

PUBLIC NOTICE

Public Notice of a Draft NPDES Permit to Discharge into Waters of the United States

U.S. Environmental Protection Agency
Region 5, NPDES Programs Branch (WN-16J)
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 353-4145

Public Notice No.: 13-04-02

Public Notice Issued on: April 19, 2013

Comment Period Ends: May 20, 2013

Permit No.: MN0075017

Application No.: MN0075017

Name and Address of Applicant
Minnesota Department of Agriculture
625 Robert Street North
St. Paul, Minnesota 55155

Name and Address of Facility
Fond du Lac Band of Lake Superior Chippewa
Reservation
1720 Big Lake Road
Cloquet, Minnesota 55720

Receiving Water: water within the external boundaries of the Fond du Lac Band of Lake Superior Chippewa reservation.

The U.S. Environmental Protection Agency is taking comments from the public on a draft National Pollutant Discharge Elimination System (NPDES) permit for pesticide application to control gypsy moth within the external boundaries of the Fond du Lac Band of Lake Superior Chippewa (FDL) reservation.

The Minnesota Department of Agriculture (applicant) directs aerial treatments for gypsy moth within the external boundaries of the FDL reservation as part of the Slow-the-Spread program, in cooperation with the United States Forest Service, state and private forestry, the FDL, and the Minnesota Department of Natural Resources. Although pesticide application for gypsy moth is not sprayed directly over water, the nature of wide area pest control will result in discharges to Waters of the United States.

The determination to issue the NPDES permit is tentative. EPA's comment and public hearing procedures may be found at 40 CFR §§ 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permit may be submitted extends to May 20, 2013.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is May 20, 2013.
3. In appropriate cases, including those where there is significant public interest, the EPA Regional Administrator may hold a public hearing. Public notice of such a hearing will

be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.

4. All comments received after May 20, 2013, may be considered in the formulation of final determinations.
5. Written comments or request for a public hearing must be delivered or mailed to: Mark Ackerman, U.S. Environmental Protection Agency, Region 5, NPDES Programs branch (WN-16J), 77 West Jackson Boulevard, Chicago, Illinois 60604

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permit or participated in a public hearing, if held, may petition the Environmental Appeals Board to review any condition of the permit decision. The petition should be sent to the following address: Environmental Appeals Board, MC 1103B, U.S. Environmental Protection Agency Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460.

To see the draft permit and statement of basis, go to www.epa.gov/region5/water/npdestek/ or visit the EPA's Chicago regional office to view the full administrative record. All data submitted by the applicant is available as part of the administrative record. To schedule an appointment at the Chicago office, contact Mark Ackerman at (312) 353-4145 anytime between 9:00 a.m. and 4:00 p.m. Monday through Friday or by e-mail at ackerman.mark@epa.gov.

Please bring the foregoing to the attention of anyone you know that would be interested in this matter.