

# Appendix C

## *Trading Forms and Templates*

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**Sample Trade Reporting Form**  
Chesapeake Bay Program Nutrient Trading Program

<b>FACILITY IDENTIFICATION (BUYER OR SELLER)</b>						
FACILITY OR ESTABLISHMENT NAME						
NPDES PERMIT NUMBER						
NAME AND TELEPHONE NUMBER OF AUTHORIZED REPRESENTATIVE						
<b>MONITORING PERIOD</b>						
THIS REPORT IS BEING FILED FOR THE MONITORING PERIOD:						
/ / - / /						
<b>TRADE PARAMETERS</b>						
PARAMETER	FACILITY EFFLUENT LIMIT (lbs/yr, not adjusted by delivery factor)	FACILITY DELIVERY FACTOR (%)	ADJUSTED FACILITY EFFLUENT LIMIT* (lbs/yr, delivered load)	# OF DELIVERED CREDITS BOUGHT OR SOLD* (lbs/yr, delivered load)	LOAD ALLOCATION PERMANENTLY TRANSFERRED* (lbs/yr, delivered load)	
TOTAL NITROGEN (TN)				BOUGHT / SOLD (circle one)	TO / FROM (circle one)	
TOTAL PHOSPHOROUS (TP)				BOUGHT / SOLD (circle one)	TO / FROM (circle one)	
* (adjustment based on facility delivery factor)						
<b>TRADE DESCRIPTION</b>						
DURATION OF TRADE:						
(enter time frame or indicate "permanent transfer")						
DESCRIPTION OF CREDITS GENERATED OR SOLD:						
<b>CERTIFICATION</b>						
SEND WITH DMR TO:			SIGNATURE OF AUTHORIZED AGENT		DATE	
NAME OF PERMITTING AUTHORITY						

## Sample Trade Notification Form

### Chesapeake Bay Program Nutrient Trading Program

*TO BE COMPLETED BY THE BUYER*

Name of Buyer	_____
Type of Facility or Operation	_____
Permit # (if applicable)	_____
Name of Authorized Representative of Buyer	_____
Phone Number	_____

*TO BE COMPLETED BY THE SELLER*

Name of Seller	_____
Type of Facility or Operation	_____
Permit # (if applicable)	_____
Name of Authorized Representative of Seller	_____
Phone Number	_____

*TO BE COMPLETED BY EITHER PARTY*

Parameter Being Traded	_____
Amount of Nitrogen or Phosphorus traded (specify units)	_____
Sellers' Reduction Credit Certificate #	_____
Dates the trade will be in effect	_____
Purchasing price of the trade (include all units)	_____
Costs of nutrient removal (in the same units as the purchase price) if a trade were not conducted	_____

I certify that the above information is accurate and truthful to the best of my knowledge and is in accord with the state's trading program.

Signature of Authorized Representative of Buyer: \_\_\_\_\_

Signature of Authorized Representative of Seller: \_\_\_\_\_

### Reduction Credit Certificate

Lower Boise River Watershed

VALID FOR REDUCTION ACTIVITY FOR MONTH(S) OF _____ YEAR _____	
NAME OF NON-PERMITTED SOURCE:	
CONTACT NAME:	
ADDRESS:	
PHONE NUMBER:	
BEST MANAGEMENT PRACTICE (BMP) IDENTIFIER: – Type of BMP:  – Location of BMP:	
MONITORING METHOD:	
MONITORING FREQUENCY:	
MONITORING RESULTS (LOCAL POUNDS):	
PARMA POUNDS (AMOUNT OF MARKETABLE CREDITS):	
Total Reduction Amount in Local Pounds	_____
<i>Subtract Water Quality Contribution*</i> amount (*TMDL determines what this amount or calculation is)	_____ = _____
<i>multiply by River Location Ratio</i>	_____ = _____ (tradable credit amount in Parma Pounds if next two factors are not applicable)
(if applicable) <i>multiply by Drainage Delivery Ratio</i>	_____ = _____ (tradable credit amount in Parma Pounds if next factor is not applicable)
(if applicable) <i>multiply by Site Location Factor</i>	_____ = _____ (tradable credit amount in Parma Pounds)

**CERTIFICATION:**

This form has been prepared for the purpose of submitting the information contained in it to the U.S. Environmental Protection Agency.

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I further certify that I am authorized to bind the party on behalf of which I am signing to the terms of this document. I further certify that the BMP, the monitoring, and the credit calculation described above satisfies the requirements for that type of BMP as set forth in the BMP list. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. See 18 U.S.C. § 1001 and 33 U.S.C. § 1319. *(Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)*

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF BUYER**



**Legal Contract to Trade Form**  
**Minnesota River Basin General Phosphorus Permit – Phase I**  
*(For transfers of Jordan Trading Units between individual Permittees)*

Date Received		
Month	Day	Year

The terms used in this form have the same meaning and definitions as used in the Minnesota River Basin General Phosphorus Permit. Submit this form to: Water Quality Submittal Center, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194.

**Trade Information**

**Buyer Name and Permit No.:** \_\_\_\_\_

**Seller Name and Permit No.:** \_\_\_\_\_

**Year of Jordan Trading Unit (JTU) Transfer:** \_\_\_\_\_

Buyer Information					Seller Information		
A.	B.	C.	D.	E.	F.	G.	H.
Upward Adjustment to Buyer's 5-Month Mass Phosphorus Limit (kg)	Buyer JBOD Factor	JTUs Needed to Adjust Buyer's 5-Month Mass Phosphorus Limit	Buyer Trade Ratio	Total JTUs Purchased	Total JTUs Sold	Seller JBOD Factor	Downward Adjustment to Seller's 5-Month Mass Phosphorus Limit (kg)

- A – The buyer's upward adjustment to its facility's 5-Month Mass Phosphorus Limit due to this trade.
- B – Buyer Jordan Biological Oxygen Demand Factor as indicated in Minnesota River Basin General Phosphorus Permit (Permit).
- C – Number of JTUs needed to adjust buyer's 5-Month Mass Phosphorus Limit (C=A\*B).
- D – Buyer Trade Ratio as required by Appendix B of the Permit.
- E – Total number of JTUs required to adjust the buyer's 5-Month Mass Phosphorus Limit and for the Trade Ratio required by the Permit (E=C\*D).
- F – Total number of JTUs sold equals the number of JTUs purchased (F=E).
- G – Seller Jordan BOD Factor as indicated in Permit.
- H – The seller's downward adjustment to its facility's 5-Month Mass Phosphorus Limit due to this trade (H=F/G).

**Certification and Signatures**

I certify under penalty of law that this document and any attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. The buyer agrees that its facility's 5-Month Mass Phosphorus Limit will be adjusted upward as indicated in column A of the table above. The seller agrees that its facility's 5-Month Mass Phosphorus Limit will be adjusted downward as indicated in column H of the table above. Both parties agree to the terms of this form. I understand that this trade is not valid unless my facility is a Permittee of the Minnesota River Basin General Phosphorus Permit (MNG420000). This Agreement shall be binding upon each party and its successors and assigns. If either party sells or otherwise conveys or assigns any of its right, title or interest in its facility, the conveyance shall not release the party from any obligation imposed by this Agreement, unless the party to whom the right, title or interest has been transferred or assigned agrees in writing to fulfill the obligations of this Agreement and the MPCA approves the transfer or assignment. The parties to this Agreement shall ensure the party's agents, contractors and subsidiaries comply with the terms and conditions of the Agreement.

\_\_\_\_\_  
*Signature of Seller (Principal Executive Office)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed name of person signing*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Signature of Buyer (Principal Executive Office)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed name of person signing*

\_\_\_\_\_  
*Title*

## Instructions For Legal Contract to Trade Form Minnesota River Basin General Phosphorus Permit – Phase I

(For transfers of Jordan Trading Units between individual Permittees)

This form is required to be submitted to the MPCA for any trades of Jordan Trading Units (JTU) between individual Permittees of the **Minnesota River Basin General Phosphorus Permit – Phase I (Permit)**. Trades can only be made by facilities which are Permittees of the Permit. A copy of the trade form must be submitted by each party to the agreement. This is not the correct form to use for trades involving a Trade Association. The trade is not valid until it is received by the MPCA.

### 1. Trade Information:

- **Facility Name and Permit Number (buyer and seller):** Fill in the facility name as listed in Appendix B of the Permit. If this facility is not listed in Appendix B of the Permit, fill in the name listed in the facility's individual or applicable general NPDES/SDS permit. Provide the facility's Permit ID from Appendix B of the Permit. If this facility does not have a Permit ID number, fill in the facility's ID number from its individual or applicable general NPDES/SDS permit.
- **Year of JTU Transfer:** Specify the year in which this trade will occur. A separate Legal Contract to Trade Form is required for each year in which the facility trades. A trade specified for a particular year may not be transferred to another year.

### 2. Trade Table: Trades result in the buyer's 5-Month Mass Phosphorus Limit to be adjusted upwards and the seller's 5-Month Mass Phosphorus Limit to be adjusted downwards according to the procedure specified by the Permit.

- **Column A** – Indicate the mass in kilograms that the buyer wishes to increase its 5-Month Mass Phosphorus Limit due to this trade. For example, if a facility has a 5-Month Mass Phosphorus Limit of 0 kg listed in Appendix B of the Permit and it would like authorization to discharge 1000 kg during the May-September period of the specified year, it would indicate 1000 kg in column A of this table.
- **Column B** - Indicate the Jordan BOD Factor of the buyer in this trade. Existing facilities have their Jordan BOD Factor listed in Appendix B of the Permit. New facilities can determine their Jordan BOD Factor by consulting the map in Appendix G of the Permit. This factor is used in the calculation of the number of Jordan Trading Units (JTUs) that the facility needs for the trade.
- **Column C** – Calculate the number of JTUs that will be needed to increase the buyer's 5-Month Mass Phosphorus Limit by the amount requested in Column A. This value is equivalent to the value listed in column A multiplied by the value listed in column B.
- **Column D** – List the Trade Ratio of the buyer. The Permit specifies a Trade Ratio of either 1.1:1 (for facilities listed in Appendix B, part 1 of Permit) or 1.2:1 (new facilities).
- **Column E** – Calculate the total number of JTUs that the buyer needs to purchase. This value is equal to the sum of the number of JTUs purchased to adjust the buyers limit upwards and the number of JTUs purchased for the Trade Ratio. This value can be calculated by multiplying the values in columns C and D. The difference between column E and column A is the number of JTUs required by the Permit for the trading program margin of safety.
- **Column F** – List the number of JTUs sold by the seller. This is equivalent to the number of JTUs bought by the buyer (i.e., column F = column E).
- **Column G** - List the Jordan BOD Factor of the seller. This factor is used to calculate the downward adjustment (in kg) to the seller's 5-Month Mass Phosphorus Limit. This value can be found in the Permit.
- **Column H** – Calculate the downward adjustment (in kg) to the seller's 5-Month Mass Phosphorus Limit. This is equivalent to column F divided by column G.

### 3. Certification and Signatures:

- Both parties must sign and date this agreement for it to be a valid agreement. All signatures must be made by a responsible official. The MPCA is not a party to this agreement. A copy of this agreement must be recorded by each party. A copy of this agreement must be submitted to the MPCA by each party to this agreement. The terms used in this form have the meanings defined in the Permit. Permittees may enter into Legal Contracts to Trade up to September 30th of the trading year. The trade must be submitted to the MPCA by November 30th of the trading year.





**Legal Contract to Trade**  
**Form B**  
**Trade Association - Internal Trading**  
**Minnesota River Basin General**  
**Phosphorus Permit – Phase I (Permit)**

Date Received		
Month	Day	Year
Trade Assoc. No.		

*The terms used in this form have the same meaning and definitions as used in the Permit. This form must be signed by each Trade Association member (i.e., Permittee) and the Trade Association Representative by April 30<sup>th</sup> of the trading year in order to be valid. As stated in the Permit, individual members of a Trade Association must each submit a copy of this form to the MPCA by April 30<sup>th</sup> of each year in which the Association intends to trade. Submit this form to: Water Quality Submittal Center, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194.*

**Calendar Year**

**Year of Jordan Trading Unit (JTU) Transfer (use one form per year):** \_\_\_\_\_

**General Information**

**Trade Association Name:** \_\_\_\_\_

**Trade Association Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Trade Association Representative Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Member Information**

*List the name and permit number of every member of this Trade Association in the table below. Each member must be a Permittee of the Minnesota River Basin General Phosphorus Permit. The Permittee name is the same name that the facility listed in its application for the Minnesota River Basin General Phosphorus Permit. The permit number is the MNG number that the facility received on its Notice of Coverage that the MPCA sent to the Permittee in response to its Permit application. Add rows to the table as needed to accommodate the actual number of Trade Association members.*

**Trade Association Members**

Member No.	Permittee Name	Facility MN River Basin General Phosphorus Permit Number
1.		
2.		

**Form B**  
**Trade Association - Internal Trading**  
**Minnesota River Basin General Phosphorus Permit – Phase I (Permit)**

**Trade Information**

Provide the information requested below about every member of this Trade Association (by Trade Association member number as indicated in the previous table) in either the buyer or seller table below as applicable. If a Trade Association member is not buying or selling JTUs to the Trade Association in this trading year, list them in the Trade Association Buyer's table below with a zero for the Chosen Increase to 5-Month Mass Phosphorus Limit (i.e., column C<sub>b</sub>). Add rows to the table as needed.

**Trade Association Buyers (Members purchasing JTUs from Association)**

Permittee Limit Information				Trade Association Limit Information						
A <sub>b</sub> . Member No.	B <sub>b</sub> . 5-Month Mass Phosphorus Limit (kg)	C <sub>b</sub> . Chosen Increase to 5-Month Mass Phosphorus Limit (kg)	D <sub>b</sub> . Trade Association Member Adjusted Phosphorus Limit (kg)	E <sub>b</sub> . JBOD Factor	F <sub>b</sub> . JTUs from 5-Month Mass Phosphorus Limit	G <sub>b</sub> . JTUs Purchased to Increase 5-Month Mass Phosphorus Limit	H <sub>b</sub> . Trade Ratio	I <sub>b</sub> . JTUs Purchased for Trade Ratio	J <sub>b</sub> . Total JTUs Purchased from Trade Association	K <sub>b</sub> . Total JTUs Available to Trade Association from Buyers
Total										

- A<sub>b</sub> – Indicate each Permittee's Trade Association member number as listed in the Member Information table above.
- B<sub>b</sub> – Indicate each buyer's 5-Month Mass Phosphorus Limit (converted to kilograms) from Appendix B of the Permit.
- C<sub>b</sub> – Indicate the number of kilograms of phosphorus that the buyer's 5-Month Mass Phosphorus Limit will be increased due to this trade (the amount of phosphorus purchased by buyer). This value must be a whole number.
- D<sub>b</sub> – Indicate the buyer's Trade Association Member Adjusted Phosphorus Limit after this trade (D<sub>b</sub> = B<sub>b</sub> + C<sub>b</sub>). This number will become the facility's phosphorus limit if this Trade Association exceeds its Final Adjusted Phosphorus Limit. This value must be a whole number.
- E<sub>b</sub> – Specify the buyer's Jordan Biochemical Oxygen Demand Factor as listed in Appendix B and/or indicated in Appendix G of the Permit.
- F<sub>b</sub> – Indicate the buyer's 5-Month Mass Phosphorus Limit converted from kilograms to JTUs (F<sub>b</sub> = B<sub>b</sub> X E<sub>b</sub>).
- G<sub>b</sub> – Indicate the number of JTUs required to be purchased from the Trade Association to adjust the buyer's 5-Month Mass Phosphorus Limit upward by the amount specified in column C<sub>b</sub> (G<sub>b</sub> = C<sub>b</sub> X E<sub>b</sub>).
- H<sub>b</sub> – Specify the numerical value of the buyer's Trade Ratio as listed in Appendix B of the Permit (i.e., 1.1 or 1.2).
- I<sub>b</sub> – Indicate the number of JTUs required to be purchased by the member for the Trade Ratio (I<sub>b</sub> = [G<sub>b</sub> X H<sub>b</sub>] - G<sub>b</sub>). These JTUs are not applied towards the Association's limit.
- J<sub>b</sub> – The total number of JTUs purchased from the Trade Association for its phosphorus limit adjustment and for the Trade Ratio (J<sub>b</sub> = G<sub>b</sub> + I<sub>b</sub>).
- K<sub>b</sub> – Number of JTUs that will be applied towards the Trade Association 5-Month Mass Phosphorus Limit (JTUs) from buyers (K<sub>b</sub> = F<sub>b</sub> + G<sub>b</sub>).

**Trade Association Sellers (Members selling JTUs to Association)**

Permittee Limit Info		Trade Association Limit Information			Permittee Limit Information		Trade Association
A <sub>s</sub> . Member No.	B <sub>s</sub> . 5-Month Mass Phosphorus Limit (kg)	C <sub>s</sub> . Seller JBOD Factor	D <sub>s</sub> . JTUs Available Based on 5-Month Mass Phosphorus Limit	E <sub>s</sub> . JTUs Sold to Trade Association	F <sub>s</sub> . Decrease to 5-Month Mass Phosphorus Limit Based on Trade (kg)	G <sub>s</sub> . Trade Association Member Adjusted Phosphorus Limit (kg)	H <sub>s</sub> . Total JTUs Available to Trade Association from Sellers
Total							

- A<sub>s</sub> – Indicate each Permittee's Trade Association member number as listed in the Member Information table above.
- B<sub>s</sub> – Indicate each seller's 5-Month Mass Phosphorus Limit (converted to kilograms) from Appendix B of the Permit.
- C<sub>s</sub> – Specify the seller's Jordan Biochemical Oxygen Demand Factor as listed in Appendix B and or indicated in Appendix G of the Permit.
- D<sub>s</sub> – Indicate the seller's 5-Month Mass Phosphorus Limit converted from kilograms to JTUs (D<sub>s</sub> = B<sub>s</sub> X C<sub>s</sub>).
- E<sub>s</sub> – Indicate the number of JTUs sold to the Trade Association by the individual member. Note: The total number of JTUs sold to the Trade Association must match the total number of JTUs purchased from the Trade Association (i.e., total of column E<sub>s</sub> must equal total of column J<sub>b</sub> in buyer's table).
- F<sub>s</sub> – Indicate the decrease to the seller's 5-Month Mass Phosphorus Limit (kg) due to this trade (F<sub>s</sub> = E<sub>s</sub> / C<sub>s</sub>). Express this value as a whole number. If the calculated value is not a whole number, round up the calculated value to the nearest whole number.
- G<sub>s</sub> – Indicate the seller's Trade Association Member Adjusted Phosphorus Limit (G<sub>s</sub> = B<sub>s</sub> - F<sub>s</sub>). This number becomes a phosphorus limit for the individual facility if the Trade Association exceeds its Final Adjusted Phosphorus Limit. This value must be a whole number.
- H<sub>s</sub> – Number of JTUs that will be applied towards the Trade Association 5-Month Mass Phosphorus Limit (JTUs) from sellers (H<sub>s</sub> = D<sub>s</sub> - E<sub>s</sub>).

**Trade Association Limit**

This Trade Association's 5-Month Mass Phosphorus Limit is equal to the sum of the number of JTUs available from its member buyers and sellers (K<sub>b</sub> of table above + H<sub>s</sub> of table above). This limit is not the Association's Final Adjusted Limit because this limit can be adjusted later by any valid trade that the Trade Association makes with an outside entity.

**Trade Association 5-Month Mass Phosphorus Limit = \_\_\_\_\_ JTUs**





**Minnesota  
Pollution  
Control  
Agency**

## Legal Contract to Trade

### Form C

### Trade Association - Internal Trading Between Association and Individual Permittee Minnesota River Basin General Phosphorus Permit – Phase I (Permit)

Date Received		
Month	Day	Year

The terms used in this form have the same meaning and definitions as used in the Permit. This form must be signed by both the individual Permittee and the Trade Association Representative in order to be valid. As stated in the Permit, Permittees may only enter into Legal Contracts to Trade up to September 30<sup>th</sup> of the trading year. Submit this form to: Water Quality Submittal Center, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194 by November 30<sup>th</sup> of the trading year.

#### Calendar Year

Year of Jordan Trading Unit (JTU) Transfer (use one form per year): \_\_\_\_\_

#### Individual Permittee Information

Provide the following information regarding the individual Permittee in this contract.

Permittee Name: \_\_\_\_\_ MN River Basin Permit No.: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_

#### Trade Association Information

Provide the following information regarding the Trade Association in this contract.

Trade Association Name: \_\_\_\_\_ Trade Association ID No.: \_\_\_\_\_

Authorized Representative Name: \_\_\_\_\_ Phone: \_\_\_\_\_

#### Trade Information

Fill out either Table A or Table B below as applicable. Do not fill out both tables. If the entity that is purchasing JTUs in this trade is the individual Permittee (i.e., not a member of a Trade Association), fill out Table A and skip Table B. If the entity that is purchasing JTUs in this trade is a Trade Association, skip Table A and fill out Table B. Write "NA" in the cells of the table that is not used.

**TABLE A**

Individual Permittee (Buyer)					Trade Association (Seller)
A.	B.	C.	D.	E.	F.
Upward Adjustment to Buyer's 5-Month Mass Phosphorus Limit (kg)	Buyer JBOD Factor	JTUs Needed to Adjust Buyer's 5-Month Mass Phosphorus Limit	Buyer Trade Ratio	Total JTUs Purchased	Total JTUs Sold

A – The mass of phosphorus (in kilograms) that the buyer's 5-Month Mass Phosphorus Limit will increase due to its purchase of JTUs in this trade. Express this value as a whole number.

B – The buyer's JBOD Factor as listed in Appendix B or as indicated in Appendix G of the Permit.

C – The number of JTUs required to be purchased to achieve the upward adjustment specified in column A (C= A X B).

D – The numerical value of the buyer's Trade Ratio as listed in Appendix B of the Permit (i.e., either 1.1 or 1.2).

E – The total number of JTUs purchased by the buyer. This is equivalent to the number of JTUs purchased for the required increase in the buyer's 5-Month Mass Phosphorus Limit and for the JTUs required by the Trade Ratio (E = C X D).

F – The total number of JTUs sold (F= E). This is the number of JTUs that the Trade Association's 5-Month Mass Phosphorus Limit will decrease due to this trade.





## Legal Contract to Trade

Date Received		
Month	Day	Year

### Form D Trade Association - External Trading Between Two Trade Associations Minnesota River Basin General Phosphorus Permit – Phase I (Permit)

The terms used in this form have the same meaning and definitions as used in the Permit. This form must be signed by both Trade Association Representatives in order to be valid. As stated in the Permit, Permittees may only enter into Legal Contracts to Trade up to September 30<sup>th</sup> of the trading year. Submit this form to: Water Quality Submittal Center, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194 by November 30<sup>th</sup> of the trading year.

#### Calendar Year

Year of Jordan Trading Unit (JTU) Transfer (use one form per year): \_\_\_\_\_

#### Buyer Information

Provide the following information regarding the Trade Association that is the buyer in this contract.

Trade Association Name: \_\_\_\_\_ Trade Association ID No.: \_\_\_\_\_

Authorized Representative Name: \_\_\_\_\_ Phone: \_\_\_\_\_

#### Seller Information

Provide the following information regarding the Trade Association that is the seller in this contract.

Trade Association Name: \_\_\_\_\_ Trade Association ID No.: \_\_\_\_\_

Authorized Representative Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Trade Information			
Buyer			Seller
A. Buyer Chosen Increase to its Trade Association 5-Month Mass Phosphorus Limit (JTUs)	B. Buyer Trade Ratio	C. Total Number of JTUs Purchased	D. Total Number of JTUs Sold

- A – Indicate the number of JTUs that the buyer wishes to increase its 5-Month Mass Phosphorus Limit due to this trade.
- B – Enter the highest Trade Ratio of the members of the buyer Trade Association (i.e., either 1.1 or 1.2 as shown in Appendix B of the Permit).
- C – Calculate the total number of JTUs purchased by the buying Trade Association (C = A X B). This is equivalent to the number of JTUs purchased for the required increase to the buyer’s 5-Month Mass Phosphorus Limit and for the JTUs required by the Trade Ratio.
- D – Indicate the number of JTUs that were sold by this Trade Association in this contract. This is equivalent to the number of JTUs that the seller Trade Association’s 5-Month Mass Phosphorus Limit will decrease due to this trade (D = C).



**Form D**  
**Trade Association - Internal Trading**  
**Between Two Trade Associations**  
**Minnesota River Basin General Phosphorus Permit – Phase I (Permit)**

**Certification and Signatures**

I certify under penalty of law that this document and any attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that the buyer Trade Association's 5-Month Mass Phosphorus Limit (JTUs) will be increased by the value listed in column A of the table above. I understand that the seller Trade Association's 5-Month Mass Phosphorus Limit (JTUs) will be decreased by the number of JTUs specified in column D of the table above. I further understand that if the total phosphorus discharge (in JTUs) of the members of a Trade Association exceed their Trade Association's Final Adjusted Phosphorus Limit, that each member Permittee of the Trade Association will be individually held responsible for meeting its own Final Adjusted Phosphorus Limit. I understand that this trade is not valid unless all facilities in these Trade Associations are Permittees of the Minnesota River Basin General Phosphorus Permit (MNG420000). This Agreement shall be binding upon each party and its successors and assignees. If any party sells or otherwise conveys or assigns any of its right, title or interest in its facility, the conveyance shall not release the party from any obligation imposed by this Agreement, unless the party to whom the right, title or interest has been transferred or assigned agrees in writing to fulfill the obligations of this Agreement and the MPCA approves the transfer or assignment. The parties to this Agreement shall ensure the party's agents, contractors and subsidiaries comply with the terms and conditions of the Agreement. I certify that I have the authority to sign this contract of behalf of my Trade Association.

**Buying Trade Association Representative:** \_\_\_\_\_  
*Signature (Authorized Representative)* *Date* *Title*

**Selling Trade Association Representative:** \_\_\_\_\_  
*Signature (Authorized Representative)* *Date* *Title*



**Permit Application Form**  
**Minnesota River Basin General  
Phosphorus Permit – Phase I  
MNG420000**

MPCA USE ONLY		
Application Number		
MNG42		
Date Received		
Month	Day	Year

*Print or type application. Before submitting, make a photocopy for your records. Submit form and required attachments to:* Beckie Olson, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194

**Facility Information**

Facility's Existing NPDES/SDS Permit Number: MN \_\_\_\_\_  
 Name of Facility: \_\_\_\_\_  
 Facility Mailing Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Name of Facility Contact Person: \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

**Application Information**

Check the box below which describes the reason for this request for wastewater treatment facility (WWTF) coverage under Appendix B of the Minnesota River Basin General Phosphorus Permit – Phase I (Permit):

- WWTF currently listed in Appendix B of the Permit and must apply for coverage.
- Existing continuously discharging WWTF, not currently listed in Appendix B of the Permit, but wishes to trade Jordan Trading Units (JTU).
- New continuously discharging WWTF (i.e., not in existence as of 9/28/04) or expanding continuously discharging WWTF which needs to trade to offset increased mass of phosphorus.

**Certification and Signature**

I certify under penalty of law that this document and any attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I hereby apply for coverage under the terms and conditions of the Minnesota River Basin General Phosphorus Permit – Phase I.

\_\_\_\_\_  
*Signature (Principal Executive Officer)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed name of person signing*

\_\_\_\_\_  
*Title*



# Instructions For Permit Application Form Minnesota River Basin General Phosphorus Permit – Phase I MNG420000

This application form must be filled out and submitted to the MPCA in order to be covered under the Minnesota River Basin General Phosphorus Permit – Phase I (Permit). Submit the completed application to Beckie Olson, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194.

## 1. Facility Information:

- Identification Number of Facility's Existing Individual or General NPDES/SDS Permit: Fill in the identification number of the facility's individual NPDES/SDS permit (e.g. MN0000000). If the facility is operating under a general NPDES/SDS permit instead of an individual permit, list that permit number.
- Name of Facility: Fill in the facility name as listed in its NPDES/SDS permit.
- Facility Mailing Address: Provide the complete mailing address of the actual facility that will be covered by this Permit.
- Facility Contact Person: Provide the name and telephone number of the main contact person at the facility (e.g. Wastewater Treatment Facility Superintendent).

## 2. Application Information:

- Reason for Application: Check the box which describes why this facility needs coverage under the Permit.
  1. Existing continuously discharging facilities listed in Appendix B of the Permit must check the top box.
  2. Existing continuously discharging facilities which are not listed in Appendix B, but wish to trade, must check the middle box.
  3. New continuously discharging facilities must check the bottom box.

3. **Certification and Signature:** An application submitted by a corporation must be signed by a principal executive officer of at least the level of vice president. In the case of a partnership or a sole proprietorship, the application must be signed by a general partner of the proprietor, respectively. In the case of a municipal, state, federal, or other public facility, the application must be signed by either a principal executive officer or ranking elected official. In some cases, a duly authorized representative of the individuals listed above may sign on behalf of the applicant if such representative is responsible for the overall operation of the facility.

## New Nonpoint Source Project Application & Checklist

Adapted from Cherry Creek Guidance

<b>Name of Project Owner:</b>			
<b>Address of Project Owner:</b>			
<b>Phone number:</b>			
<b>Email address:</b>			
<b>Name of Trade Credit Allocatee:</b>			
<b>Allocatee's Current Phosphorus Allocation:</b>		<b>Allocatee's Current and Projected Capacity:</b>	
<b>General location of point of discharge and the proposed project:</b>			
<b>Type of Project:</b>			
<b>Trade Ratio Proposed:</b>			
<b>Estimated phosphorus trade credits requested:</b>			
<b>Proposed Use and Disposition of Credits by Project Owner or Allocatee:</b>			
<b>Schedule for Design and Construction:</b>			
<b>Estimate of Annual Cost of Project:</b>			
<b>Estimate of Annual Cost per Pound of Pollutant Removed:</b>			
<b>Financing Mechanism:</b>			
<b>Party(s) Responsible for Operations and Maintenance and Monitoring:</b>			

**Checklist of Required Application Attachments:**

- Map of location of point of discharge, the proposed project, the receiving water body, the major drainageway(s) from the project.
- Sketch and/or diagram of the proposed project
- Evidence of ownership or legal control over project site
- Supporting technical bases for trade ratio and credits
- Operation and maintenance plans for project
- Evidence of sufficient financial resources to construct, operate, and maintain the project throughout the expected life.
- Monitoring and reporting plans for the proposed project to assess performance
- Plan for verification of monitoring to substantiate credits

**CERTIFICATION:**

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I further certify that I am authorized to bind the party on behalf of which I am signing to the terms of this document. I further certify that the Project specified in this application document is not mandated nor required by any enforcement action, order, or consent decree for water quality violations or exceedances, nor is the Project constructed as a supplemental environmental project, mitigation, offset, or in lieu of any fine or penalty. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. See 18 U.S.C. § 1001 and 33 U.S.C. § 1319. *(Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)*

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF APPLICANT**

## Purchase of Credits Application & Checklist

Adapted from Cherry Creek Guidance

<b>Name of Allocatee:</b>			
<b>Address of Allocatee:</b>			
<b>Phone number:</b>			
<b>Email address:</b>			
<b>Allocatee's Current Pollutant Allocation:</b>		<b>Projected Pollutant Allocation Requirements:</b>	
<b>Explanation of why credits are being requested:</b>			
<b>Description of permit provision which allows for increased allocation:</b>			