



Minnesota Pollution Control Agency

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Richard

June 21, 2013

The Honorable John Jasinski
Mayor, City of Faribault
208 First Avenue Northwest
Faribault, MN 55021

RE: Final Minor Modified NPDES/SDS Permit Number MN0030121
Faribault Wastewater Reclamation Facility
T110N, R20W, Section 30, Faribault, Rice County, Minnesota

Dear Mayor Jasinski:

Enclosed is the final National Pollutant Discharge Elimination System (NPDES) / State Disposal System (SDS) Permit for your facility. This permit supersedes an earlier NPDES/SDS Permit that was issued on August 10, 2011.

Special attention should be directed to the following:

Chapter 3: Pretreatment

Your permit was modified to include the delegated pretreatment program requirements in the Pretreatment chapter. Your facility's pretreatment program delegation date was June 13, 2013.

Questions about your permit should be directed to the appropriate staff contacts listed on the first page of your permit.

Sincerely,

Aaron N. Luckstein
Supervisor, Southeast Regional Unit
Rochester Office
Municipal Division

ANL/NH:cme

Enclosure: Final Permit

cc: Henry Morgan, City of Faribault (w/enclosure)
Travis Block, City of Faribault (w/enclosure)
Lillie Davis, US EPA Region 5 (w/enclosure)
Jennifer Satnik, MPCA (w/enclosure)

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Facility Description

The Faribault Wastewater Reclamation Facility (Facility) is located in the NE¼ of the NE¼ of Section 30, Township 110 North, Range 20 West, Faribault, Rice County, Minnesota. This is a Class A facility.

The application indicates that the existing Facility consists of the following: fine screening, grit removal, four pre-aeration primary clarifiers, two trickling filters, two activated sludge aeration basins, two final clarifiers, ultraviolet disinfection, three anaerobic digesters, two biosolids storage lagoons, biosolids thickening, chemical addition for phosphorus removal, and odor control units. The Facility has a continuous discharge (SD003) to the Straight River (Class 2B, 3C, 4A, 4B, 5, 6 water) and then to the Cannon River, which is an Outstanding Resource Value Water (ORVW). The Facility is designed for an average wet weather (AWW) flow of 7.0 million gallons per day (mgd) with a five-day carbonaceous biochemical oxygen demand strength of 216 milligrams per liter. There are no bypass points at the Facility.

The Facility was upgraded between 1997 and 2000. The upgrades consisted of the addition of odor control units, trickling filter covers, a fine-bubble aeration system, two new final clarifiers, and replacement of the digester, heat exchanger, pumps, and chlorination /dechlorination system. The primary clarifiers were also rehabilitated. There was no change in the design parameters of the Facility as a result of the improvements. In addition, the Facility's outfall was relocated in 1999. The new location of the outfall is approximately 300 feet upstream of the previous location on the Straight River (i.e., the old SD002). Facility upgrades initiated in 2009 include chemical phosphorus treatment and replacement of the chlorination/dechlorination disinfection system with ultraviolet light disinfection. In addition, the administration building was upgraded along with the control building. Preliminary treatment was moved to a new headworks building. The primary clarifiers, diffusers, aeration basins, secondary clarifiers, post aeration equipment, and digesters were all rehabilitated. Positive displacement blowers were added, the effluent pump station capability was increased, trickling filter media was replaced and a sewage receiving station was installed.

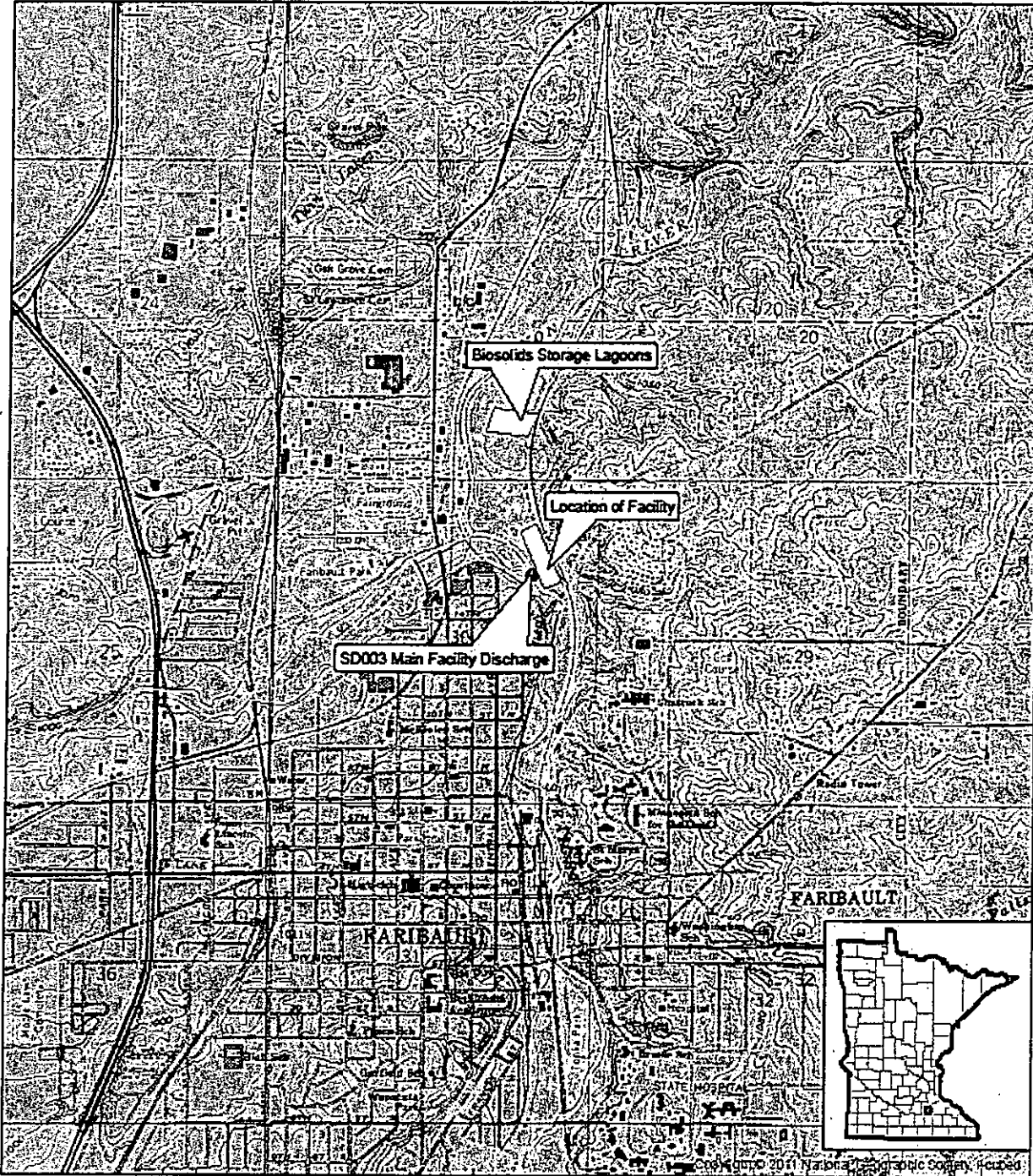
The location of the Facility is shown on the topographic map on page 5. The location of designated monitoring stations is specified on the "Summary of Stations" report on page 6.

In accordance with MPCA rules regarding nondegradation for all waters that are not ORVW, nondegradation review is required for any new or expanded significant discharge (Minn. R. 7050.0185). A significant discharge is 1) a new discharge (not in existence before January 1, 1988) that is greater than 200,000 gallons per day (gpd) to any water other than a Class 7 water, or 2) an expanded discharge that expands by greater than 200,000 gpd that discharges to any water other than a Class 7 water, or 3) a new or expanded discharge containing any toxic pollutant at a mass loading rate likely to increase the concentration of the toxicant in the receiving water by greater than one percent over the baseline quality. The flow rate used to determine significance is the design AWW flow. The January 1, 1988, design AWW flow for this facility is 7.0 mgd.

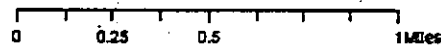
The discharge from the Facility is about one mile upstream of the point at which the ORVW segment of the Cannon River begins. This segment of the Cannon River was designated an ORVW on November 5, 1984. Because of the close proximity of the discharge to an ORVW, Minn. R. 7050.0180 (Nondegradation for ORVWs) must also be considered.

This permit also complies with Minn. R. 7053.0275, regarding anti-backsliding. Any point source discharger of sewage, industrial, or other wastes for which a National Pollutant Discharge Elimination System Permit has been issued by the MPCA that contains effluent limits more stringent than those that would be established by parts 7053.0215 to 7053.0265, shall continue to meet the effluent limits established by the permit, unless the Permittee establishes that less stringent effluent limits are allowable pursuant to federal law, under section 402(o) of the Clean Water Act, United States Code, Title 33, Section 1342.

Topographic Map of Permitted Facility
MN0030121, Faribault Wastewater Reclamation Facility
T110N, R20W, Section 30
Faribault, Rice County, Minnesota



Map produced by: MPCA Staff, 6/17/2013
Source: USGS Quad
Scale: 1:24,000



Faribault WWTP Summary of Stations

Surface Discharge Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
SD003	Effluent To Surface Water	Main Facility Discharge	SE Quarter of the NE Quarter of Section 30, Township 110 North, Range 20 West

Waste Stream Stations

<u>Station</u>	<u>Type of Station</u>	<u>Local Name</u>	<u>PLS Location</u>
WS001	Influent Waste	Influent Waste Stream	NE Quarter of the NE Quarter of Section 30, Township 110 North, Range 20 West

Limits and Monitoring Requirements

The Permittee shall comply with the limits and monitoring requirements as specified below

SD 003: Main Facility Discharge

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Bicarbonates (HCO ₃)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
BOD, Carbonaceous 05 Day (20 Deg C)	662	kg/day	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C)	25	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C)	1058	kg/day	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C)	40	mg/L	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C) Percent Removal	85	%	Minimum Calendar Month Average	Jan-Dec	Calculation	3 x Week	
Calcium, Total (as Ca)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Chloride, Total	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Fecal Coliform, MPN or Membrane Filter 44.5C	200	#100ml	Calendar Month Geometric Mean	Apr-Oct	Grab	3 x Week	
Flow	Monitor Only	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	mgd	Calendar Month Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Hardness, Calcium & Magnesium, Calculated (as CaCO ₃)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Magnesium, Total (as Mg)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Mercury, Total (as Hg)	Monitor Only	ng/L	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	2
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Sep	24-Hour Flow Composite	1 x Month	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Calendar Month Average	Apr, Sep	24-Hour Flow Composite	1 x Month	
Nitrogen, Kjeldahl, Total	Monitor Only	mg/L	Calendar Month Average	Apr, Sep	24-Hour Flow Composite	1 x Month	
Oxygen, Dissolved	4.0	mg/L	Calendar Month Minimum	Jan-Dec	Grab	1 x Day	1
pH	9.0	SU	Calendar Month Maximum	Jan-Dec	Grab	1 x Day	1
pH	6.0	SU	Calendar Month Minimum	Jan-Dec	Grab	1 x Day	1
Phosphorus, Total (as P)	Monitor Only	kg/day	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Phosphorus, Total (as P)	1.0	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Phosphorus, Total (as P)	9671	kg/yr	Calendar Year To Date Total	Jan-Dec	Calculation	3 x Week	4
Potassium, Total (as K)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Sodium, Total (as Na)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Solids, Total Dissolved (TDS)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5
Solids, Total Suspended (TSS)	794	kg/day	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	

Faribault WWTP Limits and Monitoring Requirements

The Permittee shall comply with the limits and monitoring requirements as specified below

SD 003: Main Facility Discharge

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Solids, Total Suspended (TSS)	30	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS)	1191	kg/day	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS)	45	mg/L	Maximum Calendar Week Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS) Percent Removal	85	%	Minimum Calendar Month Average	Jan-Dec	Calculation	3 x Week	
Specific Conductance	Monitor Only	umh/cm	Calendar Month Maximum	Jan-Dec	Measurement	1 x Month	5
Sulfate, Total (as SO4)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	1 x Month	5

WS 001: Influent Waste Stream

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	3 x Week	
Flow	Monitor Only	mgd	Calendar Month Average	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	mgd	Calendar Month Maximum	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Mercury, Total (as Hg)	Monitor Only	ng/L	Calendar Quarter Maximum	Jan-Dec	Grab	1 x Quarter	3
pH	Monitor Only	SU	Calendar Month Maximum	Jan-Dec	Grab	1 x Day	1
pH	Monitor Only	SU	Calendar Month Minimum	Jan-Dec	Grab	1 x Day	1
Phosphorus, Total (as P)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Precipitation	Monitor Only	in	Calendar Month Total	Jan-Dec	Measurement	1 x Day	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Average	Jan-Dec	24-Hour Flow Composite	3 x Week	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Calendar Month Maximum	Jan-Dec	24-Hour Flow Composite	3 x Week	

The Permittee shall comply with the limits and monitoring requirements as specified below

Notes:

- 1 -- Analyze immediately.
- 2 -- EPA method 1631, with clean techniques method 1669, and any revisions to those methods. Please refer to Chapter 1, Mercury Minimization Plan for further information.
- 3 -- EPA method 1631, with clean techniques method 1669, and any revisions to those methods. Please refer to Chapter 1, Mercury Minimization plan for further information.
- 4 -- For each month multiply total effluent flow (million gal) by monthly average effluent P (mg/L) and by 3.785 (conversion factor) to get P in kg/month. Then add all monthly values from first month of effective period to end date of reporting period.
- 5 -- Permittee may request a reduction in monitoring if after two years if the monitoring does not indicate a reasonable potential to exceed a water quality standard.

Chapter 1. Mercury Minimization Plan

1. Mercury Pollutant Minimization Plan

- 1.1 Mercury is present in all municipal and many industrial wastewater discharges. Mercury is a powerful neurotoxin that affects human health and the environment. A naturally-occurring element, mercury does not break down into less-harmful substances over time. Instead, mercury released into the environment accumulates in fish and animal tissues, a process known as bioaccumulation. Widespread mercury contamination has prompted the Minnesota Department of Health (MDH) to issue fish consumption advisories throughout the state. Most of Minnesota's impaired waters are contaminated by mercury and other bioaccumulative toxins. The MPCA is carefully evaluating all mercury discharges in the state.
- 1.2 The Permittee is required to complete and submit a Mercury Minimization Plan (MMP) to the MPCA as detailed in this section. If the Permittee has previously submitted a MMP, it must update its MMP and submit the updated MMP to the MPCA. The purpose of the MMP is to evaluate collection and treatment systems to determine possible sources of mercury as well as potential mercury reduction options. Guidelines for developing a MMP are detailed in this section.
- 1.3 The Permittee shall submit a Mercury Minimization Plan (MMP) by 180 days after permit issuance. At a minimum, the MMP must include the following:
- a) A summary of mercury influent and effluent concentrations and biosolids monitoring data using the most recent five years of monitoring data, if available.
 - b) Identification of existing and potential sources of mercury concentrations and/or loading to the facility. As appropriate for your facility, you should consider residential, institutional, municipal, and commercial sources (such as dental clinics, hospitals, medical clinics, nursing homes, schools, and industries with potential for mercury contributions). You should also consider other influent mercury sources, such as stormwater inputs, ground water (inflow & infiltration) inputs, and waste streams or sewer tributaries to the wastewater treatment facility.
 - c) An evaluation of past and present WWTF operations to determine those operating procedures that maximize mercury removal.
 - d) A summary of any mercury reduction activities implemented during the last five years.
 - e) A plan to implement mercury management and reduction measures during the next five years.
- 1.4 In addition to the sampling required in the Limits and Monitoring section of this permit, the Permittee shall sample influent for Total Mercury and effluent from the total facility discharge station for Total Mercury along with TSS on a quarterly basis throughout the life of this permit. The sampling method is a concurrent grab sample for the two parameters. Total Mercury shall be analyzed using an EPA approved low level mercury analysis method. Samples shall be taken at any time during the calendar quarter and effluent samples reported on the custom supplemental form provided by the MPCA. The custom supplemental form must be submitted with the DMR for the last month of each quarter.

Chapter 2. Whole Effluent Toxicity (WET) Testing - Chronic

1. General Requirements

- 1.1 The Permittee shall conduct annual chronic toxicity test batteries on Discharge SD003 beginning with the issuance date of the permit. The first set of annual results are due one year from the end of the calendar quarter of permit issuance and annually thereafter. (For example, if the permit is issued April 28, the first test results are due June 30 of the following year.)

Chapter 2. Whole Effluent Toxicity (WET) Testing - Chronic

1. General Requirements

- 1.2 Any test that exceeds 4.5 TUC shall be re-tested according to the Positive Toxicity Results requirement(s) that follow to determine if toxicity is still present above 4.5 TUC (RWC < 22%).

2. Species and Procedural Requirements

- 2.1 Tests shall be conducted in accordance with procedures outlined in EPA-821-R-02-013 "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" - Fourth Edition (Chronic Manual) and any revisions to the Manual. Any test that is begun with an effluent sample that exceeds a total ammonia concentration of 5 mg/l shall use the carbon dioxide-controlled atmosphere technique to control pH drift.
- 2.2 Test organisms for each test battery shall include the fathead minnow (*Pimephales promelas*)-Method 1000.0 and *Ceriodaphnia dubia*-Method 1002.0.
- 2.3 Static renewal chronic serial dilution tests of the effluent shall consist of a control, 6, 12, 25, 50 and 100% effluent. A 22% Receiving Water Concentration (RWC) may be substituted for the 25% effluent concentration or provided in addition to the above dilution series.
- 2.4 All effluent samples shall be flow-proportioned, 24-hour composites. Test solutions shall be renewed daily. Testing of the effluent shall begin within 36 hours of sample collection. Receiving water collected outside of the influence of discharge shall be used for dilution and controls. Chronic toxicity tests shall be conducted in accordance with procedures outlined in EPA-821-R-02-013 "Short-term Methods for Measuring the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" - Fourth Edition (Chronic Manual) and any revisions to the Manual.
- 2.5 Any other circumstances not addressed in the previous requirements or that require deviation from that specified in the previous requirements shall first be approved by the MPCA.

3. Quality Control and Report Submittals

- 3.1 Any test that does not meet quality control measures, or results which the Permittee believes reflect an artifact of testing shall be repeated within two (2) weeks. These reports shall contain information consistent with the report preparation section of the Chronic Manual. The MPCA shall make the final determination regarding test validity.

4. Positive Toxicity Result for WET

- 4.1 Should a test exceed 4.5 TUC for whole effluent toxicity based on results from the most sensitive test species, the Permittee shall conduct two repeat test batteries on all species. The repeat tests are to be completed within forty-five (45) days after completion of the positive test. These tests will be used to determine if toxicity exceeding 4.5 TUC remains present for any test species. If no toxicity is present above 4.5 TUC for any test species, the Permittee shall return to the test frequency specified by the permit. If the repeat test batteries indicate toxicity above 4.5 TUC for any test species, the Permittee shall submit for MPCA review a plan for conducting a Toxicity Reduction Evaluation (TRE), including the Facility Performance Review (to be submitted to the MPCA WQ Submittals Center within 60 days after toxicity discovery date) and, at a minimum, provide quarterly reports starting from the date of TRE submittal, regarding progress towards the identity, source, and any plans for the removal of the toxicity. The TRE shall be consistent with EPA guidance or subsequent procedures approved by the MPCA in attempting to identify and remove the source of the toxicity. Routinely scheduled chronic toxicity test batteries required in this permit section shall be suspended for the duration of the TRE. The return to routine chronic toxicity testing is subject to successful completion of conformation testing, as determined by the MPCA. Amendments to the initial TRE shall be approved by MPCA staff and the schedules identified therein.

Chapter 2. Whole Effluent Toxicity (WET) Testing - Chronic

5. WET Data and Test Acceptability Criteria (TAC) Submittal

5.1 All WET test data and TAC must be submitted to the MPCA by the dates required by this section of the permit using the following form(s) and associated instruction forms:

Minnesota Pollution Control Agency Acute Toxicity Test Report/ Minnesota Pollution Control Agency Ceriodaphnia dubia Chronic Toxicity Test Report/ Minnesota Pollution Control Agency Fathead Minnow Chronic Toxicity Test Report. Data not submitted on the correct form(s), or submitted incomplete, will be returned to the permittee and deemed incomplete until adequately submitted on the designated form (identified above). Data should be submitted to:

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

6. Permit Re-opening for WET

6.1 Based on the results of the testing, the permit may be modified to include additional toxicity testing and a whole effluent toxicity limit.

7. Whole Effluent Toxicity Requirement Definitions

7.1 "Chronic Whole Effluent Toxicity (WET) Test is a static renewal test conducted on an exponentially diluted series of effluent. The purpose is to calculate appropriate biological effect endpoints (NOEC/LOEC or IC25), specified in the referenced chronic manual. A statistical effect level less than or equal to the Receiving Water Concentration (RWC) constitutes a positive test for chronic toxicity. The RWC equals the 22 percent effluent concentration or 4.5 TUc.

7.2 "Chronic toxic unit (TUc)" is the reciprocal of the effluent dilution that causes no unacceptable effect on the test organisms by the end of the chronic exposure period. For example, a TUc equals $[\text{7Q10flow (mgd)} + \text{effluent average dry weather flow (mgd)}] / [\text{effluent average dry weather flow (mgd)}]$.

7.3 "Test" refers to an individual species.

7.4 "Test Battery" consists of WET testing of all test species for the specified test. For chronic WET testing, all test species includes Fathead minnows and ceriodaphnia dubia.

Chapter 3. Domestic Wastewater -- Pretreatment

1. Pretreatment - Definitions

1.1 For the purposes of these pretreatment requirements, "Significant Industrial User" (SIU) shall mean any industrial user (IU) which:

a. is subject to Categorical Pretreatment Standards, as defined in Minnesota Rules 7049.0120, subpart 5;

b. discharges 25,000 gallons per day or more of process wastewater, excluding sanitary, noncontact cooling or boiler blowdown wastewater, to the POTW;

c. contributes a process wastewater containing five percent or more of the flow or load of any pollutant of concern to the POTW treatment plant; or

d. is designated as significant by the Permittee on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

Chapter 3. Domestic Wastewater -- Pretreatment

2. Exemption

- 2.1 Industrial users qualifying as significant solely on the basis of criteria b. or c. above may be exempted from consideration as a SIU if the Permittee finds that they have no reasonable potential to adversely affect the POTW's operation or to violate pretreatment standards or requirements.
- 2.2 The Permittee must notify the MPCA in writing of any Industrial User so exempted and provide justification for their exemption.

3. Pretreatment - Delegated Authority

- 3.1 Under the authority of the General Pretreatment Regulations (40 CFR 403), the Permittee's pretreatment program was approved on June 13, 2013. The Permittee has been delegated authority to operate as the Publicly Owned Treatment Works (POTW) control authority under the General Pretreatment Regulations. The Permittee shall fully and effectively implement and operate the approved pretreatment program according to the legal authorities contained therein and the General Pretreatment Regulations.
- 3.2 In addition to the Prohibitions contained in the General Pretreatment Regulations and the approved program, the Permittee shall prohibit new discharges of non-contact cooling waters to the POTW unless there are no cost-effective alternatives.
- 3.3 Existing discharges of non-contact cooling water to the wastewater treatment facility shall be eliminated where elimination is cost effective, or where an infiltration/inflow analysis and sewer system evaluation survey indicate the need for such removal.
- 3.4 Pollutants of concern in the administration of the Permittee's pretreatment program shall be considered in the determination of the Significance of Industrial Users, monitoring of Significant Industrial Users, establishment of limitations on users, and communications with users. A pollutant of concern is a pollutant that is discharged, or may be discharged by an industrial user to the permittees treatment works and that is, or should be, of concern on the basis that it may cause interference or pass through as defined in Minnesota Rules 7049.0120, subparts 10 and 12.

4. Legal Authority

- 4.1 The Permittee shall maintain the legal authority that allows it to fully implement its approved pretreatment program in conformance with the requirements of the General Pretreatment Regulation.

5. Industrial Users Inventory

- 5.1 The Permittee shall update its inventory of Industrial Users at least annually and as needed to ensure that all SIUs are properly identified, characterized and categorized. The Permittee shall:
 - a. identify Industrial Users which may be subject to the POTW pretreatment program;
 - b. characterize the discharge of pollutants to the POTW by the Industrial User; and
 - c. determine the applicable categories for industrial users subject to National Categorical Pretreatment Standards.
- 5.2 Within 30 days of the designation of an Industrial User as significant, the Permittee shall notify the SIU of all applicable pretreatment standards and requirements. The Permittee shall also notify all Industrial Users of all applicable pretreatment standards and requirements, and the Industrial Users' obligation to comply with applicable requirements under Subtitles C and D of the Resource Conservation and Recovery Act (RCRA).

6. Local Limits

- 6.1 The Permittee shall develop, maintain and enforce specific local limits to implement the prohibitions listed in Minnesota Rules 7049.0140.

Chapter 3. Domestic Wastewater -- Pretreatment

6. Local Limits

6.2 The Permittee shall evaluate the need to revise local limits to effectively implement these prohibitions at least once during the term of this permit. Prior to the expiration date of this permit, the permittee shall submit, for approval, a report on the evaluation. If the evaluation determines that a more restrictive local limit is needed, the permittee shall submit for approval a suggested schedule for amending the permittee's local limits.

6.3 The evaluation shall include a pollutant mass balance for all pollutants of concern. The mass balance shall attempt to balance the source of the pollutants (Industrial Users and other sources), the measured headworks loading of the pollutants and the fates of the pollutants (discharge, biosolids and others). The mass balance shall make use of all available and appropriate monitoring data.

The permittee shall, for all pollutants of concern, obtain sufficient data to allow the permittee to evaluate the need for local limits and to set local limits if they are needed. Monitoring shall be done at a sensitivity adequate to evaluate the need for local limits and set local limits if needed.

7. Permit Significant Industrial Users

7.1 The Permittee shall issue and reissue permits to all existing SIUs within 180 days of expiration of the existing SIU permit for existing SIUs, or identification of a new SIU. The permit shall contain at least the following:

a. a statement of duration (no longer than five (5) years);

b. a statement of nontransferability without prior approval by the POTW, and provision of a copy of the existing permit to the new owner or operator;

c. discharge limits based on applicable prohibited discharges in Minnesota Wastewater Pretreatment Rules (Minn. R. 7049.0140), National Categorical Pretreatment Standards, and local limits and local discharge prohibitions;

d. self-monitoring, sampling, reporting, notification and record keeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency and sample type; and

e. a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements; and any applicable compliance schedule.

7.2 The Permittee may not extend the compliance date beyond applicable federal deadlines in any compliance schedule.

8. Compliance Monitoring and Inspections

8.1 The Permittee shall randomly sample and analyze the discharge from Industrial Users and conduct surveillance activities to identify, independent of information supplied by Industrial Users, noncompliance with pretreatment standards. The Permittee shall inspect and sample the discharge from each SIU at least once a year.

8.2 The Permittee shall evaluate whether each SIU needs a plan to control spill and slug discharges as provided in Minnesota Rules 7049.0830 G. Where a control plan is determined to be needed, the Permittee shall require, in the permit issued to the industrial user, that the industrial user develop and implement such a plan.

9. Industrial User Reports

9.1 The Permittee shall receive and analyze self-monitoring reports and other reports and notices submitted by Industrial Users in accordance with requirements contained in permits issued by the Permittee and in accordance with the General Pretreatment Regulation.

Chapter 3. Domestic Wastewater -- Pretreatment

10. Enforcement Actions

- 10.1 The Permittee shall investigate instances of noncompliance with pretreatment standards and requirements as indicated by reports submitted by Industrial Users, by information collected by the Permittee or by other means.
- 10.2 The Permittee shall collect samples, analyze data and compile information in a manner to ensure accuracy and admissibility in enforcement proceedings and judicial actions.
- 10.3 In instances of noncompliance, the Permittee shall take effective enforcement action in accordance with the approved enforcement response plan.

11. Data Management and Record Keeping

- 11.1 The Permittee shall maintain records documenting pretreatment activities. These records shall contain an inventory of industrial users, characterization of discharges, compliance status, permit status, and records of enforcement actions.
- 11.2 The Permittee shall retain all records of monitoring activities and results for at least three (3) years and shall make the records available to EPA and the MPCA upon request.

12. Public Participation

- 12.1 The Permittee shall comply with public participation requirements of 40 CFR 25 in the enforcement of national pretreatment standards.
- 12.2 The Permittee shall, once a year, publish the names of Industrial Users that were in significant noncompliance with pretreatment requirements, as defined in Minnesota Rules 7049.0120, subpart 25, any time during the previous twelve (12) months.
- 12.3 All industrial discharge data shall be made available to the public upon request.

13. Program Resources

- 13.1 The Permittee shall acquire sufficient resources and qualified personnel to carry out the program implementation procedures described in this permit.

14. Program Modification

- 14.1 The Permittee shall submit to the MPCA a statement of the basis for desired program modifications and a modified program description for all substantial modifications as defined in Minnesota Rules 7049.0980. The Permittee must await formal approval from the MPCA before implementing substantial program modifications.
- 14.2 The Permittee shall notify the MPCA of non-substantial modifications to its pretreatment program at least 45 days prior to implementing the modification.
- 14.3 Non-substantial modifications are deemed approved unless the MPCA notifies the Permittee otherwise within 45 days.

15. Notification Requirements

- 15.1 The Permittee shall notify the MPCA of planned or actual changes in the discharges from SIUs which will require changes to the user's control document and which may affect the Permittee's effluent.
- 15.2 The Permittee shall supply the MPCA with information regarding the discharge, compliance status, or enforcement actions taken for any industrial user upon request.

Chapter 3. Domestic Wastewater -- Pretreatment

16. Pretreatment Annual Report

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

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

The report shall describe the Permittee's pretreatment activities during the previous calendar year and is due on February 28 of each year and shall contain at least the following information.

16.2 The Pretreatment Annual Report shall describe the pretreatment activities during the previous calendar year and shall contain the following lists:

- a. An updated list of the Permittee's significant industrial users including their names, addresses, any applicable federal categorical standards, and a summary total of significant industrial users and categorical industrial users.
- b. A separate list of deletions from and additions to previously submitted lists of SIUs, with a brief explanation for each deletion.
- c. A list of SIUs with expired permits.

16.3 The Pretreatment Annual Report shall contain the following descriptions:

a. A characterization of the compliance status of each SIU during the reporting year. The compliance characterization shall at least indicate status as follows:

- 1) no violations noted with discharge limits, and compliance with monitoring and reporting requirements is sufficient to determine compliance with discharge limitations;
- 2) violations were noted with discharge limits, or violations of monitoring and reporting requirements that may have impaired the Permittee's ability to determine compliance with discharge limitations were noted, but the noncompliance does not meet the definition of significant noncompliance as referenced below;
- 3) significant noncompliance (as defined by 40 CFR 403.8(f)(2)(vii)); or
- 4) status unknown.

b. A description of the standards or requirements that were violated for SIUs that are out of compliance with pretreatment standards. For an SIU in significant noncompliance, the characterization shall note the reason for the significant violations (if known) and whether the SIU is on a compliance schedule. If the SIU is on a compliance schedule, the date of final compliance shall be noted in the report.

c. A description of any upsets, interference, or pass through incidents at the POTW which the Permittee knows or suspects were caused by Industrial Users of the POTW system. The description shall include the reasons why the incidents occurred, the corrective actions taken, and the Industrial Users responsible, if known.

16.4 The permittee shall, for all pollutants of concern, obtain sufficient data to allow the permittee to evaluate the need for local limits, and shall set local limits if they are needed. Monitoring shall be done at a sensitivity adequate to evaluate the need for local limits and set local limits if they are needed.

Chapter 3. Domestic Wastewater -- Pretreatment

16. Pretreatment Annual Report

16.5 The Pretreatment Annual Report shall contain the following summaries:

- a. A summary of the discharge monitoring data for each SIU for the reporting year. This summary shall include all available data and shall accurately represent the discharge by the user.
- b. A summary of the inspection and sampling activities conducted by the POTW during the reporting year to gather information and data regarding Industrial Users. The summary shall include identification of the Industrial Users subject to surveillance by the POTW and an indication of the type (inspection or sampling) and the number of surveillance activities performed.
- c. A summary of the enforcement actions by the POTW during the reporting year. The summary shall include the names and addresses of the Industrial Users that were the subject of enforcement action, the enforcement action taken, and whether the Industrial User has returned to compliance.
- d. A summary of the Permittee's pretreatment budget for the reporting year, including the cost of personnel, equipment and services employed in the pretreatment program.
- e. A summary of public participation activities to involve and inform the public. This shall include a copy of the annual publication of significant noncompliance, if such publication was needed to comply with 40 CFR 403.8(f)(2)(vii).

Chapter 4. Domestic Wastewater -- Mechanical System

1. Bypass Structures

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

2. Sanitary Sewer Extension Permit

- 2.1 The Permittee may be required to obtain a Sanitary Sewer Extension Permit from the MPCA prior to the start of construction of any addition, extension or replacement to the sanitary sewer. If a sewer extension permit is required, no construction of any part of the system may begin until that permit has been issued.

3. Operator Certification

- 3.1 The Permittee shall provide a Class A state certified operator who is in direct responsible charge of the operation, maintenance and testing functions required to ensure compliance with the terms and conditions of this permit.
- 3.2 The Permittee shall provide the appropriate number of operators with a Type IV certification to be responsible for the land application of biosolids or semisolids from commercial or industrial operations.
- 3.3 If the Permittee chooses to meet operator certification requirements through a contractual agreement, the Permittee shall provide a copy of the contract to the MPCA, WQ Submittals Center. The contract shall include the certified operator's name, certificate number, company name if appropriate, the period covered by the contract and provisions for renewal; the duties and responsibilities of the certified operator; the duties and responsibilities of the permittee; and provisions for notifying the MPCA 30 days in advance of termination if the contract is terminated prior to the expiration date.
- 3.4 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

Chapter 5. Biosolids Land Application

1. Authorization

- 1.1 This permit authorizes the Permittee to store and land apply domestic wastewater treatment biosolids in accordance with the provisions in this chapter and Minnesota Rules, ch. 7041.
- 1.2 Permittees who prepare bulk biosolids must obtain approval of the sites on which bulk biosolids are applied before they are applied unless they are exceptional quality biosolids. Site application procedures are set forth in Minnesota Rules, pt. 7041.0800.

2. Compliance Responsibility

- 2.1 The Permittee is responsible for ensuring that the applicable requirements in this chapter and Minnesota Rules ch. 7041 are met when biosolids are prepared, distributed, or applied to the land.

3. Notification Requirements

- 3.1 The Permittee shall provide information needed to comply with the biosolids requirements of Minnesota Rules, ch. 7041 to others who prepare or use the biosolids.

4. Pollutant Limits

- 4.1 Biosolids which are applied to the land must not exceed the ceiling concentrations in Table 1 and must not be applied so that the cumulative amounts of pollutant in Table 2 are exceeded.

Table 1 Ceiling Concentrations (dry weight basis)

Parameter in units mg/kg

Arsenic 75

Cadmium 85

Copper 4300

Lead 840

Mercury 57

Molybdenum 75

Nickel 420

Selenium 100

Zinc 7500

Table 2 Cumulative Loading Limits

Parameter in units lbs/acre

Arsenic 37

Cadmium 35

Copper 1339

Lead 268

Mercury 15

Molybdenum not established*

Nickel 375

Selenium 89

Zinc 2500

*The cumulative limit for molybdenum has not been established at the time of permit issuance

5. Pathogen and Vector Attraction Reduction

- 5.1 Biosolids shall be processed, treated, or be incorporated or injected into the soil to meet one of the vector attraction reduction requirements in Minnesota Rules, pt. 7041.1400.

Chapter 5. Biosolids Land Application

5. Pathogen and Vector Attraction Reduction

- 5.2 Biosolids shall be processed or treated by one of the alternatives in Minnesota Rules, pt. 7041.1300 to meet the Class A or Class B standards for the reduction of pathogens. When Class B biosolids are applied to the land, the site restrictions in Minnesota Rules, pt. 7041.1300 must also be met.
- 5.3 The minimum duration between application and harvest, grazing or public access to areas where Class B biosolids have been applied to the land is as follows:
- 14 months for food crops whose harvested parts may touch the soil/biosolids mixture (such as melons, squash, tomatoes, etc.), when biosolids are surface applied, incorporated or injected.
 - 20 months or 38 months depending on the application method for food crops whose harvested parts grow in the soil (such as potatoes, carrots, onions, etc.). The 20 month time period is required when biosolids are surface applied or surface applied and incorporated after they have been on the soil surface for at least four (4) months. The 38 month time period is required when the biosolids are injected or surface applied and incorporated within four (4) months of application.
 - 30 days for feed crops, other food crops (such as field corn, sweet corn, etc.), hay or fiber crops when biosolids are surface applied, incorporated or injected.
 - 30 days for grazing of animals when biosolids are surface applied, incorporated or injected.
 - One year where there is a high potential for public contact with the site, (such as a reclamation site located in populated areas, a construction site located in a city, turf farms, plant nurseries, etc.) and 30 days where there is low potential for public contact (such as agricultural land, forest, a reclamation site located in an unpopulated area, etc.) when biosolids are surface applied, incorporated, or injected.

6. Management Practices

- 6.1 The management practices for the land application of biosolids are described in detail in Minnesota Rules, pt. 7041.1200 and must be followed unless specified otherwise in a site approval letter or a permit issued by the MPCA.
- 6.2 Overall management requirements:
- Biosolids must not be applied to the land if it is likely to adversely affect a threatened or endangered species listed under Section 4 of the Endangered Species Act or its designated critical habitat.
 - Biosolids must not be applied to flooded, frozen or snow covered ground so that the biosolids enter wetlands or other waters of the state.
 - Biosolids must be applied at an agronomic rate unless specified otherwise by the MPCA in a permit.
 - Biosolids shall not be applied within 33 feet of a wetland or waters of the state unless specified otherwise by the MPCA in a permit.

7. Monitoring Requirements

- 7.1 Representative samples of biosolids applied to the land must be analyzed by methods specified in Minnesota Rule pt. 7041.3200 for the following parameters: arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, zinc, Kjeldahl nitrogen, ammonia nitrogen, total solids, volatile solids, phosphorus, potassium and pH.

Chapter 5. Biosolids Land Application

7. Monitoring Requirements

- 7.2 At a minimum, biosolids must be monitored at the frequencies specified in Table 3 for the parameters listed above, and any pathogen or vector attraction reduction requirements in Minnesota Rules, pts. 7041.1300 and 7041.1400 if used to determine compliance with those parts.

Table 3 Minimum Sampling Frequencies

Biosolids Applied* (metric tons/365-day period)	Biosolids Applied* (tons/365-day period)	Frequency (times/365-day period)
>0 but <290	>0 but <320	1
>=290 but <1,500	>=320 but <1,650	4
>=1,500 but <15,000	>=1,650 but <16,500	6
>=15,000	>=16,500	12

* Either the amount of bulk biosolids applied to the land or the amount of biosolids received by a person who prepares biosolids that are sold or given away in a bag or other container for application to the land (dry weight basis).

- 7.3 Representative samples of biosolids that are transferred to storage units and are stored for more than two years shall be analyzed by methods specified in Minnesota Rule pt. 7041.3200 for each cropping year they are stored for the following parameters: arsenic, cadmium, copper, lead, molybdenum, nickel, selenium, and zinc. Mercury is specifically NOT included in the stored biosolids analysis because of the short holding time [28 days] required between sampling and analysis.
- 7.4 Increased sampling frequencies are specified for the parameters listed in Table 4. Sampling at a frequency at twice the minimum frequencies in Table 3 is required if concentrations listed in Table 4 are exceeded (based on the average of all analyses made during the previous cropping year).

Table 4 Increased Frequency of Sampling

Parameter (mg/kg dry weight basis)
Arsenic 38
Cadmium 43
Copper 2150
Lead 420
Mercury 28
Molybdenum 38
Nickel 210
Selenium 50
Zinc 3750

8. Records

- 8.1 The Permittee shall keep records of the information necessary to show compliance with pollutant concentrations and loadings, pathogen reduction requirements, vector attraction reduction requirements and management practices as specified in Minnesota Rules, pt. 7041.1600, as applicable to the quality of biosolids produced.

9. Reporting Requirements

- 9.1 By December 31 following the end of each cropping year, the Permittee shall submit a Biosolids Annual Report for the land application of biosolids on a form provided by or approved by the MPCA. The report shall include the requirements in Minnesota Rules, part 7041.1700.

Chapter 5. Biosolids Land Application

9. Reporting Requirements

- 9.2 If, during any cropping year, biosolids were transferred, or not land applied, the Permittee shall submit a Biosolids Annual Report by December 31 following the end of the cropping year. The report shall state that biosolids were not land applied, how much was generated, and where they were transferred to.
- 9.3 For biosolids that are stored for more than two years, the Biosolids Annual Report must also include the analytical data from the representative sample of the biosolids generated during the cropping year.
- 9.4 The Permittee shall submit the Biosolids Annual Report to:
- Biosolids Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
- 9.5 The Permittee must notify the MPCA in writing when 90 percent or more of any of the cumulative pollutant loading rates listed for any Land Application Sites has been reached for a site.

Chapter 6. Waste Stream Stations

1. Requirements for Specific Stations

- 1.1 WS 001: Submit a monthly DMR by 21 days after the end of each calendar month following permit issuance.

2. Sampling Location

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

Chapter 7. Surface Discharge Stations

1. Requirements for Specific Stations

- 1.1 SD 003: Submit a monthly DMR by 21 days after the end of each calendar month following permit issuance.

2. Special Requirements

Phosphorus Limits

- 2.1 The final limits for phosphorus will become effective on December 31, 2011.
- 2.2 The Calendar Year to Date Total Phosphorus limit in units of kg/year is calculated as follows: For each month, multiply the total volume of effluent flow (in million gallons) by the monthly average concentration of effluent Phosphorus (in mg/L) and by a 3.785 conversion factor to get Phosphorus in units of kg/month. Then add all monthly values from the first month in the effective period to the end date of the reporting period. For example, if the "effective period" is Jan-Dec and the reporting period ends June 30th, add the monthly values from January through June and report that value as the Calendar Year to Date Total.

Intervention Limits

- 2.3 The Permittee shall maintain its annual average phosphorus concentration at a level no higher than the annual average concentration over the three years prior to August 1, 2005, plus one standard deviation, as defined in the Limits and Monitoring section of this permit. In the event that the Permittee exceeds this annual average intervention limit in any year on an annual average basis, the Permittee shall contact the MPCA in writing within 30 days and report the exceedence. This written notification shall include a detailed description of the PMP amendments the Permittee shall immediately implement to achieve the operation goal detailed in the PMP.

Chapter 7. Surface Discharge Stations

2: Special Requirements

Salty Discharge Parameters

- 2.4 If monitoring results indicate a reasonable potential to exceed a water quality standard for any of the parameters of Chloride, Ca and Mg Hardness as CaCO₃, Specific Conductance, Total Dissolved Salts (AKA:solids), Sulfates as SO₄, Bicarbonates, Sodium, Calcium, Magnesium, Potassium and Total Salinity at 25 C, the permittee will be required to submit application for a permit modification and a compliance schedule (if appropriate) will be added to the permit to ensure progress towards meeting the standards. The compliance schedule will contain a requirement that the facility either demonstrate compliance with the standard as soon as possible or submit a variance request with the application for permit reissuance.
- 2.5 The Permittee may request a reduction in monitoring of these parameters if, after two years of data, the monitoring does not indicate a reasonable potential to exceed a limit.

3. Sampling Location

- 3.1 Samples and measurements required by this permit shall be representative of the monitored activity.

4. Surface Discharges

- 4.1 Floating solids or visible foam shall not be discharged in other than trace amounts.
- 4.2 Oil or other substances shall not be discharged in amounts that create a visible color film.
- 4.3 The Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion.

5. Priority Pollutants - Monitoring Requirements

- 5.1 The Permittee shall monitor the effluent three times in the life of the permit for the following specified priority pollutants. Sampling events shall not be less than one year apart.

Monitoring shall be for the organic priority pollutants identified under the volatile, acid, base/neutral, and pesticide fractions using EPA methods 624, 625 and 608 (40 CFR Part 136, October 25, 1984) as listed in Table II of 40 CFR Part 122, Appendix D.

The following priority pollutant total metals shall also be monitored using either EPA method 200.8 or their corresponding graphite furnace method found in Table IB of 40 CFR Part 136: antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, and zinc. In addition, the Permittee shall monitor for Total Cyanide (EPA method 335), Total Phenolic Compounds (EPA method 420), and Hardness (total as CaCO₃) (EPA method 130). Total Mercury shall be monitored by EPA method 1631, if not already required by the permit.

- 5.2 Submit the results of the first sampling event no later than three years prior to the expiration date of this permit.
- 5.3 Submit the results of the second sampling event no later than two years prior to the expiration date of this permit.
- 5.4 Submit the results of the third or final sampling event no later than one year prior to the expiration date of this permit.

6. Discharge Monitoring Reports

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

Chapter 8. Total Facility Requirements

1. General Requirements

General Requirements

- 1.1 Incorporation by Reference. The following applicable federal and state laws are incorporated by reference in this permit, are applicable to the Permittee, and are enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. pts. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. Sec. 115 and 116.
- 1.2 Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by the permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the Agency. (Minn. R. 7001.0150, subp. 3, item E)
- 1.3 Toxic Discharges Prohibited. Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to Code of Federal Regulations, Title 40, sections 400 to 460 and Minnesota Rules 7050, 7052, 7053 and any other applicable MPCA rules. (Minn. R. 7001.1090, subp.1, item A)
- 1.4 Nuisance Conditions Prohibited. The Permittee's discharge shall not cause any nuisance conditions including, but not limited to: floating solids, scum and visible oil film, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. (Minn. R. 7050.0210 subp. 2)
- 1.5 Property Rights. This permit does not convey a property right or an exclusive privilege. (Minn. R. 7001.0150, subp. 3, item C)
- 1.6 Liability Exemption. In issuing this permit, the state and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under this permit. To the extent the state and the MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act. (Minn. R. 7001.0150, subp. 3, item O)
- 1.7 The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what is authorized by Minnesota Statutes. (Minn. R. 7001.0150, subp.3, item D)
- 1.8 Liabilities. The MPCA's issuance of this permit does not release the Permittee from any liability, penalty or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. (Minn. R. 7001.0150, subp.3, item A)
- 1.9 The issuance of this permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. (Minn. R. 7001.0150, subp.3, item B)
- 1.10 Severability. The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.
- 1.11 Compliance with Other Rules and Statutes. The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility.
- 1.12 Inspection and Entry. When authorized by Minn. Stat. Sec. 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. (Minn. R. 7001.0150, subp.3, item I)

Chapter 8. Total Facility Requirements

1. General Requirements

1.13 Control Users. The Permittee shall regulate the users of its wastewater treatment facility so as to prevent the introduction of pollutants or materials that may result in the inhibition or disruption of the conveyance system, treatment facility or processes, or disposal system that would contribute to the violation of the conditions of this permit or any federal, state or local law or regulation.

Sampling

1.14 Representative Sampling. Samples and measurements required by this permit shall be conducted as specified in this permit and shall be representative of the discharge or monitored activity. (40 CFR 122.41 (j)(1))

1.15 Additional Sampling. If the Permittee monitors more frequently than required, the results and the frequency of monitoring shall be reported on the Discharge Monitoring Report (DMR) or another MPCA-approved form for that reporting period. (Minn. R. 7001.1090, subp. 1, item E)

1.16 Certified Laboratory. A laboratory certified by the Minnesota Department of Health shall conduct analyses required by this permit. Analyses of dissolved oxygen, pH, temperature and total residual oxidants (chlorine, bromine) do not need to be completed by a certified laboratory but shall comply with manufacturers specifications for equipment calibration and use. (Minn. Stat. Sec. 144.97 through 144.98 and Minn. R. 4740.2010 and 4740.2050 through 4740.2120) (Minn. R. 4740.2010 and 4740.2050 through 2120)

1.17 Sample Preservation and Procedure. Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200.

1.18 Equipment Calibration: Flow meters, pumps, flumes, lift stations or other flow monitoring equipment used for purposes of determining compliance with permit shall be checked and/or calibrated for accuracy at least twice annually. (Minn. R. 7001.0150, subp. 2, items B and C)

1.19 Maintain Records. The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following information (Minn. R. 7001.0150, subp. 2, item C):

- a. The exact place, date, and time of the sample or measurement;
- b. The date of analysis;
- c. The name of the person who performed the sample collection, measurement, analysis, or calculation; and
- d. The analytical techniques, procedures and methods used; and
- e. The results of the analysis.

Chapter 8. Total Facility Requirements

1. General Requirements

1.20 **Completing Reports.** The Permittee shall submit the results of the required sampling and monitoring activities on the forms provided, specified, or approved by the MPCA. The information shall be recorded in the specified areas on those forms and in the units specified. (Minn. R. 7001.1090, subp. 1, item D; Minn. R. 7001.0150, subp. 2, item B)

Required forms may include:

DMR Supplemental Form

Individual values for each sample and measurement must be recorded on the DMR Supplemental Form which, if required, will be provided by the MPCA. DMR Supplemental Forms shall be submitted with the appropriate DMRs. You may design and use your own supplemental form; however it must be approved by the MPCA. Note: Required summary information MUST also be recorded on the DMR. Summary information that is submitted ONLY on the DMR Supplemental Form does not comply with the reporting requirements.

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

MPCA

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

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

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

MPCA

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

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

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

Chapter 8. Total Facility Requirements

1. General Requirements

- 1.24 **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 concentration shall be reported as "<0.1 mg/L." "Non-detected," "undetected," "below detection limit," and "zero" are unacceptable reporting results, and are permit reporting violations. (Minn. R. 7001.0150, subp. 2, item B)

Where sample values are less than the level of detection and the permit requires reporting of an average, the Permittee shall calculate the average as follows:

- a. If one or more values are greater than the level of detection, substitute zero for all nondetectable values to use in the average calculation.
- b. If all values are below the level of detection, report the averages as "<" the corresponding level of detection.
- c. Where one or more sample values are less than the level of detection, and the permit requires reporting of a mass, usually expressed as kg/day, the Permittee shall substitute zero for all nondetectable values. (Minn. R. 7001.0150, subp. 2, item B)

- 1.25 **Records.** The Permittee shall, when requested by the Agency, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. (Minn. R. 7001.0150, subp. 3, item H)

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

Noncompliance and Enforcement

- 1.27 **Subject to Enforcement Action and Penalties.** Noncompliance with a term or condition of this permit subjects the Permittee to penalties provided by federal and state law set forth in section 309 of the Clean Water Act, United States Code, title 33, section 1319, as amended; and in Minn. Stat. Sec. 115.071 and 116.072, including monetary penalties, imprisonment, or both. (Minn. R. 7001.1090, subp. 1, item B)
- 1.28 **Criminal Activity.** The Permittee may not knowingly make a false statement, representation, or certification in a record or other document submitted to the Agency. A person who falsifies a report or document submitted to the Agency, or tampers with, or knowingly renders inaccurate a monitoring device or method required to be maintained under this permit is subject to criminal and civil penalties provided by federal and state law. (Minn. R. 7001.0150, subp. 3, item G., 7001.1090, subps. 1, items G and H and Minn. Stat. Sec. 609.671)
- 1.29 **Noncompliance Defense.** It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (40 CFR 122.41(c))
- 1.30 **Effluent Violations.** If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. Violations that are determined to pose a threat to human health or a drinking water supply, or represent a significant risk to the environment shall be immediately reported to the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 (toll free) or (651)649-5451 (metro area). In addition, you may also contact the MPCA during business hours. Otherwise the violations and the results of any additional sampling shall be recorded on the next appropriate DMR or report.

Chapter 8. Total Facility Requirements

1. General Requirements

- 1.31 Unauthorized Releases of Wastewater Prohibited. Except for conditions specifically described in Minn. R. 7001.1090, subp. 1, items J and K, all unauthorized bypasses, overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, are prohibited. However, the MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. (40 CFR 122.41 and Minn. Stat. Sec 115.061)
- 1.32 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).
 - 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 released materials or substances cannot be immediately or completely recovered, the Permittee shall contact the MPCA. If directed by the MPCA, the Permittee shall consult with other local, state or federal agencies (such as the Minnesota Department of Natural Resources and/or the Wetland Conservation Act authority) for implementation of additional clean-up or remediation activities in wetland or other sensitive areas.
 - d. Collect representative samples of the release. The Permittee shall sample the release for parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, Fecal Coliform Bacteria samples shall be collected where it is determined by the Permittee that the release contains or may contain sewage. If the release cannot be immediately stopped, the Permittee shall consult with MPCA regarding additional sampling requirements. Samples shall be collected at least, but not limited to, two times per week for as long as the release continues.
 - e. Submit the sampling results as directed by the MPCA. At a minimum, the results shall be submitted to the MPCA with the next DMR.
- 1.33 Upset Defense. In the event of temporary noncompliance by the Permittee with an applicable effluent limitation resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the Agency as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence:
- 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, item I; and
 - f. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J.

Chapter 8. Total Facility Requirements

1. General Requirements

Operation and Maintenance

- 1.34 The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible Minn. R. 7001.0150. subp. 3, item F.
- 1.35 In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail its discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until the wastewater treatment facility has been restored or until an alternative method of treatment is provided. (Minn. R. 7001.1090, subp. 1, item C)
- 1.36 Solids Management. The Permittee shall properly store, transport, and dispose of biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or ground waters of the state. Solids should be disposed of in accordance with local, state and federal requirements. (40 CFR 503 and Minn. R. 7041 and applicable federal and state solid waste rules)
- 1.37 Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality, except where emergency maintenance is required to prevent a condition that would be detrimental to water quality or human health. (Minn. R. 7001.0150. subp. 3, item F and Minn. R. 7001.0150. subp. 2, item B)
- 1.38 Control Tests. In-plant control tests shall be conducted at a frequency adequate to ensure compliance with the conditions of this permit. (Minn. R. 7001.0150. subp. 3, item F and Minn. R. 7001.0150. subp. 2, item B)

Changes to the Facility or Permit

- 1.39 Permit Modifications. No person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the Agency has issued a written permit for the facility or activity. (Minn. R. 7001.0030)

Permittees that propose to make a change to the facility or discharge that requires a permit modification must follow Minn. R. 7001.0190. If the Permittee cannot determine whether a permit modification is needed, the Permittee must contact the MPCA prior to any action. It is recommended that the application for permit modification be submitted to the MPCA at least 180 days prior to the planned change.
- 1.40 Construction. No construction shall begin until the Permittee receives written approval of plans and specifications from the MPCA (Minn. Stat. Sec. 115.03(f)).

Plans, specifications and MPCA approval are not necessary when maintenance dictates the need for installation of new equipment, provided the equipment is the same design size and has the same design intent. For instance, a broken pipe, lift station pump, aerator, or blower can be replaced with the same design-sized equipment without MPCA approval.

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

Chapter 8. Total Facility Requirements

1. General Requirements

- 1.41 Report Changes. The Permittee shall give advance notice as soon as possible to the MPCA of any substantial changes in operational procedures, activities that may alter the nature or frequency of the discharge, and/or material factors that may affect compliance with the conditions of this permit. (Minn. R. 7001.0150, subp. 3, item M)
- 1.42 Chemical Additives. The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit, in quantities or concentrations that have the potential to change the characteristics, nature and/or quality of the discharge.

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

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

- a. The process for which the additive will be used;
- b. Material Safety Data Sheet (MSDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive;
- c. A complete product use and instruction label;
- d. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive (If the MSDS does not include information on chemical composition, including percentages for each ingredient totaling to 100%, the Permittee shall contact the supplier to have this information provided); and
- e. The proposed method of application, application frequency, concentration, and daily average and maximum rates of use.

Upon review of the information submitted regarding the proposed chemical additive, the MPCA may require additional information be submitted for consideration. This permit may be modified to restrict the use or discharge of a chemical additive and include additional influent and effluent monitoring requirements.

Approval for the use of an additive shall not justify the exceedance of any effluent limitation nor shall it be used as a defense against pollutant levels in the discharge causing or contributing to the violation of a water quality standard. (Minn. R. 7001.0170)

- 1.43 MPCA Initiated Permit Modification, Suspension, or Revocation. The MPCA may modify or revoke and reissue this permit pursuant to Minn. R. 7001.0170. The MPCA may revoke without reissuance this permit pursuant to Minn. R. 7001.0180.
- 1.44 TMDL Impacts. Facilities that discharge to an impaired surface water, watershed or drainage basin may be required to comply with additional permits or permit requirements, including additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR 122.44.1.2.i., necessary to ensure consistency with the assumptions and requirements of any applicable US EPA approved wasteload allocations resulting from Total Maximum Daily Load (TMDL) studies.
- 1.45 Permit Transfer. The permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit. (Minn. R., 7001.0150, subp. 3, item N)

Chapter 8. Total Facility Requirements

1. General Requirements

1.46 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. Sec. 116.07, subd. 4)

1.47 Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for reissuance at least 180 days before permit expiration. If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration.

If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160):

- a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit;
- b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit;
- c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies.

This checklist is intended to assist you in tracking the reporting requirements of your permit. However, it is only an aid. PLEASE CONSULT YOUR PERMIT FOR THE EXACT REQUIREMENTS.

Please note: This checklist only details submittal requirements for the next five years. DMRs, Annual Reports, and many other submittals are required even after the expiration date of this permit, and continue to be due until the permit is either reissued or terminated.

Submit eDMRs:

Submit eDMRs via the MPCA Online Services
Portal at: <https://netweb.pca.state.mn.us/private/>

Submit other WQ reports to:

Attention: Submittals Center
Minnesota Pollution Control Agency
520 Lafayette Rd N
St. Paul, MN 55155

MPCA Staff Contacts:

For eDMR-related questions:
Jennifer Satnik at (651)757-2692
For other questions:
Joseph Braun at (218)846-8107

2013

- Submit DMR (due before Jun 22)
- Submit DMR (due before Jul 22)
- Submit the results of the first priority pollutant sampling event (due before Jul 31) (Permit Req't. 7.5.2)
- Submit DMR (due before Aug 22)
- Submit DMR (due before Sep 22)
- Submit DMR (due before Oct 22)
- Submit DMR (due before Nov 22)
- Submit DMR (due before Dec 22)

2014

- Submit DMR (due before Jan 22)
- Submit DMR (due before Feb 22)
- Submit DMR (due before Mar 22)
- Submit DMR (due before Apr 22)
- Submit DMR (due before May 22)
- Submit DMR (due before Jun 22)
- Submit DMR (due before Jul 22)
- Submit the results of the second priority pollutant sampling event (due before Jul 31) (Permit Req't. 7.5.3)
- Submit DMR (due before Aug 22)
- Submit DMR (due before Sep 22)
- Submit DMR (due before Oct 22)
- Submit DMR (due before Nov 22)
- Submit DMR (due before Dec 22)

2015

- Submit DMR (due before Jan 22)
- Submit DMR (due before Feb 22)
- Submit DMR (due before Mar 22)
- Submit DMR (due before Apr 22)
- Submit DMR (due before May 22)
- Submit DMR (due before Jun 22)
- Submit DMR (due before Jul 22)
- Submit the results of the third priority pollutant sampling event (due before Jul 31) (Permit Req't. 7.5.4)
- Submit DMR (due before Aug 22)
- Submit DMR (due before Sep 22)
- Submit DMR (due before Oct 22)
- Submit DMR (due before Nov 22)
- Submit DMR (due before Dec 22)

2016

- Submit DMR (due before Jan 22)
- Submit an application for permit reissuance (due before Feb 2) (Permit Req't. 8.1.47)
- Submit DMR (due before Feb 22)
- Submit DMR (due before Mar 22)
- Submit DMR (due before Apr 22)

Submittals and Actions Checklist Faribault WWTP

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For other questions:
Joseph Braun at (218)846-8107

2016

- Submit DMR (due before May 22)
- Submit DMR (due before Jun 22)
- Submit DMR (due before Jul 22)

Other Submittals

- If, during any cropping year, biosolids were transferred, or not land applied, the Permittee shall submit a Biosolids Annual Report by December 31 following the end of the cropping year. The report shall state that biosolids were not land applied, how much was generated, and where they were transferred to. {Permit Req't. 5.9.2}