

General information

Public comment period begins: December 6, 2022

Public comment period ends: February 6, 2023

Current permit issued: June 21, 2016

Current permit expiration date: May 31, 2021

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this permit for a term of approximately five years.

Name and address of Permittee:	Facility name and location:	MPCA contact person:	MPCA variance contact person:
Western Lake Superior Sanitary District 2626 Courtland St Duluth, MN 55806-1813	Western Lake Superior Sanitary District Wastewater Treatment Facility 2626 Courtland St Duluth, MN 55806-1813 St. Louis County T049N, R14W, Section 004	Stephanie Lyons Municipal Division Minnesota Pollution Control Agency 525 Lake Ave S, Ste 400 Duluth, MN 55802 Phone: 218-302-6643 Email: stephanie.lyons@state.mn.us File manager phone: 651-757-2728 or 844-828-0942	Meghan Hemken Environmental Analysis and Outcomes Division Minnesota Pollution Control Agency 520 Lafayette Road North Saint Paul, MN 55155 Phone: 651-757-2887 Email: meghan.hemken@state.mn.us

A draft permit and fact sheet are available for review on the MPCA Public Notices webpage at; <https://www.pca.state.mn.us/get-engaged/public-comments>. Additional materials relating to the issuance of this permit are available for inspection by appointment at any MPCA office (<https://www.pca.state.mn.us/about-mpca/contact-us>) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and U.S. Mail comments must be received by 4:30 p.m.

Watershed: St. Louis River

Receiving water: Duluth/Superior Harbor - Class 2B, 3, 4A, 4B, 5, 6 water; St. Louis Bay - Class 2B, 3, 4A, 4B, 5, 6 water; Superior - Class 1B, 2A, 3, 4A, 4B, 5, 6 water

Description of Western Lake Superior Sanitary Sewer District (WLSSD)

The WLSSD wastewater treatment facility (WWTF) (Facility) is located at 2626 Courtland Street, Duluth, Minnesota 55806, St. Louis County. This is a class A facility.

The application and plans indicate the Facility has a continuous discharge (SD 001) to the St. Louis River (St. Louis River Bay) (a Class 2B, 3, 4A, 4B, 5, 6 water) which is designated as an Outstanding International Resource Water (OIRW). Water then flows through the Duluth/Superior harbor, which is classified as a Class 2B, 3, 4A, 4B, 5, 6 water, and then outlets to Lake Superior, which is classified as a Class 1B, 2A, 3, 4A, 4B, 5, 6 water. Lake Superior is downstream of the discharge and is an Outstanding Resource Value Water (ORVW) (Restricted) discharge category. The Facility is designed to treat an average wet weather design flow of 48.4 million gallons per day with a 5-day carbonaceous biological oxygen demand of 300 milligrams per liter (mg/L).

Major components of the Facility include one collection system with gravity and/or pressure sewer, three mechanical bar screens, two grit removal tanks, four pure oxygen activated sludge tanks, four secondary clarifiers, four flocculation tanks, 12 multimedia filters (anthracite/silica/gravel with backwash), two chlorination tanks, one dechlorination tank, four dissolved air flotation systems (which will be replaced with three rotary drum thickeners), two anaerobic digesters (complete mixed, heated-thermophilic), two anaerobic digesters (complete mixed, heated-mesophilic), two sludge storage tanks, two centrifuges, one off-site biosolids storage facility (Biosolids Facility) and MPCA-approved biosolids land application sites.

WLSSD's off-site Biosolids Facility is located on Highway 210, approximately one mile west of Interstate 35, in the Northeast quarter of Section 9, Township 48 North, Range 17 West. The address is 1948 Highway 210, Carlton, Minnesota 55718, Carlton County.

The Facility site has minimal onsite biosolids cake storage of approximately 19-22 days. An off-site Biosolids Storage Facility was built for those instances when weather or site conditions preclude access for land application activities, and more space was needed than built to operate in conjunction with the land application program is available at the Biosolids Facility. Biosolids are land applied by the Permittee on MPCA-approved sites. Land application sites consist of farmland primarily located in Carlton and St. Louis counties.

The off-site Biosolids Facility is sized to accommodate stabilized biosolids. Tractor-trailer combinations of 80,000 gross vehicle weight haul biosolids to and from the Biosolids Facility. The structure is fully enclosed and is covered with a metal roof to the top of the concrete containment walls. Ventilation fans provide ventilation for the Biosolids Facility. The capacity of the Biosolids Facility is based on the following: 41 days of storage based on the year 2020 maximum month production of anaerobically digested biosolids (29 dry tons per day) at 25 percent total solids and 0.85 ton per cubic yard density.

This permit contains two variances from water quality standards for mercury and for year-round disinfection. The details of each variance are located within the permit text.

The preliminary determination to reissue this Wastewater permit is tentative.

Description of Preliminary Variance Request Determination

The MPCA issues this document to notify the public of the Commissioner's preliminary decision regarding the variance requested by WLSSD. The Permittee has applied for a variance from the mercury water quality standard for Class 2B waters (used to generate water quality based effluent limit) that is governed by the Permittee's National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) permit. Upon review of the documents, the Commissioner has made the preliminary determination that the Permittee has satisfied the conditions necessary to grant the variance and as a result, the Commissioner has made the preliminary determination to grant the variance.

The preliminary determination to grant this variance request is tentative.

For the mercury water quality variance, as required by Minn. R. 7050.0190, subp. 6, the Commissioner has scheduled a public meeting at the following time and location:

The public meeting will be held in-person. The meeting will entail a brief summary presentation of the mercury water quality variance, and key elements of the permit, an opportunity to ask clarifying questions, and a period to make verbal comments regarding the preliminary variance and permit decision. (Approximately 60-120 minutes).

In-Person Meeting

Date and time: January 25, 2023, 5:00 pm- 7:00pm

Location: MPCA Main Conference Room 400-1 at 525 Lake Avenue South, Suite 400, Duluth, Minnesota 55802

Inclement Weather Plan

Date and time: January 25, 2023, 5:00 pm- 7:00pm

Virtual Meeting Information: <https://www.pca.state.mn.us/events-and-meetings/wlssd-permit-reissuance>

Variance Information

Visit the Water Quality (WQ) Variances webpage at: <https://www.pca.state.mn.us/business-with-us/water-quality-variances> for more information about WLSSD, water quality permits and pre-recorded presentations about special topics of interest for this permit.

The meeting will be recorded and made available upon request.

Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- 1) Submit written comments on the draft permit.
- 2) Petition the MPCA to hold a public informational meeting.
- 3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

Comments may be submitted:

- 1) Online at <https://mpca.commentinput.com/comment/search>; or
- 2) By U.S. postal mail to the following address:
Minnesota Pollution Control Agency
c/o Stephanie Lyons
525 Lake Ave S, Ste 400
Duluth, MN 55802

Submitted comments or petitions must state:

- 1) Your interest in the permit application or the draft permit.
- 2) The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
- 3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.