



STATE OF MINNESOTA
Minnesota Pollution Control Agency

Municipal Division

**National Pollutant Discharge Elimination System (NPDES)/
State Disposal System (SDS) Permit MNG580000**

**Authorization to Operate a
Stabilization Pond Wastewater Treatment Facility**

ISSUANCE DATE: September 30, 2010

EXPIRATION DATE: August 31, 2015

The state of Minnesota, on behalf of its citizens, through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to operate a disposal system at the facility named above and to discharge from this facility to the receiving water named above, in accordance with the requirements of this permit.

The goal of this permit is to protect water quality in accordance with Minnesota and U.S. statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7041, 7049, 7050, 7053, 7060 and the U.S. Clean Water Act.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued on March 1, 2005. This permit expires at midnight on the expiration date identified above.

Signature: 

Wendy L. Turri, Manager
Municipal Wastewater Section
Municipal Division

for The Minnesota Pollution Control Agency

Submit DMRs to:

Attention: Discharge Monitoring Reports

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Submit Other WQ Reports to:

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

Questions on this permit?

- General permit or NPDES program questions, contact the appropriate MPCA regional office found on page two of this Permit.

MPCA Regional Offices

Toll Free Number: 800-657-3864

To report emergencies, call the Minnesota State Duty Officer at 651-649-5451 or toll free at 800-422-0798. Telephone Device for Deaf (TTY): 651-282-5332. 24-hour emergency number: 651-297-5353 or 800-627-3529.

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|---|---|
| <p>Brainerd/Baxter Office 7678 College Road, Suite 105 Baxter, Minnesota 56425</p> <p>Phone: 218-828-2492 Fax: 218-828-2594</p> | <p>Mankato Office 1230 South Victory Drive Mankato, Minnesota 56001</p> <p>Phone: 507-389-5997 Fax: 507-389-5422</p> |
| <p>Detroit Lakes Office 714 Lake Avenue, Suite 220 Detroit Lakes, Minnesota 56567</p> <p>Phone: 218-847-1519 Fax: 218-846-0719</p> | <p>Marshall Office 1420 East College Drive, Suite 900 Marshall, Minnesota 56258</p> <p>Phone: 507-537-7146 Fax: 507-537-6001</p> |
| <p>Duluth Office 525 Lake Avenue South, Suite 400 Duluth, Minnesota 55802</p> <p>Phone: 218-723-4660 Fax: 218-723-4727</p> | <p>Rochester Office 18 Wood Lake Drive Rochester, Minnesota 55904</p> <p>Phone: 507-285-7343 Fax: 507-280-5513</p> |
| <p>St. Paul Office 520 Lafayette Road North St. Paul, Minnesota 55155</p> <p>Phone: 651-296-6300 Fax: 651-297-8676</p> | <p>Willmar Office 201 – 28th Avenue Southwest Willmar, Minnesota 56201</p> <p>Phone: 320-214-3786 Fax: 320-214-3787</p> |

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Chapter 1. General Stabilization Pond

1. Authorization

- 1.1 This permit authorizes the Permittee to treat and discharge wastewater in accordance with the provisions of this chapter only after:
 - a. the Permittee seeking authorization to discharge under this general permit has submitted all necessary application forms to be covered under the general permit,
 - b. the Permittee meets all the eligibility criteria listed in the following section of this chapter, and
 - c. the Permittee has received a written Notice of Coverage (NOC) from the MPCA indicating that coverage has been granted.

2. General Permit Applicability Criteria

- 2.1 The Facility is an existing stabilization and/or aerated pond system with controlled surface water discharge that treats domestic-strength wastewater and is MPCA-classified as a Class D facility. Facilities that have land disposal activities (e.g. spray irrigation, rapid infiltration basins) are ineligible for this permit.
- 2.2 The Facility is not located in the designated Karst Region in the Southeastern portion of Minnesota that was subject to the 1993 Administrative Order that required the preparation of a contingency plan.
- 2.3 The average wet weather design flow of the Facility is less than one million gallons per day (mgd).
- 2.4 The Facility does not have a Significant Industrial User (SIU), as defined per the Definitions section of this permit, that requires additional monitoring and/or limits than this permit requires.
- 2.5 The collection system and stabilization pond facility do not receive excessive flows that result in upsets, permit violations, or bypassing from the collection system or Facility, or result in regular discharges outside the designated discharge window for that Facility. Facilities that are experiencing excessive flows may be allowed coverage under this permit, provided the NOC contains an Inflow and Infiltration Investigation and Elimination Compliance Schedule to investigate and address the excessive flows (see Inflow and Infiltration Investigation and Elimination Plan section).
- 2.6 The Facility has at least 180 days of storage if located south of the 46 degrees 25 north latitude (approximately the latitude of Brainerd) and 210 days of storage for facilities north of this line unless previously approved by the MPCA for something less. If design capacity is less than 180 days and 210 days respectively, the Permittee may show that actual flows allow for 180 days and 210 days respectively.
- 2.7 Stabilization ponds that are part of the Facility do not exceed the allowable seepage rate of 500 gallons per acre per day if the pond was built after May 16, 1975 and 3,500 gallons per acre per day if the pond was built before May 16, 1975. Facilities that are suspected to be leaking may be allowed coverage under this permit, provided the NOC contains a Leaky Pond Evaluation Compliance Schedule to investigate the leakage rate (see Leaky Pond Evaluation section).
- 2.8 The written NOC from the MPCA will include:
 - a. a description and topographic map of the location of the Facility covered under this permit;
 - b. non-degradation language specific to the Facility and receiving waters;
 - c. mass based limitations applicable to the Facility;
 - d. phosphorus limitations or Phosphorus Management Plan requirements, if applicable to the Facility;
 - e. mercury monitoring and Mercury Minimization Plan requirements, if applicable to the Facility;
 - f. tile line discharge monitoring requirements, if applicable to the Facility;
 - g. an Inflow and Infiltration Compliance Schedule, if applicable to the Facility;
 - h. a Leaky Pond Evaluation Compliance Schedule, if applicable to the Facility; and
 - i. additional monitoring, if applicable to the Facility.

3. Mandatory Limits and Monitoring Requirements

- 3.1 The limits and monitoring requirements attached to this permit are mandatory for all facilities covered under this general permit. The Permittee shall comply with the limits and monitoring requirements attached at the end of this permit (Attachment 1), as specified below, and in the NOC that accompanied this permit. The results of this monitoring shall be submitted to the MPCA as specified in the Total Facilities section of this permit. Individual values shall be reported on a Discharge Monitoring Report (DMR) Supplemental Form.

4. Facility Specific Limits and Monitoring Requirements

- 4.1 Mass Limits. The limits and monitoring requirements in this Permit are assigned by the MPCA based on the specific operation and design of the treatment facility. Permittees will be notified of facility specific mass limits in the NOC that accompanies this permit.
- 4.2 Phosphorus Limits. Permittees required to meet monthly and/or annual Total Phosphorus concentration and/or mass limits will be notified in the NOC that accompanies this permit.
- 4.3 Additional Monitoring for Facilities with Design Flow Equal to or Greater than 0.1 mgd. Facilities that have average wet weather design flows equal to or greater than 0.1 mgd are required to monitor for Total Nitrate plus Nitrite, Total Ammonia Nitrogen, Total Kjeldahl Nitrogen, and Total Dissolved Solids two (2) times per year during discharge as identified in Attachment 1 of this permit and submit the results on the custom DMR Supplemental Form. Permittees required to monitor for these parameters will be notified in the NOC that accompanies this permit.
- 4.4 Mercury Monitoring. Facilities that have average wet weather design flows equal to or greater than 0.2 mgd shall monitor for Mercury at the Influent Waste Stream Station and Total Facility Discharge Station as identified in Attachment 1 of this permit.

In addition to the Mercury monitoring required in Attachment 1 of this permit, the Permittee shall analyze the effluent sample from the Total Facility Discharge Station for Dissolved Mercury and Total Suspended Solids twice per year throughout the life of this permit. The sampling method is a concurrent grab sample for the two parameters. Dissolved Mercury shall be analyzed using EPA method 1631, with clean techniques method 1669. Samples shall be collected two (2) times per year during discharge as identified in Attachment of this permit, and reported on the custom supplemental form provided by the MPCA. The custom DMR supplemental form must be submitted with the DMR for the month when the samples are collected.

Permittees required to monitor for Mercury will be notified in the NOC that accompanies this permit.

- 4.5 Salty Discharge Monitoring. Facilities that receive salty waste streams (e.g. water treatment facilities, ethanol facilities, rendering facilities) in concentrations high enough to potentially impact surface waters are required to monitor for Chlorides, Calcium and Magnesium Hardness at CaCO₃, Specific Conductance, Total Dissolved Solids (Salts), Sulfates as SO₄, Bicarbonates, Sodium as Na, Calcium, Magnesium, and Potassium two (2) times per year during discharge as identified in Attachment 1 of this permit. Permittees required to monitor for these parameters will be notified in the NOC that accompanies this permit.
- 4.6 Fecal Coliform Effective Periods. The Permittee must meet the Fecal Coliform Bacteria limit during the effective period as follows:
- Discharges to Class 2 waters have a fecal coliform bacteria limit effective period from April 1 through October 31.
 - Discharges to Class 7 waters have a fecal coliform bacterial limit effective period from May 1 through October 31.
 - Discharges that are within 25 miles upstream of a drinking water intake have a year-round fecal coliform bacteria limit effluent period, regardless of the classification of the receiving water.

Permittees will be notified of the appropriate Fecal Coliform Effective Period in the NOC that accompanies this permit.

- 4.7 Tile Line Discharge Monitoring. Permittees that are required to conduct tile line sampling as identified in Attachment 1 of this permit will be notified in the NOC that accompanies this permit.

5. Bypass Structures

- 5.1 All structures capable of bypassing the treatment system shall be manually controlled and kept locked at all times.

6. Sanitary Sewer Extension Permit

- 6.1 The Permittee may be required to obtain a Sanitary Sewer Extension Permit from the MPCA prior to the start of construction of any addition, extension or replacement to the sanitary sewer. If a sewer extension permit is required, no construction of any part of the system may begin until that permit has been issued. Please see Fact Sheet #1.15, Sanitary Sewer Modifications, Additions or Extension Permits on www.pca.state.mn.us for further information on Sanitary Sewer Extension Permit requirements.

7. Operator Certification

- 7.1 The Permittee shall provide, at the minimum, a Class D state certified operator who is in direct responsible charge of the operation, maintenance and testing functions required to ensure compliance with the terms and conditions of the permit. (Minn. Stat. Sec. 115.72)
- 7.2 If the Permittee chooses to meet operator certification requirements through a contractual agreement, the Permittee shall provide a copy of the contract to the MPCA, WQ Submittals Center. The contract shall include the certified operator's name, certificate number, company name if appropriate, the period covered by the contract and provisions for renewal; the duties and responsibilities of the certified operator; the duties and responsibilities of the permittee; and provisions for notifying the MPCA 30 days in advance of termination if the contract is terminated prior to the expiration date.
- 7.3 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

8. Dischargers to a TMDL Reach

- 8.1 TMDL Impacts. Facilities that discharge to an impaired surface water, watershed or drainage basin may be required to comply with additional permits or permit requirements, including additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR 122.44.1.2.i., necessary to ensure consistency with the assumptions and requirements of any applicable US EPA approved wasteload allocations resulting from Total Maximum Daily Load (TMDL) studies.

9. Waste Stream

Sampling Location

- 9.1 Grab and composite samples shall be collected at a point representative of total influent flow to the system.

Discharge Monitoring Reports

- 9.2 Submit a monthly DMR monthly by 21 days after the end of each calendar monthly following permit issuance.
- 9.3 Influent Mercury Monitoring. If a Permittee eligible for coverage under this Permit is required to monitor influent mercury (specified in the Notice of Coverage), this monitoring is required once in the spring and

once in the fall. The influent mercury monitoring should occur at the same time as the effluent mercury monitoring. Regardless of the month when monitoring occurs in the spring and fall, the monitoring results for spring must be recorded on the June DMR and the monitoring results for fall must be reported on the December DMR.

10. Surface Discharges

Total Facility Discharge Sampling Location

10.1 Samples for the Total Facility Discharge Station shall be collected from the final cell outlet control structure.

General Requirements

10.3 Effluent Salty Discharge Monitoring, mercury monitoring and/or monitoring for nitrogen parameters and total dissolved solids.

All Permittees eligible for coverage under this Permit are required to monitor effluent for the salty discharge parameters of Chlorides, Calcium and Magnesium Hardness as CaCO₃, Specific conductance, Total Dissolved Solids (Salts), Sulfates as SO₄, Bicarbonates, Sodium as NA, Calcium, Magnesium, Potassium, and Total Salinity at 25 degrees C. This monitoring is required once during a spring discharge and once during a fall discharge. Regardless of the month when monitoring occurs in spring and fall, the monitoring results for spring must be recorded on the June DMR and the monitoring results for fall must be reported on the December DMR. If no discharge occurred in spring and/or fall, the no discharge box must be marked on the respective June and/or December DMR.

If a Permittee eligible for coverage under this Permit is required to monitor effluent for nitrogen parameters and total dissolved solids and/or mercury (specified in the Notice of Coverage), monitoring results are to be reported in the same manner outlined in the previous paragraph.

10.4 Floating solids or visible foam shall not be discharged in other than trace amounts.

10.5 Oil or other substances shall not be discharged in amounts that create a visible color film.

10.6 The Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion.

Winter Sampling Conditions

10.7 The Permittee shall sample flows at the designated monitoring stations including when this requires removing ice to sample the water. If the station is completely frozen throughout a designated sampling month, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR) and note the ice conditions in Comments on the DMR.

Discharge Monitoring Reports

10.8 The Permittee shall submit monitoring results for discharges in accordance with the limits and monitoring requirements for this station. If no discharge occurred during the reporting period, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR).

10.9 For all applicable SD (surface discharge) stations, submit a monthly DMR monthly by 21 days after the end of each calendar month following permit issuance.

11. Groundwater Stations

Tile Line Discharge Sampling Location

11.1 Sample for the Tile Line Discharge Station shall be collected from the final outlet prior to entering any surface water.

Discharge Monitoring Reports

11.2 For all applicable GW (Tile Line) stations, submit a monthly DMR monthly by 21 days after the end of each calendar month for which sampling is required following permit issuance.

12. Stabilization Pond Requirements

Acceptable Discharge Periods

12.1 Acceptable Discharge Periods are March 1 through June 30 and September 1 through December 31 for facilities located in the Detroit Lakes, Brainerd and Duluth regions.

12.2 Acceptable Discharge Periods are March 1 through June 15 and September 15 through December 31 for facilities located in the Marshall, Rochester, Willmar, Mankato and Metropolitan regions.

12.3 Effluent limitations for this permit have been assigned based upon the assumption that the receiving waters exhibit favorable flow and reaeration characteristics during the acceptable discharge periods.

Discharges Outside of Acceptable Discharge Periods

12.4 For discharges occurring outside the acceptable discharge periods, refer to the "Stabilization Pond Guidance Discharge Guidance" located at www.pca.state.mn.us/water/wastewater.html#operation. If any of the discharge occurs outside of the acceptable discharge periods, the Permittee shall notify the MPCA of the potential noncompliance prior to discharge. The Permittee shall call the appropriate regional office and indicate that the call is for notification of a pond discharge.

12.5 For any discharge outside of acceptable discharge periods or to an ice covered receiving water, an adequate dilution ratio is required. If an adequate dilution ratio is not available, receiving water monitoring is required.

12.6 For any discharge outside of acceptable discharge periods or to an ice covered receiving water, the Permittee shall submit a "Discharge Evaluation Report" on a form provided in the "Stabilization Pond Discharge Guidance" located at www.pca.state.mn.us/water/wastewater.html#operation.

12.7 Pond Discharge Rate. The discharge rate shall be limited so as not to create a shock load on the receiving waters, disturb the pond bottom sediment in the area of the intake or flood downstream properties. If the drawdown rate should exceed six (6) inches per day, the Permittee shall call the appropriate MPCA regional office and indicate that the call is for notification of a pond discharge.

Pre-discharge Sampling

12.8 If pre-discharge sample results indicate that one or more of the effluent limitations may be exceeded, the Permittee shall notify the MPCA of potential noncompliance prior to discharge. The Permittee shall call the MPCA at the appropriate regional office and indicate that the call is for notification of a pond discharge.

12.9 Samples shall be taken from four sides of the pond and composited prior to discharge and analyzed for permitted parameters. This sampling must be taken no more than two weeks prior to the beginning of the discharge; dissolved oxygen and pH (both are field tests) must be taken no more than 24 hours prior to the

beginning of the discharge. If more than two weeks pass prior to the beginning of discharge, additional predischARGE samples shall be obtained and analyzed prior to discharge.

12.10 Pond Observations. The Permittee shall inspect the pond system weekly, and shall take measurements of pond water depth, estimate the coverage of aquatic plants, floating mats and ice cover on the surface of the ponds, and note odors, the condition of the dikes and the presence of rodents. The Permittee shall maintain records of these weekly inspections for the last three (3) years, and submit the results on the Supplemental Report Form (SRF).

12.11 The Permittee shall maintain daily precipitation records.

13. Phosphorus Management Plan

13.1 Because of the particular concern about the impacts of phosphorus discharged from wastewater treatment facilities on surface waters, the MPCA will either assign an effluent phosphorus limit to the Permittee or require the Permittee to complete and submit a Phosphorus Management Plan (PMP). Permittees will be notified if they have been assigned either an effluent phosphorus limit or required to complete a PMP in the NOC that accompanies this permit. Permittees that have been assigned an effluent phosphorus limit are not required to complete a PMP.

13.2 For Permittees required to complete a PMP, the PMP shall be submitted at least 180 days prior to permit expiration. The PMP shall include, at a minimum, the following:

- a. A summary of the recent influent and effluent phosphorus concentrations and mass loadings.
- b. An identification of sources of high phosphorus loading to the facility and development of a plan for reducing phosphorus loading. This plan shall include an evaluation of phosphorus reduction opportunities for users or classes of users with high phosphorus loading. When necessary, require high phosphorus loading users to submit PMPs that include identification of user-specific opportunities to reduce phosphorus loads to the Facility.
- c. An evaluation of past and present facility operations to determine those operating procedures that result in phosphorus removal to the fullest practicable extent.
- d. Information and data relating to potential facility expansions or significant modifications, population growth, and potential phosphorus removal plans that will help to evaluate the current and potential effects of the facility on the receiving water.

Permittees required to submit a PMP will be notified in the NOC that accompanies this permit.

14. Mercury Minimization Plan

14.1 Mercury is present in all municipal and many industrial wastewater discharges. Mercury is a powerful neurotoxin that affects human health and the environment. A naturally-occurring element, mercury does not break down into less-harmful substances over time. Instead, mercury released into the environment accumulates in fish and animal tissues, a process known as bioaccumulation. Widespread mercury contamination has prompted the Minnesota Department of Health (MDH) to issue fish consumption advisories throughout the state. Most of Minnesota's impaired waters are contaminated by mercury and other bioaccumulative toxins. The MPCA is carefully evaluating all mercury discharges in the state.

14.2 For Permittees required to complete and submit a Mercury Minimization Plan (MMP) to the MPCA, the submittal requirements are detailed in this section. If a Permittee has previously submitted a MMP, it must update its MMP and submit the updated MMP to the MPCA. The purpose of the MMP is to evaluate collection and treatment systems to determine possible sources of mercury as well as potential mercury reduction options. Guidelines for developing a MMP are detailed in this section.

Mercury Minimization Plan (Non-Lake Superior Basin Permittees)

- 14.3 Permittees with average wet weather design flows equal to or greater than 0.2 mgd that do not discharge to the Lake Superior Basin shall submit a Mercury Minimization Plan by 180 days before permit expiration. At a minimum, the MMP must include the following:
- a. A summary of mercury influent and effluent concentrations using the most recent five years of monitoring data, if available.
 - b. Identification of existing and potential sources of mercury concentrations and/or loading to the facility. As appropriate for your facility, you should consider residential, institutional, municipal, and commercial sources (such as dental clinics, hospitals, medical clinics, nursing homes, schools, and industries with potential for mercury contributions). You should also consider other influent mercury sources, such as stormwater inputs, ground water (inflow & infiltration) inputs, and waste streams or sewer tributaries to the wastewater treatment facility.
 - c. An evaluation of past and present facility operations to determine those operating procedures that maximize mercury removal.
 - d. A summary of any mercury reduction activities implemented during the last five years.
 - e. A plan to implement mercury management and reduction measures during the next five years.

Permittees required to submit a MMP will be notified in the NOC that accompanies this permit.

Mercury Minimization Plan (Lake Superior Basin Permittees)

- 14.4 Permittees with average wet weather design flows equal to or greater than 0.2 mgd that discharge to the Lake Superior basin shall submit a Mercury Minimization Plan by 180 days after permit reissuance. At a minimum, the MMP must include the following:
- a. A summary of mercury influent and effluent concentrations using the most recent five years of monitoring data, if available.
 - b. Identification of existing and potential sources of mercury concentrations and/or loading to the facility. As appropriate for your facility, you should consider residential, institutional, municipal, and commercial sources (such as dental clinics, hospitals, medical clinics, nursing homes, schools, and industries with potential for mercury contributions). You should also consider other influent mercury sources, such as stormwater inputs, ground water (inflow & infiltration) inputs, and waste streams or sewer tributaries to the wastewater treatment facility.
 - c. An evaluation of past and present facility operations to determine those operating procedures that maximize mercury removal.
 - d. A summary of any mercury reduction activities implemented during the last five years.
 - e. A plan to implement mercury management and reduction measures during the next five years.

Permittees required to submit a MMP will be notified in the NOC that accompanies this permit.

- 14.5 Permittees with facilities that discharge to the Lake Superior basin shall submit an annual update of the MMP to the MPCA Water Quality Submittals Center by March 1 of each year following MPCA approval of the MMP. The annual report shall include, but is not limited to:
- a. All minimization program monitoring results for the year.
 - b. A list of potential sources of mercury.
 - c. A summary of all actions taken to meet the effluent limit for mercury.
 - d. Any updates of the control strategy.

Permittees required to submit a MMP will be notified in the NOC that accompanies this permit.

15. Inflow and Infiltration Investigation and Elimination Plan

- 15.1 A Permittee that is determined to be receiving excessive inflow and infiltration (I/I) that could cause upsets, bypasses or permit violations is required to complete an I/I Investigation and Elimination Plan (I/I Plan). The NOC that accompanies this permit will specify if a Permittee is required to submit an I/I Plan.

- 15.2 For Permittees required to complete an I/I Plan, the I/I Plan shall be submitted within 180 days after permit reissuance. At a minimum, the I/I Plan shall include:
- a. An evaluation of the collection system data to determine the extent of I/I to the system.
 - b. Based on the system evaluation the Permittee shall identify all possible sources of I/I by methods such as smoke testing and televising. Possible sources include, but are not limited to, bad service line connections, broken or cracked municipal sewer lines, cracked or broken manholes or lift stations, unsealed manhole covers and illegal clean water connections.
 - c. An evaluation of the Permittees current policy (ordinance, etc.), or establishment of a policy if absent, concerning the connection of foundation drains, floor drains, sump pumps, roof leaders, etc. from buildings connected to the system and how the Permittee ensures compliance with the policy.
 - d. A description of past actions by the Permittee to identify and eliminate sources of I/I.
 - e. A description of current and future actions by the Permittee to identify and eliminate sources of I/I, including implementation and completion dates. The actions and dates specified in the submitted I/I Plan are enforceable provisions.

16. Leaking Pond Evaluation

- 16.1 A Permittee with a system that has been determined by a desktop water balance to potentially leak above the allowable seepage rate (500 gallons per acre per day if the pond was built after May 16, 1975, and 3,500 gallons per acre per day if the pond was built before May 16, 1975) is required to investigate the leakage rate through a Leaking Pond Evaluation (Evaluation). The NOC that accompanies this permit will specify if the Permittee is required to submit an Evaluation.
- 16.2 For Permittees required to complete an Evaluation, the Evaluation shall be submitted within 180 days after permit reissuance. At a minimum, the Evaluation shall include:
- a. An evaluation of the past and present condition and operation of the pond system, including but not limited to: age of the pond system, liner material, rip rap condition and placement, erosion, presence of deep rooted vegetation, presence of rodents and rodent holes, if the pond system has been hydraulically overloaded and operated in the freeboard zone.
 - b. A plan to ensure accurate influent and effluent flows, including but not limited to: ensuring flow meters in good working order, installing new flow meters if necessary, calibrating pumps at least twice per year, verifying pond acreages (via survey), verifying pond depths and measurements, ensuring accurate precipitation measurements and accurate discharge volumes.

Upon submittal of the plan and further MPCA review, a system with severe leakage may be removed from the general permit. If that is the case, the Permittee shall submit a NPDES/SDS permit application for an individual permit.

17. Pretreatment

- 17.1 This chapter only applies to Publicly Owned Treatment Works (POTWs). POTWs are facilities that are owned and operated by a municipality (e.g. city, sanitary district, joint powers board) for public use and the authority operating such a treatment works.

Pretreatment - Definitions

- 17.2 An "Individual Control Mechanism" is a document, such as an agreement or permit, that imposes limitations or requirements on an individual industrial user of the POTW.
- 17.3 "Significant Industrial User" (SIU) means any industrial user that:
- a. discharges 25,000 gallons per day or more of process wastewater;
 - b. contributes a load of five (5) % or more of the capacity of the POTW; or
 - c. is designated as significant by the Permittee or the MPCA on the basis that the SIU has a reasonable potential to adversely impact the POTW, or the quality of its effluent or residuals.

Pretreatment - Permittee Responsibility to Control Users

- 17.4 It is the Permittee's responsibility to regulate the discharge from users of its wastewater treatment facility. The Permittee shall prevent any pass through of pollutants or any inhibition or disruption of the Permittee's facility, its treatment processes, or its sludge processes or disposal that contribute to the violation of the conditions of this permit or any federal or state law or regulation limiting the release of pollutants from the POTW.
- 17.5 The Permittee shall prohibit the discharge of the following to its wastewater treatment facility:
- a. pollutants which create a fire or explosion hazard, including any discharge with a flash point less than 60 degrees C (140 degrees F);
 - b. pollutants which would cause corrosive structural damage to the POTW, including any waste stream with a pH of less than 5.0;
 - c. solid or viscous pollutants which would obstruct flow;
 - d. heat that would inhibit biological activity, including any discharge that would cause the temperature of the waste stream at the POTW treatment plant headworks to exceed 40 degrees C (104 degrees F);
 - e. pollutants which produce toxic gases, vapors, or fumes that may endanger the health or safety of workers; or
 - f. any pollutant, including oxygen demanding pollutants such as biochemical oxygen demand, released at a flow rate or pollutant concentration that will cause interference or pass through.
- 17.6 The Permittee shall prohibit new discharges of non-contact cooling waters unless there is no cost effective alternative. Existing discharges of non-contact cooling water to the Permittee's wastewater treatment facility shall be eliminated, where elimination is cost-effective, or where an infiltration/inflow analysis and sewer system evaluation survey indicates the need for such removal.
- 17.7 If the Permittee accepts trucked-in wastes, the Permittee shall evaluate the trucked in wastes prior to acceptance in the same manner as it monitors sewered wastes. The Permittee shall accept trucked-in wastes only at specifically designated points.
- 17.8 Pollutant of concern means a pollutant that is or may be discharged by an industrial user that is, or reasonably should be of concern on the basis that it may cause the permittee to violate any permit limits on the release of pollutants. The following pollutants shall be evaluated to determine if they should be pollutants of concern: pollutants limited in this permit, pollutants for which monitoring is required in this permit, pollutants that are likely to cause inhibition of the Permittee's POTW, pollutants which may interfere with sludge disposal, and pollutants for which the Permittee's treatment facility has limited capacity.

Control of Significant Industrial Users

- 17.9 The Permittee shall impose pretreatment requirements on SIUs which will ensure compliance with all applicable effluent limitations and other requirements set forth in this permit or any federal or state law or regulation limiting the release of pollutants from the POTW. These requirements shall be applied to SIUs by means of an individual control mechanism.
- 17.10 The Permittee shall not knowingly enter into an individual control mechanism with any user that would allow the user to contribute an amount or strength of wastewater that would cause violation of any limitation or requirement in the permit, or any applicable federal, state or local law or regulation.

Monitoring of Significant Industrial Users

- 17.11 The Permittee shall obtain from SIUs specific information on the quality and quantity of the SIU's discharges to the Permittee's POTW. Except where specifically requested by the Permittee and approved by the MPCA, this information shall be obtained by means of representative monitoring conducted by the Permittee or by the SIU under requirements imposed by the Permittee in the SIU's individual control

mechanism. Monitoring performed to comply with this requirement shall include all pollutants for which the SIU is significant and shall be done at a frequency commensurate with the significance of the SIU.

Pretreatment - Reporting and Notification

- 17.12 If a SIU discharges to the POTW during a given calendar year, the Permittee shall submit a Pretreatment Annual Report for that calendar year, due by January 31 of the following year. The Pretreatment Annual Report shall be submitted on forms provided by the agency or shall provide equivalent information.

The Permittee shall submit the pre-treatment report to the following address:

MPCA
Attn: WQ Submittals Center
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

- 17.13 The Permittee shall notify the MPCA in writing of any:
- a. SIU of the Permittee's POTW which has not been previously disclosed to the MPCA;
 - b. anticipated or actual changes in the volume or quality of discharge by an industrial user that could result in the industrial user becoming an SIU as defined in this chapter; or
 - c. anticipated or actual changes in the volume or quality of discharges by a SIU that would require changes to the SIU's required local limits.

This notification shall be submitted within 30 days of identifying the IU as a SIU. Where changes are proposed, they must be submitted prior to changes being made.

- 17.14 Upon notifying the MPCA of a SIU or change in a SIU discharge as required above, the Permittee shall submit the following information on forms provided by the agency or in a comparable format:
- a. the identity of the SIU and a description of the SIU's operation and process;
 - b. a characterization of the SIU's discharge;
 - c. the required local limits that will be imposed on the SIU;
 - d. a technical justification of the required local limits; and
 - e. a plan for monitoring the SIU which is consistent with monitoring requirements in this chapter.

- 17.15 In addition, the Permittee shall, upon request, submit the following to the MPCA for approval:
- a. additional information on the SIU, its processes and discharge;
 - b. a copy of the individual control mechanism used to control the SIU;
 - c. the Permittee's legal authority to be used for regulating the SIU; and
 - d. the Permittee's procedures for enforcing the requirements imposed on the SIU.

- 16.16 The permittee shall notify MPCA of any of its industrial users that may be subject to national categorical pretreatment standards.

- 17.17 This permit may be modified in accordance with Minnesota Rules, ch. 7001 to require development of a pretreatment program approvable under the Federal General Pretreatment Regulation (40 CFR 403).

Individual Permit Criteria

- 17.18 Upon review of any SIU notification or report submitted, if the MPCA believes that additional monitoring beyond the requirements of this permit is necessary due to the characterization of the SIU discharger, the Permittee shall submit an application for an individual NPDES/SDS permit.

18. Total Facilities Requirements

General Requirements

- 18.1 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. Sec. 115 and 116.
- 18.2 Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by the permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the Agency. (Minn. R. 7001.0150, subp. 3, item E)
- 18.3 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 Code of Federal Regulations, Title 40, sections 400 to 460 and Minnesota Rules 7050, 7052, 7053 and any other applicable MPCA rules. (Minn. R. 7001.1090, subp.1, item A)
- 18.4 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, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. (Minn. R. 7050.0210 subp. 2)
- 18.5 Property Rights. This permit does not convey a property right or an exclusive privilege. (Minn. R. 7001.0150, subp. 3, item C)
- 18.6 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, item O)
- 18.7 The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what is authorized by Minnesota Statutes. (Minn. R. 7001.0150, subp.3, item D)
- 18.8 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, item A)
- 18.9 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, item B)
- 18.10 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, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.
- 18.11 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.
- 18.12 Inspection and Entry. When authorized by Minn. Stat. Sec. 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the Permittee 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, item I)

- 18.13 Control Users. The Permittee shall regulate the users of its wastewater treatment facility so as 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. (40 CFR 403)

Sampling

- 18.14 Representative Sampling. Samples and measurements required by this permit shall be conducted as specified in this permit and shall be representative of the discharge or monitored activity. (40 CFR 122.41(j)(1))
- 18.15 Additional Sampling. If the Permittee monitors more frequently than required, the results and the frequency of monitoring shall be reported on the Discharge Monitoring Report (DMR) or another MPCA-approved form for that reporting period. (Minn. R. 7001.1090, subp. 1, item E)
- 18.16 Certified Laboratory. A laboratory certified by the Minnesota Department of Health shall conduct analyses required by this permit. Analyses of dissolved oxygen, pH, temperature and total residual oxidants (chlorine, bromine) do not need to be completed by a certified laboratory but shall comply with manufacturer's specifications for equipment calibration and use. (Minn. Stat. Sec. 144.97 through 144.98 and Minn. R. 4740.2010 and 4740.2050 through 4740.2120) (Minn. Stat. Sec. 144.97 through 144.98 and Minn. R. 4740.2010 through 4740.2040)
- 18.17 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.
- 18.18 Equipment Calibration: Flow meters, pumps, flumes, lift stations or other flow monitoring equipment used for purposes of determining compliance with permit shall be checked and/or calibrated for accuracy at least twice annually. (Minn. R. 7001.0150, subp. 2, items B and C)
- 18.19 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 (Minn. R. 7001.0150, subp. 2, item C):
- 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; and
 - d. The analytical techniques, procedures and methods used; and
 - e. The results of the analysis.
- 18.20 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 information shall be recorded in the specified areas on those forms and in the units specified. (Minn. R. 7001.1090, subp. 1, item D; Minn. R. 7001.0150, subp. 2, item B)

Required forms may include:

DMR Supplemental Form

Individual values for each sample and measurement must be recorded on the DMR Supplemental Form which, if required, will be provided by the MPCA. DMR Supplemental Forms shall be submitted with the appropriate DMRs. You may design and use your own supplemental form; however it must be approved by the MPCA. Note: Required summary information MUST also be recorded on the DMR. Summary

information that is submitted ONLY on the DMR Supplemental Form does not comply with the reporting requirements.

18.21 Submitting Reports. DMRs and DMR Supplemental Forms shall be submitted to:

MPCA
Attn: Discharge Monitoring Reports
520 Lafayette Road North
St. Paul, Minnesota 55155-4194.

DMRs and DMR Supplemental Forms shall be postmarked by the 21st day of the month following the sampling period or as otherwise specified in this permit. A DMR shall be submitted for each required station even if no discharge occurred during the reporting period. (Minn. R. 7001.0150, subps. 2.B and 3.H)

Other reports required by this permit shall be postmarked by the date specified in the permit to:

MPCA
Attn: WQ Submittals Center
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

18.22 Incomplete or Incorrect Reports. The Permittee shall immediately submit an amended report or DMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or DMR. The amended report or DMR shall contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. (Minn. R. 7001.0150 subp. 3, item G)

18.23 Required Signatures. All DMRs, forms, reports, and other documents submitted to the MPCA shall be signed by the Permittee or the duly authorized representative of the Permittee. Minn. R. 7001.0150, subp. 2, item D. The person or persons that sign the DMRs, forms, reports or other documents must certify that he or she understands and complies with the certification requirements of Minn. R. 7001.0070 and 7001.0540, including the penalties for submitting false information. Technical documents, such as design drawings and specifications and engineering studies required to be submitted as part of a permit application or by permit conditions, must be certified by a registered professional engineer. (Minn. R. 7001.0540)

18.24 Records. The Permittee shall, when requested by the Agency, 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, item H)

18.25 Confidential Information. Except for data determined to be confidential according to Minn. Stat. Sec. 116.075, subd. 2, all reports required by this permit shall be available for public inspection. Effluent data shall not be considered confidential. To request the Agency maintain data as confidential, the Permittee must follow Minn. R. 7000.1300.

Noncompliance and Enforcement

18.26 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. Sec. 115.071 and 116.072, including monetary penalties, imprisonment, or both. (Minn. R. 7001.1090, subp. 1, item B)

18.27 Criminal Activity. The Permittee may not knowingly make a false statement, representation, or certification in a record or other document submitted to the Agency. A person who falsifies a report or document submitted to the Agency, or tampers with, or knowingly renders inaccurate a monitoring device

or method required to be maintained under this permit is subject to criminal and civil penalties provided by federal and state law. (Minn. R. 7001.0150, subp.3, item G., 7001.1090, subps. 1, items G and H and Minn. Stat. Sec. 609.671)

- 18.28 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))
- 18.29 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. Violations that are determined to pose a threat to human health or a drinking water supply, or represent a significant risk to the environment shall be immediately reported to the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 (toll free) or (651)649-5451 (metro area). In addition, you may also contact the MPCA during business hours. Otherwise the violations and the results of any additional sampling shall be recorded on the next appropriate DMR or report.
- 18.30 Unauthorized Releases of Wastewater Prohibited. Except for conditions specifically described in Minn. R. 7001.1090, subp. 1, items J and K, all unauthorized bypasses, overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, are prohibited. However, 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 and Minn. Stat. Sec 115.061)
- 18.31 Discovery of a release. Upon discovery of a release, the Permittee shall:
- Take all reasonable steps to immediately end the release.
 - Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 (toll free) or (651)649-5451 (metro area) immediately upon discovery of the release. In addition, you may also contact the MPCA during business hours at 1(800) 657-3864.
 - 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 released materials or substances cannot be immediately or completely recovered, 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.
 - Collect representative samples of the release. The Permittee shall sample the release for 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, Fecal Coliform Bacteria samples shall be collected where it is determined by the Permittee that the release contains or may contain sewage. If the release cannot be immediately stopped, the Permittee shall consult with MPCA regarding additional sampling requirements. Samples shall be collected at least, but not limited to, two times per week for as long as the release continues.
 - Submit the sampling results as directed by the MPCA. At a minimum, the results shall be submitted to the MPCA with the next DMR.
- 18.32 Upset Defense. In the event of temporary noncompliance by the Permittee with an applicable effluent limitation 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 Agency as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence:
- The specific cause of the upset;
 - That the upset was unintentional;
 - 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;

- d. That at the time of the upset the facility was being properly operated;
- e. That the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1, item I; and
- f. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J.

Operation and Maintenance

- 18.33 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 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, item F.
- 18.34 In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail its 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 the wastewater treatment facility has been restored or until an alternative method of treatment is provided. (Minn. R. 7001.1090, subp. 1, item C)
- 18.35 Solids Management. The Permittee shall properly store, transport, and dispose of biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or ground waters of the state. Solids should be disposed of in accordance with local, state and federal requirements. (40 CFR 503 and Minn. R. 7041 and applicable federal and state solid waste rules)
- 18.36 Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality, except where emergency maintenance is required to prevent a condition that would be detrimental to water quality or human health. (Minn. R. 7001.0150, subp. 3, item F and Minn. R. 7001.0150, subp. 2, item B)
- 18.37 Control Tests. In-plant control tests shall be conducted at a frequency adequate to ensure compliance with the conditions of this permit. (Minn. R. 7001.0150, subp. 3, item F and Minn. R. 7001.0150, subp. 2, item B)

Changes to the Facility or Permit

- 18.38 Permit Modifications. 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 Agency has issued a written permit for the facility or activity. (Minn. R. 7001.0030)

Permittees that propose to make a change to the facility or discharge that requires a permit modification must follow Minn. R. 7001.0190. If the Permittee cannot determine whether a permit modification is needed, the Permittee must contact the MPCA prior to any action. It is recommended that the application for permit modification be submitted to the MPCA at least 180 days prior to the planned change.

- 18.39 Construction. No construction shall begin until the Permittee receives written approval of plans and specifications from the MPCA (Minn. Stat. Sec. 115.03(f)).

Plans, specifications and MPCA approval are not necessary 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, a broken pipe, lift station pump, aerator, or blower can be replaced with the same design-sized equipment without MPCA approval.

If the proposed construction is not expressly authorized by this permit, it may require a permit modification. If the construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until a negative declaration is issued and all approvals are received or implemented.

18.40 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. (Minn. R. 7001.0150, subp. 3, item M)

18.41 Chemical Additives. The Permittee shall receive prior written approval from the MPCA before 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.

The Permittee shall request approval for an increased or new use of a chemical additive at least 60 days, or as soon as possible, before the proposed increased or new use.

This written request shall include at least the following information for the proposed additive:

- a. The process for which the additive will be used;
- b. Material Safety Data Sheet (MSDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive;
- 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 MSDS 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.

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.

18.42 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 this permit pursuant to Minn. R. 7001.0180.

18.43 Permit Transfer. The permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit. (Minn. R., 7001.0150, subp. 3, item N)

18.44 Facility Closure. The Permittee is responsible for closure and postclosure 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 to the MPCA a facility Closure Plan for approval.

Facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or ground water, may require a permit modification or reissuance.

The MPCA may require the Permittee to establish and maintain financial assurance to ensure performance of certain obligations under this permit, including closure, postclosure care and remedial action at the facility. If financial assurance is required, the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance, shall be approved by the MPCA.

18.45 Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for reissuance at least 180 days before permit expiration. 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 (Minn. R. 7001.0040 and 7001.0160):

- 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;
- 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.

19. Definitions

19.1 "Act" means the federal Clean Water Act, as amended, 33 U.S. Code 1251 et seq.

19.2 "Average Wet Weather Flow (AWW)" means the daily average flow for the wettest 30 consecutive days for mechanical facilities or for the wettest 180 days for controlled discharge pond systems. The 180 consecutive days for pond system must be based on either the storage period from approximately November 15 through May 15 or the storage period from approximately May 15 through November 15.

19.3 "Bypass" means an intentional diversion of a waste stream from any portion of the treatment facility.

19.4 "Calendar Month Average" is calculated by adding all daily values measured during a calendar month and dividing by the number of daily values measured during that month. The "Calendar Month Average" limit is an upper limit.

19.5 "Calendar Month Geometric Mean" is calculated by multiplying the value of all samples taken during the month by each other, where the number of samples = n, and calculating the nth root of the product. The "Calendar Month Geometric Mean" is an upper limit.

19.6 "Calendar Month Minimum" is the lowest value of single samples taken throughout the month. The "Calendar Month Minimum" is a lower limit.

19.7 "Calendar Month Total" is calculated by adding all daily values measured during a calendar month. It is usually expressed in mass or volume units. The "Calendar Month Total" is an upper limit.

19.8 "Calendar Month Total Intervention Limit" is an upper limit that, if exceeded, requires the need for specified response actions by the Permittee. The "Calendar Month Total Intervention Limit" is calculated by adding all of the daily values measured during a calendar month.

19.9 "CFR" means the Code of Federal Regulations.

- 19.10 "Commissioner" shall mean the commissioner of the Minnesota Pollution Control Agency or a designated representative.
- 19.11 "Composite sample" means collecting two or more individual samples to combine into a composite sample. A "flow composite sample" is a combination of individual samples taken at equal time intervals, combined using a volume of each sample that is proportional to the flow or equal volume samples taken at intervals of equal flow volumes.
- 19.12 "Direct discharge" means the "discharge of a pollutant."
- 19.13 "Discharge" means the conveyance, channeling, runoff, or drainage of waste water, including stormwater and snow melt from a site.
- 19.14 "Disposal System" means a system for disposing of sewage, industrial waste or other wastes, and includes sewer systems and treatment works.
- 19.15 "Dissolved Mercury" means all BrCl-oxidizable mercury forms and species found in the filtrate of an aqueous solution that has been filtered through a 0.45- μ m filter.
- 19.16 "Duty Officer" means the Minnesota Duty Officer, Department of Public Safety, Division of Emergency Management.
- 19.17 "Effluent Limitation" means a restriction established by rule or permit condition on quantities, discharge rates, and concentrations of pollutants that are discharged from point sources into waters of the state.
- 19.18 "Emergency Incident" means all emergency bypasses, spills, or any other environmental emergency as described in the MPCA "Emergency Notification Guidance for Wastewater Treatment Facilities."
- 19.19 "Grab" sample type is an individual sample collected from one location at one point in time.
- 19.20 "Indirect Discharger" means a nondomestic discharger that introduces pollutants into a publicly owned treatment works.
- 19.21 "Infiltration" means water other than wastewater that enters a sewerage system (including sewer service connections) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.
- 19.22 "Infiltration/Inflow" means the total quantity of water from both infiltration and inflow without distinguishing the source.
- 19.23 "Inflow" means water other than wastewater that enters a sewerage system (including sewer service connections) from sources such as roof leaders, cellar drains, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.
- 19.24 "Instantaneous Maximum" is the highest value recorded when continuous monitoring is used or when the reporting frequency is not specifically defined. The "Instantaneous Maximum" limit is an upper limit. The highest value recorded is reported.
- 19.25 "Maximum Calendar Week Average" is calculated by adding the value of all samples for a specific parameter taken within a single week, and dividing by the number of samples taken during the week. The highest of all of the weekly averages calculated in a calendar month shall be reported. The "Maximum Calendar Week Average" is an upper limit.

- 19.26 "MPCA" means the Minnesota Pollution Control Agency, or Minnesota Pollution Control Agency staff as delegated by the Minnesota Pollution Control Agency.
- 19.27 "NPDES" means National Pollutant Discharge Elimination System which is the program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under sections, 307, 318, 402 and 405 of the Clean Water Act, United States Code, title 33, sections 1317, 1328, 1342 and 1345.
- 19.28 "Operator" means a person who has full and active responsibility for the daily on-site operation of the system. "Operator" does not include office personnel, laborers, transporters, corporate directors, elected officials, or other individuals in managerial roles unless such individuals are directly involved in on-site supervision or operation of a waste disposal facility.
- 19.29 "Outstanding Resource Value Waters" are waters within the Boundary Waters Canoe Area Wilderness, Voyageur's National Park, and Department of Natural Resources designated scientific and natural areas, wild, scenic, and recreational river segments, Lake Superior, those portions of the Mississippi River from Lake Itasca to the southerly boundary of Morrison County that are included in the Mississippi Headwaters Board comprehensive plan dated February 12, 1981, and other waters of the state with high water quality, wilderness characteristics, unique scientific or ecological significance, exceptional recreational value, or other special qualities which warrant stringent protection from pollution.
- 19.30 "Permittee" means the entity identified as Permittee on the cover letter authorizing coverage under this permit.
- 19.31 "Parameters of Concern" include the following: pollutants limited in this permit, pollutants for which monitoring is required in this permit, pollutants that are likely to cause inhibition of the Permittee's POTW, pollutants that are likely to interfere with sludge disposal, pollutants for which the Permittee's treatment facility has limited capacity, pollutants of concern to the Permittee, Mercury and Phosphorus, toxins, or pollutants causing nuisance conditions.
- 19.32 "Point Source" means a discernible, confined, and discrete conveyance, including, but not limited to, a pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.
- 19.33 "Pollutant" means any sewage, industrial waste, or other wastes, as defined in Minnesota Statutes chapter 115.01, discharged into a disposal system or to waters of the state.
- 19.34 "POTW or Publicly Owned Treatment Works" means a wastewater treatment works owned and operated by a municipality or sanitary district for public use, and the authority operating such a treatment works.
- 19.35 "Release" means any bypass, overflow, discharge, spill, or other release of wastewater or materials to the environment.
- 19.36 "Sanitary Sewer Extension Permit" means a state disposal system permit for the extension, addition, or change of a municipal sanitary system.
- 19.37 "SDS" means State Disposal System and generally describes a permit issued by the state of Minnesota that is non-surface water discharging or land application facilities.
- 19.38 "Single Value" is a reported value from a single sample or measurement for which there is no limit.
- 19.39 "Surface waters" means waters of the state including streams, lakes, ponds, marshes, watercourses, waterways, springs, reservoirs, and all other bodies or accumulations of water, natural or artificial, public or private, which are contained within, flow through, or border upon the state.

- 19.40 "Total Maximum Daily Load" or "TMDL" means the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined in 40 CFR 130.2(i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water of the state and still assure attainment and maintenance of water quality standards.
- 19.41 "Total Mercury" means all BrCl-oxidizable mercury forms and species found in an unfiltered aqueous solution. This includes, but is not limited to, Hg(II), Hg(0), strongly organo-complexed Hg(II) compounds, adsorbed particulate Hg, and several tested covalently bound organo-mercurials (e.g., CH₃HgCl, (CH₃)₂Hg, and C₆H₅HgOOCCH₃). The recovery of Hg bound within microbial cells may require the additional step of UV photo-oxidation. In this Method, total mercury and total recoverable mercury are synonymous.
- 19.42 "Upset" means an exceptional incident in which the permit discharge limits are unintentionally and temporarily exceeded due to factors beyond the reasonable control of the Permittee.
- 19.43 "Waters of the State" means all streams, lakes, ponds, marshes, wetlands, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

Attachment 1

Limits and Monitoring Requirements for All General Pond Facilities

The limits and monitoring requirements in this attachment are mandatory for all facilities covered under this General Pond Permit unless noted otherwise in the Limits and Monitoring table. For parameters with a limit of "As specified in NOC," concentration and mass limits will be specified individually in each NOC, as applicable. For parameters with a limit of "Monitor Only, As specified in NOC," monitoring requirements will be specified individually in each NOC, as applicable.

Influent Waste Stream Station

Samples shall be collected from a point representative of the total flow to the system, prior to the primary cell.

| Parameter | Limit | Units | Limit Type | Effective Period | Sample Type | Frequency | Notes |
|-------------------------------------|-----------------------------------|----------------|--------------------------|----------------------|-------------------------|-------------|-------|
| Flow | Monitor Only | mgd | Calendar Month Average | Jan - Dec | Measurement, Continuous | 1/Day | 3 |
| Flow | Monitor Only | mgd | Calendar Month Maximum | Jan - Dec | Measurement, Continuous | 1/Day | 3 |
| Flow | Monitor Only | MG | Calendar Month Total | Jan - Dec | Measurement, Continuous | 1/Day | 3 |
| BOD, Carbonaceous 05 Day (20 Deg C) | Monitor Only | mg/L | Calendar Quarter Average | Jan - Dec | 4-Hour Flow Composite | 1/Quarter | 8 |
| Solids, Total Suspended (TSS) | Monitor Only | mg/L | Calendar Quarter Average | Jan - Dec | 4-Hour Flow Composite | 1/Quarter | 8 |
| Phosphorus, Total (as P) | Monitor Only | mg/L | Calendar Quarter Average | Jan - Dec | 4-Hour Flow Composite | 1/Quarter | 8 |
| Mercury, Total (as Hg) *(A) | Monitor Only, As specified in NOC | ng/L | Calendar Month Maximum | Jan - Jun, Jul - Dec | Grab | 1/Half Year | 4 |
| pH | Monitor Only | Standard Units | Instantaneous Maximum | Jan - Dec | Grab | 1/Quarter | 1 |
| Precipitation | Monitor Only | Inches | Calendar Month Total | Jan - Dec | Measurement | 1/Day | 3 |

Total Facility Discharge

Samples shall be collected from the outlet control structure during discharge events.

| Parameter | Limit | Units | Limit Type | Effective Period | Sample Type | Frequency | Notes |
|-------------------------------------|---------------------|--------|-----------------------------------|----------------------|-------------------------|-----------|-------|
| Flow | Monitor Only | mgd | Calendar Month Average | Mar - Jun, Sep - Dec | Measurement, Continuous | 1/Day | 11 |
| Flow | Monitor Only | MG | Calendar Month Total | Mar - Jun, Sep - Dec | Measurement, Continuous | 1/Day | 11 |
| Flow | 0 | MG | Calendar Month Total Intervention | Jan - Feb, Jul, Aug | Measurement, Continuous | 1/Day | 11 |
| BOD, Carbonaceous 05 Day (20 Deg C) | 40 | mg/L | Maximum Calendar Week Average | Jan - Dec | Grab | 2/Week | 9 |
| BOD, Carbonaceous 05 Day (20 Deg C) | As specified in NOC | kg/day | Maximum Calendar Week Average | Jan - Dec | Grab | 2/Week | 10 |
| BOD, Carbonaceous 05 Day (20 Deg C) | 25 | mg/L | Calendar Month Average | Jan - Dec | Grab | 2/Week | 9 |
| BOD, Carbonaceous 05 Day (20 Deg C) | As specified in NOC | kg/day | Calendar Month Average | Jan - Dec | Grab | 2/Week | 10 |
| Solids, Total Suspended (TSS) | 65 | mg/L | Maximum Calendar Week Average | Jan - Dec | Grab | 2/Week | 9 |
| Solids, Total Suspended (TSS) | As specified in NOC | kg/day | Maximum Calendar Week Average | Jan - Dec | Grab | 2/Week | 10 |
| Solids, Total Suspended (TSS) | 45 | mg/L | Calendar Month Average | Jan - Dec | Grab | 2/Week | 9 |
| Solids, Total Suspended (TSS) | As specified in NOC | kg/day | Calendar Month Average | Jan - Dec | Grab | 2/Week | 10 |

| | | | | | | | |
|---|-----------------------------------|----------------|-------------------------------|----------------------|------|-------------|----|
| Phosphorus, Total (as P) *(B) | As specified in NOC | mg/L | Calendar Month Average | Jan - Dec | Grab | 2/Week | 9 |
| Phosphorus, Total (as P) *(B) | As specified in NOC | kg/day | Calendar Month Average | Jan - Dec | Grab | 2/Week | 10 |
| Fecal Coliform, MPN or Membrane Filter 44.5C *(C) | 200 | #100ml | Calendar Month Geometric Mean | As specified in NOC | Grab | 2/Week | 9 |
| Oxygen, Dissolved | Monitor Only | mg/L | Calendar Month Minimum | Jan - Dec | Grab | 2/Week | 2 |
| pH | 6.0 | Standard Units | Calendar Month Minimum | Jan - Dec | Grab | 2/Week | 2 |
| pH | 9.0 | Standard Units | Calendar Month Maximum | Jan - Dec | Grab | 2/Week | 2 |
| Mercury, Total (as Hg) *(D) | Monitor Only, As specified in NOC | ng/L | Calendar Month Maximum | Jan - Jun, Jul - Dec | Grab | 1/Half Year | 6 |
| Nitrite Plus Nitrate, Total (as N) *(E) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul - Dec | Grab | 1/Half Year | 5 |
| Nitrogen, Ammonia, Total (as N) *(E) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul - Dec | Grab | 1/Half Year | 5 |
| Nitrogen, Kjeldahl, Total *(E) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul - Dec | Grab | 1/Half Year | 5 |
| Solids, Total Dissolved (TDS) *(F) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul - Dec | Grab | 1/Half Year | 5 |
| Bicarbonates *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Chloride, Total *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Hardness, Ca and Mg Calculated (as CaCO ₃) *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Specific Conductance | Monitor Only, As specified in NOC | umh/cm | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Sulfates, Total (as SO ₄) *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Sodium, Total (as Na) *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Calcium, Total (as Ca) *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Magnesium, Total (as Mg) *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |
| Potassium, Total (as K) *(G) | Monitor Only, As specified in NOC | mg/L | Calendar Month Maximum | Jan - Jun, Jul-Dec | Grab | 1/Half Year | 5 |

Tile Line Discharges

Samples shall be collected from the tile line outlet prior to entering the receiving water. **Applicable only to facilities with tile line outlets.**

| Parameter | Limit | Units | Limit Type | Effective Period | Sample Type | Frequency | Notes |
|--|--------------|--------|--------------|------------------|-------------|---------------------|-------|
| Chloride, Total | Monitor Only | mg/L | Single Value | Apr, Jul, Oct | Grab | As specified in NOC | 7 |
| Fecal Coliform, MPN or Membrane Filter 44.5C | Monitor Only | #100ml | Single Value | Apr, Jul, Oct | Grab | As specified in NOC | 7 |
| Specific Conductance | Monitor Only | umh/cm | Single Value | Apr, Jul, Oct | Grab | As specified in NOC | 7 |

NOTES:

- Analyze immediately, except holidays and weekends. Samples may be collected at any time during the quarter, but the results shall be reported on the DMR for the last month of the quarter (e.g. the sample for the first calendar quarter of Jan-Mar shall be reported on the March DMR).
- Analyze immediately. Sampling required twice per week only during discharge.
- Except weekends and holidays.
- Please refer to Chapter 1, Waste Stream Station Section. Monitoring results are taken once in spring and once in fall, preferably at the same time effluent is sampled for mercury. Results are reported on the June and December DMRs. EPA method 1631, with clean techniques method 1669, and any revisions to that method or another approved EPA wastewater method for low level mercury must be used for sampling and analysis.
- Please refer to Chapter 1, Surface Discharge Station Section. Only two effluent samples per year are required, once during the acceptable spring discharge window and once during the acceptable fall discharge window. Regardless of when sampling occurs, spring samples must be reported on the June DMR and fall samples must be reported on the December DMR.
- Please refer to Chapter 1, Surface Discharge Station Section. Only two effluent samples per year are required, once during the acceptable spring discharge window and once during the acceptable fall discharge window. Regardless of when sampling occurs, spring samples must be reported on the June DMR and fall samples must be reported on the December DMR. EPA method 1631, with clean techniques method 1669, and any revisions to that method or another approved EPA wastewater method for low level mercury must be used for sampling and analysis.
- Required only if discharge present.
- Samples may be collected at any time during the calendar quarter, but the results shall be reported on the DMR for the last month of the quarter (e.g. the sample for the first calendar quarter of Jan-Mar shall be reported on the March DMR).
- Sampling required twice per week only during discharge.
- Sampling required twice per week only during discharge. Mass limits generally are calculated based on the acreage of the secondary cell(s) and a 6-inch per day draw-down discharge rate from that cell(s).
- See Chapter 1, Section 11, Acceptable Discharge Periods for further information.

Limits and Monitoring Requirement Footnotes:

***(A)** Only required for facilities with Average Wet Weather Design Flows of greater than 0.200 MGD and/or located within the Lake Superior Basin. **Permittees will be notified in the NOC that accompanies their permit if this monitoring requirement applies to their facility.**

***(B)** Monitor only, unless concentration and mass limits are specified in the NOC accompanying this permit.

***(C)** Discharges to Class 2 waters have a fecal coliform bacteria limit effective period from April 1 through October 31. Discharges to Class 7 waters have a fecal coliform bacterial limit effective period from May 1 through October 31. Discharges that are within 25 miles upstream of a drinking water intake have a year-round fecal coliform bacteria limit effluent period, regardless of the classification of the receiving water.

***(D)** Only required for facilities with Average Wet Weather Design Flows of greater than 0.200 MGD and/or located within the Lake Superior Basin. **Permittees will be notified in the NOC that accompanies their permit if this monitoring requirement applies to their facility.**

***(E)** Only required for facilities with AWWDF of greater than 0.100 MGD. **Permittees will be notified in the NOC that accompanies their permit if these monitoring requirements apply to their facility.**

***(F)** Only required for facilities with AWWDF of greater than 0.100 MGD AND/OR for facilities that receive salty waste streams. See Chapter 1, Section 4, Facility Specific Limits and Monitoring for further information. If both conditions exist, sampling frequency will be determined by the most restrictive schedule.

***(G)** Only required for facilities that receive salty waste streams. See Chapter 1, Section 4, Facility Specific Limits and Monitoring for further information. **Permittees will be notified in the NOC that accompanies their permit if these monitoring requirements apply to their facility.**