

PUBLIC NOTICE

**PUBLIC NOTICE OF A DRAFT NPDES PERMIT TO
DISCHARGE INTO WATERS OF THE UNITED STATES**

U.S. Environmental Protection Agency
Region 5, Permits Branch - WP-16J
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 886-6106

Public Notice No.: 24-08-01-A

Public Notice Issued On: August 23, 2024

Comment period ends: September 23, 2024

Permit No.: MN-0024066-6 (REISSUANCE)

Application No.: MN-0024066-6

Name and Address of Applicant:

City of Mahnomen
P.O. Box 250
Mahnomen, Minnesota 56557

Name and Address of Facility:

Mahnomen WWTF
104 W Madison Ave
Mahnomen, Minnesota
Mahnomen County
(N.E. ¼ of Sec. 14 of T144N, R42W)

Receiving Water: Wild Rice River

DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The above facility is located within the exterior boundaries of the White Earth Indian Reservation. The EPA has retained the authority to issue NPDES permits to facilities with discharges to waters of the United States within the exterior boundaries of Indian Reservations. The EPA is issuing this NPDES permit under the authorities of the Clean Water Act.

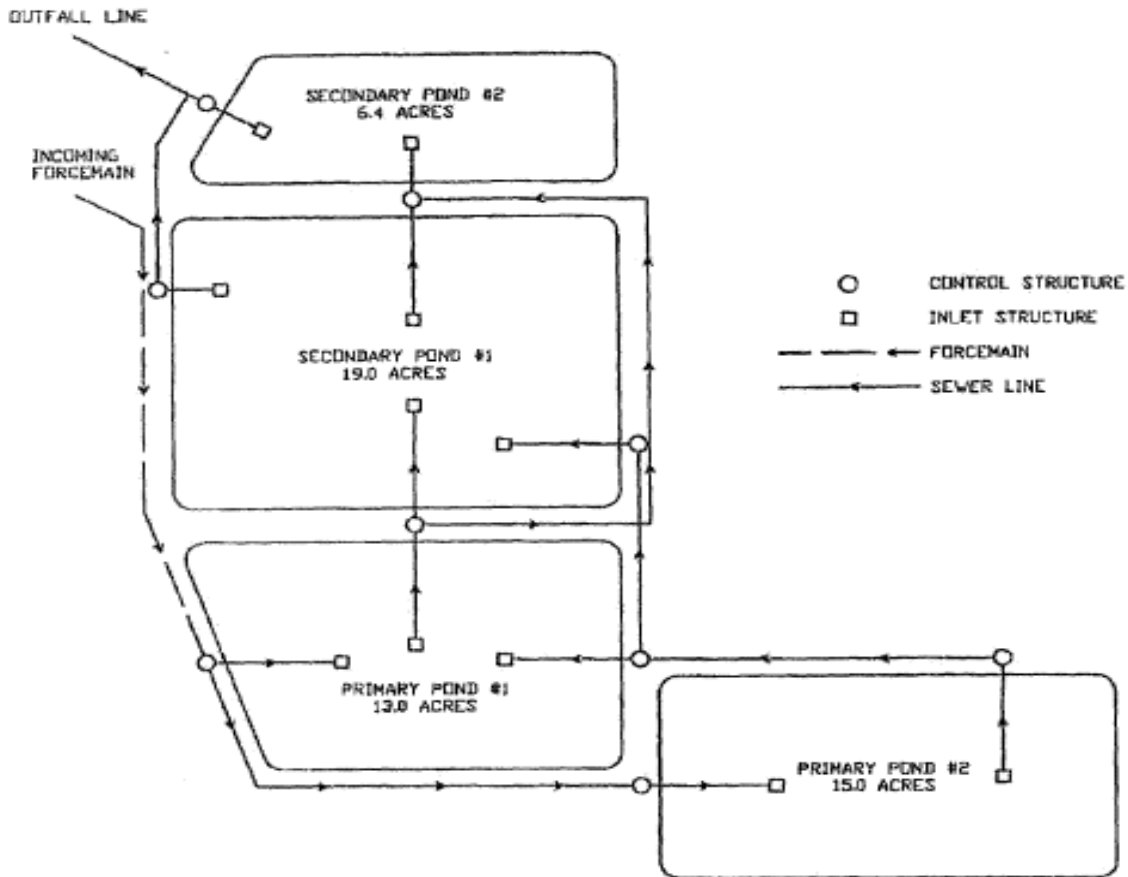
The application and plans indicate that the existing treatment system consists of one main lift station, approximately 6,900 feet of eight-inch force main, a four-cell stabilization pond, and about 2,800 feet of 15-inch outfall sewer.

The facility has a controlled discharge (Discharge 002 and 003) from each of the secondary cells that are connected to the same outfall to the Wild Rice River (S.E. ¼ of Section 10, T144N, R42W). Discharges 002 and 003 are where compliance is to be determined. The facility is designed to treat an average wet weather flow of up to 338,000 gallons per day (gpd) with a five-day biochemical oxygen demand (BOD₅) strength of 218 milligrams per liter (mg/L). There are two

primary pond cells that have surface areas of 13 acres and 15 acres. There are also two secondary pond cells with surface areas of 6.4 acres (Discharge 002) and 19 acres (Discharge 003), all measured at the three-foot depth level. The pond system has a total detention time of approximately 180 days at design flow. Wastewater is from domestic sources only including the Shooting Star Casino. The facility is rated as Class D under Minnesota regulations.

The main lift station is capable of discharging untreated wastewater from the sewerage system to the Wild Rice River. The lift station shall be controlled and locked at all times.

The facilities are further described in plans and specifications on file with the MPCA prepared by Larson-Peterson and Associates, Inc., Detroit Lakes, Minnesota.



The draft permit requires the applicant to meet the following effluent limitations:

Discharges 002 and 003

<u>Effluent Characteristics</u>	<u>Discharge Limitations</u>			
	Concentration (Specified Units)			
Parameter	Daily Minimum	Monthly Average	Weekly Average	Daily Maximum
Flow (MG)	-	Report calendar month total	-	-
Flow (mgd)	-	-	-	-
Dissolved Oxygen (mg/L)	Report	-	-	-
pH (SU)	6.0	-	-	9.0
Total Suspended Solids (TSS) (mg/L)	-	45	65	-
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) (mg/L)	-	25	40	-
E. coli (#/100ml) (April 1 – October 31)	-	126 (geometric mean)	-	235
Mercury, Dissolved (as Hg) (ng/L)	-	Report	-	Report
Mercury, Total (as Hg) (ng/L)	-	10.4	-	20.2
Total Suspended Solids (TSS) (mg/L) (Mercury)	-	Report	-	Report
Phosphorus, Total (mg/L)	-	Report	-	-
Phosphorus, Total (kg/year)	-	934 (Calendar Year to Date)	-	-
Dissolved Solids, Total (mg/L)	-	Report	-	-
Sulfates, Total (mg/L)	-	Report	-	-
Ammonia Nitrogen, Total (as N) (mg/L)	-	Report	-	-
Nitrite Plus Nitrate, Total (as N) (mg/L)	-	Report	-	-
Nitrogen, Kjeldahl, Total	-	Report	-	-
Nitrogen, Total (as N) (mg/L)	-	Report	-	-
CBOD ₅ percent removal (%)	≥85	-	-	-
TSS percent removal (%)	≥65	-	-	-
Outfall observation (yes/no)	-	-	-	-

The permit also requires compliance with 40 CFR Part 503 and any other applicable regulations when sludge is used or disposed and 40 CFR Part 403 to prevent any pass through of pollutants or any inhibition or disruption of the permittee's facility. These limits are consistent with federal regulations and are also intended to be protective of Minnesota water quality standards where they are applicable. They are also consistent with the Minnesota Pollution Control Agency's State Disposal System Permit # MNT024066.

Section 401 Water Quality Certification

The Environmental Protection Agency received a request for a Clean Water Act (CWA) Section 401 water quality certification (WQC). Section 401(a)(1) of the CWA requires applicants for Federal licenses or permits that may result in any discharge into waters of the United States to obtain certification or waiver from the certifying authority where the discharge would originate. The EPA is the appropriate authority for purposes of certifying the proposed discharge under Section 401(a)(1) of the CWA within the White Earth Indian Reservation and will be unless and until the White Earth Nation is approved for Treatment as a State (TAS) for CWA Sections 303 and 401. EPA is in the process of certifying pursuant to Section 401. The EPA believes the effluent limitations included in the draft permit meet Tribal and state water quality requirements where they are applicable. The draft certification is available for review. The EPA will act on this certification request prior to issuance of the permit. We have discussed our reissuance of the permit with the White Earth Nation, the MPCA and the permittee.

TENTATIVE DETERMINATION

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to issue a permit for the discharge from the Mahnomen WWTF subject to certain effluent limitations and special conditions.

COMMENT PROCEDURES and PUBLIC HEARING

The determination to issue the NPDES permit is tentative. EPA's comment and public hearing procedures may be found at 40 C.F.R. §§ 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permit may be submitted extends to September 23, 2024.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is September 23, 2024. EPA will hold a hearing if there is significant interest based on written requests. Public notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.
3. All comments received later than September 23, 2024, will not be considered in the formulation of the final determination.
4. Written comments or requests for a public hearing must be emailed to: John A. Colletti, U.S. Environmental Protection Agency, Region 5, Permits Branch at colletti.john@epa.gov and R5NPDES@epa.gov. If you are unable to submit comments or requests by email, please contact Mr. Colletti at 312-886-6106 to make alternate arrangements.

The application and Public Notice numbers should appear on each page of any submitted comments. It is important that all viewpoints are considered before taking action. Therefore, we

greatly appreciate your time and effort in participating in the public participation process. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

PETITION TO REVIEW

Within 30 days following the service of notice of the Regional Administrator’s final permit decision, any person who filed comments on the draft permit or participated in a public hearing, if held, may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision. Such a petition must include a statement of the reasons supporting review of the decision, including a demonstration that the issue(s) being raised for review were raised during the public comment period (including any public hearing). The petition should, when appropriate, show that each condition being appealed is based on a finding of fact or conclusion of law which is clearly erroneous.

AVAILABILITY OF DOCUMENTS

The application, draft permit, including proposed effluent limitations and special conditions, statement of basis, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency. Please contact John Colletti at (312) 886-6106 or by e-mail at colletti.john@epa.gov anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday if you are interested in viewing the administrative record. You may also view the public notice, statement of basis, draft permit, and the draft Section 401 Water Quality Certification on Region 5's website at <https://www.epa.gov/npdes-permits/mahnomen-wastewater-treatment-facility-mpdes-permit-mn-0024066-6>. All data submitted by the applicant is available as part of the administrative record. For more information, please contact Mr. Colletti as stated above.

Unless a public hearing is scheduled, the EPA will issue a final determination as to the issuance of the permit in a timely manner after the expiration of the public comment period. If you would like to receive a copy of the final determination, please submit a request during the comment period to Mr. Colletti at the above email address. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision. Please bring the foregoing to the attention of persons whom you know would be interested in this matter.