

## 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-15J  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 886-6106

**Public Notice No.: 18-08-01-A**

**Public Notice Issued On:** August 1, 2018

**Comment period ends:** August 30, 2018

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**Permit No.:** MN-0024066-5 (REISSUANCE)

**Application No.:** MN-0024066-5

**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.

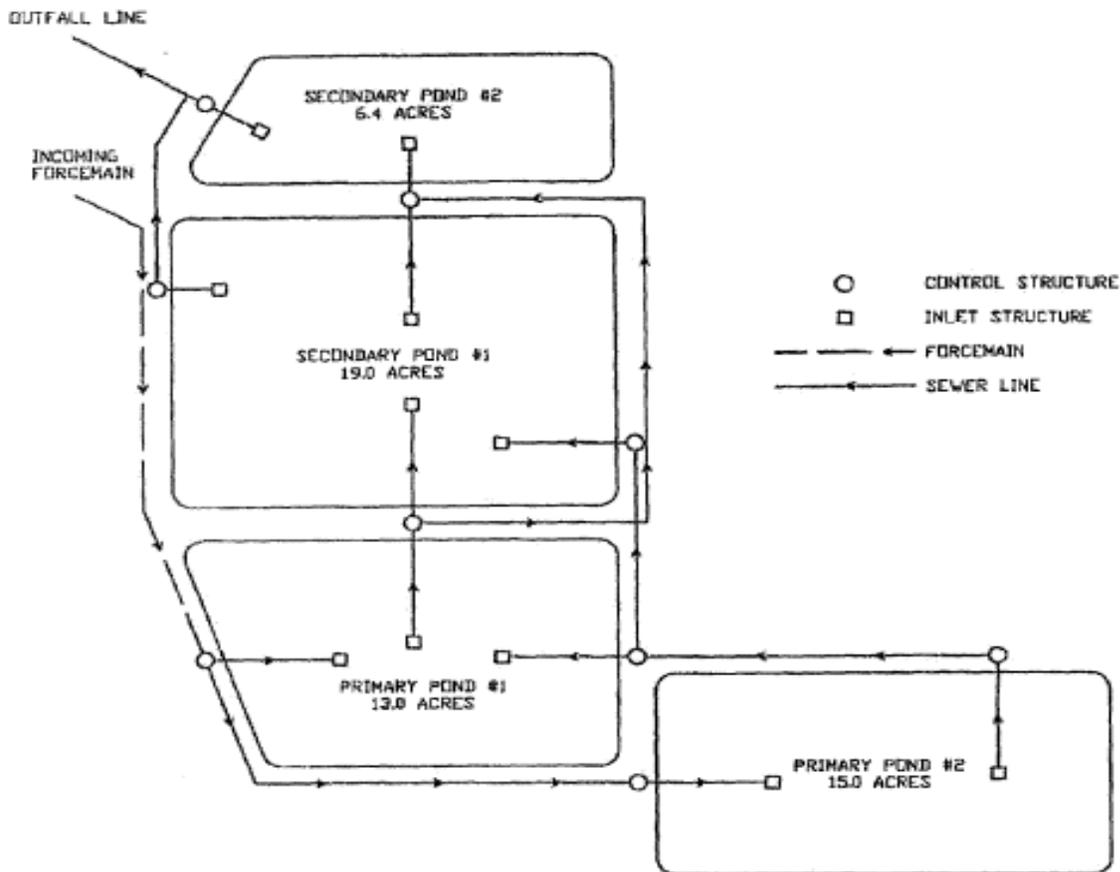
The facility has a controlled discharge {Discharge 002 and 003} from each of the secondary cells that are connected to the same outfall to the Wild Rice River (S.E. ¼ of Section 10, T144N, R42W). Discharges 002 and 003 are where compliance is to be determined. The facility is designed to treat an average 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

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secondary pond cells with surface areas of 6.4 acres (Discharge 002) and 19 acres (Discharge 003), all measured at the three-foot depth level. The pond system has a total detention time of approximately 180 days at design flow. Wastewater is from domestic sources only including the Shooting Star Casino. The facility is rated as Class D under Minnesota regulations.

The main lift station is capable of discharging untreated wastewater from the sewerage system to the Wild Rice River. The lift station shall be controlled and locked at all times.

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:

**Discharges 002 and 003**

<u>Effluent Characteristics</u>	<u>Discharge Limitations</u>			
	Concentration (Specified Units)			
Parameter	Daily Minimum	Monthly Average	Weekly Average	Daily Maximum
Flow (MG)	-	Report calendar month total	-	-

Flow (mgd)	-	-	-	-
Dissolved Oxygen (mg/L)	Report	-	-	-
pH (SU)	6.0	-	-	9.0
Total Suspended Solids (TSS) (mg/L)	-	45	65	-
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) (mg/L)	-	25	40	-
E. coli (#/100ml) (April 1 – October 31)	-	126 (geometric mean)	-	235
Mercury, Dissolved (as Hg) (ng/L)	-	Report	-	Report
Mercury, Total (as Hg) (ng/L)	-	10.4	-	20.2
Total Suspended Solids (TSS) (mg/L) (Mercury)	-	Report	-	Report
Phosphorus, Total (mg/L)	-	Report	-	-
Phosphorus, Total (kg/year)	-	934 (rolling total)	-	-
Dissolved Solids, Total (mg/L)	-	Report	-	-
Sulfates, Total (mg/L)	-	Report	-	-
Ammonia Nitrogen, Total (as N) (mg/L)	-	Report	-	-
Nitrite Plus Nitrate, Total (as N) (mg/L)	-	Report	-	-
Nitrogen, Kjeldahl, Total	-	Report	-	-
Nitrogen, Total (as N) (mg/L)	-	Report	-	-
CBOD <sub>5</sub> percent removal (%)	≥85	-	-	-
TSS percent removal (%)	≥65	-	-	-
Outfall observation (yes/no)	-	-	-	-

The permit also requires 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. They are also consistent with the Minnesota Pollution Control Agency's State Disposal System Permit # MNT024066.

### **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 White Earth Band of Chippewa Indians 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 the National Historical Preservation Act. There are two threatened species (Gray wolf and Northern long-eared bat) and one endangered species (Poweshiek skipperling) within the county. 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 30, 2018.
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 30, 2018.
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 30, 2018, will not 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-15J, 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. Please bring the foregoing to the attention of persons whom you know would be interested in this matter. Unless a public hearing is scheduled, the EPA will issue a final determination as to the issuance of the permit in a timely manner after the expiration of the public comment period. If you would like to receive a copy of the final determination, please submit a request during the comment period to the above address. 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 decisions, 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. All documents that are sent through the U.S. Postal Service (except by Express Mail) **MUST** be sent to the following address: Clerk of the Board, U.S. Environmental Protection Agency, Environmental Appeals Board, 1200 Pennsylvania Avenue, NW, Mail Code 1103M, Washington, DC 20460-0001.

All mail sent to the Environmental Appeals Board may be delayed by a random sterilization procedure. Parties are encouraged to utilize the Board's e-filing system or hand or courier delivery when filing pleadings with the Board to avoid potential delays.

Documents that are hand-carried in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) **MUST** be delivered to: Clerk of the Board, U.S. Environmental Protection Agency, Environmental Appeals Board, 1201 Constitution Avenue, NW, U.S. EPA East Building, Room 3334, Washington, DC 20004

Documents that are hand-carried may be delivered to the Clerk of the Board between 8:30 a.m. and 4:30 p.m., Monday through Friday (excluding federal holidays).

#### **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 <https://www.epa.gov/npdes-permits/mahnomen-wastewater-treatment-facility-npdes-permit-mn-0024066-5>. 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).