MINNESOTA POLLUTION CONTROL AGENCY

National Pollutant Discharge Elimination System/State Disposal System

MN0057525

Permittee:	Hennepin County and GRE HERC Services, LLC
Facility name:	Hennepin Energy Recovery Center
Receiving water:	Mississippi River - Class 1C, 2Bdg, 3, 4A, 4B, 5, 6 water
City or Township:	Minneapolis **County:** Hennepin
Issuance date:	TBD
Expiration date:	TBD

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to operate a disposal system at the facility named above and to discharge from this facility to the receiving water named above, in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature:

This document has been electronically signed.

for the Minnesota Pollution Control Agency

Brandon Montgomery
Supervisor
Water Section
Industrial Division

Resources

Submit electronic Discharge Monitoring Reports (eDMR) via the MPCA e-Services at: https://rsp.pca.state.mn.us/TEMPO_RSP/Orchestrate.do?initiate=true

Submit documents electronically to wq.submittals.mpca@state.mn.us. **Note:** The Water quality submittals form located at: https://www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx must be attached.

For eDMR and other permit reporting issues, use the directory listed at the bottom of the Discharge Monitoring Report page: https://www.pca.state.mn.us/water/discharge-monitoring-reports

For specific permit requirements, contact your compliance staff: https://www.pca.state.mn.us/water/wastewater-compliance-and-enforcement-staff-contacts

For wastewater permit program general questions, contact the MPCA at 651-282-6143 or 800-657-3938, or reference the permit user's manual at: https://www.pca.state.mn.us/sites/default/files/wq-wwtp7-09.pdf.

Additional guidance and resources are located at: https://www.pca.state.mn.us/water/wastewater.

A printable summary of sampling requirements can be found at: https://www.pca.state.mn.us/water/wastewater-permit-submittal-checklists.

A printable checklist of submittals can be found at: https://www.pca.state.mn.us/water/wastewater-permit-submittal-checklists

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1. Permitted facility description

The Hennepin Energy Recovery Center (facility) is located at 505 6th Ave N, Minneapolis, Minnesota 55405-1503, Hennepin County.

The facility is an energy-from-waste facility that operates two mass burn waterwall Municipal Solid Waste (MSW) combustion units, each capable of processing 606 tons per day (TPD) of MSW. The mass burn technology and waste to energy boiler grates allow for the immediate processing of MSW with no presorting of materials required. After weighing, solid waste collection and transfer vehicles enter the tipping area to discharge their load onto the tipping floor or directly into the 7,000-ton storage bunker. Unacceptable or non-processible wastes such as tires, appliances, and items too large for the feed chutes are placed in roll-off containers for recycling or alternate disposal.

One of two overhead cranes lifts the waste from the storage pit into the feed chute leading to the furnace. The crane operator mixes the MSW to provide a uniform fuel mixture. Dust and odors within the storage bunker and tipping hall area are controlled by drawing in combustion air from these areas into the boilers and utilizing automatic high-speed entrance and exit doors to keep the areas under a slight negative pressure.

Solid waste drops through feed chutes and is moved onto furnace grates by hydraulically operated ram feeders. The MSW moves down through the feed chute onto the horizontal movable grates of the boiler. The high chrome/nickel, cast steel alloy grate bars transport the waste through a drying zone, an ignition zone, a combustion zone, and into a post-combustion zone.

A forced draft fan supplies the primary combustion air underneath the grate. In addition, secondary air is injected through the front and rear walls of the furnace to complete combustion and control emissions.

Inside the steel tubes that form the furnace walls of the boiler, water is converted to steam from the heat transfer of the combustion process. The steam is superheated and directed to an extracting, condensing turbine-generator to produce electricity. The electricity produced flows to switchgear and on to an electrical transmission line interconnected to the Xcel Energy distribution system. The facility is designed to process 365,000 tons/year of mixed solid waste, which generates up to 337,000 megawatt hours/year.

Municipal water is used as cooling tower makeup water, hydrostatic test water, quench tank reuse to cooling towers, air compressor cooling water, boiler/steam generation (following pretreatment through a demineralization system), domestic consumption, fire protection, lawn sprinkling, and other miscellaneous uses.

The waste stream authorized for discharge by this permit consists of cooling tower blowdown. In this non-contact cooling process, water may be recycled approximately seven times prior to blowdown. Water used as air compressor cooling and in the condensate polisher may be reused as cooling tower makeup water. Cooling tower blowdown may be recycled for use in the quench tank. When reused as such, the resultant waste stream is discharged to the sanitary sewer.

Chemicals are added to the cooling tower for the control of scale, corrosion and microbiological activities.

Cooling tower blowdown, as a point source discharge, is discharged to the municipal storm sewer at an average rate of 75,000 gallons per day (gpd) and a permitted maximum rate of 300,000 gpd via SD 001.

This segment of the city of Minneapolis storm sewer connects to the Bassett Creek Conduit which previously discharged into the Mississippi River approximately 300 yards downstream of River Mile 855, and the Plymouth Avenue Bridge. Due to construction, Bassett Creek outfall was relocated approximately 300 yards downstream of River Mile 854 between

Upper St. Anthony Falls and Lower St. Anthony Falls. The location of the facility discharge to the storm sewer did not change, but it is now referred to as Old Bassett Creek Tunnel or outfall. A berm restricts flow to the old tunnel, but per an agreement between Minneapolis, the watershed district, the Minnesota Department of Transportation (MNDOT), and the United States Army Corps of Engineers (USCOE), during high flow events (50 cubic feet per second (cfs)), flows may be directed from the new tunnel to the old tunnel.

Industrial stormwater management and control requirements have been included in this permit. All discharge conveyances have been evaluated at the site and it has been determined that no liquids other than stormwater and the permitted cooling tower blowdown are being discharged from these devices. There are no direct discharges to the storm sewer except for the cooling tower blowdown. All significant materials have been contained and any areas that are exposed to stormwater have been contained. Stormwater collected from these areas is routed to the wastewater basin and reused at the facility. Best Management Practices (BMPs) are implemented and are included in the Stormwater Pollution Prevention Plan (SWPPP).

Changes to the facility may result in an increase in pollutant loading to surface waters or other causes of degradation to surface waters. If a change to the facility will result in a net increase in pollutant loading or other causes of degradation that exceed the maximum loading authorized through conditions specified in the existing permit, the changes to the facility are subject to antidegradation requirements found in Minn. R. 7050.0250 to 7050.0335.

This Permit also complies with Minn. R. 7053.0275 regarding anti-backsliding.

Any point source discharger of sewage, industrial, or other wastes for which a National Pollutant Discharge Elimination System (NPDES) permit has been issued by the MPCA that contains effluent limits more stringent than those that would be established by Minn. R. 7053.0215 to 7053.0265 shall continue to meet the effluent limits established by the permit, unless the Permittee establishes that less stringent effluent limits are allowable pursuant to federal law, under section 402(o) of the Clean Water Act, United States Code, title 33, section 1342.

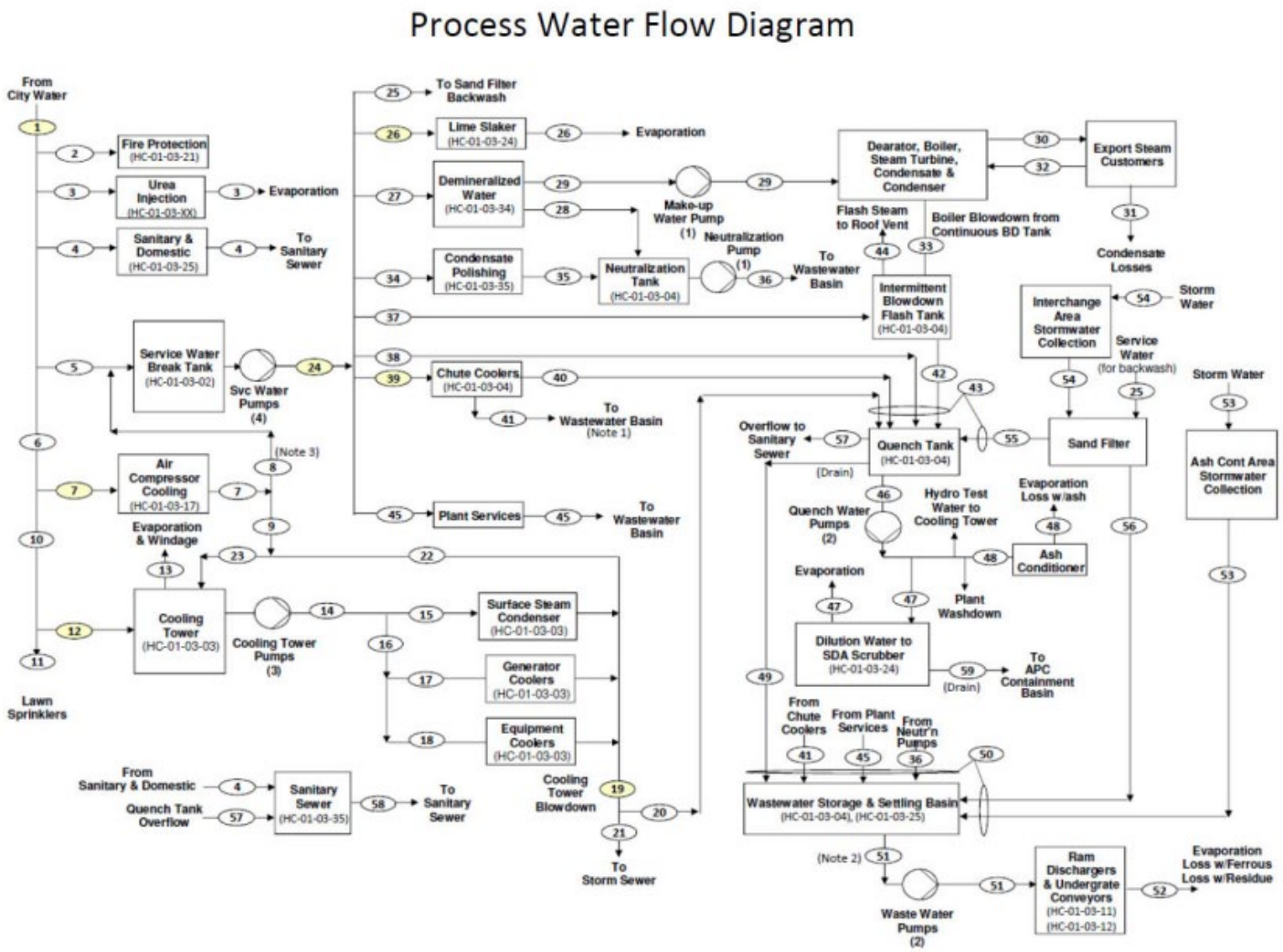
2. Location map of permitted facility

Facility Location Map
MN0057525: Hennepin Energy Recovery Center
T29N, R24W, Section 22
Minneapolis, Hennepin County, Minnesota

Map produced by: MPCA Staff, 1/28/2026
Scale: 1:12,000

0 0,13 0,25 0,5 Miles

3. Flow diagram



4. Summary of stations and station locations

Station	Type of station	Local name	PLS location
SD 001	Storm Sewer To Surface Water	20100 NCCW & Cooling Tower Blowdown	T29N, R24W, S22, NE Quarter of the SW Quarter
WS 001	Internal Waste Stream	Boiler Water Reused as Makeup Water	T29N, R24W, S22, NE Quarter of the NE Quarter of the SW Quarter

5. Permit requirements

SD 001	Storm Sewer To Surface Water	
		Facility Specific Limit and Monitoring Requirements
	5.1.1	The Permittee shall submit a monthly DMR: Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	5.1.2	Sampling Location. [Minn. R. 7001.0150, Subp. 2(B)]
	5.1.3	Samples for Station SD 001 shall be taken at the point of discharge to the municipal storm sewer and prior to co-mingling with other waters (if any) in the storm sewer. [Minn. R. 7001.0150, Subp. 2(B)]
WS 001	Internal Waste Stream	
		Facility Specific Limit and Monitoring Requirements
	5.2.1	The Permittee shall submit a monthly DMR: Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	5.2.2	Sampling Location. [Minn. R. 7001.0150, Subp. 2(B)]
	5.2.3	Samples shall be taken after hydrotesting the boilers and before entering the cooling tower. [Minn. R. 7001.0150, Subp. 2(B)]
MN0057525	Hennepin Energy Recovery Center	
		Surface Discharge Station General Requirements
	5.3.1	**Representative Samples**. [Minn. R. 7001]
	5.3.2	Samples and measurements required by this permit shall be representative of the monitored activity. [Minn. R. 7001]
	5.3.3	**Surface Discharge Prohibitions**. [Minn. R. 7001]
	5.3.4	Floating solids or visible foam shall not be discharged in other than trace amounts. [Minn. R. 7001]
	5.3.5	Do not discharge oil or other substances in amounts that create a visible color film. [Minn. R. 7001]
	5.3.6	Install and maintain outlet protection measures at the discharge stations to prevent erosion. [Minn. R. 7001]
	5.3.7	**Winter Sampling Conditions**. [Minn. R. 7001]
	5.3.8	Sample flows at the designated monitoring stations, including when ice removal is required to sample the water. If there is a frozen station throughout a designated sampling month, check the "No Discharge" box on the electronic Discharge Monitoring Report (eDMR) and note the ice conditions in the comments section on the eDMR. [Minn. R. 7001]
	5.3.9	**Phosphorus Limits and Monitoring Requirements**. [Minn. R. 7001]
	5.3.10	Phosphorus Calculation Definitions. [Minn. R. 7001]
	5.3.11	"12-month moving total" is a rolling total. Calculate the calendar month total kg/mo loading by multiplying the calendar month total million gallons effluent flow times the calendar month average mg/L concentration times 3.785 for the current month, and for the previous 11 months. Add all results to get the 12-month moving total. [Minn. R. 7001]
	5.3.12	**Nitrogen Limits and Monitoring Requirements**. [Minn. R. 7001]

	5.3.13	Report total nitrogen as the summation of the total Kjeldahl nitrogen and total nitrite plus nitrate nitrogen values. [Minn. R. 7001]
	5.3.14	**Temperature Limits and Monitoring Requirements**. [Minn. R. 7001]
	5.3.15	The thermal load of the discharge shall not increase the temperature of the receiving water more than five degrees Fahrenheit above the ambient temperature, based on the calendar month average of the maximum daily temperature. [Minn. R. 7001]
	5.3.16	**Analysis Requirements**. [Minn. R. 7001]
	5.3.17	pH, temperature, and total residual chlorine analyses shall be conducted within 15 minutes of sample collection. [Minn. R. 7001]
	5.3.18	Parameters that have a monitoring frequency of once per quarter and an effective period of Mar, June, Sept, Dec may be collected any time during that quarter. The sample data must be reported on the sample value spreadsheets for the month the sample was collected and also reported on the DMR for the last month within the calendar quarter (March, June, September, or December). Sampling must occur at least once per quarter unless there is no discharge throughout the entire quarter. [Minn. R. 7001]
	5.3.19	Parameters that have a monitoring frequency of once per year and an effective period of Jan-Dec may be collected any time during the calendar year. The sample data must be reported on the sample value spreadsheets and eDMRs for the month the sample was taken. If the once per year monitoring was not completed during a specific month, Permittees shall leave the boxes blank on the Sample Values and eDMR and include a comment on the eDMR indicating whether annual monitoring has already been fulfilled or will be completed later during the year; do not report "0" or "N/A" in the parameter boxes. Sampling must occur at least once per year unless there is no discharge throughout the entire year. [Minn. R. 7001]
	5.3.20	The Permittee shall submit monitoring results in accordance with the Limits and Monitoring requirements for this station. If conditions are such that no sample can be acquired, the Permittee shall report "No Flow" or "No Discharge" on the electronic Discharge Monitoring Report (eDMR) and shall add a comments attachment to the eDMR detailing why the sample was not collected. [Minn. R. 7001.0150, Subp 2(B)]
		Waste Stream Station General Requirements
	5.4.21	**Representative Samples**. [Minn. R. 7001]
	5.4.22	Collect grab and composite samples at a point representative of total influent flow to the system. [Minn. R. 7001]
	5.4.23	**Analysis Requirements**. [Minn. R. 7001]
	5.4.24	The Permittee shall submit monitoring results in accordance with the Limits and Monitoring requirements for this station. If conditions are such that no sample can be acquired, the Permittee shall report "No Flow" or "No Discharge" on the electronic Discharge Monitoring Report (eDMR) and shall add a Comments attachment to the eDMR detailing why the sample was not collected. [Minn. R. 7001.0150, subp. 2(B)]
		Per- and Polyfluoroalkyl Substances (PFAS)
	5.5.25	**Per- and Polyfluoroalkyl Substances Analyses**. [Minn. R. 7001]
	5.5.26	The Permittee shall analyze per- and polyfluoroalkyl substances (PFAS) in accordance with the following: The Permittee must sample and analyze PFAS compounds using methodology capable of detecting PFAS to the minimum reporting limits available and specifically below a two (2) nanogram per liter

		(ng/L) reporting limit for PFOS and PFOA, such as draft EPA method 1633 or EPA 1633A and subsequent revisions using an LC-MS/MS. [Minn. R. 7001]
	5.5.27	**Class 1 Water Discharge PFAS Sampling**. [Minn. R. 7001]
	5.5.28	The Permittee shall submit a PFAS Screening Report: Due by 180 days prior to permit expiration. For those facilities that discharge directly to Class 1 waters, the Permittee shall collect a sample at all surface discharge (SD) monitoring locations listed in the permit and analyze the sample(s) for per- and polyfluoroalkyl substances (PFAS) and submit the results of the analysis in accordance with the following: A. The Permittee shall analyze for PFAS at all surface discharge monitoring locations identified in the permit at least once per permit cycle; B. The Permittee must analyze the samples using draft EPA method 1633 or EPA 1633A and subsequent revisions for all PFAS compounds the method is capable of producing results for; C. The reporting limit for analysis of PFOS or PFOA is two (2) nanograms per liter (ng/L). If the reporting limit is exceeded, the Permittee shall submit an explanation of the cause with the report; D. The PFAS Screening Report shall include: i. The results of the analysis including all PFAS lab reports and data collected from all monitoring locations at the facility. ii. A summary of the sampling methodology and procedure. iii. A discussion of the potential source of any PFAS detected through sampling and analysis. E. The Permittee shall submit the PFAS Screening Report to MPCA Water Quality Submittals by 180 days prior to permit expiration. [Minn. R. 7001]
		Industrial Wastewater General Requirements
	5.6.29	**Prohibited Discharges. [Minn. R. 7001]**
	5.6.30	This permit does not authorize the discharge of wash water, scrubber water, spills, oil, hazardous substances, or equipment/vehicle cleaning and maintenance wastewaters to ditches, wetlands, or other surface waters of the state. [Minn. R. 7001.1090, subp. 1(A)]
	5.6.31	The Permittee shall prevent the routing of pollutants from the facility to a municipal wastewater treatment system in any manner unless authorized by the pretreatment standards of the MPCA and the municipal authority. [Minn. R. 7001.1090, subp. 1(A)]
	5.6.32	The Permittee shall not transport pollutants to a municipal wastewater treatment system that will interfere with the operation of the treatment system or cause pass-through violations of effluent limits or water quality standards. [Minn. R. 7049.140, subp. 2]
	5.6.33	**Toxic Substance Reporting. [Minn. R. 7001]**
	5.6.34	The Permittee shall notify the MPCA immediately of any knowledge or reason to believe that an activity has occurred that would result in the discharge of a toxic pollutant listed in Minn. R. 7001.1060, subp. 4 to 10 or listed below that is not limited in the permit, if the discharge of this toxic pollutant has exceeded or is expected to exceed the following levels: A. For acrolein and acrylonitrile, 200 ug/L; B. For 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol, 500 ug/L; C. For antimony, 1 mg/L; D. For any other toxic pollutant listed in Minn. R. 7001.1060, subp. 4 to 10,100 ug/L; or, E. Five times the maximum concentration value identified and reported for that pollutant in the permit application. [Minn. R. 7001.1090, subp. 2]
	5.6.35	The Permittee shall notify the MPCA immediately if the Permittee has begun or expects to begin to use or manufacture, as an intermediate or final by-product, a toxic pollutant that was not reported in the permit application under Minn. R. 7001.1050, subp. 2 (J). [Minn. R. 7001.1050, subp. 2(J)]
	5.6.36	**Hydrotest Discharges. [Minn. R. 7001]**
	5.6.37	The Permittee shall notify the MPCA prior to discharging hydrostatic test waters. The Permittee shall provide information necessary to evaluate the potential impact of this discharge and to ensure compliance with this permit. This information shall include:

		A. The proposed discharge dates; B. The name and location of receiving waters, including city or township, county, and Public Land Survey System location to the quarter section; C. An evaluation of the impact of the discharge on the receiving waters in relation to the water quality standards; D. A map identifying discharge location(s) and monitoring point(s); E. The estimated average and maximum discharge rates; F. The estimated total flow volume of discharge; G. The water supply for the test water, with a copy of the appropriate Minnesota Department of Natural Resources (DNR) water appropriation permit; H. Water quality data for the water supply; I. Proposed treatment method(s) before discharge; and, J. Methods to be used to prevent scouring and erosion due to the discharge. [Minn. R. 7001.1090, subp. 1(A)]
	5.6.38	This permit does not authorize the construction or installation of pipeline facilities. [Minn. R. 7001.0150, subp. 2]
	5.6.39	**Polychlorinated Biphenyls (PCBs). [Minn. R. 7001]**
	5.6.40	PCBs, including but not limited to those used in electrical transformers and capacitors, shall not be discharged or released to the environment. [Minn. R. 7001.0150, subp. 2]
	5.6.41	**New Proposed Dewatering. [Minn. R. 7001]**
	5.6.42	The Permittee shall obtain a permit modification before discharging from a new dewatering outfall. [Minn. R. 7001.170]
	5.6.43	In addition to the requirements in the Permit Modifications part of the Total Facility Requirements chapter, the Permittee shall submit to the MPCA detailed plans and specifications for the proposed methods of achieving discharge limits for turbidity and total suspended solids, based in part upon representative water quality data for untreated wastewater and a detailed map and diagram description of the proposed design for the flow control structures and route of the discharge to receiving waters. [Minn. R. 7001.170]
	5.6.44	**Application for Permit Reissuance. [Minn. R. 7001]**
	5.6.45	The Permittee shall include as part of the application for reissuance of this permit: A. A current map of any basins or ponds, showing the cells, and current topographic and water level elevations in the basin; and B. An updated water balance for the facility. [Minn. R. 7001.50]
	5.6.46	**Piping. [Minn. R. 7001]**
	5.6.47	The Permittee shall implement the necessary preventative measure to minimize the potential for releases of wastewater from pipelines. Any such releases shall be contained and shall be reported as described in the release section of this permit. [Minn. R. 7001]
	5.6.48	The Permittee shall visually inspect the routes of pipelines that transport wastewater as needed to detect any pipeline spills or leaks. Pipeline pressure, flow rate, density, and pipe and joint thickness shall be measure as needed to prevent and detect potential leaks from pipelines. Records of these inspections and measurements shall be made available upon request. [Minn. R. 7001]
	5.6.49	**Piping Integrity Plan. [Minn. R. 7001]**
	5.6.50	The Permittee shall submit a Piping Integrity Plan: Due by 90 days after permit issuance. The plan shall include the following: A. Maps, drawings, and diagrams along with methods for both pipe assessment and restoration of integrity; B. Timeline (maximum of three years for high priority/high risk pipes and maximum of ten years for all other pipes) for assessing condition of all piping conveying wastewater at the facility; and C. Timeline (maximum of one year) for restoring integrity of any piping found to have defects allowing either infiltration or exfiltration of water. [Minn. R. 7001]
	5.6.51	**Annual Piping Report. [Minn. R. 7001]**

	5.6.52	The Permittee shall submit a Piping Report: Due annually, by the 31st of March. The report shall include findings (e.g., including but not limited to televising footage) and summaries of actions taken responsive to the Piping Integrity Plan. [Minn. R. 7001]
		Industrial Water Treatment: Cooling Process Water
	5.7.53	This chapter authorizes the Permittee to discharge untreated, non-contact cooling water generated at the facility, as described in the 'Facility Description' portion of this permit. This activity is limited by the 'Limits and Monitoring' section of this permit, as well as the other terms and conditions of this permit. [40 CFR pt. 122, Minn. R. 7001]
		Steam Electric
	5.8.54	**Authorization**. [Minn. R. 7001]
	5.8.55	The Permittee is authorized to discharge once-through, noncontact cooling water, including bearing cooling water, in accordance with and in compliance with the effluent limitations, restrictions, and conditions contained elsewhere in this permit. [Minn. R. 7001]
	5.8.56	The Permittee is authorized to discharge cooling tower blowdown in accordance with and in compliance with the effluent limitations, restrictions, and conditions contained elsewhere in this permit. [Minn. R. 7001]
	5.8.57	The Permittee is not prohibited from a discharge of cooling water for use as a de-icing agent at the intake structure should the need arise. [Minn. R. 7001]
	5.8.58	**Applicable Effluent Limitations - Thermal Limitation**. [Minn. R. 7001]
	5.8.59	The thermal waste streams shall not impact the safety and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on the Mississippi River. [Minn. R. 7001]
	5.8.60	In accordance with the Federal Water Pollution Control Act, this permit may be re-opened to insert a more restrictive thermal limit or the requirement to conduct a 316(a) study if it has been shown that the thermal component(s) of the surface water discharges affect the safety and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on the Mississippi River. [40 CFR 316]
	5.8.61	**Chlorination**. [Minn. R. 7001]
	5.8.62	In accordance with 40 CFR 423.12(b)(8), treated cooling water may not be discharged from any unit for more than two hours in any one day and not more than one unit may discharge treated cooling water at any one time unless the utility can demonstrate to the MPCA that the units cannot operate at or below this level of treatment. [40 CFR 423]
	5.8.63	Total residual chlorine may not be discharged from any single generating unit for more than two hours per day unless the discharger demonstrates to the permitting authority that discharge for more than two hours is required for macroinvertebrate control. [Minn. R. 7001]
		Industrial Stormwater Sector O: Steam Electric Generating Facilities
	5.9.64	**Authorization**. [Minn. R. 7090]
	5.9.65	This chapter authorizes the Permittee to manage stormwater associated with industrial activity from industrial activities associated with SIC code(s) 4953 in accordance with the terms and conditions of this chapter. [Minn. R. 7090]
	5.9.66	Sector O industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. Stormwater ponds/sedimentation basins shall be designed by a registered professional engineer and installed under the direct supervision of a registered professional engineer. If a new stormwater pond/sedimentation basin will be constructed, the Permittee shall follow the guidance located on the website at: http://www.pca.state.mn.us/r4ard68. [Minn. R. 7090]
	5.9.67	**Prohibitions and Limitations on Authorization**. [Minn. R. 7090]
	5.9.68	This chapter does not authorize the discharge of stormwater to surface waters. [Minn. R. 7090]

	5.9.69	**Water Quality Standards**. [Minn. R. 7050]
	5.9.70	The Permittee shall operate and maintain the facility and shall control runoff, including stormwater, from the facility to prevent the exceedance of water quality standards specified in Minnesota Rules, chs. 7050 and 7060. [Minn. R. 7050, Minn. R. 7060]
	5.9.71	The Permittee shall limit and control the use of materials at the facility that may cause exceedances of groundwater standards specified in Minnesota Rules, ch. 7060. These materials include, but are not limited to, detergents and cleaning agents, solvents, chemical dust suppressants, lubricants, fuels, drilling fluids, oils, fertilizers, explosives and blasting agents. [Minn. R. 7060]
	5.9.72	**Stormwater Control Measures**. [Minn. R. 7090]
	5.9.73	The Permittee shall design and implement all stormwater control measures, including best management practices (BMP)s, to reduce or eliminate contact or exposure of pollutants to stormwater, to prevent erosion, control sediment and manage runoff, or remove pollutants from stormwater prior to discharge from the facility. The Stormwater Pollution Prevention Plan (SWPPP) must include the type and objective of the BMP, and a description of how the Permittee shall evaluate each BMP to determine proper function. The Permittee shall implement all non-structural BMPs immediately and all structural BMPs within 12 months of receiving authorization to discharge industrial stormwater under this permit. [Minn. R. 7090]
	5.9.74	**Good Housekeeping**. [Minn. R. 7090]
	5.9.75	The Permittee shall keep exposed areas that may contribute pollutants to stormwater sufficiently clean to reduce or eliminate contaminated stormwater runoff. Typical problem areas include but are not limited to: A. Trash containers, storage areas, loading docks, vehicle fueling, maintenance areas; B. Locations where dust is generated. Identify and properly manage through BMPs all on-site sources of dust to minimize stormwater contamination from the deposition of dust on the areas exposed to precipitation; and C. Locations where vehicle tracking of significant materials occur. The Permittee shall remove and properly dispose of significant materials that have been tracked off-site within one day of discovery. [Minn. R. 7090]
	5.9.76	The Permittee shall describe and implement procedures to reduce or control the tracking of ash and residue from ash loading areas. The Permittee shall describe and implement housekeeping procedures, such as, dust suppression, containment, or clearing loading areas, floors and roadways of ash and excess water. [Minn. R. 7090]
	5.9.77	**Eliminating and Reducing Exposure**. [Minn. R. 7090]
	5.9.78	The Permittee shall evaluate their stormwater control measures of their significant materials to determine if and how they can reduce or eliminate exposed materials. To the extent prudent and feasible, the Permittee shall situate industrial activities and significant materials in areas not exposed to rain, snow, snowmelt, or runoff. [Minn. R. 7090]
	5.9.79	**Salt Storage, Use, and Management at the Facility**. [Minn. R. 7090]
	5.9.80	The Permittees should implement the following BMPs if salt piles are present at the facility: A. Cover salt piles or store the salt within a storm-resistant shelter on an impervious surface; B. Implement practices to reduce exposure resulting from adding or removing material from the salt piles (e.g., sweeping, diversions, containment); and C. Document within the SWPPP the location of any storage piles containing salt stored outside. [Minn. R. 7090]
	5.9.81	The Permittee shall document within the SWPPP how the facility employees and/or hired contractors will minimize runoff from the use of salt or other de-icing/anti-icing materials used on the facility property. [Minn. R. 7090]
	5.9.82	**Erosion Prevention & Sediment Control**. [Minn. R. 7090]
	5.9.83	The Permittee shall identify areas at the facility that, due to topography, land disturbance (e.g. construction, grading, landscaping), or other factors, have potential for soil erosion. In those areas,

		the Permittee shall implement structural, vegetative, and/or stabilization BMPs to prevent or control on-site erosion and reduce sediment loads in stormwater discharges. [Minn. R. 7090]
	5.9.84	**Chemical Additive Use**. [Minn. R. 7090]
	5.9.85	If the Permittee intends to use polymers, flocculants, or other sedimentation treatment chemicals at the facility, the Permittee shall comply with the following minimum requirements: A. The Permittees must use conventional erosion and sediment controls prior to chemical addition to ensure effective treatment; B. Chemicals may only be applied where treated stormwater flows to a sediment control system that allows for filtration or settlement of the floc prior to discharge; C. Chemicals must be selected that are appropriately suited to the types of soils likely to be exposed to stormwater runoff at the facility, and to the expected turbidity, pH, and flow rate of stormwater flowing into the chemical treatment system; and D. Use chemicals in accordance with standard engineering practices, and with dosing specifications and sediment removal design specifications of the manufacturer or chemical supplier. [Minn. R. 7090]
	5.9.86	The SWPPP must contain an inventory of all chemical additives the Permittee uses to treat stormwater including, at a minimum, the following: A. The process for the use of the additive; B. The method of application, application frequency, concentration, and daily average and maximum rates of use; C. A complete product use and instruction label; and D. Material Safety Data Sheet (MSDS), for the additive(s), which must include: i. Aquatic toxicity, human health, and environmental fate information for the additive. The aquatic toxicity information must include, at minimum, the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean; and ii. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive to the extent possible. [Minn. R. 7090]
	5.9.87	**Management of Runoff**. [Minn. R. 7090]
	5.9.88	The SWPPP must describe all permanent stormwater BMPs the Permittee implements at the facility to manage runoff, including, but not limited to, the permanent structural BMPs used to divert stormwater runoff away from fueling, manufacturing, treatment, storage, and disposal areas, and BMPs that treat, infiltrate, reuse, contain, or otherwise reduce pollutants in stormwater discharges. [Minn. R. 7090]
	5.9.89	The Permittee shall install and maintain stormwater outlet protection measures to prevent erosion at all areas where stormwater is discharging from the Permittee's operational control. [Minn. R. 7090]
	5.9.90	Permittees shall prevent the discharge of stormwater to or from areas that have been impacted by the release of a pollutant or contaminant. This includes preventing potential pollutant mobilization through subsurface soils. [Minn. R. 7060.200, Minn. Stat. ch. 115.03]
	5.9.91	Industrial stormwater ponds and infiltration systems must not contribute to a pollutant or contaminant spreading to a greater extent or magnitude in locations where pollutants or contaminants exist in the soil or in the shallow aquifer and are under other regulatory authority. A qualified professional (e.g. professional hydrogeologist, engineer, etc.) shall conduct a site analysis evaluating for extent and magnitude of impacted soil and groundwater and file a report with the SWPPP for any pollutant or contaminant on-site. [Minn. R. 7090, Minn. Stat. ch. 115.03]
	5.9.92	If the Permittee finds that industrial stormwater ponds and infiltration systems are a contributor to contaminant increases or movement, the Permittee shall submit a plan to the MPCA that describes how the Permittee will reduce contaminants, or will redesign, relocate, or eliminate the industrial stormwater ponds and infiltration systems, as needed, to eliminate the contribution to contaminant problems. The Permittee shall submit the plan to the MPCA within one year of the Permittee's authorization to discharge under this permit or within one year of discovery if the

		Permittee discovers their ponds or infiltration systems are a contributor of contaminant spreading. The Permittee shall implement the plan as soon as the MPCA grants approval. The plan does not reduce or eliminate more stringent requirements that other MPCA regulatory programs may impose. [Minn. R. 7090]
	5.9.93	This permit prohibits Permittees from constructing infiltration systems in areas within 1,000 feet up-gradient or 100 feet down-gradient of active karst features. The Permittee shall not use industrial stormwater ponds and infiltration systems in any high-risk karst area unless a qualified professional (e.g. professional hydrogeologist, engineer, etc.) conducts a geotechnical evaluation to ensure that the industrial stormwater pond or infiltration system does not present a significant risk to groundwater. The Minnesota Stormwater Manual describes standard engineering practices. The Manual can be found on the MPCA's website. If the industrial stormwater ponds and infiltration systems present a risk, the Permittee shall take appropriate measures to minimize or eliminate the risk, such as sealing or removal of the industrial stormwater ponds or infiltration systems. The Permittee shall document the evaluation with the SWPPP. [Minn. R. 7090]
	5.9.94	This permit prohibits the construction of a new infiltration system in the following areas: A. Areas that receive discharges from vehicle fueling and maintenance activity; B. Areas with less than three feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock; C. Areas of predominately Hydrologic Soil Group D (clay) soils; and D. Areas where soil infiltration rates are field measured at more than 8.3 inches per hour unless the Permittee amends the soil to slow the infiltration rate below 8.3 inches per hour. [Minn. R. 7090]
	5.9.95	The Permittee shall coordinate industrial stormwater ponds and infiltration systems in vulnerable wellhead protection areas with local drinking water authorities and design them to not adversely affect drinking water supplies. The Permittee shall contact the appropriate local drinking water authorities and document coordination efforts with the SWPPP. [Minn. R. 7090]
	5.9.96	This permit prohibits Permittees from constructing infiltration systems within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13. If Permittees locate infiltration systems within the following areas, Permittees shall review and apply the requirements found in the "Guidance and recommendations for conducting a higher level of engineering review for stormwater infiltration in DWSMAs and Wellhead Protection Areas" section of the Minnesota Stormwater Manual (www.pca.state.mn.us): A. In an Emergency Response Area (ERA) within a DWSMA classified as having high or very high vulnerability as defined by the Minnesota Department of Health (MDH); or B. In an ERA within a DWSMA classified as moderate vulnerability unless a regulated MS4 Permittee performed or approved a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater; or C. Outside of an ERA within a DWSMA classified as having high or very high vulnerability, unless a regulated MS4 Permittee performed or approved a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater. [Minn. R. 7090]
	5.9.97	Permittees with any infiltration system defined as a US EPA Class V injection well shall contact the US EPA Region V to determine the need to register as a Class V injection well. Refer to the US EPA Underground Injection Well Program for the definitions and complete registration process. The Permittee shall document contacts and US EPA response with the SWPPP. [Minn. R. 7090]
	5.9.98	The Permittee shall describe and implement measures that prevent or minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Develop procedures to reduce ash residue that the Permittee may track on to access roads by residue handling vehicles and reduce ash residue on exit roads leading into and out of residue handling areas. [Minn. R. 7090]
	5.9.99	**Facility Inspection Requirements**. [Minn. R. 7090]
	5.9.100	The Permittee shall develop and implement an inspection schedule that includes a minimum of one facility inspection per calendar month. In addition, a total of 2 inspections must occur during runoff events, with at least one inspection occurring during a snowmelt runoff event.

		Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
	5.9.101	If a facility is inactive and unstaffed, monthly facility inspections are not required as long as there are no industrial materials or activities exposed to stormwater. However, the Permittee shall include the following in the SWPPP: A. BMP implementation that assures adequate protection of all waters receiving industrial stormwater discharges from the facility during the months the facility is inactive and unstaffed; and B. Which months the facility was inactive and unstaffed. [Minn. R. 7090]
	5.9.102	All facility inspections must include the following: A. An evaluation of the facility to determine that the SWPPP accurately reflects site conditions. At a minimum, the Permittee shall inspect storage tank areas, waste disposal areas, maintenance areas, loading/unloading areas, and raw material, intermediate product, by-product and final product storage areas; B. An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function; C. An evaluation of the facility to determine whether there are new exposed significant materials or activities at the site since completion of the SWPPP; and D. During an inspection conducted during a runoff event, an evaluation of the stormwater runoff to determine discoloration or if other contaminants are visible in the runoff (e.g. oil & grease). [Minn. R. 7090]
	5.9.103	The Permittee shall document all inspections, and the following information must be stored with the SWPPP: A. Inspection date (i.e. mm/dd/yyyy), time, and weather conditions; B. Inspector name; C. Inspection findings; and D. A description of any necessary corrective actions and a schedule for corrective action completion. [Minn. R. 7090]
	5.9.104	The Permittee shall inspect the following areas: A. Coal handling areas; B. Switchyards; C. Ash handling areas; and D. Areas adjacent to disposal ponds and landfills. [Minn. R. 7090]
	5.9.105	The Permittee shall inspect all residue hauling (e.g. ash) vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds as soon as practicable. [Minn. R. 7090]
	5.9.106	If conditions are observed at the site that require changes in the SWPPP, such changes shall be made to the SWPPP prior to submission of the annual report for that calendar year. [Minn. R. 7090]
	5.9.107	**Maintenance Requirements**. [Minn. R. 7090]
	5.9.108	**BMP Maintenance**. [Minn. R. 7090]
	5.9.109	The Permittee shall maintain all stormwater BMPs at the facility, to ensure BMP effectiveness. A. The Permittee shall develop a schedule for preventive maintenance of all stormwater BMPs, and store the schedule with the SWPPP; B. If the Permittee identifies BMPs that are not functioning properly, the Permittee shall replace, maintain, or repair the BMPs within seven calendar days of discovery. If the Permittee cannot complete BMP replacement, maintenance, or repair within seven calendar days, the Permittee shall implement effective backup BMPs within 48 hours of discovery and maintain the backup BMPs until the Permittee restores the effectiveness of the original BMPs. The Permittee shall document the justification for an extended replacement, maintenance, or repair schedule of the

		failed BMPs, and store it with the SWPPP; and C. The Permittee shall record dates of maintenance and repairs. The Permittee shall store these records with the SWPPP. [Minn. R. 7090]
	5.9.110	Stormwater sedimentation basins and infiltration basins must have maintenance plans that are included within the SWPPP. The plans must include but aren't limited to information detailing how the basin will be maintained and monitored to ensure effectiveness. The plans must include a description of the minimal maintenance frequency that will be implemented. There shall be no outflow from the stormwater sedimentation basin while sediment is being removed from the basin. Permanent erosion control, such as rip rap, splash pads, or gabions shall be installed at the outlet(s) to prevent downstream erosion. [Minn. R. 7090]
	5.9.111	**Preventive Maintenance**. [Minn. R. 7090]
	5.9.112	The Permittee shall describe and implement measures that prevent or minimize stormwater from contacting fugitive dust emissions from coal handling areas. [Minn. R. 7090]
	5.9.113	The Permittee shall describe and implement measures that prevent or minimize contamination of stormwater runoff from delivery vehicles carrying significant materials arriving at the facility. The Permittee shall have procedures ensuring overall integrity of the body or container and procedures to deal with leakage or spillage from vehicles or containers. [Minn. R. 7090]
	5.9.114	The Permittee shall describe and implement measures that prevent or minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. The Permittee shall use level grades and gravel surfaces to slow down flows and limit the spread of spills from oil-bearing equipment in switchyards or collect runoff in perimeter ditches from these areas. [Minn. R. 7090]
	5.9.115	**Equipment Preventive Maintenance**. [Minn. R. 7090]
	5.9.116	The Permittee shall develop and implement a preventive maintenance program and store the information with the SWPPP. The program must require regular inspection, maintenance, and repair of industrial equipment and systems. The inspections must identify conditions that could cause breakdowns or failures, which may result in leaks, spills, and other releases (e.g. hydraulic leaks, torn bag-house filters, etc.), and the discharge of pollutants to stormwater. The preventive maintenance program may incorporate, by reference, a separate Operation and Maintenance Manual (or equivalent), as long as it addresses the items the preventive maintenance program requires above. [Minn. R. 7090]
	5.9.117	**Spill Prevention and Response Requirements**. [Minn. R. 7090]
	5.9.118	The Permittee shall develop and implement a spill prevention and response procedure. If the facility already has a separate plan (e.g. Prevention and Response Plan as required by Minn. Stat. ch. 115E, or Spill Prevention Control and Countermeasure (SPCC) Plan as required by Federal Law), that Permittee can incorporate the plan by reference into the SWPPP. In either case, the Permittee shall include a minimum of the following components with the SWPPP or in a separate SPCC document: A. Areas where the storage, transfer, or use of solid or liquid significant materials occurs and, where spills and leaks of the material may potentially contribute pollutants to stormwater discharges; B. Identify areas, monitoring locations and surface waters that may be affected by spills, leaks, or discharges from emergency firefighting activities; C. Report and document spills or leaks (pursuant to Minn. Stat. 115.061) that occur in exposed areas, or that drain to a monitoring location; D. Material handling procedures, storage requirements, and cleanup equipment/materials and procedures necessary to recover as rapidly and thoroughly as possible spills or leaks pursuant to Minn. Stat. 115.061. The Permittee shall make all methods and procedures available to appropriate facility personnel; E. Contact information for individuals and emergency and regulatory agencies that require notification in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Minnesota Department of Public Safety Duty Officer at 800-422-0798 (toll free) or 651-649-5451 (metro area) per Minn. Stat. 115.061;

		and F. Any use or release of per-and polyfluoroalkyl (PFAS)-containing foam must immediately be reported to the Minnesota Duty Officer. Permittees must detail in their spill response plan all actions that will be taken to prevent finished Class B foam and foam-containing firefighting runoff water from entering stormwater systems or flowing to surface waters. [Minn. R. 7090]
	5.9.119	The Permittee shall describe and implement measures to reduce the potential for an oil or chemical spill or reference the appropriate part of the facility SPCC plan. Visually inspect the structural integrity of all aboveground tanks, pipelines, pumps, and related equipment, and conduct any necessary repairs, pursuant to requirements in Minn. R. 7151. [Minn. R. 7090]
	5.9.120	The Permittee shall ensure the use of infiltration is not part of a spill containment plan. This includes spill plans required under Federal Spill Prevention Containment and Control (SPCC) requirements or Minn. Stat. ch. 115E "The Spill Bill.". [Minn. R. 7090]
	5.9.121	The Permittee shall ensure the use of a pond is not part of a spill containment plan, including spill plans required under Federal SPCC requirements or Minn. Stat. ch. 115E, unless appropriate controls are in place to contain the spill. If the Permittee uses a pond as part of a spill containment plan, the pond must have a chemically compatible liner for chemical spills that the Permittee expects to enter the pond and must have outlet controls to contain a spill. A plan must also be in place to clean up a spill so that the pond will not continue to be a source of spilled pollutants. The Permittee shall document evaluations with the SWPPP. [Minn. R. 7090]
	5.9.122	**Mercury Minimization Plan**. [Minn. R. 7090]
	5.9.123	The Permittee shall evaluate the facility to determine if stormwater has the potential to come into contact with any mercury sources. If mercury sources are exposed to stormwater, the Permittee shall develop a Mercury Minimization Plan that describes how the Permittee will manage mercury sources at the site to eliminate exposure to precipitation and stormwater runoff. To the extent feasible, the Permittee shall remove and manage mercury sources and devices from stormwater exposure in accordance with Minn. R. ch. 7045, Hazardous Waste, and any additional applicable state and federal rules. [Minn. R. 7090]
	5.9.124	**Employee Training Program**. [Minn. R. 7090]
	5.9.125	The Permittee shall develop and implement a training program for employees. Training must cover stormwater control measures, components and goals of the SWPPP, monitoring procedures, and other applicable requirements of the permit. The program must include a training schedule that includes training at least annually. Training must correlate with the job function of the employee. The Permittee shall ensure that employees identified below in this Employee Training Program section are familiar with facility specific stormwater plans, requirements, and BMPs at the facility. The Permittee shall ensure that individuals receive training prior to assuming responsibilities listed in this Employee Training Program section. [Minn. R. 7090]
	5.9.126	At a minimum, the Permittee shall ensure that the following individuals receive training: A. Employee(s) responsible for writing, revising, and implementing the SWPPP; B. Employee(s) responsible for installing, inspecting, maintaining, and repairing BMPs; C. Employee(s) whose work involves the regulated industrial activity, including but not limited to: i. Loading/unloading areas; ii. Processing areas; iii. Waste and fluid management areas; iv. Fueling areas; and v. Vehicle maintenance areas; D. Employee(s) who conduct stormwater discharge monitoring. E. Employee(s) responsible for conducting winter maintenance activities. [Minn. R. 7090]
	5.9.127	The Permittee shall maintain training records including: A. The trainer's name and trainer's organization (internal or external); B. The names (printed first and last) of the employee(s) and date(s) the employee(s) received training; and C. A detailed description of the training provided to each employee. [Minn. R. 7090]

	5.9.128	The Permittee shall maintain the training records either in the SWPPP, or in a separate record stored with the SWPPP, for at least three years. [Minn. R. 7090]
	5.9.129	**Stormwater Pollution Prevention Plan**. [Minn. R. 7090]
	5.9.130	A. The Permittee shall develop and implement a SWPPP to address the specific conditions at the facility. B. A Permittee with authorization under the previous version of this permit shall modify the SWPPP to comply with the requirements of this updated permit. C. The SWPPP must identify the individuals responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the facility's SWPPP. D. The Permittee shall incorporate into the SWPPP, a section specific to any mobile industrial activities the Permittee conducts away from the facility. The Permittee shall keep a copy of this section of the SWPPP at the location where the mobile industrial activity occurs. E. The SWPPP must list all personnel receiving training to conduct facility inspections. F. The SWPPP must include records of all details relating to the monthly visual inspections in accordance with the Stormwater Control Measures section of this chapter. G. The SWPPP must include all information pertaining to maintenance in accordance with the Stormwater Control Measures section of this chapter. H. The SWPPP must contain, or the Permittee shall keep as a separate document, any documentation the Spill Prevention and Response Requirements of the Stormwater Control Measures section of this chapter requires. I. The SWPPP must contain a Mercury Minimization Plan if the Permittee discovers mercury sources as a result of compliance with the Stormwater Control Measures section of this chapter. J. The SWPPP must include all information regarding the Employee Training Program requirements from the Stormwater Control Measures section of this chapter. K. The SWPPP must describe all stormwater BMPs the Permittee implements at the facility to manage runoff, including, but not limited to: i. The permanent structural BMPs used to divert stormwater runoff away from fueling, manufacturing, treatment, storage, and disposal areas; and ii. BMPs that treat, infiltrate, reuse, contain, or otherwise reduce pollutants in stormwater discharges. L. The SWPPP must include the date it was implemented and the date it was last modified. M. The SWPPP must include any stormwater contamination and/or runoff mitigation measures proposed to be part of the final project in any environmental review. [Minn. R. 7090]
	5.9.131	**Facility Description**. [Minn. R. 7090]
	5.9.132	The SWPPP must include: A. A narrative description of the industrial activities the Permittee conducts at the facility; B. The total size of the facility property in acres; and C. A calculation of the facility acreage that has industrial activity and/or significant materials in contact with stormwater. The calculation excludes acreage that does not discharge industrial stormwater, such as natural and landscaped areas, employee parking lots, and office buildings, etc. [Minn. R. 7090]
	5.9.133	**Facility Map**. [Minn. R. 7090]
	5.9.134	The SWPPP must include a map. The facility map(s) must be a United States Geological Survey map or equivalent and must depict the following: A. Location of the facility in relation to surface waters receiving industrial stormwater discharges from the facility. Include the name of the surface water on the map. If the name is not known, indicate that on the map; B. Location of all impervious surfaces within the facility property boundaries; C. Arrows that indicate directions of stormwater flow; D. Location of all activities and materials identified in the Facility Assessment of Activities and Materials section below; E. Location of all structural BMPs; F. Location of all impaired waters within one mile of any monitoring location. The Permittee shall

		include the name of the impaired water and the impairment (e.g. impaired for biota, turbidity, nutrients, etc.); G. Location and name of any designated, special or restricted waters described in the Additional Requirements for Discharges to Special and Impaired Waters section of this chapter that is within one mile of a facility's monitoring location; H. Location of all storm sewer inlets; I. Location of all loading dock drains, including those that connect to a storm sewer; and J. Location of each benchmark monitoring location. Assign each benchmark monitoring location a unique identifying number that the Permittee uses when submitting monitoring data to the MPCA. Clearly label each benchmark monitoring location from which a discharge flows to, and is within one mile of, an impaired water and/or special water. [Minn. R. 7090]
	5.9.135	In addition, the Permittee shall also comply with the following: A. Facility Map. The Permittee shall identify the locations of any of the following activities or sources that may come into contact with stormwater: i. Scrap yards and general refuse areas; ii. Short- and long-term storage of construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides; iii, Landfills and construction sites; and iv. Stockpile areas (e.g. coal, ash or limestone piles). [Minn. R. 7090]
	5.9.136	**Facility Assessment of Activities and Materials**. [Minn. R. 7090]
	5.9.137	**Assessment of Activities**. [Minn. R. 7090]
	5.9.138	The SWPPP must include an assessment and inventory of all activities that can potentially be sources of pollutants to industrial stormwater discharges. Examples of these activities include, but are not limited to: A. Fueling; B. Vehicle and equipment maintenance; C. Loading and unloading of dry bulk materials or liquids; D. Liquid storage tanks; E. Outdoor manufacturing and processing; F. Outdoor storage of significant materials; G. Access roads, rail cars, and tracks; H. Waste treatment, storage, or disposal including waste ponds, dumpsters, and solid waste storage or management; I. Dust or particulate-generating processes including dust collection devices and vents; and J. Contamination of rooftops by pollution control devices. [Minn. R. 7090]
	5.9.139	**Assessment of Materials and Associated Pollutants**. [Minn. R. 7090]
	5.9.140	The SWPPP must include documentation of an assessment and inventory of all facility materials that can potentially be a source of pollutants to industrial stormwater discharges from the following: A. Raw materials; B. Intermediate products; C. By-products; D. Final products; and E. Waste products. The assessment must also include pollutant constituents, such as crankcase oil, zinc, sulfuric acid, cleaning solvents, etc. associated with the sources listed above. [Minn. R. 7090]
	5.9.141	**BMP Documentation**. [Minn. R. 7090]
	5.9.142	The Permittee shall document in the SWPPP all BMPs the Permittee uses to comply with each stormwater control measure required in the Stormwater Control Measures section of this chapter. The Permittee shall design and implement BMPs to address the potential pollutants associated with the activities and materials that the Permittee identifies in the Facility Assessment of

		Activities and Materials section above. The documentation must include a list of all structural and non-structural BMPs the Permittee designs and implements at the facility. [Minn. R. 7090]
	5.9.143	**SWPPP Modification Requirements**. [Minn. R. 7090]
	5.9.144	The Permittee shall review the SWPPP at least annually. The Permittee shall modify the SWPPP within 30 days if: A. There is construction or a change in design, operation, or maintenance at the facility that affects stormwater management or compliance with this permit; B. The Permittee identifies a monitoring location that is within one mile of an impaired water, including newly listed impaired waters; C. A routine inspection, compliance evaluation, or visual inspection identifies deficiencies in the SWPPP and/or BMPs; D. Additional stormwater control measures and BMPs are necessary to meet applicable water quality standards or to address exceedances of benchmark values; E. There is an unauthorized discharge from the facility. If the SWPPP modification is because of a release or unauthorized discharge, update the SWPPP to include a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements in the Stormwater Control Measures section of this chapter; or F. There is a change in personnel responsible for managing the SWPPP, implementing BMPs, conducting monthly visual inspections, or collecting stormwater samples at the facility. [Minn. R. 7090]
	5.9.145	**SWPPP Implementation and Availability Requirements**. [Minn. R. 7090]
	5.9.146	The SWPPP shall be developed and implemented within 180 days after permit issuance and shall be available to the MPCA upon request. [Minn. R. 7090]
	5.9.147	**Records**. [Minn. R. 7090]
	5.9.148	The SWPPP shall be retained for the duration of the permit. A copy of the SWPPP shall remain on the permitted site whenever Permittee staff is on the site and be available upon request. The Permittee shall maintain the following records for the period of permit coverage: A. Dates and findings of inspections; B. Completed corrective actions; C. Documentation of all changes to the SWPPP; and D. A copy of all annual reports. [Minn. R. 7090]
	5.9.149	**Reporting**. [Minn. R. 7090]
	5.9.150	The Permittee shall submit a Stormwater Annual Report: Due annually, by the 31st of March of each year following permit issuance. The Permittee shall submit the Annual Report through the MPCA e-Services online portal. [Minn. R. 7090]
	5.9.151	The Annual Report must cover those portions of the previous calendar year the Permittee had authorization to discharge industrial stormwater. The Annual Report must include, at a minimum, the following information: A. A summary of inspection dates, findings, and any BMP maintenance the Permittee conducted during the course of the reporting year; B. The results of any inspection requirements involving oil and grease, if applicable; C. A confirmation that the SWPPP accurately reflects facility conditions; D. A confirmation that newly-exposed significant materials (if any) are identified and that the Permittee modifies the SWPPP to address them; E. A confirmation that the Permittee conducts a review of impaired waters and special waters; F. A confirmation that the Permittee modified the SWPPP to address applicable permit requirements of the Stormwater Pollution Prevention Plan and Benchmark Monitoring Requirements sections of this permit, if necessary; G. A confirmation that the Permittee meets the review requirements of US EPA-approved TMDLs that may apply to the facility;

		H. A description of any SWPPP modification the Permittee makes in accordance with the Stormwater Pollution Prevention Plan section of this permit; I. A list of all spills and leaks (as pursuant to Minn. Stat. 115.061) occurring at the facility during the reporting year; and J. If applicable, a summary of all facility mobile industrial activities. At a minimum, the summary must include: i. A description including SIC code and/or narrative activity; ii. Locations of the mobile industrial activity including latitude and longitude coordinates; and iii. Length of time of the mobile industrial activity occurrence(s). [Minn. R. 7090]
	5.9.152	**Notification**. [Minn. R. 7090]
	5.9.153	If the Permittee has an industrial stormwater discharge and directly discharges into a regulated Municipal Separate Storm Sewer System (MS4), the Permittee shall notify the MS4 operator that they are discharging industrial stormwater into their storm sewer system. [Minn. R. 7090]
	5.9.154	**Definitions**. [Minn. R. 7090]
	5.9.155	"Active" means that significant materials and/or industrial activities, whether temporary or permanent, are present at the facility, regardless of if staff is present at the facility. [Minn. R. 7090]
	5.9.156	"Best management practices" or "BMPs" means practices to prevent or reduce the pollution of waters of the state, including schedules of activities, prohibitions of practices, and other management practices, and includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage. [Minn. Stat. ch. 115.03]
	5.9.157	"Class B Foam" means a stable combination of per- and poly-fluorinated surfactants (PFAS) and foaming agents used to extinguish flammable liquids, such as burning oil, gasoline, and jet fuel, and is most commonly referred to as Aqueous Film Forming Foam (AFFF). [Minn. R. 7090]
	5.9.158	"Class V Injection Well" refers to any well or disposal method used to dispose of non-hazardous fluids underground. Examples of Class V Injection Wells include stormwater drainage wells, septic system leach fields, and agricultural drainage wells. [Minn. R. 7001.1020, subp. 5]
	5.9.159	"Co-located industrial activities" means any industrial activities at a facility defined by the stormwater regulations at 40 C.F.R. 122.26(b)(14)(i)-(ix) and (xi), other than the primary SIC Code or narrative activity. [Minn. R. 7090]
	5.9.160	"Commissioner" means the Commissioner of the Minnesota Pollution Control Agency or the Commissioner's designee. [Minn. Stat. ch. 116.36, subp. 3]
	5.9.161	"Construction activity" for this permit includes construction activity as defined in 40 C.F.R. 122.26(b)(14)(x) and small construction activity as defined in 40 C.F.R. 122.26(b)(15). This includes a disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Construction activity may include clearing, grading, filling, and excavating. Construction activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more. [40 CFR 122.25(b)]
	5.9.162	"Facility" for the purposes of this section, means land that shares a common border and that has an industrial stormwater discharge as defined in 40 C.F.R. 122.26(b)(14) with the discharge having a common owner or operator. [40 CFR 122.26(b)(14)]
	5.9.163	"Impaired water" means waters identified as impaired by the MPCA, and approved by the US EPA, pursuant to section 303(d) of the Clean Water Act. [CWA Sect. 303]
	5.9.164	"Impervious surface" means a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads. [Minn. R. 7090]
	5.9.165	"Inactive" means a facility or portion of a facility at which significant materials are not present and at which no industrial activities are conducted and is not an active facility, and where the inactive

		portion is not covered by any active permit issued by the applicable State or Federal agency. An inactive facility has no staff, no significant materials, and no industrial activities exposed to stormwater. [Minn. R. 7090]
	5.9.166	"Industrial activity" means the eleven categories of industrial activity which are directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, as defined in 40 C.F.R. 122.26(b)(14)(i)-(xi). [Minn. R. 7090.0080 , subp. 6]
	5.9.167	"Industrial stormwater pond" means constructed detention or retention facilities for the treatment of stormwater runoff under the requirements of this permit. This includes permanent ponds, dry ponds, flow equalization ponds (followed by other BMPs), and constructed wetlands. However, natural wetlands (including types 1-8) and other natural surface water bodies are not industrial stormwater ponds, parts of ponds or pond systems, and cannot be used as BMPs for stormwater treatment unless mitigated in accordance with applicable state rules. [Minn. R. 7090]
	5.9.168	"Infiltration system" means a designed and constructed Best Management Practice to which industrial stormwater runoff is diverted, collected, or conveyed for the purpose of infiltration. An infiltration system does not include the parts of the system that diverts, collects, or conveys industrial stormwater. Incidental infiltration from conveyances such as swales or ditches, including those with erosion prevention devices such as vegetation, silt fence, or fiber bails, is not an infiltration system. However, swales, ditches, or similar devices constructed with stop logs, ditch excavation for storage or other retention devices, which are for the purpose of increased infiltration, are infiltration systems. Wetlands (including types 1 through 8) and other natural surface water bodies are not infiltration systems or parts of infiltration system systems, and cannot be used as infiltration systems, unless mitigated in accordance with applicable state rules. [Minn. R. 7090]
	5.9.169	"Measurable Runoff Event" means precipitation, snow melt, or other event that causes stormwater to flow at a monitoring location. [Minn. R. 7090]
	5.9.170	"Municipal separate storm sewer system or MS4" means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man- made channels, or storm drains: A. Owned or operated by a state, city, town, county, district, association, or other public body, created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district, or drainage district or similar entity, or an Indian tribe or an authorized Indian tribe organization, or a designated and approved management agency under section 208 of the federal Clean Water Act, United States Code, title 33, section 1288, that discharges into waters of the state; B. Designed or used for collecting or conveying storm water; C. That is not a combined sewer; and D. That is not part of a publicly owned treatment works as defined in Code of Federal Regulations, title 40, section 122.2. Municipal separate storm sewer systems do not include separate storm sewers in very discrete areas, such as individual buildings. [Minn. R. 7090.0800, subp. 8]
	5.9.171	"Narrative activity" means those industrial activities as defined by 40 C.F.R. 122.26(b)(14)(i), (iv), (v), (vii), and (ix). [40 CFR 122]
	5.9.172	"No exposure" means that all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, or waste product. [Minn. R. 7090.0080, subp. 9]
	5.9.173	"Non-stormwater discharge" means any discharge not comprised entirely of stormwater. [Minn. R. 7090]

	5.9.174	"One mile" means a direct horizontal distance of one mile measured from any monitoring location to the Ordinary High-Water Level (Minn. Stat. 103G.005, subd. 14) where the stormwater discharge associated with industrial activity enters either an impaired water, or any water described in the Additional Requirements for Discharges to Special and Impaired Waters section. [Minn. R. 7090]
	5.9.175	"Operator" is the person responsible for the overall operation of an industrial facility under Minn. R. 7090.3000. [Minn. R. 7090]
	5.9.176	"Owner" is the person who owns an industrial facility or part of an industrial facility under Minn. R. 7090.3000. [Minn. R. 7090]
	5.9.177	"Permittee" means a person or persons, firm, or governmental agency or other institution that signs the permit application submitted to the MPCA and is responsible for compliance with the terms and conditions of this permit. [Minn. R. 7090]
	5.9.178	"Person" means any human being, any municipality or other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the MPCA. [Minn. Stat. ch. 116.06, subp. 17]
	5.9.179	"Primary standard industrial classification (SIC) code" is the SIC code associated with the industrial activity that generates the greatest revenue. If revenue data is not available, the owner/operator shall base the determination on the number of employees engaged in the industrial activity. If it is not possible to determine the primary SIC code using either of these two methods, the owner/operator shall base the determination on the SIC code with the greatest production. The industrial activity that generates the greatest revenue, employs the most personnel, or has the greatest production, is the industrial activity assigned the primary SIC code. [Minn. R. 7090]
	5.9.180	"Saturated soil" means the highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids being filled with water. Saturated soil is evidenced by the presence of redoximorphic features or other information upon determination by a Minnesota-licensed Professional Geoscientist or Engineer. [Minn. R. 7090]
	5.9.181	"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR 122.26(b)(12)]
	5.9.182	"Storm-resistant shelter" means completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, and the material under the structure is not subjected to any run-on and subsequent runoff of stormwater. [Minn. R. 7090]
	5.9.183	"Stormwater" means stormwater runoff, snowmelt runoff, and surface runoff and drainage. [Minn. R. 7090.0080, subp. 12]
	5.9.184	"Stormwater discharge associated with industrial activity" or "industrial stormwater discharge" means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 C.F.R. pt. 122. For the categories of industries identified in this section, the term includes, but is not limited to, stormwater discharges from: A. Industrial plant yards; B. Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; C. Material handling sites;

		D. Refuse sites; E. Sites used for the application or disposal of process wastewater (as defined at part 401 of this chapter); F. Sites used for the storage and maintenance of material handling equipment; G. Sites used for residual treatment, storage, or disposal; H. Shipping and receiving areas; I. Manufacturing buildings; J. Storage areas (including tank farms) for raw materials, and intermediate and final products; and K. Areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by- product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above-described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 C.F.R. 122.26 (b)(14)(i) through (xi), except (x). The term also includes those facilities designated under the provisions of 40 C.F.R. 122.26 (a)(1)(v). [40 CFR 122, Minn. R. 7090]
	5.9.185	"Stormwater pollution prevention plan" or "SWPPP" means a plan for stormwater discharge that includes facility-specific activities and actions to, first, identify sources of pollution or contamination at the facility, and second, select and implement BMPs to reduce or eliminate contact of stormwater with significant materials that may result in polluted runoff from the facility. [40 CFR 122.26]
	5.9.186	"Control Measure or Stormwater Control Measure" means any stormwater control or other method (including numeric or narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States. [Minn. R. 7090]
	5.9.187	"Surface water or waters" means all streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems whether natural or artificial, public, or private. [Minn. R. 7090]
	5.9.188	"Total maximum daily load" or "TMDL" means the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined in Code of Federal Regulations, title 40, section 130.2, paragraph (i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water of the state and still assure attainment and maintenance of water quality standards. [Minn. R. 7052.0010, subp. 42]
	5.9.189	"Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof. [Minn. Stat. ch. 115.01, subp. 22]
	5.9.190	"Water quality standards" means those provisions contained in Minn. R. 7050 and 7052. [Minn. R. 7050, Minn. R. 7052]
	5.9.191	"Wetlands" are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands shall have the following attributes: A. A predominance of hydric soils; B. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and C. Under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, subp. 1B]

		Total Residual Oxidants
	5.10.192	**General Requirements**. [Minn. R. 7001]
	5.10.193	Total Residual Chlorine (TRC) shall be analyzed immediately. This means within 15 minutes or less of sample collection. [40 CFR 136.6]
	5.10.194	A Reporting Limit (RL) shall be established for this parameter. This must be based on the analysis of a standard at or below the RL. [Minn. R. 7001]
	5.10.195	A RL of 0.04 mg/L is considered in compliance with the 0.038 mg/L limit. [Minn. R. 7001]
	5.10.196	The RL shall be verified against a known standard at least monthly during the monitoring period. For successful verification, the standard needs to be recovered at +/- 40% of the actual value. [Minn. R. 7001]
	5.10.197	Monitoring results below the RL should be reported as "<" the RL. If the RL is 0.01 mg/L, based on the analysis of a standard at or below that level, and a parameter is not detected at a value of 0.01 mg/L or greater, the concentration shall be reported as "<0.01 mg/L." The symbol "<" means "less than.". [Minn. R. 7001]
	5.10.198	**Compliance with a Daily Maximum Limit**. [Minn. R. 7001]
	5.10.199	Compliance with a Daily Maximum limit for Total Residual Chlorine (TRC) concentration limits can be evaluated using one of the two following methods. [State Definitions]
	5.10.200	Single Sample Value - A single sample taken in a 24-hour period with a value of 0.038 mg/L or less is considered in compliance; or. [Minn. R. 7001]
	5.10.201	Multiple Sample Value - If the single value sample is greater than 0.038 mg/L, an average can be calculated using two to twelve samples analyzed in a 24-hour period. To calculate using multiple samples: A. The second sample shall be taken two hours after the initial sample; and B. Subsequent samples shall be taken at one-hour intervals not to exceed twelve samples in a 24-hour period The average value of the multiple samples must be 0.038 mg/L or less to be considered in compliance. Values below the RL for TRC are assumed to be zero for averaging purposes only. [Minn. R. 7001]
		Total Facility Requirements (NPDES/SDS)
	5.11.202	**Definitions.** Refer to the Permit User's Manual found on the MPCA's website at https://www.pca.state.mn.us/sites/default/files/wq-wwtp7-09.pdf for standard definitions. [Minn. R. 7001]
	5.11.203	**Incorporation by Reference.** This permit incorporates the following applicable federal and state laws applicable to the Permittee and enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. chs. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. chs. 115 and 116. [Minn. R. 7001]
	5.11.204	**Permittee Responsibility.** The Permittee shall perform the actions or conduct the activity authorized by this permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the MPCA. [Minn. R. 7001.0150, subp. 3(E)]
	5.11.205	**Toxic Discharges Prohibited.** Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to 40 CFR pts. 400 to 460 and Minn. R. chs. 7050, 7052, 7053 and any other applicable MPCA rules. [Minn. R. 7001.1090, subp. 1(A)]
	5.11.206	**Nuisance Conditions Prohibited.** The Permittee's discharge shall not cause any nuisance conditions including, but not limited to: floating solids, scum and visible oil film, excessive suspended solids, material discoloration, obnoxious odors, gas ebullition, deleterious sludge deposits, undesirable slimes or fungus growths, aquatic habitat degradation, excessive growths of aquatic plants, acutely

		toxic conditions to aquatic life, or other adverse impact on the receiving water. [Minn. R. 7050.0210, subp. 2]
	5.11.207	**Property Rights.** This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, subp. 3(C)]
	5.11.208	**Liability Exemption.** In issuing this permit, the State and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under this permit. To the extent the State and the MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act. [Minn. R. 7001.0150, subp. 3(O)]
	5.11.209	The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what Minnesota statutes authorize. [Minn. R. 7001.0150, subp. 3(D)]
	5.11.210	**Liabilities.** The MPCA's issuance of this permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. [Minn. R. 7001.0150, subp. 3(A)]
	5.11.211	The issuance of this permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. [Minn. R. 7001.0150, subp. 3(B)]
	5.11.212	**Severability.** The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. [Minn. R. 7001]
	5.11.213	**Compliance with Other Rules and Statutes.** The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility. [Minn. R. 7001]
	5.11.214	**Inspection and Entry.** When authorized by Minn. Stat. ch. 115.04, 115B.17, subd. 4, and 116.091, and upon presentation of proper credentials, the Permittee shall allow the MPCA, or an authorized employee or agent of the MPCA, to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. [Minn. R. 7001.0150, subp. 3(I)]
	5.11.215	**Control Users.** The Permittee shall regulate the users of its facility to prevent the introduction of pollutants or materials that may result in the inhibition or disruption of the conveyance system, treatment facility or processes, or disposal system that would contribute to the violation of the conditions of this permit or any federal, state, or local law or regulation. [Minn. R. 7001.0150, subp. 3(F)]
	5.11.216	**Sampling**. [Minn. R. 7001]
	5.11.217	**Representative Sampling.** The Permittee shall conduct samples and measurements required by this permit as specified in this permit and shall be representative of the discharge or monitored activity. [Minn. R. 7001.0150, subp. 2(B)]
	5.11.218	**Additional Sampling.** If the Permittee monitors more frequently than required, they shall report the results and the frequency of monitoring on their eDMR for that reporting period. [Minn. R. 7001.1090, subp. 1(E)]
	5.11.219	**Certified/Accredited Laboratory.** A laboratory accredited by the Minnesota Department of Health [Minn. R. 4740.2010 through Minn. R. 4740.2120] and/or certified by the MPCA [Minn. R. 7001.4310 through Minn. R. 7001.4390] shall conduct analyses required by this permit, unless approved in writing by the MPCA. A certified/accredited laboratory does not need to complete analyses of dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine). Those analyses shall comply with 40 CFR pt. 136. Dissolved oxygen, pH, and total residual oxidants must be performed on-site. Follow the manufacturer's

		specifications for equipment maintenance and use. [Minn. R. 4740.2010-4740.2120, Minn. R. 7001.4310-7001.4390]
	5.11.220	**Sample Preservation and Procedure.** Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR pt. 136 and Minn. R. 7041.3200. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7041.3200]
	5.11.221	**Equipment Calibration.** The Permittee shall check and/or calibrate flow meters, pumps, flumes, lift stations, or other flow monitoring equipment used for purposes of determining compliance (within plus or minus ten percent of the true flow values) with permit requirements at least twice annually. [Minn. R. 7001.0150, subp. 2(B & C)]
	5.11.222	**Maintain Records.** The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following information: A. The exact place, date, and time of the sample or measurement; B. The date and time of analysis; C. The name of the person who performed the sample collection, measurement, analysis, or calculation; D. The analytical techniques, procedures, and methods used; and E. The results of the analysis. [Minn. R. 7001.0150, subp. 2(C)]
	5.11.223	**Completing Reports.** The Permittee shall submit the results of the required sampling and monitoring activities on the forms provided, specified, or approved by the MPCA. The Permittee shall record the information in the specified areas on those forms and in the units specified. Required forms may include a Sample Values Form. If required, the Permittee shall record individual values for each sample and measurement on the Sample Values Form provided by the MPCA. The Permittee shall submit Sample Values Form with the appropriate eDMRs. The Permittee may design and use their own Sample Values Form; however, the Permittee shall not use their form until the MPCA reviews and approves the form. Note: The Permittee shall also record required summary information on their eDMR. Permittee submitted summary information contained only on the Sample Values Form does not comply with reporting requirements. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.1090, subp. 1(D)]
	5.11.224	**Submitting Reports.** The Permittee shall submit eDMRs, Sample Values Forms, and other supplemental attachment forms via MPCA e-Services after the MPCA approves their authorization request. The Permittee shall electronically submit eDMRs, Sample Values Forms, and other supplemental attachment forms by the 21st day of the month following the sampling period or otherwise as specified in this permit. The Permittee shall complete eDMR submittal on or before 11:59 p.m. of the 21st day of the month following the sampling period or as otherwise specified in this permit. The Permittee shall submit an eDMR for each required station even if no discharge occurred during the reporting period. The Permittee shall submit other reports required by this permit electronically. The Permittee shall submit reports by the date specified in this permit. The Permittee shall submit on or before 11:59 p.m. on the date specified in this permit. Electronically: wq.submittals.mpca@state.mn.us Include Water quality submittals form: www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(H)]

	5.11.225	**Incomplete or Incorrect Reports.** The Permittee shall immediately submit an electronically amended report or eDMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or eDMR. The amended report or eDMR shall contain the missing or corrected data along with a comment on the eDMR explaining the circumstances of the incomplete or incorrect report. If it is impossible to amend the report or eDMR electronically, the Permittee shall immediately notify the MPCA and the MPCA will provide direction for the amendment submittals. [Minn. R. 7001.0150, subp. 3(G)]
	5.11.226	**Required Signatures.** The Permittee or the duly authorized representative of the Permittee shall sign all eDMRs, forms, reports, and other documents submitted to the MPCA per Minn. R. 7001.0150, subp. 2(D). The person or persons who sign the eDMRs, forms, reports, or other documents shall certify that he or she understands and complies with the certification requirements of Minn. R. chs. 7001.0070 and 7001.0540, including the penalties for submitting false information. A registered professional engineer shall certify technical documents, such as design drawings and specifications, and engineering studies submitted as part of a permit application or by permit conditions. [Minn. R. 7001.0540]
	5.11.227	**Reporting Limit (RL).** The Permittee shall report monitoring results below the RL of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the Permittee shall report the concentration as "< 0.1 mg/L." The Permittee shall not use "non-detected," "undetected," "below detection limit," or "zero" when reporting results. The MPCA considers these terms as permit reporting violations. Where sample values are less than the RL and the permit requires reporting of an average, the Permittee shall calculate the average as follows: A. If some values are less than (<) the RL, substitute zero for all non-detectable values to use in the average calculation; B. If all values are less than (<) the RL, calculate the average and report as < the RL average concentration; and C. To calculate a mass loading with a less than (<) the RL concentration, use the RL value in the calculation and then add the "<" to the product of the concentration and the volume. [Minn. R. 7001.0150, subp. 2(B)]
	5.11.228	**Records.** The Permittee shall, when requested by the MPCA, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. [Minn. R. 7001.0150, subp. 3(H)]
	5.11.229	**Confidential Information.** Except for data determined to be confidential according to Minn. Stat. ch. 116.075, subd. 2, all reports required by this permit are available for public inspection. The MPCA does not consider effluent data confidential. To request the MPCA maintain data as confidential, the Permittee shall follow Minn. R. 7000.1300. [Minn. R. 7000.1300]
	5.11.230	**Noncompliance and Enforcement**. [Minn. R. 7001]
	5.11.231	**Subject to Enforcement Action and Penalties.** Noncompliance with a term or condition of this permit subjects the Permittee to penalties provided by federal and state law set forth in section 309 of the Clean Water Act; United States Code, title 33, section 1319, as amended; and in Minn. Stat. ch. 115.071 and 116.072, including monetary penalties, imprisonment, or both. [Minn. R. 7001.1090, subp. 1(B)]
	5.11.232	**Criminal Activity.** The Permittee shall not knowingly make a false statement, representation, or certification in a record or other document submitted to the MPCA. A person who falsifies a report or document submitted to the MPCA, or tampers with, or knowingly renders inaccurate a monitoring device or method that requires maintenance under this permit is subject to criminal and civil penalties provided by federal and state law. [Minn. R. 7001.0150, subp. 3(G), Minn. R. 7001.1090, subp. 1(G & H), Minn. Stat. ch. 609.671, subd. 1]

	5.11.233	**Noncompliance Defense.** It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [40 CFR 122.41(c)]
	5.11.234	**Effluent Violations.** If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. If the Permittee discovers that noncompliance with a condition of the permit occurred and that the noncompliance could endanger human health, public drinking water supplies, or the environment, the Permittee shall within 24 hours of the discovery of the noncompliance orally notify the Commissioner and submit a written description of the noncompliance within five days of the discovery. If the Permittee discovers other noncompliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the Permittee shall report the description of noncompliance within 30 days of the discovery. If no eDMR is required within 30 days, the Permittee shall submit a written report including the description of noncompliance within 30 days of the discovery of the noncompliance. This description shall include the following information: A. A description of the event including volume, duration, monitoring results, and receiving waters; B. The cause of the event; C. The steps taken to reduce, eliminate, and prevent reoccurrence of the event; D. The exact dates and times of the event; and E. Steps taken to reduce any adverse impact resulting from the event. [Minn. R. 7001.0150, subp. 3(K)]
	5.11.235	**Upset Defense.** In the event of temporary noncompliance with applicable effluent limitation(s) resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the MPCA as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence: A. The specific cause of the upset; B. That the upset was unintentional; C. That the upset resulted from factors beyond the reasonable control of the Permittee and did not result from operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or increases in production which are beyond the design capability of the treatment facilities; D. That at the time of the upset the facility was being properly operated; E. That the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1(I); and F. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3(J). [Minn. R. 7001.1090]
	5.11.236	**Release**. [Minn. R. 7001]
	5.11.237	**Unauthorized Releases of Wastewater Prohibited.** This permit prohibits overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, except for discharges from outfalls specifically authorized by this permit. The MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. [40 CFR 122.41, Minn. Stat. ch. 115.061]
	5.11.238	**Discovery of a Release.** Upon discovery of a release, the Permittee shall: A. Take all reasonable steps to immediately end the release; B. Notify the Minnesota Department of Public Safety Duty Officer at 800-422-0798 or 651-649-5451 (metro area) immediately upon discovery of the release. The Permittee may contact the MPCA during business hours at 800-657-3864 or 651-296-6300 (metro area); and

		C. Recover as rapidly and as thoroughly as possible all substances and materials released or immediately take other action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If the Permittee cannot immediately or completely recover the released materials or substances, the Permittee shall contact the MPCA. If directed by the MPCA, the Permittee shall consult with other local, state, or federal agencies (such as the Minnesota Department of Natural Resources and/or the Wetland Conservation Act authority) for implementation of additional clean up or remediation activities in wetland or other sensitive areas. [Minn. R. 7001.1090]
	5.11.239	**Sampling of a Release.** Upon discovery of a release, the Permittee shall: A. Collect representative samples of the release. The Permittee shall sample the release for permitted effluent parameters and other parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, the Permittee shall collect fecal coliform bacteria samples where the Permittee determines that the release contains or may contain sewage. If the Permittee cannot immediately stop the release, the Permittee shall consult with the MPCA regarding additional sampling requirements. The Permittee shall collect samples at least, but not limited to, two times per week for as long as the release continues; and B. Submit the sampling results on the Release Report located on the MPCA's website at https://www.pca.state.mn.us/business-with-us/discharge-monitoring-reports. The Permittee shall submit the Release Report to the MPCA with the next eDMR or within 30 days, whichever is sooner. [Minn. R. 7001.1090]
	5.11.240	**Bypass**. [Minn. R. 7001]
	5.11.241	**Anticipated Bypass.** The Permittee may allow any bypass to occur that does not cause effluent limitation exceedances, but only if the bypass is for essential maintenance to assure efficient operation of the facility. The Permittee shall submit prior notice to the MPCA at least ten days before the date of the bypass, if possible. The notice of the need for an anticipated bypass shall include the following information: A. The proposed date and estimated duration of the bypass; B. The alternatives to bypassing; and C. A proposal for effluent sampling during the bypass. Any bypass wastewater shall enter waters of the state from outfalls specifically authorized by this permit. Therefore, the Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. [40 CFR 122.41(m)(2 & 3), Minn. R. 7001.1090, subp. 1(J)]
	5.11.242	This permit prohibits all other bypasses. The MPCA may take enforcement action against the Permittee for a bypass, unless the specific conditions described in Minn. R. 7001.1090 subp. 1(K) and 40 CFR 122.41(m)(4)(i) are met. In the event of an unanticipated bypass, the Permittee shall: A. Take all reasonable steps to immediately end the bypass; B. Notify the Minnesota Department of Public Safety Duty Officer at 800-422-0798 or 651-649-5451 (metro area) immediately upon commencement of the bypass. The Permittee may contact the MPCA during business hours at 800-657-3864 or 651-296-6300 (metro area); C. Immediately take action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If directed by the MPCA, the Permittee shall consult with other local, state, or federal agencies for implementation of abatement, clean up, or remediation activities; and D. Only allow bypass wastewater as specified in this section to enter waters of the state from outfalls specifically authorized by this permit. The Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. The Permittee shall also follow the reporting requirements for

		effluent violations as specified in this permit. [40 CFR 122.41(m)(4)i, Minn. R. 7001.1090, subp. 1(K), Minn. Stat. ch. 115.061]
	5.11.243	**Operation and Maintenance**. [Minn. R. 7001]
	5.11.244	The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible. [Minn. R. 7001.0150, subp. 3(F)]
	5.11.245	In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until they restore facility treatment processes or until the Permittee provides an alternative method of treatment. [Minn. R. 7001.1090, subp. 1(C)]
	5.11.246	**Solids Management.** The Permittee shall properly store, transport, and manage biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or groundwaters of the state. The Permittee shall manage solids in accordance with local, state, and federal requirements. [40 CFR 503, Minn. R. 7041]
	5.11.247	**Scheduled Maintenance.** The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent water quality degradation, except where the facility requires emergency maintenance to prevent a condition that would be detrimental to water quality or human health. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
	5.11.248	**Control Tests.** The Permittee shall conduct in-plant control tests at a frequency adequate to ensure compliance with the conditions of this permit. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
	5.11.249	**Changes to the Facility or Permit**. [Minn. R. 7001]
	5.11.250	**Permit Modifications.** Except as provided under Minn. Stat. ch. 115.07, subd. 1 and 3, no person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the MPCA issues a written permit for the facility or activity. Permittees that propose to make changes to the facility or discharge that requires permit modification shall follow Minn. R. 7001.0190. If the Permittee cannot determine whether the proposed changes require a permit modification, the Permittee shall contact the MPCA prior to any action. The MPCA recommends that Permittees submit the application for permit modification to the MPCA at least 180 days prior to the planned change. [Minn. R. 7001.0030]
	5.11.251	This permit does not require plans, specifications, and MPCA approval when maintenance dictates the need for installation of new equipment, provided the equipment is the same design size and has the same design intent. For instance, Permittees can replace a broken pipe, lift station pump, aerator, or blower with the same design-sized equipment without MPCA approval. If this permit does not expressly authorize the Permittee proposed construction, the MPCA may require a permit modification. If the proposed construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until the MPCA issues a negative declaration and the Permittee receives or implements all approvals. [Minn. R. 7001.0030]
	5.11.252	**Report Changes.** The Permittee shall give advance notice as soon as possible to the MPCA of any substantial changes in operational procedures, activities that may alter the nature or frequency of the discharge, and/or material factors that may affect compliance with the conditions of this permit. [Minn. R. 7001.0150, subp. 3(M)]

	5.11.253	**Chemical Additives.** The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit, in quantities or concentrations that have the potential to change the characteristics, nature, and/or quality of the discharge. The Permittee shall request approval for an increase or new use of a chemical additive at least 60 days, or as soon as possible, before the proposed increase or new use. The Permittee shall include at least the following information for the proposed additive as instructed in the chemical additive approvals section on the MPCA's website at https://www.pca.state.mn.us/business-with-us/wastewater-permit-additional-guidance-and-information: A. The process for which the additive will be used; B. Safety Data Sheet (SDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive. The aquatic toxicity information shall include at minimum the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill, or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean; C. A complete product use and instruction label; D. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive (If the SDS does not include information on chemical composition, including percentages for each ingredient totaling to 100%, the Permittee shall contact the supplier to have this information provided); and E. The proposed method of application, application frequency, concentration, and daily average and maximum rates of use. Upon review of the information submitted regarding the proposed chemical additive, the MPCA may require additional information be submitted for consideration. This permit may be modified to restrict the use or discharge of a chemical additive and include additional influent and effluent monitoring requirements. Approval for the use of an additive shall not justify the exceedance of any effluent limitation nor shall it be used as a defense against pollutant levels in the discharge causing or contributing to the violation of a water quality standard. [Minn. R. 7001.0170]
	5.11.254	**MPCA Initiated Permit Modification, Suspension, or Revocation.** The MPCA may modify or revoke and reissue this permit pursuant to Minn. R. 7001.0170. The MPCA may revoke without reissuance of this permit pursuant to Minn. R. 7001.0180. [Minn. R. 7001.0170, Minn. R. 7001.0180]
	5.11.255	**Total Maximum Daily Load (TMDL) Impacts.** The MPCA may require facilities that discharge to an impaired surface water, watershed, or drainage basin to comply with additional permits or permit requirements. These requirements can include additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR ch. 122.44(l)(2)(i), necessary to ensure consistency with the assumptions and requirements of any applicable EPA approved wasteload allocations resulting from TMDL studies. [40 CFR 122.44(l)(2)(i)]
	5.11.256	**Permit Transfer.** This permit is not transferable to any person without the express written approval of the MPCA after compliance with the requirements of Minn. R. 7001.0190. A person who receives permit transference shall comply with the conditions of this permit. [Minn. R. 7001.0150, subp. 3(N)]
	5.11.257	**Facility Closure.** The Permittee is responsible for closure and post-closure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of the activities described in this permit at least 180 days before the reduction or cessation. The MPCA may require the Permittee to provide a Facility Closure Plan to the MPCA for approval. The MPCA may require a permit modification or reissuance for facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or groundwater.

		The MPCA may require the Permittee to establish and maintain financial assurance to ensure performance of certain obligations under this permit, including closure, post-closure care, and remedial action at the facility. If the MPCA requires financial assurance, the MPCA shall approve the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance. [Minn. Stat. ch. 116.07, subd. 4]
	5.11.258	**Permit Reissuance.** If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance: Due by 180 days prior to permit expiration. [Minn. R. 7001.0040]
	5.11.259	If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration. If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following: A. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit; B. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit; or C. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies. [Minn. R. 7001.0040, Minn. R. 7001.0160]

6. Submittal action summary

SD 001	**Storm Sewer To Surface Water**	
		Facility Specific Limit and Monitoring Requirements
	6.1.1	The Permittee shall submit a monthly DMR: Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
WS 001	**Internal Waste Stream**	
		Facility Specific Limit and Monitoring Requirements
	6.2.1	The Permittee shall submit a monthly DMR: Due by 21 days after the end of each calendar month following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
MN0057525	**Hennepin Energy Recovery Center**	
		Per- and Polyfluoroalkyl Substances (PFAS)
	6.3.1	The Permittee shall submit a PFAS Screening Report: Due by 180 days prior to permit expiration. For those facilities that discharge directly to Class 1 waters, the Permittee shall collect a sample at all surface discharge (SD) monitoring locations listed in the permit and analyze the sample(s) for per- and polyfluoroalkyl substances (PFAS) and submit the results of the analysis in accordance with the following: A. The Permittee shall analyze for PFAS at all surface discharge monitoring locations identified in the permit at least once per permit cycle; B. The Permittee must analyze the samples using draft EPA method 1633 or EPA 1633A and subsequent revisions for all PFAS compounds the method is capable of producing results for; C. The reporting limit for analysis of PFOS or PFOA is two (2) nanograms per liter (ng/L). If the reporting limit is exceeded, the Permittee shall submit an explanation of the cause with the report; D. The PFAS Screening Report shall include: i. The results of the analysis including all PFAS lab reports and data collected from all monitoring locations at the facility. ii. A summary of the sampling methodology and procedure. iii. A discussion of the potential source of any PFAS detected through sampling and analysis. E. The Permittee shall submit the PFAS Screening Report to MPCA Water Quality Submittals by 180 days prior to permit expiration. [Minn. R. 7001]
		Industrial Wastewater General Requirements
	6.4.2	The Permittee shall submit a Piping Integrity Plan: Due by 90 days after permit issuance. The plan shall include the following: A. Maps, drawings, and diagrams along with methods for both pipe assessment and restoration of integrity; B. Timeline (maximum of three years for high priority/high risk pipes and maximum of ten years for all other pipes) for assessing condition of all piping conveying wastewater at the facility; and C. Timeline (maximum of one year) for restoring integrity of any piping found to have defects allowing either infiltration or exfiltration of water. [Minn. R. 7001]

	6.4.3	The Permittee shall submit a Piping Report: Due annually, by the 31st of March. The report shall include findings (e.g., including but not limited to televising footage) and summaries of actions taken responsive to the Piping Integrity Plan. [Minn. R. 7001]
		Industrial Stormwater Sector O: Steam Electric Generating Facilities
	6.5.4	The Permittee shall submit a Stormwater Annual Report: Due annually, by the 31st of March of each year following permit issuance. The Permittee shall submit the Annual Report through the MPCA e-Services online portal. [Minn. R. 7090]
		Total Facility Requirements (NPDES/SDS)
	6.6.5	**Permit Reissuance.** If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance: Due by 180 days prior to permit expiration. [Minn. R. 7001.0040]

7. Limits and monitoring

The Permittee shall comply with the limits and monitoring requirements as specified below.

		Discharge limitations							Monitoring requirements			
Subject item	**Parameter**	**Quantity /Loading avg.**	**Quantity /Loading max.**	**Quantity /Loading units**	**Quality /Conc. min.**	**Quality /Conc. avg.**	**Quality /Conc. max.**	**Quality/ Conc. units**	**Frequency**	**Sample type**	**Effective period**	**Notes**
SD 001 20100 NCCW & Cooling Tower Blowdown	Chlorine, Total Residual						0.038 daily maximum	milligrams per liter	twice per month	Grab	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Flow		Monitor only. calendar month total	million gallons		Monitor only. calendar month average	Monitor only. calendar month maximum	million gallons per day	twice per month	Measurement	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Nitrite Plus Nitrate, Total (as N)						Monitor only. daily maximum	milligrams per liter	once per year	Grab	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Nitrogen, Kjeldahl, Total						Monitor only. daily maximum	milligrams per liter	once per year	Grab	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Nitrogen, Total (as N)						Monitor only. daily maximum	milligrams per liter	once per year	Calculation	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	pH				6.0 calendar month minimum		9.0 calendar month maximum	standard units	once per month	Grab	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Phosphorus, Total (as P)		258 12-month moving total	kilograms per year					once per month	Calculation	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Phosphorus, Total (as P)					Monitor only. calendar month average		milligrams per liter	once per month	Grab	Jan-Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Solids, Total Suspended (TSS)					Monitor only. calendar month average		milligrams per liter	once per month	Grab	Jan-Dec	

		Discharge limitations							Monitoring requirements			
Subject item	**Parameter**	**Quantity /Loading avg.**	**Quantity /Loading max.**	**Quantity /Loading units**	**Quality /Conc. min.**	**Quality /Conc. avg.**	**Quality /Conc. max.**	**Quality/ Conc. units**	**Frequency**	**Sample type**	**Effective period**	**Notes**
SD 001 20100 NCCW & Cooling Tower Blowdown	Sulfate, Total (as SO4)						Monitor only. daily maximum	milligrams per liter	once per quarter	Grab	Mar, Jun, Sep, Dec	
SD 001 20100 NCCW & Cooling Tower Blowdown	Temperature, Water (F)						122.0 calendar month maximum	degrees Fahrenheit	twice per month	Grab	Jan-Dec	
WS 001 Boiler Water Reused as Makeup Water	Duration of Discharge		Monitor only. calendar month total	days per month					once per day	Calculation	Jan-Dec	
WS 001 Boiler Water Reused as Makeup Water	Flow		Monitor only. calendar month total	million gallons		Monitor only. calendar month average	Monitor only. calendar month maximum	million gallons per day	once per day	Measurement	Jan-Dec	

8. Chemical Additives

Chemical additives currently approved for use at this facility:

Name	Dosage Frequency	Maximum Use Rate	Location
CL 215 Microbiocide	Intermittent	0.67 gal/day	Cooling Tower Basin Sump
CL 241 Defoamer	Intermittent	5.00 gal/day	Cooling Tower Basin Sump
CL 4855 Descaler	Continuous	46.20 gal/day	Condenser Suction
Chemtreat CL 6855 Scale Inhibitor	Continuous	110 lbs/day	Chute Cooler
Chemtreat BL 1240 Oxygen Scavenger	Continuous	13.60 lbs/day	Boiler Water Treatment
Chemtreat BL 1255	Continuous	0.9 lbs/day	Boiler Water Treatment
Chemtreat BL 1357 Organic Polymer	Continuous	0.56 lbs/day	Boiler Water Treatment
Chemtreat BL 1548 pH Adjustment	Continuous	0.6 lb/day	Steam Line Treatment
Chemtreat CL 16 Resin Cleaner	Intermittent	0.55 lbs/day	Condensate Polisher
Chemtreat BL 1551 Resin Treatment	Intermittent	2.80 lbs/day	Condensate Polisher
Chemtreat BL 124	Continuous	9.0 lbs/day	Boiler Water Treatment
Chemtreat BL 6213	Continuous	1.8 lbs/day	Cooling Tower Pumphouse
Sodium Hypochlorite	Continuous	120 gal/day	Cooling Tower Pumphouse
Sulfuric Acid (93%)	Continuous	50 gal/day	Cooling Tower Pumphouse

Additional additive approvals will need to be submitted through the additive approval process online.