



Minnesota Pollution Control Agency

Rochester Office

March 16, 2007

**CERTIFIED MAIL NO. 7006 0100 0006 5937 0341
RETURN RECEIPT REQUESTED**

The Honorable Doug Flugum
Mayor, City of Ellendale
505 Second Street
PO Box 385
Ellendale, MN 56026-0385

RE: Final Issuance NPDES/SDS GENERAL PERMIT MNG580014 Notice of Coverage
Lagoon Road North, Ellendale, MN 56026

Dear Mayor Flugum:

Enclosed is a copy of National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) general permit MNG580000. By this Notice of Coverage (NOC), the facility identified above is covered under this permit and is authorized to discharge as of the date of this letter. This permit supersedes the previous NPDES/SDS Permit MN0041564 that was issued on May 30, 2002. Per telephone conversations with the Minnesota Pollution Control Agency (MPCA) staff and Jim Johnson, Ellendale City Clerk on March 6, 2007 and March 13, 2007, the city of Ellendale agrees to coverage under permit MNG580000, in place of the reissuance of permit MN0041564.

The individual identification number assigned by the MPCA for the facility is MNG580014. Based on information submitted by the Permittee, the facility is described as follows:

This Class D domestic sewage treatment facility includes a stabilization pond system consisting of three lift stations, approximately 2,188 feet of 6-inch force main, one primary pond with a surface area of 7.8 acres, two secondary ponds with surface areas of 3.8 acres and 4.0 acres, respectively; and approximately 7,275 feet of 10- to 12-inch outfall pipe. The facility is designed for 180 days of storage to treat 292 pounds per day of five-day biochemical oxygen demand at an average flow of 0.100 million gallons per day (MGD).

The facility is further described in the plans and specifications on file with the MPCA dated March 2, 1977, and in an engineering report prepared by Kirkham, Michael and Associates, Minneapolis, Minnesota. The outfall pipe was constructed in 1995 and is further described in the plans and specifications prepared by Jones, Haugh and Smith, Inc., Albert Lea, Minnesota.

Waste Stream station WS001 monitors the wastewater influent to the stabilization pond system. The facility discharges through outfall SD001 to Judicial Ditch No. 2 (class 2B, 3B, 4A, 4B, 5, 6 waters), as shown on the topographic map below.

The mass loading limits assigned to your facility are as follows (see Chapter 2.1):

Solids, Total Suspended (TSS), Calendar Month Average	216 kg/day
Solids, Total Suspended (TSS), Maximum Calendar Week Average	313 kg/day
BOD, Carbonaceous 05 Day (CBOD5), Calendar Month Average	120 kg/day
BOD, Carbonaceous 05 Day (CBOD5), Maximum Calendar Week Average	192 kg/day

Permitting requirements specific to your facility are as follows:

- The Fecal Coliform Bacteria effective period is between April 1 and October 31. See Chapter 2 of the permit for specific limits and monitoring requirements.
- The acceptable pond discharge periods are April 1 through June 15 and September 15 through December 15. See Chapter 4 of the permit for details.
- You are required to submit a Phosphorus Management Plan (PMP). See Chapter 5 of the permit for specific requirements.

Please note that you are not required to:

- Conduct tile line monitoring (Chapter 3 of the permit).
- Complete an Inflow and Infiltration Evaluation (Chapter 6 of the permit).
- Complete a Leaking Pond Evaluation (Chapter 7 of the permit).

Compliance with the terms and conditions of this permit is required as of the date of this letter. The MPCA must be notified immediately if conditions change.

The Discharge Monitoring Report and Supplemental Report forms to be used in reporting the required monitoring and analysis will be sent to you within 45 days of permit issuance. Please contact us if you have not received these report forms at least one week before your first required report submittal date.

The Hon Doug Flugum

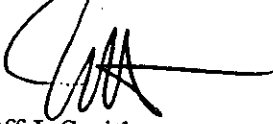
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March 16, 2007

For your convenience, a *Submittals and Actions Checklist (Checklist)* has been included with this permit. The *Checklist* generally summarizes the submittal requirements for your facility over the life of the permit. However, please be aware that the specific requirements for coverage are detailed in the permit itself and should be reviewed carefully. The *Checklist* also includes a list of the MPCA staff assigned to this permit, should you have any questions.

If you have any questions, please contact Nancy Heskett at 507-280-3589.

Sincerely,



Jeff J. Smith
Supervisor, Southeast Regional Unit
Rochester Office
Municipal Division

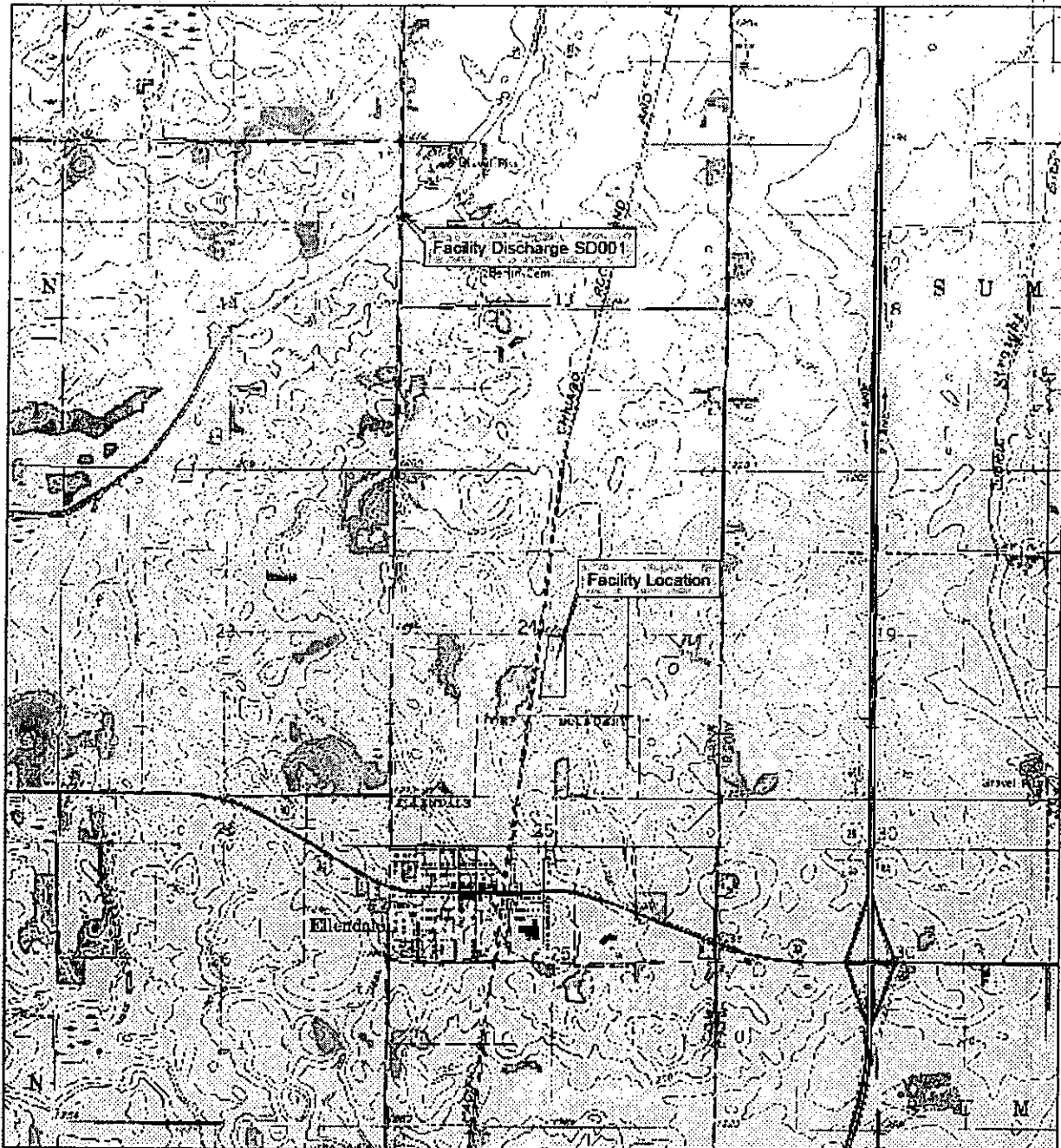
JJS/NH:jb

Enclosures: General Permit
Submittals and Actions Checklist

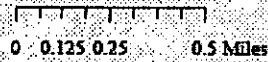
cc: James Johnson, Wastewater Treatment Facility Operator (w/ enclosures)
Nancy Heskett, MPCA, Rochester

Topographic Map of Permitted Facility

MN0041564, Ellendale WWTP
T105N, R21W, Section 24
Ellendale, Steele County, Minnesota



Map produced by: MPCA Staff, 11/16/06
Source: USGS Ellendale and Hope Quads
Scale: 1:24,000





STATE OF MINNESOTA
Minnesota Pollution Control Agency

Municipal Division

**National Pollutant Discharge Elimination System (NPDES) and
State Disposal System (SDS) Permit MNG580000**

**Authorization to Operate a
Stabilization Pond Wastewater Treatment Facility**

ISSUANCE DATE: March 1, 2005

EXPIRATION DATE: February 28, 2010

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to operate a wastewater stabilization pond treatment facility (facility) and to discharge from this facility to surface waters of the state in accordance with the requirements of this Permit and the Notification of Coverage (NOC) that accompanies this Permit. The NOC details the facility-specific requirements for each Permittee and is an enforceable part of the Permit.

The goal of this Permit is to protect water quality in accordance with Minnesota and U.S. statutes and rules, including Minn. Stat. Sections 115 and 116, Minn. R. 7001, 7050, and the U.S. Clean Water Act.

This Permit is effective on the issuance date identified above.

This Permit and the authorization to discharge expires at midnight on the expiration date identified above. The Permittee is not authorized to discharge after the above date of expiration. In order to receive authorization to discharge beyond the above date of expiration, the Permittee shall submit such information and forms as are required by the MPCA no later than 180 days prior to the above date of expiration pursuant to Minn. R. 7001.0040.

Signature: Wendy L. Turri

Wendy L. Turri, Acting Manager

Municipal Wastewater Section

Municipal Division

On behalf of the MPCA

If you have questions on this Permit, including the specific permit requirements, permit reporting, or permit compliance status, please contact the appropriate MPCA regional office found on page two of this Permit.

Minnesota Pollution Control Agency
Municipal Wastewater Section
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

MPCA Regional 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.
Telephone Device for Deaf (TTY): (651) 282-5332. 24-hour emergency number: (651) 297-5353 or (800) 627-3529.

<p><u>Brainerd Office</u> 7678 College Road, Suite 105 Baxter, Minnesota 56425 Phone: (218) 828-2492 Fax: (218) 828-2594</p>	<p><u>Mankato Office</u> 1230 South Victory Drive Mankato, Minnesota 56001 Phone: (507) 389-5977 Fax: (507) 389-5422</p>
<p><u>Detroit Lakes Office</u> 714 Lake Avenue, Suite 220 Detroit Lakes, Minnesota 56501 Phone: (218) 847-1519 Fax: (218) 846-0719</p>	<p><u>Marshall Office</u> 1420 East College Drive, Suite 900 Marshall, Minnesota 56258 Phone: (507) 537-7146 Fax: (507) 537-6001</p>
<p><u>Duluth Office</u> 525 Lake Avenue South, Suite 400 Duluth, Minnesota 55802 Phone: (218) 723-4660 Fax: (218) 723-4727</p>	<p><u>Rochester Office</u> 18 Wood Lake Drive SE Rochester, Minnesota 55904 Phone: (507) 285-7343 Fax: (507) 280-5513</p>
<p><u>St. Paul Office</u> 520 Lafayette Road North St. Paul, Minnesota 55155 Phone: (651) 296-6300 Fax: (651) 297-8676</p>	<p><u>Willmar Office</u> 201 28th Avenue Southwest Willmar, Minnesota 56201 Phone: (320) 214-3786 Fax: (320) 214-3787</p>

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Chapter 1. General Permit Applicability Criteria

- 1.1 Permittees wishing to discharge treated wastewater from a facility located in the state of Minnesota under this Permit shall submit an NPDES/SDS permit application and must meet all eligibility criteria listed below in order to be eligible for coverage.
- a. The facility is an existing stabilization pond system with controlled surface water discharge that treats only domestic-strength wastewater. Facilities that have land disposal activities are ineligible for this Permit.
 - b. The average annual design flow of the facility is less than one million gallons per day (MGD).
 - c. The facility has at least 180 days of storage if located south of the 46° 25' north latitude (approximately the latitude of Brainerd) and 210 days of storage for facilities north of this line unless previously approved by the MPCA for something less. If design capacity is less than 180 days and 210 days, respectively, the Permittee may show that actual flows allow for 180 days and 210 days, respectively.
 - d. The collection system and facility do not receive excessive flows that result in regular bypassing from the collection system or facility, or result in regular discharges outside the designated discharge window for that facility. Facilities that are experiencing excessive flows may be allowed coverage under this Permit for one permit cycle, provided that the permit contains a compliance schedule to investigate and address the excessive flows (see Chapter 6).
 - e. Stabilization ponds that are part of the facility do not exceed the allowable seepage rate of 500 gallons per acre per day if the pond was built after May 16, 1975, and 3,500 gallons per acre per day if the pond was built before May 16, 1975. Facilities that are suspected to be leaking may be allowed coverage under this Permit for one permit cycle provided that the Permittee agrees to complete a compliance schedule to investigate the leakage rate (see Chapter 7).
 - f. The facility is not located in the designated Karst Region in the Southeastern portion of Minnesota that was subject to the 1993 Administrative Order that required the preparation of a contingency plan.
 - g. The facility does not have a Significant Industrial User (SIU). A SIU means any industrial user that:
 - i. Discharges 25,000 gallons per day or more of process wastewater;
 - ii. Contributes a load of five percent or more of the capacity of the publicly-owned treatment works (POTW); or
 - iii. Is designated as significant by the Permittee or the MPCA on the basis that the SIU has a reasonable potential to adversely impact the POTW, or the quality of its effluent or residuals.

Chapter 2. Mandatory Limits and Monitoring Requirements

The limits and monitoring requirements in this chapter are mandatory for all facilities covered under this general Permit. The Permittee shall comply with the limits and monitoring requirements as specified below and through the Notification of Coverage (NOC) that accompanied this Permit. The results of this monitoring shall be submitted to the MPCA as specified in Chapter 11. Individual values shall be reported on a Supplemental Report Form (SRF).

2.1 Station ID: SD 001 Effluent to Surface Water

Samples shall be collected from the final outlet control structure during discharge events. The discharge is limited to a maximum drawdown rate of six inches per day per secondary pond. The mass loading (in kilograms per day (kg/day)) is calculated based on a maximum six-inch drawdown rate from the total acreage of the secondary ponds.

Parameter	Sample Type	Sampling Frequency	Effective Period	Measurement/Limit Type	Limit	Units	Notes
Oxygen, Dissolved	Grab	2 x Week	Jan-Dec	Calendar Month Minimum	Monitor Only	mg/L	Analyze immediately – except weekends and holidays
pH	Grab	2 x Week	Jan-Dec	Calendar Month Minimum	6.0	SU	Analyze immediately – except weekends and holidays
pH	Grab	2 x Week	Jan-Dec	Calendar Month Maximum	9.0	SU	Analyze immediately – except weekends and holidays
Solids, Total Suspended (TSS)	Grab	2 x Week	Jan-Dec	Calendar Month Average	45	mg/L	
Solids, Total Suspended (TSS)	Grab	2 x Week	Jan-Dec	Calendar Month Average	Specified in NOC	kg/day	
Solids, Total Suspended (TSS)	Grab	2 x Week	Jan-Dec	Calendar Week Average Maximum	65	mg/L	
Solids, Total Suspended (TSS)	Grab	2 x Week	Jan-Dec	Calendar Week Average Maximum	Specified in NOC	kg/day	
BOD, Carbonaceous 05 Day (20 Deg C)	Grab	2 x Week	Jan-Dec	Calendar Month Average	25	mg/L	
BOD, Carbonaceous 05 Day (20 Deg C)	Grab	2 x Week	Jan-Dec	Calendar Month Average	Specified in NOC	kg/day	
BOD, Carbonaceous 05 Day (20 Deg C)	Grab	2 x Week	Jan-Dec	Calendar Week Average Maximum	40	mg/L	
BOD, Carbonaceous 05 Day (20 Deg C)	Grab	2 x Week	Jan-Dec	Calendar Week Average Maximum	Specified in NOC	kg/day	
Fecal Coliform, MPN & Membrane Filter 445C	Grab	2 x Week	(*1)	Calendar Month Geometric Mean	200	#/100ml	(*1) Effective period listed in Chapter 4
Phosphorus, Total (as P)	Grab	2 x Week	Jan-Dec	Calendar Month Average	Monitor Only (*2)	mg/L	(*2) unless a phosphorus limit has been assigned and specified in NOC
Phosphorus, Total (as P)	Grab	2 x Week	Jan-Dec	Calendar Month Average	Monitor Only (*2)	kg/day	(*2) unless a phosphorus limit has been assigned and specified in NOC
Flow, In Conduit or Thru Treatment Plant	Measurement, Continuous	1 x Day	(*3)	Calendar Month Total Intervention Limit	0	MG	(*3) See Acceptable Discharge Periods in Chapter 4
Flow, In Conduit or Thru Treatment Plant	Measurement	1 x Day	Apr-Jun, Sep-Dec	Calendar Month Total	Monitor Only	MG	
Flow, In Conduit or Thru Treatment Plant	Measurement	1 x Day	Jan-Dec	Calendar Month Average	Monitor Only	MGD	

2.2 Station ID: WS 001 Influent

Samples shall be collected at a point representative of total flow to the system, prior to the primary cell.

Parameter	Sample Type	Sampling Frequency	Effective Period	Measurement/Limit Type	Limit	Units	Notes
pH	Grab	1 x Quarter	Jan-Dec	Instantaneous Maximum	Monitor Only	SU	Analyze immediately (*4)
Solids, Total Suspended (TSS)	4-Hour Flow Composite	1 x Quarter	Jan-Dec	Calendar Month Average	Monitor Only	mg/L	(*4)
BOD, Carbonaceous 05 Day (20 Deg C)	4-Hour Flow Composite	1 x Quarter	Jan-Dec	Calendar Month Average	Monitor Only	mg/L	(*4)
Flow, Wastewater In Conduit Or Thru Treatment Plant	Measurement, Continuous	1 x Day	Jan-Dec	Calendar Month Average	Monitor Only	MGD	(*4)
Phosphorus, Total (as P)	4-Hour Flow Composite	1 x Quarter	Jan-Dec	Calendar Month Average	Monitor Only	mg/L	(*4)
Precipitation	Measurement	1 x Day	Jan-Dec	Calendar Month Total	Monitor Only	inches	(*4)

(*4) -- Samples may be collected at any time during the quarter but the results shall be submitted by the 21st day after the end of the sampling quarter.

Chapter 3. Facility Specific Limits and Monitoring Requirements

The limits and monitoring requirements in this Chapter are assigned by the MPCA based on the specific operation and design of the treatment facility. Permittees that are required to follow this Chapter will be notified through the NOC that accompanies this Permit.

3.1 Station ID: SD 002 Tile Line

Samples shall be collected from the final tile line outlet prior to entering any surface water.

Parameter	Sample Type	Sampling Frequency	Effective Period	Measurement/Limit Type	Limit	Units	Notes
Specific Conductivity	Grab	1 x Month	Apr, Jul, Oct	Single Value	Monitor Only	umh/cm	
Chloride	Grab	1 x Month	Apr, Jul, Oct	Single Value	Monitor Only	mg/L	
Fecal Coliform, MPN & Membrane Filter 445C	Grab	1 x Month	Apr, Jul, Oct	Single Value	Monitor Only	#/100ml	
Flow	Estimate	1 x Month	Apr, Jul, Oct	Single Value	Monitor Only	MG	

Chapter 4. Stabilization Pond Requirements

Surface Discharge

- 4.1 The Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion.
- 4.2 For winter sampling conditions, the Permittee shall sample flows at the designated monitoring station including when this requires removing ice to sample the water. If the station is completely frozen throughout a designated sampling month, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR) and note the ice conditions in the Comments section on the DMR.

Waste Stream

- 4.3 Lift pumps shall be calibrated semi-annually. Calibration records shall be kept for a minimum of three years.

Fecal Coliform Bacteria Effective Period

- 4.4 The Permittee must meet the fecal coliform bacteria limit during the effective period, as follows:
- Discharges to Class 2 waters have a fecal coliform bacteria limit effective period from April 1 through October 31.
 - Discharges to Class 7 waters have a fecal coliform bacteria limit effective period from May 1 through October 31.
 - Discharges that are within 25 miles upstream of a municipal drinking water supply have a year-round fecal coliform bacteria limit effluent period, regardless of the classification of the receiving water.

Acceptable Discharge Periods

- 4.5 Acceptable discharge periods are April 1 through June 30 and September 1 through December 15 for facilities located in the Detroit Lakes, Brainerd, and Duluth regions.
- 4.6 Acceptable discharge periods are April 1 through June 15 and September 15 through December 15 for facilities located in the Marshall, Rochester, Willmar, Mankato, and Metropolitan regions.
- 4.7 Effluent limitations for this Permit have been assigned based upon the assumption that the receiving waters exhibit favorable flow and re-aeration characteristics during the acceptable discharge periods.

Discharges Outside of Acceptable Discharge Periods

- 4.8 For discharges occurring outside the acceptable discharge periods, refer to the "Stabilization Pond Guidance for Controlled Discharges." If any of the discharge occurs outside of the acceptable discharge periods, the Permittee shall notify the MPCA of the potential noncompliance prior to discharge. The Permittee shall call the appropriate regional office and indicate that the call is for notification of a pond discharge.
- 4.9 For any discharge outside of acceptable discharge periods or to an ice covered receiving water, an adequate dilution ratio is required. If an adequate dilution ratio is not available, receiving water monitoring is required. "Adequate Dilution Ratio" applies to controlled discharges from stabilization pond facilities and means the ratio of receiving water flow rate to effluent volume meets the following criteria based on effluent five-day carbonaceous biological oxygen demand (CBOD5) concentration:

<u>Effluent CBOD5 Concentration</u>	<u>Minimum Dilution Ratio (receiving water effluent)</u>
< 5 mg/L	No minimum dilution ratio
5 - 10 mg/L	3:1
10 - 15 mg/L	5:1
15 - 20 mg/L	7:1
20 - 25 mg/L	10:1

Pre-discharge Sampling

- 4.10 Predischarge sample results shall not be submitted to the MPCA. The Permittee shall retain these records for at least three (3) years, and provide them to the MPCA upon request. (Minn. R. 7001.0150, subp. 2, item C)

- 4.11 If predischARGE sample results indicate that one or more of the effluent limitations may be exceeded, the Permittee shall notify the MPCA of potential noncompliance prior to discharge. The Permittee shall call the appropriate MPCA regional office and indicate that the call is for notification of a pond discharge.
- 4.12 Samples shall be taken from four sides of the pond and composited prior to discharge and analyzed for permitted parameters. This sampling must be taken no more than two weeks prior to the beginning of the discharge; dissolved oxygen and pH (both are field tests) must be taken no more than 24 hours prior to the beginning of the discharge. If more than two weeks pass prior to the beginning of discharge, additional predischARGE samples shall be obtained and analyzed prior to discharge.
- 4.13 Pond Discharge Rate. The discharge rate shall be limited so as not to create a shock load on the receiving waters, disturb the pond bottom sediment in the area of the intake of the outfall structure or flood downstream properties. If the drawdown rate should exceed six (6) inches per day, the Permittee shall call the appropriate MPCA regional office and indicate that the call is for notification of a pond discharge.
- 4.14 Pond Observations. The Permittee shall inspect the pond system weekly, and shall take measurements of pond water depth, estimate the coverage of aquatic plants, floating mats and ice cover on the surface of the ponds, and note odors, the condition of the dikes and the presence of rodents. The Permittee shall maintain records of these weekly inspections for the last three (3) years and submit the results on the Supplemental Report Form (SRF).
- 4.15 Unauthorized Releases. For all unauthorized releases that may cause pollution of the waters of the state, the Permittee shall take at least one grab sample for permitted effluent parameters two times per week. If the Permittee believes that measuring these parameters is inappropriate due to known information about the discharge, the monitoring may be modified in consultation with the MPCA. Where there is reason to believe a pollutant other than those limited in the Permit is present, the Permittee shall sample for that pollutant in addition to the permitted effluent parameters.

Chapter 5. Phosphorus Management Requirements

- 5.1 Because of the particular concern about the impacts of phosphorus discharged from wastewater treatment facilities on surface waters, the MPCA will either assign an effluent phosphorus limit to the Permittee or require the Permittee to complete and submit a Phosphorus Management Plan (PMP). Permittees will be notified if they have been assigned either an effluent phosphorus limit or required to complete a PMP in the NOC that accompanies this Permit. Permittees that have been assigned an effluent phosphorus limit are not required to complete a PMP.
- 5.2 For Permittees required to complete a PMP, the PMP shall be submitted at least 180 days prior to permit expiration. The PMP shall include, at a minimum, the following:
- A summary of the recent influent and effluent phosphorus concentrations and mass loadings.
 - An identification of sources of high phosphorus loading to the facility and development of a plan for reducing phosphorus loading. This plan shall include an evaluation of phosphorus reduction opportunities for users or classes of users with high phosphorus loading. When necessary, require high phosphorus loading users to submit PMPs that include identification of user-specific opportunities to reduce phosphorus loads to the facility.
 - An evaluation of past and present facility operations to determine those operating procedures that result in phosphorus removal to the fullest practicable extent.
 - Information and data relating to potential facility expansions or significant modifications, population growth, and potential phosphorus removal plans that will help to evaluate the current and potential effects of the facility on the receiving water.

Chapter 6. Inflow and Infiltration Evaluation

- 6.1 The Permittee is required to manage the Inflow and Infiltration (I/I) of clear water through its collection and treatment system so as to minimize potential negative impacts on the facility and receiving water. A Permittee with a system that has been determined to be receiving I/I that is negatively impacting or potentially could negatively impact the facility or receiving water is required to investigate the I/I contribution through the compliance schedule detailed in this Chapter. A Permittee that has been required to complete this evaluation will be notified through the NOC that accompanies the Permit. The MPCA will review the results of the evaluation and determine what corrective actions, if any, are necessary.
- 6.2 The Permittee shall complete an I/I Evaluation and submit the results of the evaluation at least 180 days prior to the expiration of the Permit. At a minimum, this evaluation shall include:
- A determination of the extent of I/I to the system;
 - A determination of the sources of I/I to the system;
 - A summary of the city's current ordinance, if any, that attempts to address I/I concerns and an assessment of the compliance with the city ordinance; and
 - A description of past, current, and future planned efforts by the Permittee to identify and eliminate sources of I/I, including associated time frames for implementation.

Chapter 7. Leaking Pond Evaluation

- 7.1 The Permittee is required to control and lessen to every extent possible, the seepage that occurs from the stabilization pond system. A Permittee with a system that has been determined to potentially leak above the allowable seepage rate (500 gallons per acre per day if the pond was built after May 16, 1975, and 3,500 gallons per acre per day if the pond was built before May 16, 1975) is required to investigate the leakage rate through the compliance schedule detailed in this Chapter. A Permittee that has been required to complete this evaluation will be notified through the NOC that accompanies the Permit. The MPCA will review the results of the evaluation and determine what corrective actions, if any, are necessary.
- 7.2 The Permittee shall complete a leaking pond evaluation and submit the results of the evaluation at least 180 days prior to the expiration of the Permit. At a minimum, this evaluation shall include:
- An evaluation of the cause(s) of the apparent pond leakage in excess of allowable quantities;
 - The specific activities that the Permittee will undertake to verify wastewater quantities to and from the pond system. Examples of activities may include, but are not limited to: verify that the surface acreage and depth of each pond in the existing system is accurate, installation of a reliable flow monitoring system that is accurate within plus or minus ten percent of the true value flow values, conduct a formal pond water balance, maintain a pump calibration schedule (at least twice per year), complete detailed tracking of area rainfall/snowfall quantities, and ensure more accurate reading of pond levels; and
 - The specific activities or actions that the Permittee has completed or will complete to address the leakage, including associated time frames for implementation.

Chapter 8. Sanitary Sewer Extensions

- 8.1 A Sanitary Sewer Extension Permit is required for any additions, changes, or extensions to a sanitary sewer system that result in new or increased discharges of pollutants to or through the facility. (Minn. Stat. Sec. 115.07)
- 8.2 The Permittee is 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. (Minn. Stat. Sec. 115.07)

Chapter 9. Operator Certification

- 9.1 The Permittee shall provide, at the minimum, a Class D 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 the Permit. (Minn. Stat. Sec. 115.72)
- 9.2 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. The contract shall include the certified operator's name, certificate number, company name if appropriate, and evidence that the operation is being adequately supervised by a properly certified operator.
- 9.3 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

Chapter 10. Dischargers to a TMDL Reach

- 10.1 Facilities that discharge to an impaired surface water, watershed or drainage basin may be required to comply with additional permits, or permit requirements, based on the conclusions of any applicable US EPA approved Total Maximum Daily Load (TMDL) studies and their implementation plans.

Chapter 11. General Permit Requirements

General Conditions

- 11.1 **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, 7060, and 7080; and Minn. Stat. Sec. 115 and 116.
- 11.2 **Permittee Responsible.** 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)
- 11.3 **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, parts 7050.0100 to 7050.0220 and 7052.0010 to 7052.0110 (applicable to toxic pollutants in the Lake Superior Basin) and any other applicable MPCA rules. (Minn. R. 7001.1090, subp.1, item A)
- 11.4 **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)
- 11.5 **Property Rights.** This Permit does not convey a property right or an exclusive privilege. (Minn. R. 7001.0150, subp. 3, item C)
- 11.6 **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. Stat. Sec. 3.736; Minn. R. 7001.0150, subp. 3, item O)

- 11.7 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)
- 11.8 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)
- 11.9 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)
- 11.10 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, is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.
- 11.11 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.
- 11.12 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)
- 11.13 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. (40 CFR 403)

Sampling

- 11.14 Representative Sampling. Samples and measurements required by this Permit shall be conducted as specified in this Permit and representative of the discharge or monitored activity. (40 CFR 122.41 (j)(1))
- 11.15 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)
- 11.16 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 chlorine 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 through 4740.2040)
- 11.17 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.

- 11.18 **Equipment Calibration.** All monitoring and analytical instruments used to monitor as required by this Permit shall be calibrated and maintained at a frequency necessary to ensure accuracy. The Commissioner has determined that flow monitoring equipment should be calibrated at least twice annually. The Permittee shall maintain written records of all calibrations and maintenance for at least three years. (Minn. R. 7001.0150, subp. 2, items B and C)
- 11.19 **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:
- The exact place, date, and time of the sample or measurement;
 - The date of analysis;
 - The name of the person who performed the sample collection, measurement, analysis, or calculation; and
 - The analytical techniques, procedures and methods used; and e. the results of the analysis.
- (Minn. R. 7001.0150, subp. 2, item C)

Reporting

- 11.20 **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:

Discharge Monitoring Reports (DMRs)

The results of the monitoring and sampling required in this Permit shall be recorded on the (grey and white) DMRs which, if required, will be provided by the MPCA. If no discharge occurred during the reporting period, the Permittee shall check the "No Discharge" box on the DMR. Note: Every open, white box must be filled-in on the DMR, unless no discharge occurred during the reporting period.

Supplemental Report Form (SRFs)

Individual values for each sample and measurement must be recorded on the SRF which, if required, will be provided by the MPCA. SRFs shall be submitted with the appropriate DMRs. You may design and use your own SRF, 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 SRF does not comply with the reporting requirements.

Other Reports and Forms

Other reports and information required by this Permit shall be recorded on a form supplied or approved by the MPCA and submitted by the date specified in the Permit.

- 11.21 **Submitting Reports.** DMRs and SRFs shall be submitted to:
- MPCA
Attn: Discharge Monitoring Reports
520 Lafayette Road North
St. Paul, Minnesota 55155-4194.

DMRs and SRFs shall be submitted or 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, subps. 2.B and 3.H)

Other reports required by this Permit shall be submitted or postmarked by the date specified to:

MPCA

Attn: WQ Submittals Center

520 Lafayette Road North

St. Paul, Minnesota 55155-4194.

- 11.22 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)
- 11.23 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)
- 11.24 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)
- 11.25 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)
- 11.26 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

- 11.27 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)
- 11.28 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.; Minn. R. 7001.1090, subp. 1, items G and H; Minn. Stat. Sec. 609.671)
- 11.29 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))

- 11.30 **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. (Minn. R. 7001.0150, subp.3, item J)
- 11.31 **Unauthorized Releases of Wastewater Prohibited.** Except for the conditions specifically described in Minn. R. 7001.1090, subps. 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 the 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)

Upon discovery of a release, the Permittee shall:

- a. Take all reasonable steps to end the release as soon as possible and minimize any potential adverse impacts to human health or the environment resulting from the release. Where a release enters a water of the state, the Permittee shall remove the spilled/discharged material after contacting the Minnesota Department of Natural Resources (DNR) and Wetland Conservation Act authority for that area regarding any additional remediation of impacts;
 - b. Immediately notify 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.
 - c. Collect representative samples of the release. The Permittee shall sample the release for parameters of concern following discovery of the release. Additional samples shall be collected at least two times per week for as long as the release continues. Where there is reason to believe a pollutant other than those limited in the Permit is present, the Permittee shall sample for that pollutant. If needed, appropriate sampling shall be determined in consultation with the MPCA.
 - d. The sampling results shall be included with the next DMR or Report unless otherwise specified through consultation with MPCA staff.
- 11.32 **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. (Minn. Stat. Sec. 115.061; Minn. R. 7001.1090, subp. 1, item L)

Operation and Maintenance

- 11.33 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)
- 11.34 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)
- 11.35 Solids Management. The Permittee shall properly 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 ground waters of the state. (40 CFR 503, Minn. R. 7041, and applicable federal and state solid waste rules)
- 11.36 Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality. (Minn. R. 7001.0150, subp. 3, item F; Minn. R. 7001.0150, subp. 2, item B)
- 11.37 Control Tests. In-plant control tests shall be conducted at a frequency adequate to ensure continuous efficient operation of the treatment facility. (Minn. R. 7001.0150, subp. 3, item F; Minn. R. 7001.0150, subp. 2, item B)

Changes to the Facility or Permit

- 11.38 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. It is recommended that the application for permit modification be submitted to the MPCA at least 180 days prior to the planned change.
- 11.39 Report Changes. The Permittee shall immediately report to the MPCA:
- Any substantial changes in operational procedures;
 - Activities which alter the nature or frequency of the discharge; and
 - Material factors affecting compliance with the conditions of this Permit. (Minn. R. 7001.0150, subp. 3, item M)
- 11.40 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.
- 11.41 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)

- 11.42 **Permit Reissuance.** The Permittee shall submit an application for reissuance 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:
- 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. (Minn. R. 7001.0040 and 7001.0160)

Submittals and Actions Checklist

Ellendale WWTP

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 DMRs to:

Attention: Discharge Monitoring Reports
Minnesota Pollution Control Agency
520 Lafayette Rd N
St. Paul, MN 55155

Submit other WQ reports to:

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

MPCA Staff Contacts:

For DMR-related questions:
Linda Brooks at (651)296-7239
For other questions:
Nancy Heskett at (507)280-3589

2007

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

2008

- 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 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)

2009

- 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 DMR (due before Aug 22)
- Submit a Phosphorus Management Plan (due before Sep 1) {Permit Req't. 1.5.2}
- Submit an application for permit reissuance (due before Sep 1) {Permit Req't. 1.11.42}
- Submit DMR (due before Sep 22)
- Submit DMR (due before Oct 22)
- Submit DMR (due before Nov 22)
- Submit DMR (due before Dec 22)

2010

- Submit DMR (due before Jan 22)
- Submit DMR (due before Feb 22)