

National Pollutant Discharge Elimination System/State Disposal System**MNG250000**

Permittee: Minnesota Pollution Control Agency
Facility name: NCCW-Untreated General Permit
Issuance date: February 1, 2020
Expiration date: January 31, 2025
Modification date: March 1, 2020

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 expires at midnight on the expiration date identified above.

Signature: **Theresa Haugen**

This document has been electronically signed.

Theresa Haugen, Supervisor
Water Section
Industrial Division

for the Minnesota Pollution Control Agency

Submit eDMRs

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

Submit WQ reports to:

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

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, contact:
Belinda Nicholas (belinda.nicholas@state.mn.us) 651-757-2613

For specific permit requirements, please refer to:

Contact the appropriate MPCA regional office below.

Wastewater Permit Program general questions, contact:

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

MPCA 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

24-hour emergency number: 651-297-5353 or 800-627-3529

<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 12 Civic Center Plaza, Suite 2165 Mankato, Minnesota 56001</p> <p>Phone: 507-389-5977 Fax: 507-389-5422</p>
<p>Detroit Lakes Office 714 Lake Avenue, Suite 220 Detroit Lakes, Minnesota 56501</p> <p>Phone: 218-847-1519 Fax: 218-846-0719</p>	<p>Marshall Office 504 Fairgrounds Road, Suite 200 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 SE 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 55155-4194</p> <p>Phone: 651-296-6300 Fax: 651-297-8676</p>	

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Permit issued: February 1, 2020
Permit expires: January 31, 2025
Permit modified: March 1, 2020

Summary of stations and station locations

Station	Type of station	Local name	PLS location
SD 001	Effluent To Surface Water	Class 2A, 2Bd, 2B, 2D	
SD 002	Effluent To Surface Water	Class 7	

1. Permit requirements

SD 001	Effluent To Surface Water	
		Surface Discharge: MNG25 Requirements
	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)]
SD 002	Effluent To Surface Water	
		Surface Discharge: MNG25 Requirements
	5.2.1	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)]
MNG250000	NCCW-Untreated General Permit	
		Non-Contact Cooling Water-Untreated General Permit Requirements
	5.3.1	Applicability. [Minn. R. 7001]
	5.3.2	The discharge consists solely of once-through, non-contact cooling water (NCCW) to which the only pollutant added is heat. The once-through NCCW discharge shall be free from contact cooling, recycled cooling (i.e., cooling tower), reverse osmosis reject, filter backwash from water conditioning systems, industrial process or other wastewater discharges. This permit authorizes coverage for multiple-pass systems at the discretion of the MPCA, but in no case shall cooling tower systems be eligible for coverage. [Minn. R. 7001.1030]
	5.3.3	The Permittee uses untreated, uncontaminated well water or untreated surface water as the cooling water source. [Minn. Stat. ch. 115.03, subd. 1(e)]
	5.3.4	The applicant requesting coverage agrees to furnish to the MPCA any information which the MPCA requests in order to determine compliance with this general permit or to determine if coverage for the facility is more appropriate under an individual permit. [Minn. Stat. ch. 115.04]
	5.3.5	For appropriators of well or surface waters, the applicant holds a valid Water Appropriation Permit issued by the Minnesota Department of Natural Resources (MN-DNR). The MN-DNR requires MN-DNR Water Appropriation permits for withdrawals greater than 10,000 gallons per day or one million gallons per year. [Minn. Stat. ch. 115.03, subd. 1(e)]
	5.3.6	The discharge shall be consistent with the terms and conditions of this general permit. [Minn. Stat. ch. 115.03, subd. 1(e)]
	5.3.7	At the MPCA's discretion, it may consider existing facilities with a maximum total design intake withdrawal of less than five percent of source water annual mean flow, a maximum design intake of less than two million gallons per day, and/or a maximum through-screen design intake velocity less than or equal to 0.5 feet per second eligible for coverage under the general permit. [Minn. R. 7001.0210]
	5.3.8	Discharge Prohibitions. [Minn. R. 7001]
	5.3.9	This is not a discharge to waters on Tribal lands. [Minn. Stat. ch. 115.03, subd. 1(e)]
	5.3.10	The discharge shall not cause or contribute to a violation of a state water quality standard. [Minn. R. 7001.1080, subp. 2(B)3]
	5.3.11	This is not a new source discharge to an Outstanding Resource Value Waters or designated trout waters as defined in Minn. R. ch. 7050. [Minn. R. 7050.0335, Minn. R. 7050.0420]
	5.3.12	Waste streams regulated by Effluent Limitation Guidelines are ineligible for coverage under this general permit. [40 CFR 405 - 499, Minn. R. 7001.0210]

5.3.13	Applicants requesting/pursuing alternative effluent limitations under Section 316(a) of the Clean Water Act are ineligible for coverage under this general permit. [Minn. R. 7001.0210]
5.3.14	New applicants subject to the cooling water intake structure requirements for new facilities under section 316(b) of the Clean Water Act (a maximum design intake withdrawal of greater than 5% of source water annual mean flow, a maximum design intake of more than two million gallons per day, and/or a maximum through-screen design intake velocity less than or equal to 0.5 feet per second) are ineligible for coverage under this general permit. MPCA considers these requirements to be best technology available (BTA) based on best professional judgement (BPJ). [Minn. R. 7001.0210]
5.3.15	Non-contact cooling water discharges found to be contributing to, or expecting to contribute to a receiving water impairment are not eligible for general permit coverage. [Minn. R. 7050.0210, subp. 2]
5.3.16	Non-contact cooling water discharges shall not cause or contribute to a material increase in undesirable slime growths or aquatic plants, including algae. [Minn. R. 7050.0210, subp. 2]
5.3.17	This permit prohibits non-contact cooling water discharges that may adversely affect a listed, or a proposed to be listed, endangered or threatened species or its critical habitat. [Minn. R. 7050.0150, subp. 3]
5.3.18	Non-contact cooling water discharges which contain chemical additives are not eligible for general permit coverage. [Minn. Stat. ch. 115.03]
5.3.19	Non-contact cooling water where source water is groundwater impacted or potentially impacted by a release of a toxic or hazardous material are not eligible for general permit coverage. [Minn. R. 7001.0210]
5.3.20	This permit prohibits discharges of one or more pollutants at levels which may cause or contribute to violation(s) of water quality standards. [Minn. Stat. ch. 115.03, subd. 1(e)]
5.3.21	Non-contact cooling water contaminated from failing or leaking heat exchangers or cooling process equipment or to which raw, intermediate or final product or materials caused cross contamination are not eligible for general permit coverage. [Minn. R. 7001.0210]
5.3.22	Notice of Intent. [Minn. R. 7001]
5.3.23	Dischargers seeking coverage under this general permit shall submit the following completed forms to the MPCA: Transmittal Form (wq-wwprm7-03); Industrial Non-Contact Cooling Water Notice of Intent General Permit Application (wq-wwprm7-50); and Permit Application Checklist for Miscellaneous Waste Types (wq-wwprm7-04c). At a minimum, applicants shall provide the following information: A. legal name and address of the facility owner; B. facility name and location; C. volume and type of waste stream, including water source; D. the name and location of the receiving water body; E. a USGS Quadrangle map showing the location of the facility and the route to receiving water body. If the discharge is to a storm sewer, tile line, etc., the map shall show the route from the facility to the point of discharge of the conveyance structure into the receiving water body; F. a list of any water treatment additives used, including all additional information required by this general permit; G. if applicable, a method for dechlorination; H. if available and the discharger's source water is groundwater, submit an assessment of the source water; and I. permit application fee. [Minn. R. 7001.1050, Minn. Stat. ch. 115.04]
5.3.24	Validation of General Permit Coverage. [Minn. Stat. ch. 115.03]
5.3.25	In order to constitute a valid authorization to discharge, a Notice of Coverage issued by the MPCA shall accompany this general permit in order to constitute a valid authorization to discharge. Such notification of coverage shall include the unique individual general permit number, Permittee name, facility name, street address, city or township, county, receiving water, water use classifications, date general permit coverage takes effect and expiration date. [Minn. Stat. ch. 115.03]
5.3.26	Authorization. [Minn. Stat. ch. 115.03, subd. 1(e)]

5.3.27	The Permittee operating the facility identified in the Notice of Coverage for this general permit has authority to discharge once-through non-contact cooling water to the surface waters named on said Notice of Coverage. [Minn. Stat. ch. 115.03, subd. 1(e)]
5.3.28	Narrative Standards for Discharges to Class 2 Waters. [Minn. R. 7050.0210, subp. 2]
5.3.29	The discharge shall not degrade the aquatic habitat, which includes surface waters, lakes, ponds, wetlands, stream beds, etc. in any material manner. [Minn. R. 7050.0210, subp. 2]
5.3.30	The discharge shall not in any manner render the receiving water unsuitable or objectionable for fishing, fish culture, fish consumption or recreational activities in and on the water. [Minn. R. 7050.0210, subp. 2]
5.3.31	The discharge shall not seriously impair or endanger the normal fishery and lower aquatic biota upon which it is dependent. The discharge shall not alter species composition, or prevent, hinder, or compromise the propagation or migration of the fish or other biota normally present. [Minn. R. 7050.0210, subp. 2]
5.3.32	Narrative Thermal Effluent Limitations. [Minn. R. 7050.0210, subp. 13]
5.3.33	These narrative criteria shall be in conjunction with numeric values found on the Limits & Monitoring page. [Minn. Stat. ch. 115.03]
5.3.34	The thermal load of discharges to Class 2A waters shall not cause or contribute to a material increase in receiving water temperature. [Minn. R. 7050.0210, subp. 13, Minn. R. 7050.0222]
5.3.35	The thermal load of discharges to Class 2B and Class 2Bd receiving waters shall not increase temperature levels in the receiving water body 5 degrees Fahrenheit above the natural seasonal temperature in streams or above 3 degrees Fahrenheit above the natural seasonal temperature in lakes, based on monthly average of the maximum daily temperature. [Minn. R. 7050.0210, subp. 13, Minn. R. 7050.0222]
5.3.36	The thermal load of discharges to wetlands shall not cause a deviation from the range of natural background conditions such that there is a potential significant adverse impact to the designated uses. [Minn. R. 7050.0210, subp. 13, Minn. R. 7050.0222]
5.3.37	Applicable Effluent Limitations - Thermal Limitation. [Minn. R. 7053.0275]
5.3.38	Based on monitoring conducted under the previous individual permit authorizing the non-contact cooling water discharges, USG Interiors has demonstrated that a thermal output of 111 degrees Fahrenheit does not have a reasonable potential to cause or contribute to a receiving water impairment. Therefore, this permit establishes the effluent limitations for temperature for the two non-contact cooling water waste streams from USG Interiors, uniquely identified as MNG250102 as 111 degrees F. [Minn. R. 7053.0275]
5.3.39	To ensure compliance with state and federal antibacksliding rules and regulations, Technical Die Casting, uniquely identified as MNG250065, has a temperature effluent limitation of 76 degrees Fahrenheit. [Minn. R. 7053.0275]
5.3.40	Applicable Effluent Limitations - Total Phosphorus. [Minn. R. 7053.0255]
5.3.41	<p>Grab samples for Total Phosphorus are to be taken on a once per month frequency to determine the 12-month rolling total. "12-Month Moving Total" is a rolling total. To calculate, for each month multiply the total volume of effluent flow (MG) by the monthly average concentration and by a 3.785 conversion factor to get kg/month. Then add all of the monthly values (kg/mo) during the last twelve months, starting with the monthly total for the month of the current reporting period.</p> <p>The total phosphorus effluent limitations applied to Minnesota Specialty Yeast, LLC, uniquely identified with permit number MNG250099, shall be limitations not to exceed 622 kg/year (1370 pounds per year) as a 12-month rolling total and 0.32 mg/L as a June through September monthly average.</p> <p>The total phosphorus effluent limitation applied to AaCron Inc, uniquely identified with permit number MNG250002, shall be a limitation not to exceed 48 kg/year (105 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to ADM - Red Wing, uniquely identified with permit number MNG250009, shall be a limitation not to exceed 29 kg/year (63 pounds per year) as a 12-month</p>

	<p>rolling total.</p> <p>The total phosphorus effluent limitation applied to Eden Prairie Well House 6 & 7, uniquely identified with permit number MNG250084, shall be a limitation not to exceed 3.4 kg/year (7.5 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to Elk River Municipal Utilities, uniquely identified with permit number MNG250016, shall be a limitation not to exceed 2.0 kg/year (4.4 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to Hiawatha Metalcraft Inc, uniquely identified with permit number MNG250061, shall be a limitation not to exceed 36 kg/year (79 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to Kemps LLC - Culture Products Facility, uniquely identified with permit number MNG250109, shall be a limitation not to exceed 207 kg/year (456 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to Kerry Inc, uniquely identified with permit number MNG250047, shall be a limitation not to exceed 124 kg/year (273 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to Premier Products Inc, uniquely identified with permit number MNG250082, shall be a limitation not to exceed 0.30 kg/year (0.66 pounds per year) as a 12-month rolling total.</p> <p>The total phosphorus effluent limitation applied to Robinson Rubber Products Co Inc, uniquely identified with permit number MNG250048, shall be a limitation not to exceed 4.1 kg/year (9.0 pounds per year) as a 12-month rolling total. [Minn. R. 7053.0255]</p>
5.3.42	Total Maximum Daily Load (TMDL) Waste Load Allocation Modifications. [Minn. R. 7001]
5.3.43	TMDL Impacts. The MPCA may require facilities that discharge to an impaired surface water, or to a watershed or drainage basin that contains impaired waters, upon the date of effective general permit coverage or at some future date, to comply with additional permits, or permit requirements, including additional restriction or inclusion of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR 122.44.i.2.i, based on the conclusions of any applicable US EPA approved TMDL studies, TMDL submitted to US EPA for approval, their associated implementation plans or additional sampling or monitoring. [40 CFR 122.44, CWA Sect. 303.d, 4(A), Minn. R. 7001.1080, subp. 2]
5.3.44	The MPCA may modify an individual applicants' general permit coverage to incorporate waste load allocations provided for the facility's discharge by a draft or final (TMDL) study. The Notice of Coverage Limits and Monitoring page will incorporate a monitoring requirement and a limitation for the stressor pollutant(s) at the levels published in the public noticed TMDL report. [Minn. R. 7001.0170, Minn. R. 7001.1080, subp. 2]
5.3.45	Surface Discharges. [Minn. R. 7050.0210, subp. 2]
5.3.46	This permit does not authorize the discharge of floating solids or visible foam in other than trace amounts. [Minn. R. 7050.0210, subp. 2]
5.3.47	This permit does not authorize the discharge of oil or other substances in amounts that create a visible color film. [Minn. R. 7050.0210, subp. 2]
5.3.48	When necessary, the Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion. (Not applicable for surface discharges via municipal storm sewers.). [Minn. R. 7050.0210, subp. 2]
5.3.49	The Notice of Coverage identifies the Permittee's flow volume. [Minn. Stat. ch. 115.03, subd. 1(e)]
5.3.50	Duty to Notify and Avoid Water Pollution. [Minn. Stat. ch. 115.061]

5.3.51	The Permittee shall notify the Minnesota Department of Public Safety Duty Officer at (800)422-0798 or (651)649-5451 immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state. Notification is not required for a discharge of five (5) gallons or less of petroleum. [Minn. Stat. ch. 115.061]
5.3.52	The Permittee shall take all reasonable steps to minimize the adverse impacts to human health, public drinking water supplies or to the environment resulting from the discharge. [Minn. Stat. ch. 115.061]
5.3.53	Monitoring Frequency. [Minn. R. 7001]
5.3.54	The Permittee shall sample the NCCW waste stream to demonstrate compliance with the general permit effluent limitations. [Minn. R. 7001.0150]
5.3.55	The Permittee shall sample for pH for discharges to all classes of waters twice per calendar month. This general permit requires continuous pH monitoring for facilities with ammonia compressor cooling systems forming all or part of the discharge to control for ammonia leaks. [Minn. R. 7001]
5.3.56	The Permittee shall sample for temperature for discharges to Class 2A and 2D waters weekly. [Minn. R. 7001]
5.3.57	Dischargers to Class 2B lakes and receiving waters with a 7Q10 of zero cfs shall sample for temperature once per week. [Minn. R. 7001.0150]
5.3.58	Dischargers to Class 2B receiving waters with a 7Q10 greater than zero cfs shall sample for temperature once times per week. [Minn. R. 7001.0150]
5.3.59	Dischargers to Class 7 waters shall sample once per week. [Minn. R. 7001.0150]
5.3.60	Permittees that do not have an assigned phosphorus waste load allocation shall sample once per quarter. Permittees with phosphorus waste load allocations shall sample once per month in accordance with the applicable TMDLs. The facilities and their waste load allocations are listed under the Applicable Effluent Limitations - Total Phosphorus section of this permit. [Minn. R. 7001]
5.3.61	Sampling Location. [Minn. R. 7001.0150]
5.3.62	The Permittee shall collect samples and measurements for reporting compliance with this general permit at a point representative of the total volume and nature of the discharge to surface waters. [Minn. R. 7001.0150]
5.3.63	The Permittee shall collect samples at a point representative of the discharge(s) to the receiving waters. [Minn. R. 7001.0150]
5.3.64	When applicable, the Permittee shall collect cooling water effluent samples prior to mixing with the receiving waters. [Minn. R. 7001.0150]
5.3.65	Sampling Protocol. [Minn. R. 7001]
5.3.66	Equipment Calibration. The Permittee shall check and/or calibrate for accuracy flow meters, pumps, flumes, lift stations or other flow monitoring equipment used for purposes of determining compliance with permit at least twice annually and more frequently if recommended by manufacturers' specifications. [Minn. R. 7001.0150]
5.3.67	To the extent that daily flow volumes are consistent (within ten percent but allowing for seasonal variations), the Permittee may use monthly flow monitoring for reporting flow volume and calculate daily maximum flow volume. [Minn. R. 7001.0150]
5.3.68	The Permittee shall conduct pH analysis within fifteen minutes of the sample collection and temperature analysis immediately upon collecting the sample. [Minn. R. 7001.0150]
5.3.69	The Permittee shall maintain records for instrument calibration and maintenance performed. The Permittee shall record the name of the person responsible for equipment calibration and the date of equipment calibration. The Permittee shall also maintain a written record on maintenance performed including the name of the individual/company performing the maintenance and date maintenance occurred. [Minn. R. 7001.0150]
5.3.70	Sampling and Analyses. [Minn. R. 7001]
5.3.71	The "sample type", "sampling frequency" and "effective period" identified in the Limits and Monitoring section of this general permit together designate the minimum required monitoring frequency. The Permittee shall report the results and the frequency of monitoring on the electronic Discharge Monitoring Report (eDMR) or another MPCA-approved form for that reporting period if monitoring is more frequent than required. [Minn. R. 7001]

5.3.72	Representative Sampling. The Permittee shall conduct samples and measurements required by this general permit as specified in this general permit and representative of the discharge or monitored activity. [40 CFR 122.41]
5.3.73	Sample Preservation and Procedure. Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200. [Minn. R. 7001.0150, Minn. R. 7041.3200]
5.3.74	A person who falsifies, tampers with, or knowingly renders a monitoring device inaccurate or purposefully conducts an incorrect testing method required to maintain coverage under this general permit is subject to penalties provided by federal and state law. [Minn. R. 7001]
5.3.75	For each measurement or sample taken pursuant to the requirements of this general permit, the Permittee shall record the following information: A. the exact place, date, and time of measurement or sampling; B. the person who performed the measurement or sample collection; C. the dates of analyses completion; D. the person(s) who performed the analyses; E. the analytical techniques or methods used; F. the date of and person responsible for equipment calibration; and G. the results of all required analyses. [Minn. R. 7001.0150, subp. 2(C)]
5.3.76	Certified Laboratory. A laboratory certified by the Minnesota Department of Health and/or registered by the MPCA shall conduct analyses required by this permit. A certified laboratory analysis is not required for dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine) but shall comply with manufacturer's specifications for equipment calibration and use. [40 CFR 144.97]
5.3.77	Test Methods. [Minn. R. 7001.0150, subp. 2]
5.3.78	The Permittee shall measure all pollutant parameters in accordance with the test methods proscribed in 40 CFR Part 136. [Minn. R. 7001.0150, subp. 2]
5.3.79	The Permittee shall use test methods with detection limits that reflect the applicable numerical limitations as specified in the Limits and Monitoring Section of this general permit. [Minn. R. 7001.0150, subp. 2]
5.3.80	The Permittee shall use a test method capable of a low level detection (0.050 mg/L) for analyzing the discharge for total phosphorus. The Permittee shall inform the laboratory conducting the sampling, that this is a cooling water waste stream rather than industrial process or domestic wastewater effluent. [Minn. R. 7001.0150, subp. 2]
5.3.81	A laboratory certified by the Minnesota Department of Health and/or registered by the MPCA shall conduct analysis for total phosphorus. [Minn. R. 7001.0150, subp. 2]
5.3.82	Discharge Monitoring Reports. [Minn. R. 7001]
5.3.83	The Permittee shall submit monitoring results for discharges in accordance with the Limits and Monitoring requirements of this general permit. [Minn. R. 7001.0150, subp. 2, Minn. R. 7001.1090, subp. 1(D)]
5.3.84	The Permittee shall summarize monitoring results obtained during the reporting period onto the appropriate electronic Discharge Monitoring Report (eDMR) form provided by the MPCA. [Minn. R. 7001]
5.3.85	Each station requires the submittal of an electronic Discharge Monitoring Report (eDMR) even if no discharge occurred during the reporting period. If no discharge occurred during the entire reporting period, the Permittee shall check the 'No Discharge' box on the eDMR. The Permittee shall report any non-contact cooling water discharge occurring during any portion of a calendar month/quarter. [Minn. R. 7001]
5.3.86	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 and record the information in the specified areas on those forms and in the units specified. [Minn. R. 7001]
5.3.87	Detection Level. The Permittee shall report monitoring results below the reporting limit (RL) of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the Permittee shall report the

	concentration as "<" the corresponding level of detection. [Minn. R. 7001]
5.3.88	Incomplete or Incorrect Reports. The Permittee shall immediately submit an electronically amended report or eDMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or eDMR. The amended report or eDMR shall contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. If it is impossible to electronically amend the report or eDMR, the Permittee shall immediately notify the MPCA and the MPCA will provide direction for the amendment submittals. [Minn. R. 7001]
5.3.89	Reporting. [Minn. R. 7001]
5.3.90	<p>Submitting Reports. The Permittee shall submit eDMRs and eDMR Sample Values Report Forms and related attachments via MPCA e-Services after the MPCA approves their authorization request. The Permittee shall submit eDMR and eDMR Sample Values Report Forms by the 21st day of the month following the sampling period or as otherwise specified in this general permit. The Permittee shall complete eDMR submittals on or before 11:59 PM of the 21st day of the month following the sampling period or as otherwise specified in this general permti. The Permittee shall submit an eDMR for each required station even if no discharge occurs 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 11:59PM on the date specified in this permit. The Permittee shall ensure that submittals via U.S. Postal Service or other hand delivery method contain postmarks by the date specified in this permit.</p> <p>Electronically: wq.submittals.mPCA@state.mn.us Include water quality submittals form: 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. [Minn. R. 7001.0150, subp. 2, Minn. R. 7001.0150, subp. 3, Minn. R. 7001.1090, subp. 1(D)]</p>
5.3.91	Required Signatures. The Permittee or the duly authorized representative of the Permittee shall sign all eDMRs, forms, reports, and other documents submitted to the MPCA per Minn. R. 7001.0150, subp. 2(D). The person or persons who sign the eDMRs, forms, reports or other documents shall certify that he or she understands and complies with the certification requirements of Minn. R. chs. 7001.0070 and 7001.0540, including the penalties for submitting false information. A registered professional engineer shall certify technical documents, such as design drawings and specifications and engineering studies submitted as part of a permit application or by permit conditions. [Minn. R. 7001.0540]
5.3.92	<p>The Permittee shall report the following in a separate submittal from the electronic Discharge Monitoring Report (eDMR):</p> <ul style="list-style-type: none"> A. a request for use of a water treatment/chemical additives; B. any substantial changes in operational procedures; and/or C. activities which alter the nature or frequency of the discharge; and D. material factors affecting compliance with the conditions of this general permit. <p>The Permittee shall address such reports to WQ Submittals. [Minn. R. 7001.0150, subp. 2, Minn. R. 7001.1090, subp. 1(D)]</p>
5.3.93	Criminal Activity. The Permittee shall not knowingly make a false statement, representation, or certification in a record or other document submitted to the MPCA. A person who falsifies a report or document submitted to the MPCA, or tampers with, or knowingly renders inaccurate a monitoring device or method that requires maintenance under this permit is subject to criminal and civil penalties provided by federal and state law. [Minn. R. 7001.0150, subp. 3(G), Minn. R. 7001.1090, subp. 1(G), Minn. R. 7001.1090, subp. 3(G), Minn. Stat. ch. 609.671, subd. 1]
5.3.94	Records. [Minn. R. 7001]
5.3.95	Except for data determined to be confidential according to Minnesota Statutes, ch. 116.075, subd. 2, all reports required by this general permit shall be available for public inspection at the MPCA St. Paul office. The MPCA shall not consider effluent data confidential. The Permittee shall submit confidential material according to Minnesota Rules, pt. 7000.1300.

	[Minn. R. 7000.1300, Minn. Stat. ch. 116.075, subd. 2]
5.3.96	Maintain Records. The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following information: A. the exact place, date, and time of the sample or measurement; B. the date of analysis; C. the name of the person who performed the sample collection, measurement, analysis, or calculation; D. the analytical techniques, procedures and methods used; and E. The results of the analysis. [Minn. R. 7001.0150, subp. 2(C)]
5.3.97	Records. The Permittee shall, when requested by the MPCA, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the general permit or regarding the conduct of the activity covered by the general permit. [Minn. R. 7001.0150, subp. 3(H)]
5.3.98	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. The MPCA shall not consider effluent data confidential. To request the Agency maintain data as confidential, the Permittee shall follow Minn. R. 7000.1300. [Minn. Stat. ch. 116.075, subd. 2]
5.3.99	Facilities Operation. [Minn. R. 7001]
5.3.100	The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them the Permittee installed or uses 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(F)]
5.3.101	The Permittee shall store, transport and dispose of biosolids, 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 dispose of solids in accordance with local, state and federal requirements. [40 CFR 503, Minn. R. 7041]
5.3.102	In the event of a reduction or loss of effective treatment of cooling water discharge, the Permittee shall control production or curtail its discharges to the extent necessary to maintain compliance with the terms and conditions of the general permit. The Permittee shall continue this control or curtailment until restoration of the treatment system or until they provide an alternative method of treatment. [Minn. R. 7001.1090, subp. 1(C)]
5.3.103	Control Tests. The Permittee shall conduct in-plant control tests at a frequency adequate to ensure compliance with the conditions of this general permit. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
5.3.104	There shall be no discharge to surface water of compounds used in a closed-loop system. [Minn. R. 7001]
5.3.105	Cooling System Maintenance. [Minn. R. 7001]
5.3.106	Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods (e.g., low flows, spawning season) 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. 2(B), Minn. R. 7001.0150, subp. 3(F)]
5.3.107	There shall be no discharge of wastes from the physical cleaning of the cooling system. This general permit does not authorize the discharge of cleaning wastewaters from periodic and/or routine maintenance of the cooling system and/or from cleaning the insides of the tubes/heat exchangers. The Permittee shall dispose such waters in the same manner as process and/or sanitary wastes if so allowed by the treatment authority. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
5.3.108	Ammonia Compressor/Cooling Systems. [Minn. R. 7001]

5.3.109	Any Permittee operating ammonia cooling systems shall provide for continuous pH monitoring and have the ability to immediately divert ammonia contaminated cooling water from the point source surface water waste stream. In the event of an ammonia leak, the Permittee shall immediately cease the discharge of cooling waters to surface waters. The Permittee shall immediately notify the State Duty Officer [1-800-422-0798 or 651-649-5451], the MPCA, and if applicable the local treatment authority to receiving the waste stream. In addition to any action the MPCA may take, the Permittee may be liable to the Department of Natural Resources for any fish loss due to an ammonia spill to surface waters. [Minn. R. 7001.0150, subp. 3(K), Minn. Stat. ch. 115.061]
5.3.110	The Permittee shall develop and implement appropriate best management practices to ensure that discharges of non-contact cooling water are not contaminated by failing/leaking heat exchangers, ammonia compressors, etc. [Minn. R. 7001.1080, subp. 3]
5.3.111	Individual NPDES/SDS Permit. [Minn. R. 7001]
5.3.112	The MPCA may determine any applicant ineligible for general permit coverage and may require said applicant obtain an individual permit. In considering whether it is appropriate to issue an individual permit, the MPCA may consider the following: A. whether pollutant levels in the applicant's discharge have potential for causing significant environmental impacts; B. whether the applicant has been in compliance with the terms of this or any previous (general) permit and applicable statutes and rules; and/or C. whether the applicant altered operations, activities, discharge(s), or facility such that the discharge is no longer eligible for general permit coverage. [Minn. R. 7001]
5.3.113	The MPCA may require any person authorized by this general permit to apply for and obtain an individual NPDES permit, if the owner or operator is not in compliance with the requirements and conditions of this general permit as outlined in 40 CFR Part 122.28(b)(2)(i) and Minn. R. 7001.0210, subp. 6. [Minn. Stat. ch. 115.03, subd. 1(e)]
5.3.114	If a permit applicant who is eligible for coverage under this general permit requests an individual permit, the Commissioner shall process the application as an application for an individual permit. [Minn. R. 7001.0210]
5.3.115	Upon issuance of an individual permit, coverage under this general permit shall no longer be applicable to the facility. The requirements of an individual permit may differ from the conditions of this general permit providing such authorization will not cause a violation of water quality standards and is consistent with antidegradation restrictions. [Minn. R. 7001.0210]
5.3.116	Permit Coverage Modification. [Minn. R. 7001]
5.3.117	Changes to the facility or operation of the facility may require a modification to general permit coverage or issuance of an individual permit. The covered Permittee shall submit an application describing the changes to the facility or operation to the MPCA and receive authorization prior to implementing the changes. The covered Permittee shall submit the permit modification application fee in accordance with Minnesota Rules, part 7002.0250 with the application. [Minn. R. 7002.0250]
5.3.118	The following changes from that indicated on the Notice of Coverage upon which general permit coverage is based may trigger the need for a modification of general permit coverage, transfer of coverage to an alternate general permit or the issuance of an individual permit: A. increased flow from that reflected in the most current application, Notice of Intent or on the Notice of Coverage; B. increased thermal load; C. proposed use of water treatment additives D. change in water supply source; E. change to outfall location (this would include changes to tile lines and storm sewer outlets); and/or F. change of facility ownership, facility contact and/or billing contact; or G. change in facility name. [Minn. R. 7001.0170]
5.3.119	The procedures as set forth in Minnesota Rules, pt. 7001.0100 through 7001.0130, including public notice, apply to applications for permit coverage modifications, with the following exceptions: A. modifications solely as to ownership or control, including name changes, as described in Minnesota Rules, pt. 7001.0190, subp. 2;

	<p>B. minor modifications as described in Minnesota Rules, pt. 7001.0190, subp. 3; C. changes in water treatment/chemical additives; D. changes in monitoring/reporting frequencies; and/or E. flow volume changes which would not affect coverage eligibility. [Minn. R. 7001.0100, Minn. R. 7001.0120, Minn. R. 7001.0130]</p>
5.3.120	<p>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 general permit. [Minn. R. 7001.0150, subp. 3(M)]</p>
5.3.121	<p>Prior to any changes in the operational procedures or activities that may alter the nature or frequency of the discharge [e.g., increased flow from that reflected in the Notice of Coverage, increased thermal load, use of water treatment additives], the Permittee shall notify the MPCA and, if so requested by the MPCA, shall within sixty (60) days submit an application for an individual NPDES/SDS permit, application for the MNG255000 treated noncontact cooling water general permit, or modification to the Permittee's general permit coverage. [Minn. R. 7001.0170]</p>
5.3.122	<p>Facility Contacts. [Minn. R. 7001]</p>
5.3.123	<p>The application/Notice of Intent form specifies the 'Facility Contact,' 'Billing Contact,' and 'DMR Contact'. The Permittee may replace these contacts at any time, and in accordance with 40 CFR Part 122.22 shall notify the MPCA after replacement. The Permittee shall make the notification in writing and shall include the name, address, telephone number and responsibility (e.g., billing, eDMR) of the new contact. [Minn. R. 7001.0050, Minn. R. 7001.0190]</p>
5.3.124	<p>The 'Facility Contact,' 'Billing Contact,' and/or 'eDMR Contact' shall be:</p> <ul style="list-style-type: none"> A. for a corporation, a principal executive officer of at least the level of vice president, or a designated representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the permit application/Notice of Intent; B. for a partnership, a general partner; C. for a sole proprietorship, the proprietor; D. for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other fully authorized employee; or E. a duly authorized representative of that person. [Minn. R. 7001.0050, Minn. R. 7001.0190]
5.3.125	<p>A person is a duly authorized representative only if:</p> <ul style="list-style-type: none"> A. the Permittee makes the authorization in writing to the MPCA by a person described in the paragraph above of this section; and B. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. [Minn. R. 7001.0050, Minn. R. 7001.0190]
5.3.126	<p>A duly authorized representative may thus be either a named individual or any individual occupying a named position. [Minn. R. 7001.0050, Minn. R. 7001.0190]</p>
5.3.127	<p>A duly authorized representative may not be a hired individual or agent acting on behalf of the corporation, partnership, sole proprietorship, or public entity [e.g., consultant, chemical supplier, etc.]. [Minn. R. 7001.0050, Minn. R. 7001.0190]</p>
5.3.128	<p>Transfer of Ownership and Control. [Minn. R. 7001.0190]</p>
5.3.129	<p>General permit coverage is not transferable without prior written approval by the MPCA. [Minn. R. 7001.0190]</p>
5.3.130	<p>In the event of a Permittee's change in ownership or control of a facility covered by this general permit, the Permittee shall notify the succeeding owner or controller of the existence of general permit coverage by letter and forward a copy to the MPCA, at least thirty days prior to the actual transfer of ownership or control. [Minn. R. 7001.0190]</p>
5.3.131	<p>Assigning or transferring general permit coverage by the permit holder requires MPCA approval. In the event of a transfer of control of a permitted facility, the prospective owner or operator shall notify the MPCA in writing requesting transfer of general permit coverage. A person to whom the general permit</p>

	coverage will transfer shall comply with the conditions of this general permit. [Form: Permit Transfer/Name Change found at: http://www.pca.state.mn.us/water/permits/index.html]. [Minn. R. 7001.0190]
5.3.132	Permit Coverage Suspension Or Revocation. [Minn. R. 7001]
5.3.133	The MPCA may suspend or revoke general permit coverage for the following reasons: A. failure to satisfy eligibility criteria; B. a violation of general permit requirements; C. misrepresentation or failure to disclose fully all relevant information to obtain general permit coverage; D. a change in a condition that alters the discharge; E. the establishment of a new or amended pollution standard, limitation or effluent guideline that is applicable to the permitted facility or activity; F. failure to pay permit fees; and/or G. other reasons listed in Minnesota Rules, pt. 7001.0170. [Minn. R. 7001.0170]
5.3.134	Upon the date of revocation or termination without issuance of an individual applicants' general permit coverage, cooling water discharge(s) previously authorized by the general permit shall cease as of midnight unless the Permittee secures alternate permit coverage authorizing continuation of the discharge. [Minn. R. 7001.0030, Minn. R. 7001.1030]
5.3.135	The procedures as set forth in Minnesota Rules, pt. 7001.0100 through 7001.0130, including public notice, apply to applications for modifications which would nullify coverage eligibility. [Minn. R. 7001.0100, Minn. R. 7001.0120, Minn. R. 7001.0130]
5.3.136	Permit Coverage Termination. [Minn. R. 7001]
5.3.137	If the Permittee does not intend to continue the activities authorized by this general permit, either during the term of this general permit or after the expiration date of this general permit, the Permittee shall submit their request for termination via the MPCA's online service, found at: https://www.pca.state.mn.us/water/wastewater-permit-forms . [Minn. Stat. ch. 115.03]
5.3.138	It is the Permittee's responsibility to request termination of permit coverage when the discharge ends. The Permittee shall continue to be responsible for the payment of annual fees and the submittal of discharge monitoring report forms until general permit coverage has been formally terminated. [Minn. R. 7001.0210]
5.3.139	Coverage under this general permit is automatically terminated upon issuance of an individual permit (or alternate general permit) authorizing the non-contact cooling water waste stream. [Minn. Stat. ch. 115.03]
5.3.140	Facility Closure. The Permittee is responsible for closure and post-closure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of the activities described in this permit at least 180 days before the reduction or cessation. The MPCA may require the Permittee to provide 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, post-closure 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. [Minn. Stat. ch. 116.07, subd. 4(f)]
5.3.141	General Permit Expiration and Reissuance. [Minn. R. 7001]
5.3.142	If the MPCA modifies or reissues this general permit, the covered Permittee shall: A. submit a Notice of Intent to request coverage under the modified or reissued general permit; B. apply for an individual NPDES and/or SDS permit; or C. request termination of discharge authorization. [Minn. R. 7001.0030, Minn. R. 7001.0040]
5.3.143	Permit Coverage Issuance. [Minn. R. 7001]

5.3.144	If the Permittee desires to continue general permit coverage beyond the date of general permit expiration, the Permittee shall submit an application for permit reissuance : Due by 180 days prior to 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 day before permit expiration. [Minn. R. 7001.0040, Minn. R. 7001.0160]
5.3.145	If the Permittee has submitted a timely application for issuance of general permit coverage, the Permittee may continue to conduct the activities authorized by this general permit, in compliance with the requirements of this general permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following: A. the Permittee is not in substantial compliance with the requirements of this general permit or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this general 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 general permit; and/or C. the Permittee submitted an application with major deficiencies or failed to properly supplement the application in a timely manner after MPCA informed them of deficiencies. [Minn. R. 7001.0150, subp. 3(C)]
5.3.146	If an existing covered facility fails to seek continued coverage prior to the general permit expiration date, the MPCA retains the right to terminate general permit coverage. [Minn. R. 7001.0160]
5.3.147	Compliance Responsibility. [Minn. R. 7001]
5.3.148	The covered Permittee shall perform the actions or conduct the activity authorized by the general permit in compliance with the terms and conditions of this general permit, if required, in accordance with the plans and specifications approved by the MPCA. [Minn. R. 7001.0150, subp. 3(E)]
5.3.149	Compliance with Other Rules and Statutes. The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility. [Minn. R. 7001]
5.3.150	Prohibitions. [Minn. R. 7001]
5.3.151	This permit prohibits the use of water treatment/chemical additives in the permitted waste stream(s). [Minn. R. 7001.1080, subp. 2]
5.3.152	This permit prohibits an increase in flow volume from that given in the Notice of Coverage and/or Notice of Intent without prior notification and approval from the MPCA. [Minn. R. 7001.1080, subp. 2]
5.3.153	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]
5.3.154	Unauthorized Releases of Wastewater Prohibited. This permit prohibits overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, except for discharges from outfalls specifically authorized by this permit. The MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. [40 CFR 122.41, Minn. Stat. ch. 115.061]
5.3.155	Inspection And Entry. [Minn. R. 7001]
5.3.156	When authorized by Minn. Stat. Sec. 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 general permit or pertaining to the activity covered by the general permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the general permit or pertaining to the activity covered by the general permit. [Minn. R. 7001.0150, subp. 3(L), Minn. Stat. ch. 115.04, Minn. Stat. ch. 116.091]
5.3.157	Control Users. [Minn. R. 7001.0150, subp. 3(F)]
5.3.158	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)]
5.3.159	Noncompliance. [Minn. R. 7001]
5.3.160	<p>If the Permittee discovers that noncompliance with a condition of the general permit has occurred, the Permittee shall:</p> <p>A. take all reasonable steps to minimize the adverse impacts to human health, public drinking water supplies, or the environment resulting from a permit violation; and</p> <p>B. notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 within 24 hours of becoming aware of a permit violation that may endanger human health, public drinking water supplies or the environment. The Permittee shall submit a written description of the exceedance to the MPCA within five (5) days of discovery of the exceedance. Nothing in this general permit relieves the covered Permittee from immediately notifying the MPCA of any release to surface waters of the state.</p> <p>[Minn. R. 7001.0150, subp. 3(K), Minn. R. 7001.1090, subp. 1(L), Minn. Stat. ch. 115.061]</p>
5.3.161	<p>Effluent Violations. If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. If the permittee discovers that noncompliance with a condition of the permit has occurred which 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 5 days of the discovery. The written description shall include items a. through e., as listed below. If the Permittee discovers other non-compliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the non-compliance shall be reported during the next reporting period to the MPCA with its Discharge Monitoring Report (DMR). If no DMR is required within 30 days, the Permittee shall submit a written report 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), Minn. R. 7001.0150, subp. 3(L), Minn. R. 7001.1090, subp. 1(L), Minn. Stat. ch. 115.061]</p>
5.3.162	<p>Subject to Enforcement Action and Penalties. Noncompliance with a term or condition of this general 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.</p> <p>[Minn. R. 7001.1090, subp. 1(B)]</p>
5.3.163	<p>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 general permit. [40 CFR 122.41(c), Minn. R. 7001.1090, subp. 1(C)]</p>
5.3.164	Bypass. [40 CFR 122.41]
5.3.165	<p>Anticipated Bypass. The Permittee may allow any bypass to occur that does not cause effluent limitation exceedances, but only if the bypass is for essential maintenance to assure efficient operation of the facility. The Permittee shall submit prior notice to the MPCA at least ten days before the date of the bypass, if possible.</p> <p>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</p>

	continues, whichever is more frequent. [40 CFR 122.41(m), Minn. R. 7001.1090, subp. 1(J)]
5.3.166	This general permit prohibits all other bypasses. The MPCA may take enforcement action against the Permittee for a bypass, unless the Permittee meets the specific conditions described in Minn. R. Ch. 7001.1090 subp. 1(K) and 122.41(m)(4)(i). In the event of an unanticipated bypass, the Permittee shall: A. take all reasonable steps to immediately end the bypass; 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. You may contact the MPCA during business hours at 1(800) 657-3864 or (651) 296-6300 (metro area); 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, cleanup, or remediation activities; and D. only allow bypass wastewater as specified in this section to enter waters of the state from outfalls specifically authorized by this permit. The Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. The Permittee shall also follow the reporting requirements for effluent violations as specified in this permit. [40 CFR 122.41(m)(4)i, Minn. R. 7001.1090, subp. 1(K), Minn. Stat. ch. 115.061]
5.3.167	Noncompliance Notification. [Minn. R. 7001]
5.3.168	The Permittee shall report noncompliance with the general permit not reported under Minnesota Rules, part 7001.0150, subpart 3, item K within 30 days of the discovery of the noncompliance. The Permittee shall submit the information listed in Minnesota Rules, part 7001.0150, subpart 3, item K within 30 days of the discovery of the noncompliance. [Minn. R. 7001.0150, subp. 3(K)]
5.3.169	Discovery of a release. Upon discovery of a release, the Permittee shall: A. take all reasonable steps to immediately end the release; 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. You may contact the MPCA during business hours at 1(800) 657-3864 or (651) 296-6300 (metro area); and 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 immediate or complete recovery of the released materials does not occur, 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]
5.3.170	Sampling of a Release. Upon discovery of a release, the Permittee shall: A. collect representative samples of the release. The Permittee shall sample the release for permitted effluent parameters and other parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, the Permittee shall collect Fecal Coliform Bacteria samples where the Permittee determines that the release contains or may contain sewage. If the Permittee cannot immediately stop the release, the Permittee shall consult with the MPCA regarding additional sampling requirements. The Permittee shall collect samples at least, but not limited to, two times per week for as long as the release continues; and B. submit the sampling results on the Release Sampling Form located on the MPCA's website at http://www.pca.state.mn.us/index.php/view-document.html?gid=18867 . The Permittee shall submit the Release Sampling Form to the MPCA with the next eDMR or within 30 days, whichever is sooner. [Minn. R. 7001.1090]
5.3.171	The Permittee shall submit a written description of any bypass, spill, upset or permit violation during the reporting period to the MPCA in a separate submittal from its eDMR submittal. The Permittee shall submit a written report within 30 days of the discovery of the noncompliance. This description shall include the following information: A. a description of the event including volume, duration, monitoring results and receiving waters; B. the cause of the event;

	C. the steps taken to reduce, eliminate and prevent reoccurrence of the event; D. the exact dates and times of the event; and E. steps taken to reduce any adverse impact resulting from the event. [State Definitions]
5.3.172	Need To Halt/Reduce No Defense. [Minn. R. 7001]
5.3.173	It shall not be a defense for the covered 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 general permit. [Minn. R. 7001.1090, subp. 1(C)]
5.3.174	Property Rights. [Minn. R. 7001.0150, subp. 3(C)]
5.3.175	This general permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, subp. 3(C)]
5.3.176	Liability Exemption. [Minn. R. 7001]
5.3.177	In issuing this general 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 actions, including those activities authorized, directed, or undertaken to achieve compliance with this general permit. To the extent the state and MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, covered in section 3.736 of the Minnesota Statutes. [Minn. R. 7001]
5.3.178	The MPCA's issuance of coverage under this general 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)]
5.3.179	Liabilities. [Minn. R. 7001.0150]
5.3.180	The MPCA's issuance of coverage under this general 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 coverage under this general permit. [Minn. R. 7001.0150, subp. 3(A)]
5.3.181	The issuance of coverage under this general 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)]
5.3.182	Upset Defense. [Minn. R. 7001]
5.3.183	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: A. the specific cause of the upset; B. that the upset was unintentional; 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; 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, (I); and F. that the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J. [Minn. R. 7001.0150, subp. 3(J), Minn. R. 7001.1090, subp. 1, Minn. R. 7001.1090, subp. 1(L)]
5.3.184	Severability. [Minn. Stat. ch. 115.03]
5.3.185	The provisions of this general permit are severable, and if any provisions of this general permit or the application of any provision of this general permit to any circumstance are held invalid, the application of such provision(s) to other circumstances and the remainder of this general permit shall not be affected thereby. [Minn. Stat. ch. 115.03]
5.3.186	Incorporation by Reference. [Minn. R. 7001.0150, subp. 3]
5.3.187	The Permittee shall comply with the provisions of 40 CFR Parts 122.41 and 122.42, Minnesota Rules, pt. 7001.0150, subp. 3, and pt. 7001.1090, incorporated into this general permit by reference and enforceable parts of this general permit. [Minn. R. 7001.0150, subp. 3, Minn. R. 7001.1090]

5.3.188	Definitions. [State Definitions]
5.3.189	"Act" means the federal Clean Water Act (CWA), as amended, 33 U.S. Code 1251 et seq. [State Definitions]
5.3.190	"Agency" means the Minnesota Pollution Control Agency (MPCA). [State Definitions]
5.3.191	Calendar Month/Quarter Maximum for temperature is calculated by adding all of the daily maximum temperature values measured during a calendar month/quarter and dividing by the number of daily values measured during that month/quarter. The "Calendar Month/Quarter Maximum" is an upper limit. [State Definitions]
5.3.192	"CFR" means the Code of Federal Regulations. [State Definitions]
5.3.193	"Commissioner" means the commissioner of the Minnesota Pollution Control Agency or a designated representative. [State Definitions]
5.3.194	Daily Maximum for Total Residual Chlorine (TRC) concentration limits means: A. the value of a single sample in a 24-hour period if the concentration of TRC in that sample is 0.038 mg/L or less, or below the Reportable Limit (RL); and B. if the concentration of TRC in the first sample is greater than 0.038 mg/L or greater than the RL, the Permittee may report the average of two to twelve samples analyzed in a 24-hour period. The Permittee shall take the second sample two hours after the first sample and shall take subsequent samples at one hour intervals thereafter, not to exceed a total of twelve samples in a 24-hour period. For averaging purposes only, assume TRC is zero when values are below the Reportable Limit. Whenever the Permittee averages daily TRC values, the Permittee shall meet the 0.038 mg/L limit and shall report the average value, not < the RL. C. The average value of multiple daily TRC effluent sample analyses shall meet the 0.038 mg/L limit to be in compliance. [State Definitions]
5.3.195	Daily Maximum for Total Residual Oxidant means the maximum measured quantity/quality during a calendar day. The "Daily Maximum" for Total Residual Oxidant is an upper limit. [State Definitions]
5.3.196	"Degrees F" means a temperature reading in degrees Fahrenheit. [State Definitions]
5.3.197	"Grab" sample type means an individual sample collected from one location at one point in time. [State Definitions]
5.3.198	"Impaired waters" are waters that do not support one or more of their designated beneficial uses. [State Definitions]
5.3.199	"Instantaneous" sample type means a measurement, such as for pH or temperature, taken at the time of sampling. [State Definitions]
5.3.200	Instantaneous Maximum is the use of the highest value recorded or the highest value when only one sample is required when monitoring is continuous. The "Instantaneous Maximum" limit is an upper limit. The Permittee shall report the highest value recorded. [State Definitions]
5.3.201	Instantaneous Minimum is the use of the lowest value recorded or the lowest value when only one sample is required when monitoring is continuous. The "Instantaneous Minimum" is a lower limit. The Permittee shall report the lowest value recorded. [State Definitions]
5.3.202	"Maximum" sample type means the greatest sample value recorded during the designated monitoring period. [State Definitions]
5.3.203	"MPCA" means the Minnesota Pollution Control Agency, or Minnesota Pollution Control Agency staff as delegated by the Minnesota Pollution Control Agency. [State Definitions]
5.3.204	"New Source Discharge" means a discharge not in existence on or before the date the receiving water body was designated an Outstanding Resource Value Waters or, for discharges to trout waters, on or before September 14, 1999. [State Definitions]
5.3.205	"Outstanding Resource Value Waters" means 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. [State Definitions]

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	5.3.206	"Permittee" means the entity identified as Permittee on the Notice of Coverage authorizing coverage under this general permit. [State Definitions]
	5.3.207	"Total Maximum Daily Load (TMDL)" is the maximum amount of a pollutant that a water body can receive without violating a water quality standard and an allocation of that amount to the pollutant's sources. [State Definitions]
	5.3.208	"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. [State Definitions]

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2. Submittal action summary

SD 001	Effluent To Surface Water	
		Surface Discharge: MNG25 Requirements
	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)]
SD 002	Effluent To Surface Water	
		Surface Discharge: MNG25 Requirements
	6.2.1	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)]
MNG250000	NCCW-Untreated General Permit	
		Non-Contact Cooling Water-Untreated General Permit Requirements
	6.3.1	If the Permittee desires to continue general permit coverage beyond the date of general permit expiration, the Permittee shall submit an application for permit reissuance: Due by 180 days prior to 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 day before permit expiration. [Minn. R. 7001.0040, Minn. R. 7001.0160]

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3. 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 Class 2A, 2Bd, 2B, 2D	Flow		Monitor only. calendar month total	million gallons		Monitor only. calendar month average		million gallons per day	once per day	Measurement, Continuous	Jan-Dec	
SD 001 Class 2A, 2Bd, 2B, 2D	pH				6.0 calendar month minimum		9.0 calendar month maximum	standard units	twice per month	Grab	Jan-Dec	See the Monitoring Frequency and Ammonia Compressor/Cooling Systems sections of this permit for continuous monitoring requirements
SD 001 Class 2A, 2Bd, 2B, 2D	Phosphorus, Total (as P)					Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Mar, Jun, Sep, Dec	Facility specific limit per the Applicable Effluent Limitations - Total Phosphorus section of this permit. See specific facility NOCs.
SD 001 Class 2A, 2Bd, 2B, 2D	Temperature, Water (F)						Monitor only. calendar month maximum	degrees Fahrenheit	once per week	Measurement, Instantaneous	Jan-Dec	Facility specific limit per the Narrative Thermal Effluent Limitations section of this permit. See specific facility NOCs.
SD 002 Class 7	Flow		Monitor only. calendar month total	million gallons		Monitor only. calendar month average		million gallons per day	once per day	Measurement, Continuous	Jan-Dec	
SD 002 Class 7	pH				6.0 calendar month minimum		9.0 calendar month maximum	standard units	twice per month	Grab	Jan-Dec	See the Monitoring Frequency and Ammonia Compressor/Cooling Systems sections of this permit for continuous monitoring requirements
SD 002	Phosphorus,					Monitor		milligrams	once per	Grab	Mar,	Facility specific limit per the

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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	
Class 7	Total (as P)					only. calendar quarter average		per liter	quarter		Jun, Sep, Dec	Applicable Effluent Limitations - Total Phosphorus section of this permit. See specific facility NOCs.
SD 002 Class 7	Temperature, Water (F)						Monitor only. calendar month maximum	degrees Fahrenheit	once per week	Measurement, Instantaneous	Jan-Dec	Facility specific limit per the Narrative Thermal Effluent Limitations section of this permit. See specific facility NOCs.