

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

**MN0057509**

**Permittee:** Hennepin County Energy Center  
**Facility name:** Hennepin County Energy Center  
**Receiving water:** Mississippi River - Class 2Bg, 3C, 4A, 4B, 5, 6 water  
**City or Township:** Minneapolis, **County:** Hennepin  
**Issuance date:** TBD  
**Expiration date:** TBD

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 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.

**This draft permit was originally public noticed on March 19, 2021, and has been revised to correct an administrative error.**

Signature: *(Type e-Signature)*

*This document has been electronically signed.*

for the Minnesota Pollution Control Agency

Theresa Haugen, Supervisor  
Water Section  
Industrial Division

**Submit eDMRs**

Submit via the MPCA e-Services at  
[https://rsp.pca.state.mn.us/TEMPO\\_RSP/Orchestrate.do?initiate=true](https://rsp.pca.state.mn.us/TEMPO_RSP/Orchestrate.do?initiate=true)

**Submit WQ reports to:**

**Electronically:** [wq.submittals.mpca@state.mn.us](mailto:wq.submittals.mpca@state.mn.us)

Include *Water quality submittals form*:

<https://www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx>

**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*

**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-and-enforcement-staff-contacts>

**Wastewater Permit Program general questions, contact:**

MPCA, 651-282-6143 or 1-800-657-3938.

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## 1. Permitted facility description

The Hennepin County Energy Center (facility) provides heating and cooling services for the Hennepin County Medical Center and other customers located in downtown Minneapolis.

The facility has authorization for a point source discharge of cooling tower blowdown/ condenser water. Cooling tower blowdown is recirculated 6+ times through the tower prior to bleedoff. The source water is chlorinated public water supplied at a maximum rate of 417,000 gallons per day. Groundwater is used as a backup supply (MNDNR water appropriation permit #876288). Samples of the discharge from the facility are taken from inside the facility prior to discharge to the stormsewer.

The facility has a reverse osmosis waste stream, which discharges to the sanitary sewer and is covered by the publicly owned treatment works, and is not covered by this permit. The equipment cleaning and wastewaters are also discharged to the sanitary sewer system. All other discharges to the sanitary sewer are not regulated under this permit. The facility is not required to monitor stormwater related to industrial activity because the SIC Code (4961: Steam and Air-conditioning supply) associated with the facilities industrial activity is not regulated by the MPCA. Chemical additives are approved for use and are listed at the end of the permit in Appendix A. Chemical additives used in the closed-loop chiller system are not evaluated by this permit because this system is closed and does not discharge through this permit.

The average daily flow will be 0.030mgd, and maximum daily flow is 0.078mgd.

Changes to the facility may result in an increase in pollutant loading to surface waters or other causes of degradation to surface waters. If a change to the facility will result in a net increase in pollutant loading or other causes of degradation that exceed the maximum loading authorized through conditions specified in the existing permit, the changes to the facility are subject to antidegradation requirements found in Minn. R. 7050.0250 to 7050.0335.

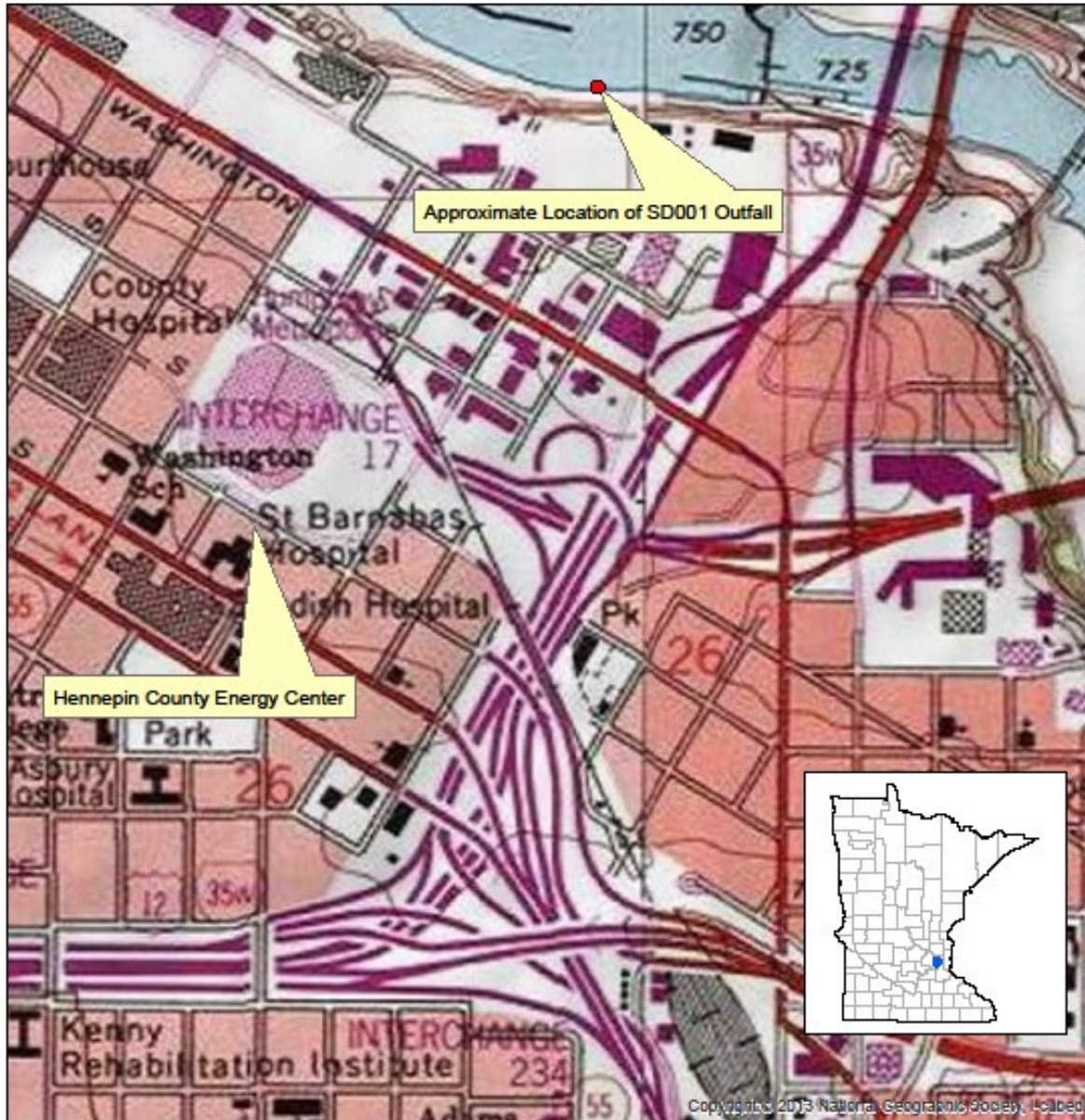
This Permit also complies with Minn. R. 7053.0275 regarding anti-backsliding.

Any point source discharger of sewage, industrial, or other wastes for which a NPDES permit has been issued by the MPCA that contains effluent limits more stringent than those that would be established by Minn. R. 7053.0215 to 7053.0265 shall continue to meet the effluent limits established by the permit, unless the permittee establishes that less stringent effluent limits are allowable pursuant to federal law, under section 402(o) of the Clean Water Act, United States Code, title 33, section 1342.]

2. Location map of permitted facility

**Topographic Map of Permitted Facility**

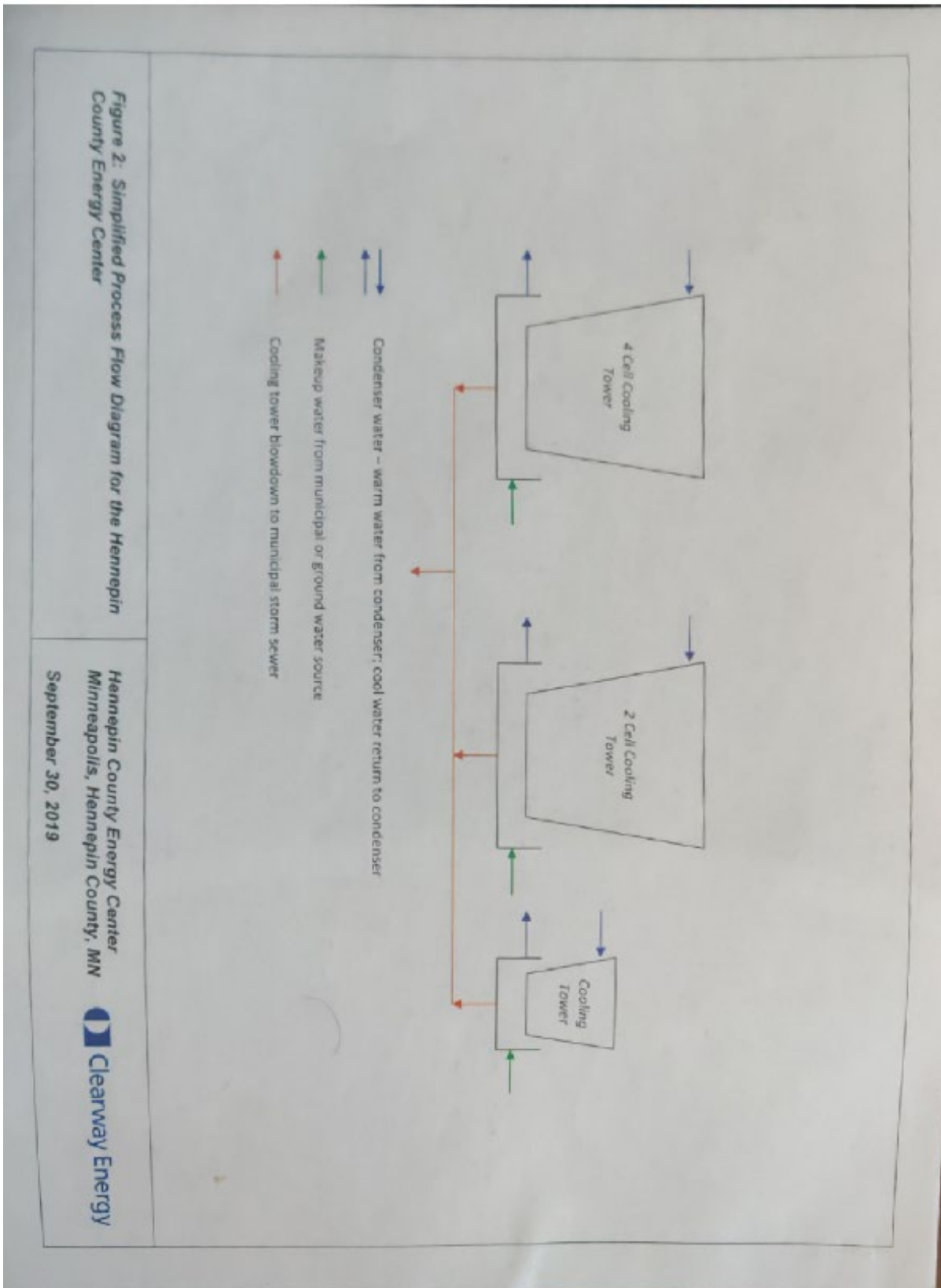
MN0057509: Hennepin County Energy Center Wastewater Treatment Facility  
T29N, R24W, Section 26  
Minneapolis, Hennepin County, Minnesota



Map produced by: MPCA Staff, 2/9/2021  
Scale: 1:9,349

0 0.075 0.15 0.3 Miles

3. Flow diagram



**4. Summary of stations and station locations**

<b>Station</b>	<b>Type of station</b>	<b>Local name</b>	<b>PLS location</b>
SD 001	Storm Sewer To Surface Water	Cooling Water Blowdown/Condenser Water	T29N, R24W, S23, SE Quarter of the SE Quarter

**5. Permit requirements**

SD 001	Storm Sewer To Surface Water	
<b>Facility Specific Limit and Monitoring Requirements</b>		
	5.1.1	The Permittee shall submit a monthly DMR: Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	5.1.2	Sampling Location. [Minn. R. 7001.0150, Subp. 2(B)]
	5.1.3	Samples for Station SD001 shall be taken at a point representative of the discharge. [Minn. R. 7001.0150, Subp. 2(B)]
	5.1.4	The Permittee shall submit monitoring results in accordance with the limits and monitoring requirements for this station. If conditions are such that no sample can be acquired, the Permittee shall report "No Flow" or "No Discharge" on Discharge Monitoring Report (DMR) and shall add a Comments attachment to the DMR detailing why the sample was not collected. [Minn. R. 7001.0150, Subp. 2(B)]
<b>Facility Specific Requirements</b>		
	5.2.5	Parameters that have a monitoring frequency of once per year and an effective period of Jan-Dec may be collected any time during the calendar year. The sample data must be reported on the sample value spreadsheets and DMRs on the month the sample was taken. [Minn. R. 7001]
MN0057509	Hennepin County Energy Center	
<b>Surface Discharge Station General Requirements</b>		
	5.3.1	Sampling Location. [Minn. R. 7001]
	5.3.2	Analysis Requirements. [Minn. R. 7001]
	5.3.3	Temperature, pH, and Total Residual Chlorine analyses shall be conducted within 15 minutes of Sample collection. [Minn. R. 7053]
	5.3.4	Representative Samples. [Minn. R. 7001]
	5.3.6	Samples and measurements required by this permit shall be representative of the monitored activity. [Minn. R. 7001]
	5.3.8	Surface Discharge Prohibitions. [Minn. R. 7001]
	5.3.10	Floating solids or visible foam shall not be discharged in other than trace amounts. [Minn. R. 7001]
	5.3.12	Oil or other substances shall not be discharged in amounts that create a visible color film. [Minn. R. 7001]
	5.3.14	The Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion. [Minn. R. 7001]
	5.3.16	Winter Sampling Conditions. [Minn. R. 7001]
	5.3.17	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. [Minn. R. 7001]
	5.3.18	Nitrogen Limits and Monitoring Requirements. [Minn. R. 7001]
	5.3.19	"Total Nitrogen" is to be reported as the summation of the Total Kjeldahl Nitrogen and Total Nitrite plus Nitrate Nitrogen values. [Minn. R. 7001]
<b>Industrial Water Treatment: Cooling Process Water</b>		

5.4.21	This chapter authorizes the Permittee to discharge treated, non-contact cooling water generated at the facility, as described in the 'Facility Description' portion of this permit. This activity is limited by the 'Limits and Monitoring' section of this permit, as well as the other terms and conditions of this permit. [40 CFR pt. 122, Minn. R. 7001]
	<b>Total Residual Oxidants</b>
5.5.23	<b>General Requirements.</b> [Minn. R. 7001]
5.5.24	Total Residual Chlorine (TRC) shall be analyzed immediately. This means within 15 minutes or less of sample collection. [40 CFR 136.6]
5.5.25	A Reportable Limit (RL) shall be established for this parameter. This must be based on the analysis of a standard at or below the RL. [Minn. R. 7001]
5.5.26	A RL of 0.04 mg/L is considered in compliance with the 0.038 mg/L limit. [Minn. R. 7001]
5.5.27	The RL shall be verified against a known standard at least monthly during the monitoring period. For successful verification, the standard needs to be recovered at +/- 40% of the actual value. [Minn. R. 7001]
5.5.28	Monitoring results below the RL should be reported as "<" the RL. If the RL is 0.01 mg/L, based on the analysis of a standard at or below that level, and a parameter is not detected at a value of 0.01 mg/L or greater, the concentration shall be reported as "<0.01 mg/L." The symbol "<" means "less than". [Minn. R. 7001]
5.5.29	<b>Compliance with a Daily Maximum limit.</b> [Minn. R. 7001]
5.5.30	Compliance with a Daily Maximum limit for Total Residual Chlorine (TRC) concentration limits can be evaluated using one of the two following methods. [State Definitions]
5.5.31	Single Sample Value - A single sample taken in a 24-hour period with a value of 0.038 mg/L or less is considered in compliance; or. [Minn. R. 7001]
5.5.32	Multiple Sample Value - If the single value sample is greater than 0.038 mg/L, an average can be calculated using two to twelve samples analyzed in a 24-hour period. To calculate using multiple samples: A. The second sample shall be taken two hours after the initial sample; and B. Subsequent samples shall be taken at one-hour intervals not to exceed twelve samples in a 24-hour period  The average value of the multiple samples must be 0.038 mg/L or less to be considered in compliance. Values below the RL for TRC are assumed to be zero for averaging purposes only. [Minn. R. 7001]
5.5.33	The equipment shall be checked against a known standard at least once per quarter. [Minn. R. 7001]
	<b>Total Facility Requirements (NPDES/SDS)</b>
5.6.35	<b>Definitions.</b> Refer to the Permit User's Manual found on the MPCA's website ( <a href="https://www.pca.state.mn.us">https://www.pca.state.mn.us</a> ) for standard definitions. [Minn. R. 7001]
5.6.36	<b>Incorporation by Reference.</b> This permit incorporates the following applicable federal and state laws applicable to the Permittee and enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. chs. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. chs. 115 and 116. [Minn. R. 7001]
5.6.37	<b>Permittee Responsibility.</b> 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)]
5.6.38	<b>Toxic Discharges Prohibited.</b> 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)]
5.6.39	<b>Nuisance Conditions Prohibited.</b> 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, subp. 2]
5.6.40	<b>Property Rights.</b> This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, subp. 3(C)]
5.6.41	<b>Liability Exemption.</b> 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)]
5.6.42	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)]
5.6.43	<b>Liabilities.</b> 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)]
5.6.44	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)]
5.6.45	<b>Severability.</b> 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]
5.6.46	<b>Compliance with Other Rules and Statutes.</b> 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]
5.6.47	<b>Inspection and Entry.</b> 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)]
5.6.48	<b>Control Users.</b> 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)]
5.6.49	<b>Sampling.</b> [Minn. R. 7001]
5.6.50	<b>Representative Sampling.</b> 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)]
5.6.51	<b>Additional Sampling.</b> 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)]
5.6.52	<b>Certified/Accredited Laboratory.</b> 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]

5.6.53	<b>Sample Preservation and Procedure.</b> Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR pt. 136 and Minn. R. 7041.3200. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7041.3200]
5.6.54	<b>Equipment Calibration.</b> 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)]
5.6.55	<b>Maintain Records.</b> 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)]
5.6.56	<b>Completing Reports.</b> 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.  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.  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)]
5.6.57	<b>Submitting Reports.</b> The Permittee shall submit eDMRs, Sample Values Forms, and other supplemental attachment forms via MPCA e-Services after the MPCA approves their authorization request.  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.  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. Whole Effluent Testing (WET) and Pretreatment Annual Reports must be mailed to the WQ Submittals Center. Electronically: <a href="mailto:wq.submittals.mpca@state.mn.us">wq.submittals.mpca@state.mn.us</a> Include Water quality submittals form: <a href="http://www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx">www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx</a>  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)]

5.6.58	<p><b>Incomplete or Incorrect Reports.</b> 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>
5.6.59	<p><b>Required Signatures.</b> 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. 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]</p>
5.6.60	<p><b>Reporting Limit (RL).</b> The Permittee shall report monitoring results below the RL of a particular instrument as "&lt;" 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 "&lt; 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 (&lt;) the RL, substitute zero for all non-detectable values to use in the average calculation;</p> <p>B. If all values are less than (&lt;) the RL, calculate the average and report as &lt; the RL average concentration; and</p> <p>C. To calculate a mass loading with a less than (&lt;) the RL concentration, use the RL value in the calculation and then add the "&lt;" to the product of the concentration and the volume.</p> <p>[Minn. R. 7001.0150, subp. 2(B)]</p>
5.6.61	<p><b>Records.</b> 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)]</p>
5.6.62	<p><b>Confidential Information.</b> 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]</p>
5.6.63	<p><b>Noncompliance and Enforcement.</b> [Minn. R. 7001]</p>
5.6.64	<p><b>Subject to Enforcement Action and Penalties.</b> 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)]</p>
5.6.65	<p><b>Criminal Activity.</b> 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.</p> <p>[Minn. R. 7001.0150, subp. 3(G), Minn. R. 7001.1090, subp. 1(G &amp; H), Minn. Stat. ch. 609.671, subd. 1]</p>
5.6.66	<p><b>Noncompliance Defense.</b> 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)]</p>
5.6.67	<p><b>Effluent Violations.</b> 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</p>

	<p>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 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>
5.6.68	<p><b>Upset Defense.</b> 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>
5.6.69	<p><b>Release.</b> [Minn. R. 7001]</p>
5.6.70	<p><b>Unauthorized Releases of Wastewater Prohibited.</b> 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>
5.6.71	<p><b>Discovery of a Release.</b> 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>
5.6.72	<p><b>Sampling of a Release.</b> 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</p>

	<p>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 <a href="https://www.pca.state.mn.us/water/discharge-monitoring-reports">https://www.pca.state.mn.us/water/discharge-monitoring-reports</a>.</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>
5.6.73	<b>Bypass.</b> [Minn. R. 7001]
5.6.74	<p><b>Anticipated Bypass.</b> 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 &amp; 3), Minn. R. 7001.1090, subp. 1(J)]</p>
5.6.75	<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)j, Minn. R. 7001.1090, subp. 1(K), Minn. Stat. ch. 115.061]</p>
5.6.76	<b>Operation and Maintenance.</b> [Minn. R. 7001]
5.6.77	<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 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.</p> <p>[Minn. R. 7001.0150, subp. 3(F)]</p>
5.6.78	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)]
5.6.79	<b>Solids Management.</b> 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]
5.6.80	<b>Scheduled Maintenance.</b> 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)]
5.6.81	<b>Control Tests.</b> 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)]
5.6.82	<b>Changes to the Facility or Permit.</b> [Minn. R. 7001]
5.6.83	<b>Permit Modifications.</b> 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. 7001.0030]
5.6.84	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]
5.6.85	<b>Report Changes.</b> 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(M)]
5.6.86	<b>Chemical Additives.</b> 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 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 <a href="https://www.pca.state.mn.us/water/wastewater-additional-guidance-and-information">https://www.pca.state.mn.us/water/wastewater-additional-guidance-and-information</a> :  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

	<p>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;</p> <p>C. A complete product use and instruction label;</p> <p>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</p> <p>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>
5.6.87	<p><b>MPCA Initiated Permit Modification, Suspension, or Revocation.</b> 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>
5.6.88	<p><b>Total Maximum Daily Load (TMDL) Impacts.</b> 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>
5.6.89	<p><b>Permit Transfer.</b> 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>
5.6.90	<p><b>Facility Closure.</b> 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> <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]</p>
5.6.91	<p><b>Permit Reissuance.</b> 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]</p>
5.6.92	<p>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:</p> <p>A. The Permittee is not in substantial compliance with the requirements of this permit, or with a</p>

	<p>stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit;</p> <p>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</p> <p>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.</p> <p>[Minn. R. 7001.0040, Minn. R. 7001.0160]</p>



6. Submittal action summary

SD 001	Storm Sewer To Surface Water	
		<b>Facility Specific Limit and Monitoring Requirements</b>
	6.1.1	The Permittee shall submit a monthly DMR: Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
MN0057509	Hennepin County Energy Center	
		<b>Total Facility Requirements (NPDES/SDS)</b>
	6.2.1	<b>Permit Reissuance.</b> 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]

7. Limits and monitoring

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 001 Cooling Water Blowdown/Condenser Water	Chlorine, Total Residual						0.038 daily maximum	milligrams per liter	once per month	Grab	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	Flow		Monitor only. calendar month total	million gallons		Monitor only. calendar month average	Monitor only. calendar month maximum	million gallons per day	once per month	Measurement, Continuous	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar month average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	Nitrogen, Kjeldahl, Total					Monitor only. calendar month average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	Nitrogen, Total (as N)					Monitor only. calendar month average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	pH				6.0 calendar month minimum		9.0 calendar month maximum	milligrams per liter	once per month	Grab	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	Phosphorus, Total (as P)					Monitor only. calendar month average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 001 Cooling Water Blowdown/Condenser Water	Temperature, Water (F)						95.0 daily maximum	degrees Fahrenheit	once per month	Grab	Jan-Dec	

Permit issued: TBD  
Permit expires: TBD

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**Appendix A: Chemical Additives**

<b>Product</b>	<b>Density [lb/gal]</b>	<b>Average dosage rate</b>	<b>Maximum dosage rate</b>
CL-41	11.94	3.4 gpd (40 lb/day)	8.4 gpd (100 lb/day)
CL-2150	8.55	0.4 gpd (3 lb/day)	5.8 gpd (50 lb/day)
CL-5642 (replaced CL-4898)	9.32	0.82 gpd (8 lb/day)	1.82 gpd (17 lb/day)
Azone 15	10	9.36 gpd (94 lb/day)	21 gpd (210 lb/day)