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| Minnesota Pollution Control Agency (MPCA), 520 Lafayette Road North, St. Paul, MN 55155-4194 | Chloride variance request form  NPDES/SDS Permit Program  National Pollutant Discharge Elimination System (NPDES)/ State Disposal System (SDS)  *Doc Type: Permit Application* |

**Instructions:** The NPDES/SDS Permit Program regulates wastewater discharges to land and surface waters. This form is required for all applicants seeking a variance from the chloride water quality standard and associated water quality based effluent limit (WQBEL). This form indicates a variance is sought for the chloride water quality standard associated with Class 2B waters (Minn. R. 7050.0222, subp. 4). The variance is sought under Minn. R. 7050.0190 subp. 4(A)(6), where controls more stringent than those required under 301(b) and 306 of the Clean Water Act and U.S. Code 33, section 1311(b) and 1316 would result in substantial and widespread negative economic and social impacts.

Once this application is received, the Minnesota Pollution Control Agency (MPCA) may also include other “salty parameters” in the variance request because of the known association with chloride. These parameters include hardness associated with Class 3C waters (industrial cooling and materials transport; Minn. R. 7050.0223), and total dissolved solids (TDS), bicarbonates, and specific conductance associated with Class 4A waters (irrigation; Minn. R. 7050.0224). More communication will occur once MPCA has received and reviewed this application.

**Important:** This form is specific to the pollutants listed above. If you are considering a variance for a different pollutant, standard, or WQBEL, please complete the *Variance request form* (wq-wwprm2-10b).

**Submittal:** For requests submitted with permit reissuance or modification applications, print and complete the form by typing or printing in black ink. If this form is submitted separately from a permit application packet, please send it electronically to [WQSVariances.MPCA@state.mn.us](mailto:WQSVariances.MPCA@state.mn.us).

**For more information**: Please contact the MPCA Variance Coordinators at [WQSvariances.MPCA@state.mn.us](mailto:WQSvariances.MPCA@state.mn.us).

An approved variance will require a modification of your permit. You will be contacted if any further documentation for this modification is needed.

Section I – Existing permit information

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| 1. Permittee name: |  | | |
| 1. Facility name: |  | | |
| 1. Permit number: |  | 1. Permit expiration date (mm/dd/yyyy): |  |
| 1. Are there any plans to make changes to the facility within the next five years?  Yes  No If yes, please provide a list of all proposed changes to the facility below: | | | |
| 1. Are there currently any unresolved enforcement issues with any other media (air, waste, etc.)?  Yes  No If yes, describe below: | | | |
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1. Attach a map indicating the receiving water location.

Section II – Source water information

1. Is the community served by a community public water supply as defined by Minnesota Department of Health?  Yes  No

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| 1. What fraction of residents are hooked up: | |  |
| 1. Does the community centrally soften the water?  Yes  No | | |
| 1. If Yes, what method is used to soften: | |  | |

Section III – Source reduction or pollution minimization information

As part of the variance, you must commit to controlling chloride by investigating pollutant sources and implementing source reduction and minimization efforts. Below are common sources of chloride in a community. Indicate whether these entities are in your community, and if so, consider activities that have been or could be implemented. Should a variance be approved, these will be part of the Chloride Investigation and Minimization Plan. A strategy to begin the discharger-specific plan can be found in #18 below.

1. Indicate if these sources are known in your community and if so, provide a summary of source reduction activities:  
   (Minn. R. 7000.7000, supb. 2, Item H)

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| **Name of industry** | **Do you have these in your community** | **Have you considered or implemented reduction activities** |
| Food processors for cheese vegetable, meat, pickles, soy sauce, etc. |  |  |
| Breweries |  |  |
| Metal plating/metal finishing |  |  |
| Car washes |  |  |
| Municipal storage sheds  (salt storage, truck washing, etc.) |  |  |
| Laundromats |  |  |
| Other presumed commercial or industrial users: |  |  |

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| 1. Have you requested voluntary reductions of chloride from any industrial users to your sewer system?  Yes  No If yes, specify below: |
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| 1. Have you instituted sewer use ordinances regulating or limiting the discharge of chloride from significant industrial users?   Yes  No |
| 1. The MPCA is aware that for many communities, the source of chloride is residential (i.e., ion-exchanges softening). 2. Have you investigated the number of homes with water softeners?  Yes  No 3. If so, do you know the age and type of the softener (flow-based or timer based):      1. Have you determined typical concentrations of chloride from domestic users of your sewer system?  Yes  No   If yes, what have you found? |
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| 1. Does your community implement a public information program on proper maintenance and improved efficiency of residential softeners?  Yes  No |
| 1. Using average and maximum data values reported at your facility over the last five years, indicate a reasonable expectation of the concentration of the pollutant for which the variance is being requested that will be discharged during the period of the proposed variance. (Minn. R. 7000.7000, supb. 2, Item H, (1)) This value should take into account measures that can be done immediately that will reduce the concentration value (i.e., high chloride dischargers that can be reduced). | |
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| 1. Indicate the steps to be taken during the period of the variance to reduce pollutant levels to the lowest levels practical, such as controlling dischargers of high concentrations of the pollutant. (Minn. R. 7000.7000, supb. 2, Item H, (2)) | |
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| 1. Pollutant Minimization Plan   Have you submitted a Chloride Minimization Plan as part of past permit requirements?  Yes  No  If yes, indicate a date (mm/dd/yyyy):  If no, a Pollutant Minimization Plan is part of the permit’s variance requirements. | |
| Use the following when preparing your plan:   * *Strategy for municipal chloride reduction and minimization* – found on the MPCA’s website at <https://www.pca.state.mn.us/sites/default/files/wq-wwprm2-71.pdf>. * *Streamlined chloride variance action tree* (wq-wwprm2-88) – found on the MPCA’s website at <https://www.pca.state.mn.us/sites/default/files/wq-wwprm2-88.pdf>. * *Minnesota Technical Assistance Program* – found on the University of Minnesota’s website at <http://www.mntap.umn.edu/> | |

Section IV – Treatment alternative(s) information

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| 1. An Alternatives Analysis for removing chloride from wastewater discharges has been completed by the MPCA (Alternatives for addressing chloride in wastewater effluent [wq-wwprm2-18] <https://www.pca.state.mn.us/sites/default/files/wq-wwprm2-18.pdf>) (Minn. R. 7000.7000, supb. 2, Item H, (4)). If treatment alternatives for your facility are different those considered and analyzed by the MPCA, please include that information below and add an attachment, if necessary. |
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Section V – Seeking a variance due to substantial and widespread social and economic impacts

The MPCA has designed an Eligibility Tool that will allow a Municipal Permittee to investigate if compliance with a chloride water quality-based effluent limit would result in substantial and widespread economic and social impact. The MPCA has taken information from past water monitoring activities and public financial information to determine if the Permittee would be eligible for a variance.

1. If your municipality has submitted the *Eligibility Tool* via email to [chloridevarianceprocess.pca@state.mn.us](mailto:chloridevarianceprocess.pca@state.mn.us), indicate the date (mm/dd/yyyy):      **.**

**If not, follow the directions below.**

Review *MPCA’s Water Quality Variance Guidance* available on the MPCA’s website at <https://www.pca.state.mn.us/business-with-us/water-quality-variances>. This document outlines various components needed to justify a variance using economic and social impacts. The MPCA recommends you use the worksheets available in *EPA’s Interim Economic Guidance for Water Quality Standards.* All U.S. Environmental Protection Agency (EPA) worksheets have been bundled together in this document located on the EPA’s website found at <http://water.epa.gov/scitech/swguidance/standards/economics/>. Economic requirements in #19 and 20 can be fulfilled with the use of EPA’s Worksheets.

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| 1. Indicate (in a concise statement) the effect on the establishment, maintenance, operation and expansion of business, commerce, trade, traffic, and other economic factors that may result from approval and from denial of the requested variance. (Minn. R. 7000.7000, supb. 2, Item H, (5)) |
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| 1. If a variance is sought based primarily on economic burden the following must be submitted:  * Financial statements prepared or approved by a certified accountant. * Status of business, plant, system, or facility for each of the last three financial years. * Result of study to determine the capital cost of end-of-pipe removal of the chloride for which the variance is sought, including capital and Operations and Maintenance (O&M) costs, solids/residual handling costs (if not considered in O&M), comparison to current costs and integrated management costs. * Effect on financial status if variance is not granted. |

Certification

Federal Regulations (40 CFR Part 122.22) and State Regulations (Minn. R. 7001.0060) require all permit applications to be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this permit, a responsible corporate officer means: 1) a president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or 2) The manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding 425 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
3. For a municipality, county or other political subdivision: by a principal executive officer or ranking elected official.
4. For a state, federal or other public agency/agents: by a commissioner, assistant or deputy commissioner; director, assistant or deputy director.

*“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”*

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| Printed name: |  | | Title: |  | |
| Authorized signature: | |  | Date (mm/dd/yyyy): | |  |
| State tax ID#: |  | | Federal tax ID#: | |  |