

## 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) 886-6106

**Public Notice No.: 12-07-02-A**

**Public Notice Issued On:** July 27, 2012

**Comment period ends:** August 27, 2012

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**Permit No.:** MN-0024066-4 (REISSUANCE)

**Application No.:** MN-0024066-4

**Name and Address of Applicant:**

City of Mahnomen  
P.O. Box 250  
Mahnomen, Minnesota 56557

**Name and Address of Facility:**

Mahnomen WWTF  
Pembina Township  
Mahnomen, Minnesota  
Mahnomen County  
(N.E. ¼ of Sec. 14 of T144N, R42W)

**Receiving Water:** Wild Rice River

#### **DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE**

The above facility is located within the exterior boundaries of the White Earth Indian Reservation. The EPA has retained the authority to issue NPDES permits to facilities with discharges to waters of the United States within the exterior boundaries of Indian Reservations. The EPA is issuing this NPDES permit under the authorities of the Clean Water Act.

The application and plans indicate that the existing treatment system consists of one main lift station, approximately 6,900 feet of eight-inch force main, a four-cell stabilization pond, and about 2,800 feet of 15-inch outfall sewer.

The facility has a controlled discharge {Discharge 001 (S.E. ¼ of Section 10, T144N, R42W)} to the Wild Rice River and is designed to treat an average wet weather flow of up to 338,000 gallons per day (gpd) with a five-day biochemical oxygen demand (BOD<sub>5</sub>) strength of 218 milligrams per liter (mg/L). There are two primary pond cells that have surface areas of 13 acres and 15 acres. There are also two secondary pond cells with surface areas of 19 acres and 6.4 acres, all measured

at the three-foot depth level. The pond system has a total detention time of approximately 180 days at design flow. The treatment system provides service for the Shooting Star Casino.

There are no bypass points designed into the disposal system.

The facilities are further described in plans and specifications on file with the MPCA prepared by Larson-Peterson and Associates, Inc., Detroit Lakes, Minnesota.

The draft permit requires the applicant to meet the following effluent limitations:

<b><u>Limitations and Monitoring Requirements</u></b>		
<b><u>Parameter</u></b>	<b><u>30-Day Average</u></b>	<b><u>7-Day Average</u></b>
CBOD <sub>5</sub>	25 mg/L	40 mg/L
TSS	45 mg/L	65 mg/L
E. coli	126 E. coli/100ml	235 E. coli/100ml (daily maximum)
pH	6 S.U. (Minimum)	9 S.U.(Maximum)

The permit also requires monitoring for total phosphorus, total sulfates, total mercury, total kjeldahl nitrogen (TKN), nitrate plus nitrite nitrogen, oil and grease, total dissolved solids (TDS), compliance with 40 CFR Part 503 and any other applicable regulations when sludge is used or disposed, and 40 CFR Part 403 to prevent any pass through of pollutants or any inhibition or disruption of the permittee's facility. These limits are consistent with federal regulations and are also intended to be protective of Minnesota water quality standards where they are applicable.

#### **Section 401 Water Quality Certification**

EPA is the appropriate authority for purposes of certifying the proposed discharge under Section 401 of the Clean Water Act. Section 401 certification is not needed from the state or the tribe as neither has federally approved water quality standards applicable to the receiving water at the point of discharge.

#### **ESA and NHPA Compliance**

EPA believes it has satisfied its requirements under the Endangered Species Act and is in the process of satisfying the National Historical Preservation Act. As this is an existing discharge, with no planned construction during the permit term, EPA believes that the issuance of the permit and the continued operation of the facility will have no effect on endangered or threatened species or their critical habitat and will have no impact to historical, archeological, or cultural resources.

#### **TENTATIVE DETERMINATION**

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to issue a permit for the discharge from the Mahnomen WWTF subject to certain effluent limitations and special conditions.

**COMMENT PROCEDURES and PUBLIC HEARING**

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 permits may be submitted extends to August 27, 2012.
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 August 27, 2012.
3. In appropriate cases, including those where there is significant public interest, the EPA Regional Administrator may hold a public hearing. A decision has not yet been made as to whether a public hearing will be held for this permit. 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 later than August 27, 2012, may be considered in the formulation of final determinations.
5. Written comments or requests for a public hearing must be delivered or mailed to: John A. Colletti, U.S. Environmental Protection Agency, Region 5, NPDES Programs Branch - WN-16J, 77 West Jackson Boulevard, Chicago, Illinois 60604

The application and Public Notice numbers should appear next to the EPA address on the envelope and on each page of any submitted comments. It is important that all viewpoints are considered before taking action. Therefore, we greatly appreciate your time and effort in participating in the public participation process. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

**PETITION TO REVIEW**

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permits 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.

**AVAILABILITY OF DOCUMENTS**

The application, draft permit, including proposed effluent limitations and special conditions, statement of basis, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday. You may also view the public notice, statement of basis, and draft permit on Region 5's website at "<http://www.epa.gov/region5/water/npdestek/notices.htm>". All data submitted by the

applicant is available as part of the administrative record. For more information, please contact John Colletti at (312) 886-6106 or by e-mail at [colletti.john@epa.gov](mailto:colletti.john@epa.gov).

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