

## PUBLIC NOTICE

### PUBLIC NOTICE OF A DRAFT NPDES PERMIT TO DISCHARGE INTO WATERS OF THE UNITED STATES

U.S. Environmental Protection Agency  
Region 5, Permits Branch - WP-16J  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 886-6106

**Public Notice No.: 20-07-01-A**

**Public Notice Issued On: July 9, 2020**

**Comment Period Ends: August 10, 2020**

**Permit No.: MN-0049794-5 (REISSUANCE)**

**Application No.: MN-0049794-5**

**Name and Address of Applicant:**

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

City of Ogema  
P.O. Box 158  
Ogema, Minnesota 56569

City of Ogema WWTF  
311 N Perrault St  
Ogema, Minnesota 56569  
White Earth Township, Becker County  
(NW ¼ of Section 20, T142N, R41W)

**Receiving Water:** Unnamed wetland that leads to Spring Creek and then to the South Branch of the Wild Rice River.

#### **Description of Applicant's Facility and Discharge**

The above-named applicant has applied for an NPDES Permit to discharge into the designated receiving water. The facility is located within the boundaries of the White Earth Indian Reservation. The U.S. Environmental Protection Agency has retained the authority to issue NPDES permits to facilities with discharges to waters of the United States within Indian Country. The permit will be issued by the EPA under the authorities of the Clean Water Act.

The application and plans indicate that the existing wastewater treatment system consists of a municipal collection system, two lift stations, force main, and a two-cell stabilization pond system and an outfall pipe. Lift Station #1 collects wastewater from the north side of the town and pumps it to Lift Station #2. Lift Station #2 collects wastewater from the rest of the town and pumps it to a 2.8 acre primary pond. It is then released to a 1.27 acre secondary pond. The discharge is seasonal.

The facility has controlled discharge (Discharge 010) to an unnamed wetland that leads to Spring Creek and then to the South Branch of the Wild Rice River. The facility is designed to treat an

average influent flow of 25,300 gallons per day (gpd) with a five-day biochemical oxygen demand (BOD<sub>5</sub>) of 271 milligrams per liter (mg/l) and removal of 85%.

The primary and secondary cells are each 8 feet deep with 2 feet of sludge storage and 2 feet of freeboard, giving each cell a 4 foot operating depth. The facility provides a total detention time of 210 days at design flow. Wastewater is from domestic sources only.

The permittee does not plan to remove any solids from the pond during the permit term.

### **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 reissue a permit for the discharge from the City of Ogema Wastewater Treatment Facility 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 permit may be submitted extends to **August 10, 2020**.
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 10, 2020**. EPA will hold a hearing if there is significant interest based on written requests. 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.
3. All comments received after **August 10, 2020** will not be considered in the formulation of the final determination.
4. Due to COVID-19 public health emergency and Stay-at-Home orders, written comments or requests for a public hearing must be emailed to: John A. Colletti, U.S. Environmental Protection Agency, Region 5, Permits Branch at [colletti.john@epa.gov](mailto:colletti.john@epa.gov).

The application and Public Notice numbers should appear in the subject line of the email 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 decision, any person who filed comments on the draft permit or participated in a public hearing, if held, may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision. Such a petition must include a statement of the reasons supporting review of the decision, including a demonstration that the issue(s) being raised for review were raised during the public comment period (including any public hearing). The petition should, when appropriate, show that each condition being appealed is based on either, (1) a finding of fact or conclusion of law which is clearly erroneous, or (2) an exercise of discretion or an important policy demonstration which the EAB should, in its discretion, review.

### **Availability of Documents**

Due to COVID-19 public health emergency and Stay-at-Home orders, the application, draft permit, including proposed effluent limitations and special conditions, statement of basis, and other documents contained in the administrative record may not be available for inspection at the Chicago Regional offices of the Environmental Protection Agency. Please contact John Colletti at (312) 886-6106 or by e-mail at [colletti.john@epa.gov](mailto:colletti.john@epa.gov) anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday if you are interested in viewing the administrative record. 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/city-of-ogema-wastewater-treatment-facility-mpdes-permit-mn-0049794-5". All data submitted by the applicant is available as part of the administrative record. For more information, please contact Mr. Colletti as stated above.