

General information

Public comment period begins: May 20, 2024
Public comment period ends: July 19, 2024
Current permit issued: January 27, 2012
Current permit modified: April 02, 2014
Current permit expiration date: December 31, 2016

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 permit contact person:	MPCA variance contact person:
City of Kerkhoven PO Box 116 Kerkhoven, MN 56252-0116	Kerkhoven WWTF 502 3rd St N Kerkhoven, MN 56252 Swift County T120N, R37W, Section 22	Ashley Wahl Municipal Division Minnesota Pollution Control Agency 504 Fairgrounds Road, Suite 200 Marshall, MN 56258 Phone: 507-476-4264 Email: ashley.wahl@state.mn.us	Ian Babson Environmental Analysis and Outcomes Division Minnesota Pollution Control Agency 520 Lafayette Road North Saint Paul, MN 55155 Phone: 651-757-2284 Email: ian.babson@state.mn.us
		File manager phone: 651-757-2728 or 844-828-0942	

A draft permit fact sheet 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 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: Chippewa River

Receiving water: County Ditch 61 - Class 7, 3, 4A, 4B, 5, 6 water

Description of permitted facility

The existing facility has a continuous discharge from SD 001. The facility is a Class B.

This facility is designed to treat:

- an average wet weather (AWW) flow of 0.15 million gallons per day (mgd); and
- five-day carbonaceous biochemical oxygen demand (CBOD₅) of 240 milligrams per liter (mg/L)

The facility consists of a lift station, 200 feet of 8-inch force main, hydrosieve screen, an oxidation ditch, secondary clarifier, chlorination unit, and an effluent flow meter. The facility also contains sludge storage with a capacity of a minimum of 365 days of storage prior to land application.

The permit includes a Construction Compliance Schedule to install dechlorination equipment and comply with a final total residual chlorine (TRC) limit.

The preliminary determination to reissue this wastewater permit is tentative.

Description of Preliminary Variance Request Determination

The Minnesota Pollution Control Agency (MPCA) issues this document to notify the public of the Commissioner's preliminary decision regarding the variance requested by the Permittee. The Permittee has applied for a variance from the total chloride 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/State Disposal System (NPDES/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.

Water Quality Variance Public Meeting

For the chloride 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 by online starting at 6:00 p.m. and ending after the presentation and questions (approximately 45 – 60 minutes).

Date and time: July 9th, 2024 at 6:00 p.m.

Microsoft Teams Meeting web link:

<https://minnesota.webex.com/minnesota/j.php?MTID=md1a461b84b7817c95c0625aada6e6dc2>

You may also contact Ashley Wahl, at the address above, to request a meeting invite be forwarded to you via email, or visit the WQ Variances webpage <https://www.pca.state.mn.us/water/water-quality-variances> for a link to the meeting.

The meeting will have a brief presentation on the variance, an opportunity to ask clarifying questions, and a period to make verbal comments regarding the preliminary variance decision.

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:
Ashley Wahl
Minnesota Pollution Control Agency
504 Fairgrounds Road, Suite 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.