

# Public Notice of intent to issue wastewater permit and TMDL wasteload allocations

Wastewater  
Permit MN0071731

## General information

**Public comment period begins:** February 7, 2024

**Public comment period ends:** April 8, 2024

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to issue this permit for a term of approximately five years. In conjunction with the reissuance of this permit, the MPCA Commissioner has made a preliminary determination to modify the Total Maximum Daily Load (TMDL) wasteload allocations (WLAs) in following five TMDLs: Lac qui Parle River Watershed TMDL, Lac Qui Parle Yellow Bank Bacteria, Turbidity, and Low Dissolved Oxygen TMDL Assessment Report, Minnesota River Headwaters Watershed TMDL, Minnesota River and Greater Blue Earth River Basin TSS TMDL, and the South Metro Mississippi Turbidity TMDL.

Name and address of Permittee:	Facility name and location:	MPCA contact person:	TMDL project manager
Lincoln Pipestone Rural Water PO Box 188 Lake Benton, MN 56149-0188	Lincoln Pipestone Rural Water - Boyd WTF 3477 130th St. Boyd, MN 56218 Lac Qui Parle County	Ashley Wahl Municipal Division Minnesota Pollution Control Agency 504 Fairgrounds Rd, Ste 200 Marshall, MN 56258 Phone: 507-476-4264 Email: <a href="mailto:ashley.wahl@state.mn.us">ashley.wahl@state.mn.us</a>  File manager phone: 651-757-2728 or 844-828-0942	Katherine Pekarek-Scott Watershed Division Minnesota Pollution Control Agency 504 Fairgrounds Rd, Ste 200 Marshall, MN 56258 Phone: 507-476-4284 Email: <a href="mailto:katherine.pekarek-scott@state.mn.us">katherine.pekarek-scott@state.mn.us</a>

A draft permit is 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 or TMDL related documents 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:** Lac Qui Parle River

**Receiving waters:** Unnamed ditch - Class 2Bm, 3, 4A, 4B, 5, 6 water; Tenmile Creek - Class 2Bm, 3, 4A, 4B, 5, 6 water; Lac Qui Parle (SE Bay) - Class 2B, 3, 4A, 4B, 5, 6 water

## Description of permitted facility

The proposed facility is for the dewatering of a residual slurry created from the treatment of groundwater for potable use using a lime softening process. The residual slurry of the lime softening process consists primarily of water, calcium carbonate, and magnesium hydroxide.

The dewatering facility will consist of the following components:

- Three settling ponds, designed to be operated from 2 feet to 6 feet from pond bottom, with mean surface areas of 1.3 acres
- One polishing pond, designed to be operated from 2 feet to 6 feet from pond bottom, with mean surface area of 0.9 acres

The facility is designed to treat:

- An annual average discharge flow of 7,000 gallons per day
- An average monthly discharge flow of 233,000 gallons
- A maximum daily discharge flow of 147,000 gallons per day

The settling ponds will be rotated through use, with one pond being online at a time while the other two offline ponds are in a settling/drying period. The online pond decants water into the polishing pond which will discharge intermittently from SD 001. Lime solids from the settling ponds will be land applied.

The preliminary determination to issue this wastewater permit is tentative.

## Description of TMDL Wasteload Allocation Modification

Amendments to the:

- [Lac qui Parle River Watershed TMDL](#), EPA approved August 31, 2021
- [Lac Qui Parle Yellow Bank Bacteria, Turbidity, and Low Dissolved Oxygen TMDL Assessment Report](#), EPA approved May 8, 2013
- [Minnesota River Headwaters Watershed TMDL](#), EPA approved March 2022
- [Minnesota River and Greater Blue Earth River Basin TSS TMDL](#), EPA approved February 12, 2020
- [South Metro Mississippi Turbidity TMDL](#), EPA approved April 26, 2016

The Lincoln Pipestone Rural Water – Boyd Facility is proposing a new discharge to an unassessed ditch that leads to Ten Mile Creek and the Lac qui Parle River. The proposed maximum design flow (MD) of the facility will be 0.147 million gallons per day (mgd). The Permittee has accepted the following effluent limits for the discharge:

total suspended solids (TSS): 30 milligrams per liter (mg/L) and 16.7 kilograms per day (kg/day)

As shown above, the five TSS TMDLs were approved by the U.S. Environmental Protection Agency. Permits with TSS limits have WLAs based on their calendar month average concentrations and design flow. WLAs are based on permitted TSS limits. Facilities that discharge consistent with the WLAs are not a cause for in-stream exceedances of the TSS standard within their receiving water bodies.

An analysis of the effects of expanded wasteload allocations, prepared by Tetrtech for the Zumbro River Turbidity TMDL (Cleland 2011), demonstrates that current discharges can be expanded and new NPDES discharges can be added while maintaining water quality standards, provided the permitted NPDES/SDS effluent concentrations remain at or below the in-stream concentration targets.

As stated above, this facility will have a new discharge and will need to be assigned WLAs in the five TMDLs. With the MD of 0.147 mgd and a TSS concentration limit of 30 mg/L, the Facility will need a WLA of 16.7 kg/day. The MD of 0.147 mgd is equivalent to 0.2274 cubic feet per second (CFS).

This NPDES/SDS Permit authorizes the expansion of the WLAs for the Facility. Expansion of the WLAs will not contribute to the TSS impairments because the NPDES/SDS Permit's 30 mg/L TSS discharge limit will ensure that the discharge does not have reasonable potential to cause or contribute to an exceedance of the applicable 32 mg/L TSS water quality standard.

### Modified WLAs for each of the five TMDLS

	Approved Wasteload Allocation	Flow Increase	TSS Loading Capacity Increase	Modified Wasteload Allocation
Lincoln Pipestone Rural Water Boyd Expansion	0 kg/day	0.2274 cfs	16.7 kg/day	16.7 kg/day
Loading Capacity Expansion		0.2274 cfs	16.7 kg/day	

16.7 kg/day = 36.8 lbs/day = 0.0184 tons/day

Facilities that discharge below the WQ standard provide assimilative capacity beyond that which is required to offset their respective TSS loads. Nevertheless, these facilities are still discharging the pollutant of concern (TSS), and therefore individual WLAs are required.

## 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:  
Ashley Wahl  
Minnesota Pollution Control Agency  
504 Fairgrounds Rd, Ste 200  
Marshall, MN 56258

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.