

PUBLIC NOTICE

**PUBLIC NOTICE OF MULTIPLE DRAFT NPDES PERMITS 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.: 18-08-03-A

Public Notice Issued On: August 8, 2018

Comment period ends: September 7, 2018

Permit No.: MN-0059404-5 (REISSUANCE)

Application No.: MN-0059404-5

Name and Address of Applicant:

White Earth Department of Public Works
White Earth Band of Chippewa Indians
P.O. Box 418
White Earth, Minnesota 56591

**Name and Address of Facility
Where Discharge Occurs:**

Chippewa Ranch Wastewater
Stabilization Lagoon
White Earth Indian Reservation
Mahnomen, Minnesota
Mahnomen County
(Section 2, T144N, R40W)

Receiving Water: Drainage ditch which flows to an unnamed wetland in the Wild Rice River watershed

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 treatment system consists of a single cell 0.95- acre stabilization lagoon measured at the 4-foot level, which is the midpoint of the 4-foot operating range. Volume of the cell over this 4-foot operating range is 1,238,040 gallons. At a 180-day storage period, this is approximately 6900 gallons per day (gpd). The facility has a controlled discharge (Outfall 001) to a drainage ditch (Latitude: 47.3233361, Longitude: -95.7046556). Wastewater is from domestic sources only.

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

| Effluent Characteristics | Discharge Limitations | | | |
|--|---------------------------------|-----------------------------|----------------|---------------|
| | 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 ₅) (mg/L) | - | 25 | 40 | - |
| E. coli (#/100ml) (April 1 – October 31) | - | 126 (geometric mean) | - | 410 |
| Phosphorus, 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 ₅ percent removal (%) | ≥85 | - | - | - |
| TSS percent removal (%) | ≥65 | - | - | - |
| Outfall observation (yes/no) | - | - | - | - |

The permit also requires the continued implementation of an operation and maintenance plan, the development and implementation of an Enhanced Phosphorus Management Plan, compliance with 40 CFR Part 503 when sludge is used or disposed and compliance with 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.

Permit No.: MN-0059439-5 (REISSUANCE)

Application No.: MN-0059439-5

Name and Address of Applicant:

Name and Address of Facility

Where Discharge Occurs:

White Earth Department of Public Works
 White Earth Band of Chippewa Indians
 P.O. Box 418
 White Earth, Minnesota 56591

Ponsford Wastewater
 Stabilization Lagoon
 White Earth Indian Reservation
 Pine Point Community, Minnesota
 Becker County
 (Sec. 32, T141N, R37W)

Receiving Water: Mission Swamp

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 wastewater treatment system consists of a 3-cell stabilization pond. The influent is pumped to two-primary cells that can be operated in series or in parallel. Effluent from either primary cell is sent to the secondary cell for final treatment. Each primary cell has approximately an area of 1.53 acres and the secondary cell has approximately an area of 1.68 acres. The facility has a controlled discharge (Discharge 001) to Mission Swamp and is designed to treat an average influent flow of 25,500 gallons per day (gpd) with a five-day biochemical oxygen demand (BOD₅) removal of 85%.

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

| <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 ₅) (mg/L) | - | 25 | 40 | - |
| E. coli (#/100ml) (April 1 – October 31) | - | 126 (geometric mean) | - | 410 |
| Phosphorus, Total (mg/L) | - | Report | - | - |

| | | | | |
|---|-----|--------------------|---|---|
| Phosphorus, Total (kg/year) | - | 70 (rolling total) | - | - |
| 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 ₅ percent removal (%) | ≥85 | - | - | - |
| TSS percent removal (%) | ≥65 | - | - | - |
| Outfall observation (yes/no) | - | - | - | - |

The permit also requires the continued implementation of an operation and maintenance plan, compliance with 40 CFR Part 503 when sludge is used or disposed and compliance with 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.

Permit No.: MN-0064165-4 (REISSUANCE)

Application No.: MN-0064165-4

Name and Address of Applicant:

White Earth Department of Public Works
 White Earth Band of Chippewa Indians
 P.O. Box 418
 White Earth, Minnesota 56591

**Name and Address of Facility
 Where Discharge Occurs:**

Nay-Tah-Waush Wastewater
 Stabilization Lagoon
 White Earth Indian Reservation
 Naytahwaush, Minnesota
 Mahnomen County
 (NE 1/4 of Sec. 20, T144N, R39W)

Receiving Water: Unnamed Slough eventually flowing to Fairbanks Lake

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 an approximately 12-acre community wastewater stabilization pond system. The ponds are

designed to handle 200 days of winter storage. The primary cell is approximately 6 acres and the 2 secondary cells are approximately 3 acres each. The secondary cells can be operated in series or in parallel.

The facility has a seasonal controlled discharge (Discharge 001) to an unnamed slough eventually flowing to Fairbanks Lake and is designed to treat an average influent flow of 75,000 gallons per day (gpd).

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

| <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 ₅) (mg/L) | - | 25 | 40 | - |
| E. coli (#/100ml) (April 1 – October 31) | - | 126 (geometric mean) | - | 235 |
| Phosphorus, 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 ₅ percent removal (%) | ≥85 | - | - | - |
| TSS percent removal (%) | ≥65 | - | - | - |
| Outfall observation (yes/no) | - | - | - | - |

The permit also requires the continued implementation of an operation and maintenance plan, development and implementation of an Enhanced Phosphorus Management Plan, compliance with 40 CFR Part 503 when sludge is used or disposed and compliance with 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.

Permit No.: MN-0064173-4 (REISSUANCE)

Application No.: MN-0064173-4

Name and Address of Applicant:

White Earth Department of Public Works
White Earth Band of Chippewa Indians
P.O. Box 418
White Earth, Minnesota 56591

**Name and Address of Facility
Where Discharge Occurs:**

White Earth Wastewater
Stabilization Lagoon No. 2
White Earth Indian Reservation
White Earth, Minnesota
Becker County
(Sec. 27, T142N, R41W)

Receiving Water: Unnamed Slough eventually flowing to Rat Farm Lake

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 wastewater treatment consists of a 4-cell wastewater stabilization pond. Influent is provided to two primary cells that can be operated in series or in parallel. Effluent from either primary cell is discharged to an intermediate secondary cell. Effluent is further discharged to a polishing cell. Primary cell 1 is 2.9 acres in area, primary cell 2 is 5.1 acres in area, the intermediate secondary cell is 3.4 acres in area, and the polishing cell is 1.5 acres in area. Final treated effluent is discharged to an unnamed slough that flows into Rat Farm Lake.

The facility has a controlled discharge (Discharge 001) to an unnamed slough that eventually will flow to Rat Farm Lake and is designed to treat an average influent flow of 85,000 gallons per day.

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

| <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 ₅) (mg/L) | - | 25 | 40 | - |
| E. coli (#/100ml) (April 1 – October 31) | - | 126 (geometric mean) | - | 235 |
| Phosphorus, 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 ₅ percent removal (%) | ≥85 | - | - | - |
| TSS percent removal (%) | ≥65 | - | - | - |
| Outfall observation (yes/no) | - | - | - | - |

The permit also requires the continued implementation of an operation and maintenance plan, development and implementation of an Enhanced Phosphorus Management Plan, compliance with 40 CFR Part 503 when sludge is used or disposed and compliance with 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.

Permit No.: MN-0068438-3 (REISSUANCE)

Application No.: MN-0068438-3

Name and Address of Applicant:

White Earth Department of Public Works
White Earth Band of Chippewa Indians
P.O. Box 418
White Earth, Minnesota 56591

**Name and Address of Facility
Where Discharge Occurs:**

Big Rice Lake Wastewater Lagoon
White Earth Indian Reservation
White Earth, Minnesota
Clearwater County
(SE ¼ of the NW ¼ of Sec. 9, T145N, R38W)

Receiving Water: Unnamed Wetland eventually flowing to the 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 permittee owns and operates a wastewater treatment system consisting of a 3-cell stabilization pond, with two primary cells. The treatment system has a combined treatment area of 3.72 acres. Wastewater is from domestic sources only. The facility has a controlled discharge (Discharge 001) to an unnamed wetland that eventually flows into the Wild Rice River. The facility is designed to treat an average influent flow of 22,400 gallons per day (gpd) with a five-day biochemical oxygen demand (BOD₅) removal of 85%.

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

| Effluent Characteristics | Discharge Limitations | | | |
|--|---------------------------------|-----------------------------|----------------|---------------|
| | 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 ₅) (mg/L) | - | 25 | 40 | - |
| E. coli (#/100ml) (April 1 – October 31) | - | 126 (geometric mean) | - | 410 |
| Phosphorus, Total (mg/L) | - | 1.0 | 1.5 | - |
| 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 ₅ percent removal (%) | ≥85 | - | - | - |
| TSS percent removal (%) | ≥65 | - | - | - |
| Outfall observation (yes/no) | - | - | - | - |

The permit also requires the continued implementation of an operation and maintenance plan, compliance with 40 CFR Part 503 when sludge is used or disposed and compliance with 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.

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 permits for the discharges from the Chippewa Ranch Wastewater Stabilization Lagoon (WWSL), the Ponsford WWSL, the Nay-Tah-Waush WWSL, the White Earth WWSL No. 2 and the Big Rice Lake WWL, subject to certain effluent limitations and special conditions.

COMMENT PROCEDURES and PUBLIC HEARING

The determination to issue the NPDES permits 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 September 7, 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 September 7, 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 September 7, 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 or by email to colletti.john@epa.gov.

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/chippewa-ranch-wastewater-stabilization-lagoon-mpdes-permit-mn-0059404-5>, <https://www.epa.gov/npdes-permits/ponsford-wastewater-stabilization-lagoon-mpdes-permit-mn-0059439-5>, <https://www.epa.gov/npdes-permits/nay-tah-waush-wastewater-stabilization-lagoon-mpdes-permit-mn-0064165-4>, <https://www.epa.gov/npdes-permits/white-earth-wastewater-stabilization-lagoon-no2-mpdes-permit-mn-0064173-4> and <https://www.epa.gov/npdes-permits/big-rice-lake-wastewater-lagoon-mpdes-permit-mn-0068438-3>. 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.