

## General information

**Public comment period begins:** July 27, 2021  
**Public comment period ends:** August 27, 2021 (4:30 p.m.)  
**General permit issued:** November 16, 2020  
**General permit expiration date:** November 15, 2025

**Name and address of Permittee:**

City of Lexington  
9180 Lexington Avenue  
Lexington, Minnesota 55104

**Facility name and location:**

City of Lexington  
  
The municipal separate storm  
sewer system (MS4) as defined  
by Minn. R. 7090.0080, subp. 8  
and permitted as required by  
Minn. R. 7090.1010.

**MPCA contact person:**

Nick Nistler  
Municipal Division  
Minnesota Pollution Control Agency  
525 Lake Avenue South Suite 400  
Duluth, Minnesota 55802  
Phone: 218-302-6670  
Email: [nicholas.nistler@state.mn.us](mailto:nicholas.nistler@state.mn.us)

File manager phone: 651-757-2728 or  
1-844-828-0942

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to issue coverage under the Small Municipal Separate Storm Sewer Systems General Permit. A copy of the general permit is available for review at: [www.pca.state.mn.us](http://www.pca.state.mn.us). Coverage under this permit will expire on the date indicated above.

The permit application and public notice is available for review on the MPCA Public Notices webpage at <http://www.pca.state.mn.us/publicnotices>. Additional materials are available for inspection by appointment at any MPCA office (<https://www.pca.state.mn.us/about-mpca/mpca-offices>) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the General Permit, permit application or any supporting materials upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and time identified above.

## Description of permitted activity

The general permit (MNR040000) requires the permittee to develop, implement, and enforce a Stormwater Pollution Prevention Program (SWPPP) designed to reduce the discharge of pollutants from their storm sewer system and to protect water quality. The application submitted to the MPCA represents the permittee's SWPPP, including best management practices for six minimum control measures set forth in the NPDES Program regulations 40 Code of Federal Regulations 122.34 (a) and (b).

The preliminary determination to issue coverage is tentative.

## Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- (1) Submit written comments on the permit application or the preliminary determination to issue coverage under a general permit.
- (2) Petition the MPCA to hold a public informational meeting.
- (3) Petition the MPCA to hold a contested case hearing.

## Submitting written comments

The terms and conditions of the general permit are not open for public comment. The permit application, the eligibility for coverage under the general permit, and the ability to comply with requirements of the general permit are open for public comment.

To submit comments or petitions to the MPCA through the mail or email, you must state:

- (1) Your interest in the permit application or the preliminary determination to issue coverage under a general permit.
- (2) The action you wish the MPCA or Permittee to take, including specific references to the application materials you believe should be changed.
- (3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

## Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

## Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.