

PUBLIC NOTICE OF APPLICATION FOR APPROVAL OF A DELEGATED PRETREATMENT PROGRAM

General information

Public comment period begins: November 15, 2023

Public comment period ends: December 15, 2023

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to approve delegation of the local pretreatment program.

Name and address of Permittee:

City of Brainerd
501 Laurel St
Brainerd, MN 56401

Facility name and location:

City of Brainerd
501 Laurel St
Brainerd, MN 56401
Crow Wing County

MPCA contact person:

Jaramie Logelin
Municipal Division
Minnesota Pollution Control Agency
525 Lake Ave S, Ste 400
Duluth, MN 55802
Phone: 218-302-6640
Email: jaramie.logelin@state.mn.us

File manager phone: 651-757-2728 or
844-828-0942

Approval of Delegated Pretreatment Program

The City of Brainerd, which operates a Publicly-Owned Treatment Works (POTW) serving the wastewater needs of the cities of Brainerd and Baxter, has applied for approval of its local pretreatment program, and has submitted a statement of legal authority, copies of documents relied on for legal authority, and descriptions of their organization, resources, and procedures to administer the pretreatment program.

The pretreatment program is a federally mandated program designed to regulate the discharges from industrial users of POTWs. Minnesota State Rules regarding the administration of the pretreatment program can be found in the Minnesota Wastewater Pretreatment Rules, Minn. R. ch. 7049. The Minnesota Pollution Control Agency (MPCA) was delegated authority to administer the pretreatment program as an approval authority by the United States Environmental Protection Agency on July 16, 1979.

The MPCA staff has reviewed the City of Brainerd submittal and has determined that the program is approvable in accordance with the Minnesota Wastewater Pretreatment Rules. This approval will delegate to the City of Brainerd authority to regulate users of their POTW for all applicable pretreatment rules and regulations as a control authority. Currently the City of Brainerd regulates users of their POTW for most, but not all applicable pretreatment rules and regulations. Prior to making a final determination to approve the program, the MPCA is providing opportunity for public comment on the request.

The City of Brainerd pretreatment program application for delegated pretreatment program approval is available for review at the address given below. If you have questions regarding the pretreatment program proposed by the City of Brainerd or the preliminary decision to approve this pretreatment delegation, please contact Jaramie Logelin at 218-302-6640 or jaramie.logelin@state.mn.us.

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 Jaramie Logelin
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.