Minn. R. chs. 7050 and 7060 and to ensure protection of drinking water supply management areas (see Minn. R. 4720.5100, subp. 13). These measures shall be identified in the Pollution Prevention Plan. [Minn. R. 7001]
5.6.85	Subsector J1 and J2 - Mine Pit Dewatering to Surface Waters. [Minn. R. 7001]
5.6.86	Permittees are authorized to discharge mine site dewatering flow to surface waters if the following conditions are met: A. Discharges only from Subsector J1 and J2 facilities. B. Discharges meet the effluent limits applied in this permit. C. The dewatering discharges do not co-mingle with other process wastewater. D. The dewatering discharges are not to ORVWs, DNR-designated trout waters, and/or DNR-posted fish-spawning areas. E. The Permittee has documented in their Pollution Prevention Plan location and initial flow estimates for surface discharge stations. [Minn. R. 7001]
5.6.87	Dewatering or basin draining must be discharged to a control device on the project site whenever possible, such as a temporary or permanent sedimentation basin or infiltration device. Discharge from the control device must be visually checked to ensure adequate treatment is obtained and that nuisance conditions (see Minn. R. 7050.0210, subp. 2) will not result from the discharge. [Minn. R. 7001]
5.6.88	If the water cannot be discharged to a control device prior to entering the surface water, it must be treated with the appropriate BMPs, such that the discharge does not adversely affect the receiving water or downstream landowners. [Minn. R. 7001]
5.6.89	The Permittee(s) must ensure that discharge points are adequately protected from erosion and scour. The discharge must be dispersed over natural riprap, sand bags, plastic sheeting, or other accepted energy dissipation measures. Adequate sedimentation control measures are required for discharge water that contains suspended solids. [Minn. R. 7001]
5.6.90	Any inlet pipe, culvert or hose for the discharge shall be raised above the ground so that the discharge flow does not draw in and transport solids from the sump area. [Minn. R. 7001]
5.6.91	Subsector D1 -Asphalt - BMPs for Wet Scrubber Wastewater. [Minn. R. 7001]
5.6.92	This permit authorizes stormwater discharges from asphalt production areas (SIC Code 2951) and/or stormwater discharges from the installation, construction, and/or operation of wet scrubbers at asphalt production plants. This permit does not authorize the discharge of asphalt production wet scrubber wastewater to surface waters or to groundwater. Any discharge to surface water will require an individual NPDES permit. [Minn. R. 7001]
5.6.93	Wastewater from asphalt production wet scrubbers shall be held within pipes, aboveground tanks or lined impoundments. Pipes and tanks shall be operated and maintained to prevent leaks. Cracks or other failures in pipes or tanks shall be repaired immediately. If pipes are buried, or pipes or tanks are in contact with the land surface, they shall be inspected at least once before each operating year to locate and repair cracks or other failures. [Minn. R. 7001]
5.6.94	An impoundment for containment of wet scrubber wastewater shall meet the design criteria specified in this section. Impoundments that do not meet the criteria in this part may be authorized if requested in writing by the Permittee, and approved in writing by the MPCA, at least 90 days before construction of the impoundment begins. [Minn. R. 7001]
5.6.95	Construction of impoundments in close proximity to drinking water supplies and other areas subject to contamination should be avoided. A minimum separation of four feet between the top of the impoundment seal and the seasonal high water table shall be maintained. Drain tile under the impoundment shall not be used to permanently lower the water table. A minimum separation of ten feet between the top of the impoundment seal and bedrock formations shall be maintained. Impoundments shall not be constructed on locations with karst topography. [Minn. R. 7001]
5.6.96	Impoundments shall be constructed utilizing at least a 30-mil-thick continuous Polyvinyl Chloride (PVC) or High Density Polyethylene (HDPE) liner, or a reinforced Portland cement

	concrete liner. A PVC or HDPE liner, not replaced on an annual basis, shall be covered with at least one-foot depth of finely textured soil. Liquid depths for impoundments shall be designed for a maximum of six feet. [Minn. R. 7001]
5.6.97	PVC and HDPE liner systems shall be designed and installed in general accordance with the most recent version of MPCA guidance documents High Density Polyethylene Liner Guidance (June 2011) or Polyvinyl Chloride Liner Guidelines (May 2011). [Minn. R. 7001]
5.6.98	No PVC or HDPE liner panels shall be used at more than one site without the prior written approval of the MPCA. The Permittee shall remove and properly dispose of used PVC and HDPE liner materials in accordance with applicable solid waste statutes and rules. [Minn. R. 7001]
5.6.99	The subsoil bed for a PVC or HDPE liner shall be sufficiently prepared to ensure that all holes, rocks, stumps and other debris are eliminated. The subsoil shall be sieved or the area raked after grading to provide a smooth, flat surface free of stones and other sharp objects. The subsoil bed shall be sloped at least 1% upward toward the dike, so as to reduce gas and hydrostatic pressures, and to facilitate pumping of the impoundment. [Minn. R. 7001]
5.6.100	PVC and HDPE liner panels shall be laid out to minimize seams, with an overlap of four to size inches. The PVC or HDPE liner anchor trench shall have a minimum six inch depth and be placed at least nine to twelve inches beyond the slope break at the dike. PVC and HDPE liners shall be installed under the direct supervision of a person experienced in the proper installation of such liners. This person shall inspect all seams on-site for their acceptability prior to the construction certification. [Minn. R. 7001]
5.6.101	The design of a reinforced Portland cement concrete liner shall be in accordance with the American Concrete Institute (ACI) Manual of Concrete Practice. [Minn. R. 7001]
5.6.102	<p>The Permittee shall inspect each impoundment for cracks or other failures, at least once each operating year. This inspection shall be conducted after the spring thaw and before the start of the asphalt plant operating season. In addition:</p> <p>A. PVC and HDPE lined impoundments shall complete a water balance test annually after the spring thaw and before the start of the asphalt plant operating season. The water balance test shall be completed in accordance with the MPCA "Prefill and Water Balance Criteria" (December 2010).</p> <p>B. Concrete lined impoundments shall complete water tightness testing at least once per 5 years (once per permit cycle). Water tightness testing for concrete impoundments shall be completed in accordance with the most recent version of ACI 350.1 "Specification for Tightness Testing of Environmental Engineering Concrete Containment Structures."</p> <p>Impoundments that do not pass the water balance or tightness testing may not be placed into service until a passing result is achieved; this may require identifying and repairing problem areas of the impoundment and repeating the testing. The inspector shall prepare a written report of each water balance and inspection. Any cracks or other failures shall be repaired immediately, and certified by an engineer registered in Minnesota. [Minn. R. 7001]</p>
5.6.103	The Permittee shall keep signed copies of the impoundment design plans and specifications, construction certifications, water balance and inspection reports, and repair certifications with the asphalt plant at all times. [Minn. R. 7001]
5.6.104	The Permittee shall divert surface water runoff around impoundments, prevent erosion, and protect the structural integrity of exterior embankments from failure. [Minn. R. 7001]
5.6.105	The Permittee shall maintain impoundments during the winter so that ice layers and frost action do not damage the liner effectiveness and integrity. [Minn. R. 7001]
5.6.106	<p>Sediments that accumulate in asphalt production wet scrubber wastewater containment structures shall be removed in a manner so as to not damage the integrity and effectiveness of the containment structure. The Permittee may dispose of these sediments at a permitted sanitary landfill, through use as road base or subgrade, or through blending into the paving asphalt mixture. The Permittee may use one of the following options for sediment disposal if the MPCA authorizes this specific in writing:</p> <p>A. Leave in-place;</p>

	<p>B. Use as clean fill; or C. Land spread.</p> <p>The Permittee shall record in writing the volume of sediments removed from asphalt production scrubber disposal systems, and the method and location of the disposal of such materials. [Minn. R. 7001]</p>
5.6.107	<p>The Permittee may dispose of asphalt production wet scrubber wastewater for the purposes of roadbed preparation or dust control, and in accordance with the following requirements:</p> <p>A. Wastewater may be applied to the surface of unpaved roads or roadbeds only if the asphalt plant is in the process of relocating, has ceased operation for the remainder of the year, or if alterations to the impoundment are needed.</p> <p>B. Wastewater may be applied to the surface of unpaved roads or roadbeds only if that road or roadbed is dry.</p> <p>C. Application to haul roads shall be conducted in such a manner to prevent runoff or prolonged ponding.</p> <p>D. Only the amount of water needed to control or prevent a dust problem may be applied.</p> <p>E. Wastewater used for dust control shall not enter any road ditch, surface water, or wetland.</p> <p>F. Wastewater shall not be applied at a rate greater than one gallon per square yard per year. [Minn. R. 7001]</p>
5.6.108	<p>Asphalt Ingredients, Burner Fuels and Chemical Additives. If the Permittee proposes to use asphalt ingredients, burner fuels and/or chemical additives other than those designated below, at an asphalt production plant with a wet scrubber, the Permittee shall apply in writing to the MPCA for such approval, no later than 60 days before the planned date of utilization of the non-designated material. The Permittee may use these non-designated materials only with the written approval of the MPCA. The designated materials are:</p> <p>A. Clay, silt, sand, gravel and crushed stone produced from naturally occurring geologic formations, and without chemical additives.</p> <p>B. Recycled asphalt.</p> <p>C. Recycled asphalt saturated felt materials.</p> <p>D. Natural gas, butane, propane and methane.</p> <p>E. Gasoline, kerosene, diesel fuel, jet fuel and fuel oils (No. 1, No. 2, No. 3, No. 4, No. 5, No. 6).</p> <p>F. Petroleum derived waste oil as defined in Minn. R. 7045.0020.</p> <p>G. On-specification used oil fuel, as defined in Minn. R. pt. 7045.0020, except that total halogens shall not exceed 1,000 parts per million in the used oil fuel.</p> <p>H. Asphalt cement (AC).</p> <p>I. Hydrated lime.</p> <p>J. Anti-stripping agents approved by the MPCA under this permit.</p> <p>K. Aluminum chloride flocculants.</p> <p>L. Freemont 8201 and anionic polyacrylamide flocculants of similar chemical composition.</p> <p>M. Any mixture of the materials listed in subitems (A) through (L).</p> <p>N. Portland cement concrete.</p> <p>O. Recycled sediments from asphalt plant scrubber operations.</p> <p>P. Fines from asphalt fabric filter operations.</p> <p>Q. Silicone. [Minn. R. 7001]</p>
5.6.109	<p>Subsector E2 - Ready-Mix and Other Concrete Operations Discharges to Groundwater. [Minn. R. 7001]</p>
5.6.110	<p>This permit section is intended to cover process wastewater discharges from concrete product operations. Authorized discharges to groundwater specified in the Applicability Section of this permit are covered under this permit. Any discharge to surface water will require an individual NPDES permit. Wastewater discharges from facilities described by the following Standard Industrial Classification (SIC) codes are authorized:</p> <p>A. Concrete Block and Brick (SIC 3271)</p> <p>B. Concrete Products, N.E.C. (Not Elsewhere Covered) (SIC 3272)</p> <p>C. Ready-Mix Concrete (SIC 3273). [Minn. R. 7001]</p>

5.6.111	Containment basins shall be constructed in compliance with this permit. [Minn. R. 7001]
5.6.112	Authorized E2 activity discharge to new containment basins (as of the issuance date of this permit) must meet the following conditions: A. be constructed to allow for maximum separation distance from groundwater with a minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. B. If the wastewater pH of authorized discharges from E2 activities is outside the range of 6.0-9.0 Standard Units (SU), the wastewater must also be passed through an extra soil zone, mixed with other authorized process waters or rinse waters, or held in a lined or sealed basin to prevent infiltration in order to bring the pH within the range of 6.0-9.0 SU before the wastewater mixes with groundwater. [Minn. R. 7001]
5.6.113	Authorized E2 activity discharge to existing containment basins must meet the following conditions: A. If the wastewater pH of authorized discharges from E2 activities is outside the range of 6.0-9.0 Standard Units (SU), the wastewater must also be passed through a soil zone, mixed with other authorized process waters or rinse waters, or held in a lined or sealed basin to prevent infiltration in order to bring the pH within the range of 6.0-9.0 SU before the wastewater mixes with groundwater. [Minn. R. 7001]
5.6.114	Pollution Prevention Plan (Plan). [Minn. R. 7001]
5.6.115	The Permittee shall develop and implement a Pollution Prevention Plan (Plan) to address the specific conditions at the site. The goal of the Plan is to eliminate or minimize contact of stormwater with significant materials that may result in pollution of the runoff, as well as identify and correctly manage non-stormwater discharges. Minnesota Guide to Pollution Prevention Planning: https://www.pca.state.mn.us/quick-links/minnesota-guide-pollution-prevention-planning . [Minn. R. 7001]
5.6.116	A Plan shall be developed, implemented, and maintained for each site authorized by this permit. A Plan shall be prepared and maintained in an appropriate and functional manner in accordance with relevant manufacturer specifications and accepted engineering practices. [Minn. R. 7001]
5.6.117	A Plan shall be completed prior to submitting the permit application for authorization of activities by this permit. Permittees authorized under the previous version of this permit shall modify the Plan to comply with the requirements of this permit prior to submitting the permit application. [Minn. R. 7001]
5.6.118	A Plan shall be used by the Permittee to document all BMPs used to comply with all control measures required in the Technology Based Effluent Limits sections of this permit. BMPs shall be designed and implemented to address the potential pollutants associated with the activities and materials identified by the Permittee. The documentation shall include a list of all structural and non-structural BMPs designed and implementation at the site. [Minn. R. 7001]
5.6.119	The Plan shall include documentation of an assessment and inventory/list of materials handled and activities conducted at the site that can potentially be a source of pollutants to stormwater discharges. The assessment shall include but is not limited to the materials and activities identified below: A. Excavation. B. Crushing/Screening. C. Overburden, waste and products stockpiles. D. Raw material and final product storage. E. Waste products. F. Sediment washing. G. Material loading/unloading. H. Areas where spills and leaks may potentially contribute pollutants to stormwater. I. Vehicle and equipment maintenance, washing, and fueling. J. Chemical additives/dust suppressant use. [Minn. R. 7001]

5.6.120	<p>The Plan for each site shall include an inventory of all chemical additives currently used to treat wastewater and/or stormwater including chemical dust suppressants. This inventory shall include:</p> <ul style="list-style-type: none"> A. The name of the additive. B. The process for which the additive will be used. C. The proposed method of application, application frequency, and daily average and maximum rates of use. D. The date of MPCA approval. <p>MPCA approval is required for any additives that are new, increasing in usage, or not previously approved. See the Total Facilities Requirements section of this permit and go to the chemical additive webpage at http://www.pca.state.mn.us/index.php/water/water-types-and-programs/wastewater/wastewater-technical-assistance/chemical-additive-approvals.html to find the documents necessary to complete the approval process. [Minn. R. 7001]</p>
5.6.121	<p>The Plan for each site shall include a site map, which does not need to be a surveyed map, at least to the level of detail indicated on a 7.5-minute U.S. Geological Survey quadrangle map, which identifies:</p> <ul style="list-style-type: none"> A. Location of the site in relation to surface waters (including the name of the surface water; if the name is not known, indicate that on the map). B. Location of all impaired waters within one mile. The Permittee shall include the name of the impaired water and the impairment (e.g. impaired for biota fish, turbidity, nutrients, etc.). C. Location of all ORVWs, designated trout waters, and wetlands within one mile of the site (Minn. R. 7050.0335, 6264.0050, and 7050.0420). D. Directions of stormwater flow indicated by arrows (including stormwater that is contained/infiltrated on site). E. Location of all discharge points. F. Location of all overflow points from control devices. G. Topography of the area. H. Location of all activities and materials. I. Location of all structural BMPs. J. Location and description of any non-stormwater discharges. K. Dewatering points. L. Water supply wells. M. Surface water supply intakes. <p>Portable sites can meet the requirements of (G) through (M) above by developing general plant configuration maps. [Minn. R. 7001]</p>
5.6.122	<p>The Permittee shall review the Plan at least annually and modify the Plan, if:</p> <ul style="list-style-type: none"> A. There is construction or a change in design, operation, or maintenance at the facility that affects stormwater and wastewater management or compliance with this permit. B. The Permittee has identified a monitoring location from which the discharge flows to, and is within one mile of, an impaired water. C. A routine inspection, compliance evaluation, or visual inspection identified deficiencies in the Plan and/or BMP. D. Additional stormwater and/or wastewater control measures and BMPs are necessary to meet applicable water quality standards or to address exceedances of intervention limits. E. There is an unauthorized discharge from the facility. If the Plan modification is based on a release or unauthorized discharge, include in the modified Plan a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements in the Total Facilities Requirements section of this permit. [Minn. R. 7001]
5.6.123	<p>The Plan must be kept at the site when the site is active. If there is no office located on-site,</p>

		electronic access of the Plan is acceptable. The Plan must be available to the MPCA within 72 hours of a request for review. [Minn. R. 7001]
5.6.124		The Plan shall identify the individual(s) responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the site's Plan, as well as personnel responsible for managing and implementing the Plan. [Minn. R. 7001]
5.6.125		The Permittee must develop and implement an employee training program to inform appropriate personnel of the components and goals of the Plan. The Plan must also identify periodic dates for such training. [Minn. R. 7001]
5.6.126		Records of all inspections conducted in accordance with permit requirements shall be maintained within the Plan. [Minn. R. 7001]
5.6.127		Subsector D1 - Asphalt - Additional Plan Requirements. [Minn. R. 7001]
5.6.128		Asphalt facilities (Subsector D1) must also identify: A. Petroleum storage. B. Fuel Storage. C. Recycled Asphalt Pavement Storage. D. Aggregate Storage. E. Recycled concrete, concrete block and brick crushing and storage. F. Cold Patch Storage. G. Release agent storage and application. [Minn. R. 7001]
5.6.129		Subsector E2 - Ready-Mix Operations - Additional Plan Requirements. [Minn. R. 7001]
5.6.130		Ready-Mix Operations (Subsector E2) must also identify: A. Bag house or other dust control device. B. Recycle/sediment pond, clarifier, or other device used for the treatment of process wastewater. C. The areas that drain to the treatment device. D. Description of multiple locations of ready-mix and other concrete operations, if applicable. [Minn. R. 7001]
5.6.131		Inspection Reports. [Minn. R. 7001]
5.6.132		The Permittee shall develop and implement an inspection schedule that includes a minimum of one site inspection per calendar month that the site is an active site and staffed. A minimum of one inspection per calendar year shall be conducted during a runoff event. [Minn. R. 7001]
5.6.133		If the site is Inactive and unstaffed, Temporarily Inactive and unstaffed as defined, or is a site undergoing final stabilization, the Permittee is waived from the requirement to conduct monthly site inspections, but BMPs must be maintained. [Minn. R. 7001]
5.6.134		All inspections and resulting maintenance must be recorded and retained within the Plan. Records of each inspection and maintenance activity shall include: A. Date and time of inspections. B. Name of person(s) conducting inspections. C. An evaluation of the facility to determine that the Plan accurately reflects conditions as described in the Pollution Prevention Plan. At a minimum, the Permittee shall inspect storage tank areas, waste disposal areas, maintenance areas, loading/unloading areas, and raw material, intermediate product, by-product and final product storage areas. D. An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function. E. An evaluation of the facility to determine whether new exposed significant materials or activities have been added to the site since completion of the Plan. F. Findings of inspections, including recommendations for corrective actions. G. Corrective actions taken (including dates, times, and party completing maintenance activities). [Minn. R. 7001]
5.6.135		In addition to the inspection requirements of this Section, separately from the required annual runoff event inspection, the Permittee shall ensure that one of the required monthly inspections occurs during a snow melt event. The inspection shall include a visual assessment

		of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in surface discharges, corrective actions to prevent sheen shall be implemented and documented in the Plan. [Minn. R. 7001]
5.6.136		Subsector D1 - Asphalt - Additional Inspection Reports Requirements. [Minn. R. 7001]
5.6.137		The operator of an Asphalt Facility shall also inspect the following areas: A. Material storage and handling areas; B. Liquid storage tanks; C. Hoppers and silos; D. Vehicle and equipment maintenance, cleaning, and fueling areas; and E. Material handling vehicles, equipment, and processing areas. Ensure that appropriate action is taken in response to the inspection by using follow-up procedures. Document in the Plan the inspections and follow up actions. [Minn. R. 7001]
5.6.138		Subsector E2 - Ready-Mix and Other Concrete Operations - Additional Inspection Reports Requirements. [Minn. R. 7001]
5.6.139		Dust collection and containment systems shall be included in the site inspections. [Minn. R. 7001]
5.6.140		Monitoring Requirements. [Minn. R. 7001]
5.6.141		Stormwater Monitoring. [Minn. R. 7001]
5.6.142		The Permittee shall monitor each outfall for all parameters specified in the Limits and Monitoring Section of this permit during stormwater runoff from active site operations. The Permittee shall submit the results of intervention limit monitoring required by this permit on the Discharge Monitoring Report form provided by the MPCA. The information must be recorded in the specified areas on the form and in the unit specified. [Minn. R. 7001]
5.6.143		Two samples shall be collected at each monitoring outfall and analyzed for each intervention limit parameter in a calendar year in order to determine an annual average concentration for each intervention limit parameter. The two samples shall be collected on two separate runoff events, one in the spring and one in the fall, if possible, each calendar year the Permittee is authorized to discharge under this permit. At the Permittee's discretion, more than two samples may be taken during separate runoff events and used to determine the annual average intervention limit(s). [Minn. R. 7001]
5.6.144		If the Permittee is unable to obtain a minimum of two samples, less than two samples may be used to determine the annual average intervention limit(s) for the discharges during the year. However, for each sample that could not be obtained due to weather conditions and/or soil characteristics, the Permittee shall provide an explanation in the Comments section of the Discharge Monitoring Report and submit it to the MPCA. [Minn. R. 7001]
5.6.145		Samples shall be collected during the first 30 minutes of a measurable runoff event at a monitoring outfall and sampling events shall be at least 72 hours apart, to the extent feasible. [Minn. R. 7001]
5.6.146		The intervention limit monitoring location(s) selected by the Permittee shall be in a location that: A. Is below the most down-gradient BMP from the source of industrial activity or significant materials, but prior to discharging from the Permittee's operational control. B. Minimizes or eliminates sampling of stormwater from off-site sources (run-on). C. Yields a sample that best represents the contribution of pollutants the Permittee is required to monitor for in accordance with this permit and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater. [Minn. R. 7001]
5.6.147		If the Permittee has identified multiple, but separate, stormwater discharges and each area of discharge is substantially similar in terms of exposure, BMPs, and pollutants discharged, the Permittee may choose one intervention limit monitoring location that is most representative and best allows for obtaining a sample. This is applicable to a single site only. Multiple sites may only choose a substantially similar outfall at a single site. [Minn. R. 7001]

5.6.148	<p>An exceedance of an applicable annual average intervention limit does not constitute a violation under this permit. However, the Permittee is required to perform any necessary corrective action(s) to address stormwater control measures, including the maintenance or implementation of BMPs, when an exceedance of an applicable intervention limit occurs as described below. Failure to respond to an intervention limit exceedance is a violation of the permit.</p> <p>If an exceedance of an intervention limit occurs, modify the Plan and document all corrective actions, including improvements to BMPs, necessary to meet the applicable intervention limits. Modifications and upgrades of the Plan and BMPs shall be initiated immediately, but no later than 14 days beyond discovery of an intervention limit exceedance. The Permittee must install a new or modified control and make it operational as soon as possible.</p> <p>If it is infeasible to complete the installation of a new or modified BMP within 14 calendar days, the Permittee must document why it is infeasible to complete the installation or repair within the 14-day timeframe. The Permittee must also outline a schedule for completing the work, and documentation must be completed as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If 45 days is infeasible, the Permittee must complete the installation or repair as soon as practicable and document the reason for delay. All documentation shall be contained within or as an attachment to the Plan. [Minn. R. 7001]</p>
5.6.149	<p>If the site is Temporarily Inactive during a monitoring period, intervention limit monitoring is not required, but the Permittee shall indicate on their DMR the inactivity and indicate that permanent stormwater BMPs remain in place. Should the site become active, the Permittee is required to sample in accordance with this Section of the permit for the year the site became active. [Minn. R. 7001]</p>
5.6.150	<p>If stormwater does not discharge to surface waters, no monitoring is required. If there is no discharge during the sampling period, the Permittee shall check the "No Flow" box and note the conditions on the Discharge Monitoring Report Form. [Minn. R. 7001]</p>
5.6.151	<p>If the Permittee submits documentation in compliance with this permit and receives approval from MPCA, discharges from the mine dewatering control devices are not required to be sampled. This shall include overflows caused solely by direct rainfall and groundwater seepage. [Minn. R. 7001]</p>
5.6.152	<p>Stormwater Limits and Monitoring Intervention Limits A. Subsectors J1, J2, D1, and E2: Total Suspended Solids, 100 mg/L. B. Subsector E2: Iron, 1.0 mg/L. [Minn. R. 7001]</p>
5.6.153	<p>Mine Dewatering to Surface Waters - Effluent Limit Monitoring. [Minn. R. 7001]</p>
5.6.154	<p>If dewatering flows do not discharge to surface waters, no monitoring will be required. If there is no discharge during the sampling period, the Permittee shall check the "No Flow" box and note the conditions on the Discharge Monitoring Report Form. [Minn. R. 7001]</p>
5.6.155	<p>If the Permittee submits documentation in compliance with this permit and receives approval from MPCA, overflows from the mine pit dewatering control devices are not required to be sampled. This shall include overflows caused solely by direct rainfall and groundwater seepage. [Minn. R. 7001]</p>
5.6.156	<p>One sample shall be collected quarterly from each monitoring outfall identified and analyzed for each required effluent limit parameters specified in the Limits and Monitoring Section of this permit. The sample(s) shall be collected each calendar quarter the Permittee is authorized to discharge under this permit. [Minn. R. 7001]</p>
5.6.157	<p>For active mine dewatering, samples shall be representative of the discharge and collected during any measurable event at an outfall. Flow monitoring shall be monitored using a continuous flow monitor or pump-run times. [Minn. R. 7001]</p>
5.6.158	<p>If the discharge event is an overflow caused by a rainfall event, the sample(s) shall be collected within the first 30 minutes of the measurable runoff event. If it is not possible to</p>

	collect the sample(s) within the first 30 minutes, the sample(s) shall be collected as soon as practicable after the first 30 minutes and documentation must be included with the Comments field of the Discharge Monitoring Report Form that explains why it was not possible to collect the sample(s) within the first 30 minutes. [Minn. R. 7001]
5.6.159	Mine Dewatering to Surface Waters - Monitoring for Permit Reissuance. The following parameters shall be sampled and analyzed prior to permit expiration and submitted with the application for permit re-issuance. Samples shall be representative of mine dewatering discharge activity, and must comply with the Total Facilities Requirements section of this permit: A. Total Dissolved Solids. B. Hardness. C. Oil & Grease and surfactants. D. Antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, and zinc. E. Aluminum, barium, boron, cobalt, iron, magnesium, manganese, molybdenum, total tin, and total aluminum. [Minn. R. 7001]
5.6.160	Total Facilities Requirements. [Minn. R. 7001]
5.6.161	Definitions. Refer to the 'Permit Users Manual' found on the MPCA website (www.pca.state.mn.us) for standard definitions. [Minn. R. 7001]
5.6.162	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. ch. 115 and 116. [Minn. R. 7001]
5.6.163	Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by this permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the MPCA. [Minn. R. 7001.0150, subp. 3(E)]
5.6.164	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 40 CFR pts. 400 to 460 and Minn. R. chs. 7050, 7052, 7053 and any other applicable MPCA rules. [Minn. R. 7001.1090, subp. 1(A)]
5.6.165	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, excessive suspended solids, material discoloration, obnoxious odors, gas ebullition, deleterious sludge deposits, undesirable slimes or fungus growths, aquatic habitat degradation, excessive growths of aquatic plants, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. [Minn. R. 7050.0210, Subpt. 2]
5.6.166	Property Rights. This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, subp. 3(C)]
5.6.167	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(O)]
5.6.168	The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what Minnesota statutes authorize. [Minn. R. 7001.0150, subp. 3(D)]
5.6.169	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(A)]
5.6.170	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(B)]
5.6.171		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. [Minn. R. 7001]
5.6.172		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. [Minn. R. 7001]
5.6.173		Inspection and Entry. When authorized by Minn. Stat. ch. 115.04, 115B.17, subd. 4, and 116.091, and upon presentation of proper credentials, the Permittee shall allow the MPCA, or an authorized employee or agent of the MPCA, 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(I)]
5.6.174		Control Users. The Permittee shall regulate the users of its facility 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. [Minn. R. 7001.0150, subp. 3(F)]
5.6.175		Sampling. [Minn. R. 7001]
5.6.176		Representative Sampling. The Permittee shall conduct samples and measurements required by this permit as specified in this permit and shall be representative of the discharge or monitored activity. [Minn. R. 7001.0150, subp. 2(B)]
5.6.177		Additional Sampling. If the Permittee monitors more frequently than required, they shall report the results and the frequency of monitoring on their eDMR for that reporting period. [Minn. R. 7001.1090, subp. 1(E)]
5.6.178		Certified/Accredited Laboratory. A laboratory accredited by the Minnesota Department of Health [Minn. R. 4740.2010 through Minn. R. 4740.2120] and/or certified by the MPCA [Minn. R. 7001.4310 through Minn. R. 7001.4390] shall conduct analyses required by this permit, unless approved in writing by the MPCA. A certified/accredited laboratory does not need to complete analyses of dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine). Those analyses shall comply with 40 CFR pt. 136. Dissolved oxygen, pH, and total residual oxidants must be performed on-site. Follow the manufacturer's specifications for equipment maintenance and use. [Minn. R. 4740.2010-4740.2120, Minn. R. 7001.4310-7001.4390]
5.6.179		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. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7041.3200]
5.6.180		Equipment Calibration. The Permittee shall check and/or calibrate flow meters, pumps, flumes, lift stations, or other flow monitoring equipment used for purposes of determining compliance (within plus or minus ten percent of the true flow values) with permit requirements at least twice annually. [Minn. R. 7001.0150, subp. 2(B & C)]
5.6.181		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: 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; D. The analytical techniques, procedures, and methods used; and E. The results of the analysis. [Minn. R. 7001.0150, subp. 2(C)]
5.6.182		<p>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 Permittee shall record the information in the specified areas on those forms and in the units specified.</p> <p>Required forms may include a Sample Values Form. If required, the Permittee shall record individual values for each sample and measurement on the Sample Values Form provided by the MPCA. The Permittee shall submit Sample Values Form with the appropriate eDMRs. The Permittee may design and use their own Sample Values Form; however, the Permittee shall not use their form until the MPCA reviews and approves the form.</p> <p>Note: The Permittee shall also record required summary information on their eDMR. Permittee submitted summary information contained only on the Sample Values Form does not comply with reporting requirements. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.1090, subp. 1(D)]</p>
5.6.183		<p>Submitting Reports. The Permittee shall submit eDMRs, Sample Values Forms, and other supplemental attachment forms via MPCA e-Services after the MPCA approves their authorization request.</p> <p>The Permittee shall electronically submit eDMRs, Sample Values Forms, and other supplemental attachment forms by the 21st day of the month following the sampling period or otherwise as specified in this permit. The Permittee shall complete eDMR submittal on or before 11:59 PM of the 21st day of the month following the sampling period or as otherwise specified in this permit. The Permittee shall submit an eDMR for each required station even if no discharge occurred during the reporting period.</p> <p>The Permittee shall submit other reports required by this permit electronically or by mail. The Permittee shall submit reports by the date specified in this permit. For electronic submittals, the Permittee shall submit on or before 11:59 PM on the date specified in this permit. For mailed submittals, the Permittee shall ensure that submittals via U.S. Postal Service or other hand delivery method contain postmarks by the date specified in this permit.</p> <p>Electronically: wq.submittals.mpca@state.mn.us Include Water quality submittals form: www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx</p> <p>Or by mail: Attention: WQ Submittals Center Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, MN 55155-4191. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(H)]</p>
5.6.184		<p>Incomplete or Incorrect Reports. The Permittee shall immediately submit an electronically amended report or eDMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or eDMR. The amended report or eDMR shall contain the missing or corrected data along with a comment on the eDMR explaining the circumstances of the incomplete or incorrect report. If it is impossible to amend the report or eDMR electronically, the Permittee shall immediately notify the MPCA and the MPCA will provide direction for the amendment submittals. [Minn. R. 7001.0150, subp. 3(G)]</p>
5.6.185		<p>Required Signatures. The Permittee or the duly authorized representative of the Permittee shall sign all eDMRs, forms, reports, and other documents submitted to the MPCA per Minn.</p>

	R. 7001.0150, subp. 2(D). The person or persons who sign the eDMRs, forms, reports, or other documents shall certify that he or she understands and complies with the certification requirements of Minn. R. chs. 7001.0070 and 7001.0540, including the penalties for submitting false information. A registered professional engineer shall certify technical documents, such as design drawings and specifications, and engineering studies submitted as part of a permit application or by permit conditions. [Minn. R. 7001.0540]
5.6.186	<p>Reporting Limit (RL). The Permittee shall report monitoring results below the 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 Permittee shall report the concentration as "< 0.1 mg/L." The Permittee shall not use "non-detected," "undetected," "below detection limit," or "zero" when reporting results. The MPCA considers these terms as permit reporting violations.</p> <p>Where sample values are less than the RL and the permit requires reporting of an average, the Permittee shall calculate the average as follows:</p> <p>A. If some values are less than (<) the RL, substitute zero for all non-detectable values to use in the average calculation;</p> <p>B. If all values are less than (<) the RL, calculate the average and report as < the RL average concentration; and</p> <p>C. To calculate a mass loading with a less than (<) the RL concentration, use the RL value in the calculation and then add the "<" to the product of the concentration and the volume. [Minn. R. 7001.0150, subp. 2(B)]</p>
5.6.187	Records. The Permittee shall, when requested by the MPCA, 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(H)]
5.6.188	Confidential Information. Except for data determined to be confidential according to Minn. Stat. ch. 116.075, subd. 2, all reports required by this permit are available for public inspection. The MPCA does not consider effluent data confidential. To request the MPCA maintain data as confidential, the Permittee shall follow Minn. R. 7000.1300. [Minn. R. 7000.1300]
5.6.189	Noncompliance and Enforcement. [Minn. R. 7001]
5.6.190	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. ch. 115.071 and 116.072, including monetary penalties, imprisonment, or both. [Minn. R. 7001.1090, subp. 1(B)]
5.6.191	Criminal Activity. The Permittee shall not knowingly make a false statement, representation, or certification in a record or other document submitted to the MPCA. A person who falsifies a report or document submitted to the MPCA, or tampers with, or knowingly renders inaccurate a monitoring device or method that requires maintenance under this permit is subject to criminal and civil penalties provided by federal and state law. [Minn. R. 7001.0150, subp. 3(G), Minn. R. 7001.1090, subp. 1(G & H), Minn. Stat. ch. 609.671, subd. 1]
5.6.192	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)]
5.6.193	<p>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.</p> <p>If the Permittee discovers that noncompliance with a condition of the permit occurred and that the noncompliance could endanger human health, public drinking water supplies, or the</p>

	<p>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 five days of the discovery.</p> <p>If the Permittee discovers other noncompliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the Permittee shall report the description of noncompliance within 30 days of the discovery. If no eDMR is required within 30 days, the Permittee shall submit a written report including the description of noncompliance within 30 days of the discovery of the noncompliance. This description shall include the following information:</p> <p>A. A description of the event including volume, duration, monitoring results, and receiving waters;</p> <p>B. The cause of the event;</p> <p>C. The steps taken to reduce, eliminate, and prevent reoccurrence of the event;</p> <p>D. The exact dates and times of the event; and</p> <p>E. Steps taken to reduce any adverse impact resulting from the event. [Minn. R. 7001.0150, subp. 3(K)]</p>
5.6.194	<p>Upset Defense. In the event of temporary noncompliance with applicable effluent limitation(s) 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 MPCA as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence:</p> <p>A. The specific cause of the upset;</p> <p>B. That the upset was unintentional;</p> <p>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;</p> <p>D. That at the time of the upset the facility was being properly operated;</p> <p>E. That the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1(I); and</p> <p>F. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3(J). [Minn. R. 7001.1090]</p>
5.6.195	<p>Release. [Minn. R. 7001]</p>
5.6.196	<p>Unauthorized Releases of Wastewater Prohibited. This permit prohibits overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, except for discharges from outfalls specifically authorized by this permit. 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, Minn. Stat. ch. 115.061]</p>
5.6.197	<p>Discovery of a Release. Upon discovery of a release, the Permittee shall:</p> <p>A. Take all reasonable steps to immediately end the release;</p> <p>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. The Permittee may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area); and</p> <p>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 Permittee cannot immediately or completely recover the released materials or substances, 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. [Minn. R. 7001.1090]</p>

5.6.198	<p>Sampling of a Release. Upon discovery of a release, the Permittee shall:</p> <p>A. Collect representative samples of the release. The Permittee shall sample the release for permitted effluent parameters and other 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, the Permittee shall collect fecal coliform bacteria samples where the Permittee determines that the release contains or may contain sewage. If the Permittee cannot immediately stop the release, the Permittee shall consult with the MPCA regarding additional sampling requirements. The Permittee shall collect samples at least, but not limited to, two times per week for as long as the release continues; and</p> <p>B. Submit the sampling results on the Release Report located on the MPCA's website at https://www.pca.state.mn.us/water/discharge-monitoring-reports.</p> <p>The Permittee shall submit the Release Report to the MPCA with the next eDMR or within 30 days, whichever is sooner. [Minn. R. 7001.1090]</p>
5.6.199	<p>Bypass. [Minn. R. 7001]</p>
5.6.200	<p>Anticipated Bypass. The Permittee may allow any bypass to occur that does not cause effluent limitation exceedances, but only if the bypass is for essential maintenance to assure efficient operation of the facility. The Permittee shall submit prior notice to the MPCA at least ten days before the date of the bypass, if possible. The notice of the need for an anticipated bypass shall include the following information:</p> <p>A. The proposed date and estimated duration of the bypass;</p> <p>B. The alternatives to bypassing; and</p> <p>C. A proposal for effluent sampling during the bypass. Any bypass wastewater shall enter waters of the state from outfalls specifically authorized by this permit. Therefore, the Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. [40 CFR 122.41(m)(2 & 3), Minn. R. 7001.1090, subp. 1(J)]</p>
5.6.201	<p>This permit prohibits all other bypasses. The MPCA may take enforcement action against the Permittee for a bypass, unless the specific conditions described in Minn. R. 7001.1090 subp. 1(K) and 40 CFR 122.41(m)(4)(i) are met.</p> <p>In the event of an unanticipated bypass, the Permittee shall:</p> <p>A. Take all reasonable steps to immediately end the bypass;</p> <p>B. Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 (metro area) immediately upon commencement of the bypass. The Permittee may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area);</p> <p>C. Immediately take 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 directed by the MPCA, the Permittee shall consult with other local, state, or federal agencies for implementation of abatement, clean up, or remediation activities; and</p> <p>D. Only allow bypass wastewater as specified in this section to enter waters of the state from outfalls specifically authorized by this permit. The Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. The Permittee shall also follow the reporting requirements for effluent violations as specified in this permit. [40 CFR 122.41(m)(4)i, Minn. R. 7001.1090, subp. 1(K), Minn. Stat. ch. 115.061]</p>
5.6.202	<p>Operation and Maintenance. [Minn. R. 7001]</p>
5.6.203	<p>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</p>

		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(F)]
5.6.204		In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail 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 they restore facility treatment processes or until the Permittee provides an alternative method of treatment. [Minn. R. 7001.1090, subp. 1(C)]
5.6.205		Solids Management. The Permittee shall properly store, transport, and manage biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or groundwaters of the state. The Permittee shall manage solids in accordance with local, state, and federal requirements. [40 CFR 503, Minn. R. 7041]
5.6.206		Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent water quality degradation, except where the facility requires emergency maintenance to prevent a condition that would be detrimental to water quality or human health. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
5.6.207		Control Tests. The Permittee shall conduct in-plant control tests at a frequency adequate to ensure compliance with the conditions of this permit. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
5.6.208		Changes to the Facility or Permit. [Minn. R. 7001]
5.6.209		Permit Modifications. Except as provided under Minn. Stat. ch. 115.07, subd. 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 MPCA issues a written permit for the facility or activity. Permittees that propose to make changes to the facility or discharge that requires permit modification shall follow Minn. R. 7001.0190. If the Permittee cannot determine whether the proposed changes require a permit modification, the Permittee shall contact the MPCA prior to any action. The MPCA recommends that Permittees submit the application for permit modification to the MPCA at least 180 days prior to the planned change. [Minn. R. 7001.0300]
5.6.210		This permit does not require plans, specifications, and MPCA approval 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, Permittees can replace a broken pipe, lift station pump, aerator, or blower with the same design-sized equipment without MPCA approval. If this permit does not expressly authorize the Permittee proposed construction, the MPCA may require a permit modification. If the proposed construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until the MPCA issues a negative declaration and the Permittee receives or implements all approvals. [Minn. R. 7001.0030]
5.6.211		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. If a permittee who indicated on their application that their site does not have stormwater discharge but that changes, the Permittee is required to submit an application for permit modification to indicate the change in status and meet the monitoring and reporting requirements of the permit. [Minn. R. 7001.0150, subp. 3(M)]
5.6.212		Chemical Additives. The Permittee shall receive prior written approval from the MPCA before

	<p>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.</p> <p>The Permittee shall request approval for an increase or new use of a chemical additive at least 60 days, or as soon as possible, before the proposed increase or new use. The Permittee shall include at least the following information for the proposed additive as instructed in the chemical additive approvals section on the MPCA website at https://www.pca.state.mn.us/water/wastewater-additional-guidance-and-information:</p> <p>A. The process for which the additive will be used; B. Safety Data Sheet (SDS) 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 SDS 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.</p> <p>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. [Minn. R. 7001.0170]</p>
5.6.213	<p>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 of this permit pursuant to Minn. R. 7001.0180. [Minn. R. 7001.0170, Minn. R. 7001.0180]</p>
5.6.214	<p>Total Maximum Daily Load (TMDL) Impacts. The MPCA may require facilities that discharge to an impaired surface water, watershed, or drainage basin to comply with additional permits or permit requirements. These requirements can include additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR ch. 122.44(l)(2)(i), necessary to ensure consistency with the assumptions and requirements of any applicable EPA approved wasteload allocations resulting from TMDL studies. [40 CFR 122.44(l)(2)i]</p>
5.6.215	<p>Permit Transfer. This permit is not transferable to any person without the express written approval of the MPCA after compliance with the requirements of Minn. R. 7001.0190. A person who receives permit transference shall comply with the conditions of this permit. [Minn. R. 7001.0150, subp. 3(N)]</p>
5.6.216	<p>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 a Facility Closure Plan to the MPCA for approval.</p> <p>The MPCA may require a permit modification or reissuance for facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or groundwater.</p>

		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 the MPCA requires financial assurance, the MPCA shall approve the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance. [Minn. Stat. ch. 116.07, subd. 4]
5.6.217		Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. [Minn. R. 7001.0040]
5.6.218		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: 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; or 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. [Minn. R. 7001.0040, Minn. R. 7001.0160]
5.6.219		Termination of General Permit Coverage. Upon reclamation and stabilization of all permitted sites, the covered applicant shall submit a request for termination of general permit coverage using the Notification of Permit Termination e-services. Guidance is available on the MPCA website at: https://www.pca.state.mn.us/sites/default/files/p-gen1-18.pdf . [Minn. Stat. ch. 116.07]
5.6.220		All discharges shall cease before a termination request form is submitted to the MPCA. Any discharge of pollutants to surface or groundwaters or land on or after the date of submittal shall be considered a violation of the Clean Water Act unless authorized by another NPDES permit. All land disturbances or alterations that are a result of the activities covered under this permit must be stabilized prior to submittal for closure, or the closure of those areas must have coverage under another NPDES permit. [Minn. Stat. ch. 116.07]
5.6.221		The terms and conditions of the General Permit remain in full force and effect including the payment of the annual fee, until General Permit coverage has been formally terminated by the MPCA. [Minn. R. 7002]
5.6.222		Permit Specific Definitions. [Minn. R. 7001]
5.6.223		"Active Facility" means a place where work or other activity related to the production of asphalt and ready-mix / concrete products and extraction, removal, or recovery of nonmetallic minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to desired contour and stabilization has begun. This definition is derived from the definition of 'active mining area' found at 40 CFR pt. 440.132(a). [40 CFR 440.132(a), State Definitions]
5.6.224		"Asphalt cement" means fluxed or unfluxed asphalt specially prepared for direct use in the manufacture of asphalt pavements. [State Definitions]
5.6.225		"Asphalt Emulsion" means a mixture of asphalt cement, chemical, and water solution. Asphalt emulsions are produced by adding an emulsifying agent to asphalt and water. [State Definitions]
5.6.226		"Asphalt pavement" means a mixture of asphalt cement (asphalt binder), aggregate, and other additives; may also be referred to as asphalt concrete (AC), bituminous mix (BM), and sometimes asphaltic concrete (HMAC). [State Definitions]
5.6.227		"Effluent Monitoring Location" for the purposes of this permit means the location(s) within

	<p>the boundary of the facility where the Permittee will collect mine dewatering and/or authorized non-stormwater discharges. The effluent monitoring location(s) selected by the Permittee shall be in a location that:</p> <p>A. Is immediately below the most down-gradient BMP from the specific industrial activity that has a numeric effluent limit, but prior to where the discharge co-mingles with stormwater from other sources.</p> <p>B. Yields a sample that represents the contribution of the pollutants for which the Permittee is required to monitor. [State Definitions]</p>
5.6.228	"Energy Dissipation" means methods employed at pipe outlets to prevent erosion. Examples include, but are not limited to: concrete aprons, riprap, splash pads, and gabions that are designed to prevent erosion. [State Definitions]
5.6.229	"Facility" for the purposes of this permit, means land that shares a common border and that has a stormwater discharge associated with industrial activity as defined by 40 CFR Part 122.26(b)(14) with the discharge having a common owner/operator. [40 CFR pt. 122, 26(b)(14), State Definitions]
5.6.230	"Impaired Water" means waters identified as impaired by the MPCA, and approved by the USEPA, pursuant to section 303(d) of the Clean Water Act (33 U.S.C. Section 303(d)). [CWA Sect. 303.d, State Definitions]
5.6.231	"Impoundments" mean topographic depressions designed to hold liquid. [State Definitions]
5.6.232	"Inactive Facility" means a site or portion of a site where nonmetallic mineral mining and/or milling, asphalt production and ready-mix concrete production occurred in the past but is not an Active Facility. The Permittee does not anticipate mining and/or associated activities to occur in the foreseeable future and has requested the permit coverage at this inactive portion be terminated, and the inactive portion is no longer covered by an active mining permit. [State Definitions]
5.6.233	"Infeasible" means not technologically possible or not economically practicable and achievable in light of the best industry practices. [State Definitions]
5.6.234	"Infiltration Device" for purposes of this permit, means a device to which industrial stormwater runoff is diverted, collected, or conveyed for the purpose of infiltration. This includes all man-made and natural infiltration areas to which runoff are diverted. An infiltration device does not include the parts of the system that diverts, collects, or conveys stormwater. Incidental infiltration from conveyances such as swales or ditches, including those with erosion prevention devices such as vegetation, silt fence, or fiber bails, is not an infiltration device. However, swales, ditches, or similar devices constructed with stop logs, ditch excavation for storage or other retention devices, which are for the purpose of increased infiltration, are infiltration devices. Wetlands (including types 1 through 8) and other natural surface water bodies are not infiltration devices or parts of infiltration device systems, and cannot be used as infiltration devices, unless mitigated in accordance with applicable state rules. [State Definitions]
5.6.235	"Karst topography" means an area underlain by fractured carbonate bedrock in which erosion has produced geological characteristics such as: sinkholes; springs, subsurface drainage; caves; sinking streams; dissolutionally enlarged joints (grikes) or bedding planes, and bedrock surface channels (karren). Counties known for karst features include parts of Dakota, Rice, Dodge, and Mower, and most of Goodhue, Olmsted, Winona, Wabasha, Houston and Fillmore. [State Definitions]
5.6.236	"Mine Pit Dewatering" means any water that is impounded or that collects in the mine and is pumped from the mine through the efforts of the mine operator. Uncontaminated groundwater and stormwater collecting in a low area in which there is a stormwater outlet for stormwater/seepage/drainage by gravity overflow shall not be considered mine pit dewatering. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharge of process generated wastewater and is not authorized under this permit. [State Definitions]
5.6.237	"Non-Stormwater Discharge" means any discharge not comprised entirely of stormwater.

	[State Definitions]
5.6.238	"Operator" is the person responsible for the overall operation of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.3000, State Definitions]
5.6.239	"Owner" is the person who owns an industrial facility or part of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.3000, State Definitions]
5.6.240	"Person" means any human being, any municipality or other governmental or political subdivision or public MPCA, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the MPCA. [State Definitions]
5.6.241	"Pipes" mean hollow cylinders or tubes constructed of non-earthen materials. [State Definitions]
5.6.242	"Pollution Prevention Plan" (Plan) means a plan for stormwater and non-stormwater discharges that include facility-specific activities and actions to, first, identify sources of pollution or contamination at the facility, and second, select and implement BMPs to eliminate or reduce contact of stormwater with significant materials and non-stormwater discharges that may result in polluted runoff from the facility. [State Definitions]
5.6.243	"Primary Standard Industrial Classification (SIC) Code" for the purposes of this permit, is the SIC code associated with the industrial activity that generates the greatest revenue. If revenue data is not available, the owner/operator shall base the determination on the number of employees engaged in the industrial activity. If it is not possible to determine the primary SIC code using either of these two methods, the owner/operator shall base the determination on the SIC code with the greatest production. The industrial activity that generates the greatest revenue, employs the most personnel, or has the greatest production, is the industrial activity assigned the primary SIC code. [State Definitions]
5.6.244	"Reclamation" means activities undertaken in compliance with applicable mined land reclamation requirements following the cessation of activities associated with extraction, removal and recovery of nonmetallic minerals, intended to return the land to an appropriate post-mining land use. [State Definitions]
5.6.245	"Seasonal High Water Table" means the highest level the water table reaches during a given year. Methods of determining the seasonal high water table are given in part 7041.3400, subpart 3. [Minn. R. 7041.0100, Subp. 48]
5.6.246	"Sediment Control" means methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins. [Minn. R. 7041.0100, Subpt. 48, Minn. R. 7041.3400, Subp. 3, State Definitions]
5.6.247	"Significant Materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR pt. 122, 26(b)(12)]
5.6.248	"Small Construction Activity" means small construction activity as defined in 40 CFR part 122.26(b)(15). Small construction activities include clearing, grading and excavating that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. [State Definitions]

5.6.249	"Stormwater Pond" for purposes of this permit means constructed detention or retention facilities for the treatment of stormwater runoff under the requirements of this permit. This includes permanent ponds, dry ponds, flow equalization ponds (followed by other BMPs), and constructed wetlands. However, natural wetlands (including types 1-8) and other natural surface water bodies are not industrial stormwater ponds, parts of ponds or pond systems, and cannot be used as BMPs for stormwater treatment unless mitigated in accordance with applicable state rules. [State Definitions]
5.6.250	"Structural BMPs" refers to the installation of devices that will reduce or eliminate pollutants to stormwater through installation of permanent structural devices to treat or control runoff. Examples of structural BMPs include but are not limited to installation of stormwater diversion berms or channels; sedimentation basins (retention or detention basins); oil/water separators; grit chambers; roofs, awnings, or buildings to cover significant material. [State Definitions]
5.6.251	"Tanks" means a container, vessel, or enclosure designed to contain substances and is constructed of materials such as concrete, steel, plastic, or fiberglass reinforced plastic, and provides structural support. [State Definitions]
5.6.252	"Temporarily Inactive Facility" means a site or portion of a site where nonmetallic mineral mining and/or milling, asphalt production and ready-mix concrete production occurred in the past but currently are not being actively undertaken and permit coverage is being maintained for the possibility of mining and/or associated activities in the foreseeable future. [State Definitions]
5.6.253	"Treatment Works" means any plant, disposal field, lagoon, dam, pumping station, constructed drainage ditch or surface water intercepting ditch, or other works not specifically mentioned herein, installed for the purpose of treating, stabilizing or disposing of sewage, industrial waste, or other wastes. For the purposes of this permit, this includes stormwater ponds, sedimentation basins and/or infiltration devices for stormwater management. [Minn. Stat. ch. 115.01, Subpt. 21, State Definitions]
5.6.254	"Water Quality Standards" means those provisions contained in Minn. R Chapters 7050 and 7052. [Minn. R. 7050, Minn. R. 7052, State Definitions]
5.6.255	"Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes: A. a predominance of hydric soils; B. inundated or saturated by surface water or groundwater at a frequency and duration to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and, C. under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, Subpt. 1(a)B, State Definitions]

3. Submittal action summary

SD 001	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Subsectors D1, J1, J2
	6.1.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 002	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Subsector E2
	6.2.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 003	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Construction Sand and Gravel (1442)
	6.3.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	6.3.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 004	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Industrial Sand Mining (1446)
	6.4.1	The Permittee shall submit a monthly DMR : Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001]
SD 005	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Subsector J2 (1411, 1422, 1423, 1429)
	6.5.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	6.5.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
MNG490000	Nonmetallic Mining/Associated Activities General Permit	
		Non-Metallic Mining and Associated Activities General Permit Requirements
	6.6.1	Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. [Minn. R. 7001.0040]

4. Limits and monitoring

Subject item	Parameter	Discharge limitations					Monitoring requirements					Notes
		Quantity /Loading avg.	Quantity /Loading max.	Quantity /Loading units	Quality /Conc. /Conc. min.	Quality /Conc. avg.	Quality /Conc. max.	Quality/ Conc. units	Frequency	Sample type	Effective period	
SD 001 Subsector J1, J2 & D1 Industrial Stormwater	Solids, Total Suspended (TSS)					Monitor only. calendar year average intervention		milligrams per liter	twice per year	Grab	Jan-Dec	Any reported value >100 mg/L exceeds the intervention limit. If the discharge is within 1 mile of an ORVW, trout stream, or trout lake, the intervention limit is 65 mg/L.
SD 002 Subsector E2 Industrial Stormwater	Iron, Total (as Fe)					Monitor only. calendar year average intervention		milligrams per liter	twice per year	Grab	Jan-Dec	Any reported value >1.0 mg/L exceeds the intervention limit.
SD 002 Subsector E2 Industrial Stormwater	Solids, Total Suspended (TSS)					Monitor only. calendar year average intervention		milligrams per liter	twice per year	Grab	Jan-Dec	Any reported value >100 mg/L exceeds the intervention limit. If the discharge is within 1 mile of an ORVW, trout stream, or trout lake, the intervention limit is 65 mg/L.
SD 003 SIC 1442 Dewatering	Flow		Monitor only. calendar quarter total	million gallons		Monitor only. calendar quarter average		million gallons per day	once per quarter	Measurement, Continuous	Jan-Dec	
SD 003 SIC 1442 Dewatering	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 003 SIC 1442 Dewatering	Nitrogen, Kjeldahl, Total					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 003 SIC 1442 Dewatering	pH				6.5 calendar quarter		8.5 calendar quarter	standard units	once per quarter	Grab	Jan-Dec	

Subject item	Parameter	Discharge limitations				Monitoring requirements						Notes
		Quantity /Loading avg.	Quantity /Loading max.	Quantity /Loading units	Quality /Conc. min. /Conc. min.	Quality /Conc. avg.	Quality /Conc. max. /Conc. max.	Quality/ Conc. units	Frequency	Sample type	Effective period	
SD 003 SIC 1442 Dewatering	Phosphorus, Total (as P)				minimum	Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 003 SIC 1442 Dewatering	Solids, Total Suspended (TSS)						30 daily maximum	milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 004 SIC 1446 Dewatering	Flow		Monitor only. calendar month total	million gallons		Monitor only. calendar month average		million gallons per day	once per month	Measurement, Continuous	Jan-Dec	
SD 004 SIC 1446 Dewatering	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Dec	
SD 004 SIC 1446 Dewatering	Nitrogen, Kjeldahl, Total					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Dec	
SD 004 SIC 1446 Dewatering	pH				6.5 calendar quarter minimum		8.5 calendar quarter maximum	standard units	once per quarter	Grab	Mar, Jun, Sep, Dec	
SD 004 SIC 1446 Dewatering	Phosphorus, Total (as P)					Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Mar, Jun, Sep, Dec	
SD 004 SIC 1446 Dewatering	Solids, Total Suspended (TSS)					25 calendar month average	45 daily maximum	milligrams per liter	once per month	Grab	Jan-Dec	
SD 005 SUBSECTOR J2 Dewatering	Flow		Monitor only. calendar quarter total	million gallons		Monitor only. calendar quarter average		million gallons per day	once per quarter	Measurement, Continuous	Jan-Dec	

Subject item	Parameter	Discharge limitations				Monitoring requirements						Notes
		Quantity /Loading avg.	Quantity /Loading max.	Quantity /Loading units	Quality /Conc. min.	Quality /Conc. avg.	Quality /Conc. max.	Quality/ Conc. units	Frequency	Sample type	Effective period	
SD 005 SUBSECTOR J2 Dewatering	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 005 SUBSECTOR J2 Dewatering	Nitrogen, Kjeldahl, Total					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 005 SUBSECTOR J2 Dewatering	pH				6.5 calendar quarter minimum		8.5 calendar quarter maximum	standard units	once per quarter	Grab	Jan-Dec	
SD 005 SUBSECTOR J2 Dewatering	Phosphorus, Total (as P)					Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 005 SUBSECTOR J2 Dewatering	Solids, Total Suspended (TSS)						30 daily maximum	milligrams per liter	once per quarter	Grab	Jan-Dec	