

## 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.: 20-07-02-A**

**Public Notice Issued On: July 17, 2020**

**Comment Period Ends: August 17, 2020**

**Permit No.: MN-0064688-5 (REISSUANCE)**

**Application No.: MN-0064688-5**

**Name and Address of Applicant:**

City of Bejou  
P.O. Box 2098  
Bejou, Minnesota 56516

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

City of Bejou WWTF  
Bejou, Minnesota 56516  
Mahnomon County  
(NW ¼ of SE ¼ of S22, T146N, R42W)

**Receiving Water:** Marsh Creek, also known as Judicial Ditch # 91, and eventually to the Red 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 two lift stations, approximately 2150 feet of 5-inch and 140 feet of 4-inch force main, and a 2-cell stabilization pond system.

The facility has a controlled discharge (discharge 001) to Marsh Creek, also known as Judicial Ditch # 91. The facility is designed to treat an average wet weather influent flow of 17,700 gallons per day (gpd) with five-day biochemical oxygen demand (BOD<sub>5</sub>) strength of 144.0 milligrams per liter (mg/L). The primary cell has a surface area of approximately 1.83 acres at an average operating depth of 4 feet. The secondary cell has a surface area of approximately 0.92

acres. The pond system has a total detention time of approximately 200 days.

The facility is further described in plans and specifications on file with the Minnesota Pollution Control Agency and in an engineering report by the firm of Ulteig Engineers, Inc. (formerly Larson-Peterson and Associates, Inc.), Detroit Lakes, Minnesota. Wastewater is from domestic sources only. The facility is rated as a Class D under Minnesota regulations.

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 Bejou 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 17, 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 17, 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 17, 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-bejou-wwtf-npdes-permit-mn-0064688-5". All data submitted by the applicant is available as part of the administrative record. For more information, please contact Mr. Colletti as stated above.