

CHAPTER 7001
MINNESOTA POLLUTION CONTROL AGENCY
PERMITS AND CERTIFICATIONS

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7001.0170 JUSTIFICATION TO COMMENCE MODIFICATION OF PERMIT OR REVOCATION AND REISSUANCE OF PERMIT.

The following constitute justification for the commissioner to commence proceedings to modify a permit or to revoke and reissue a permit

[For text of items A to G, see M.R.]

H if applicable, there exists any justification listed in part 7001 0730, subpart 1, 7001.1150, or 7001.3550, subpart 2.

Statutory Authority: *MS s 115 03*

History: *33 SR 696*

7001.0190 PROCEDURE FOR MODIFICATION, REVOCATION AND REISSUANCE, AND REVOCATION WITHOUT REISSUANCE OF PERMITS.

[For text of subps 1 and 2, see M.R.]

Subp 3 **Minor modification.** Upon obtaining the consent of the permittee, the commissioner may modify a permit to make the following corrections or allowances without following the procedures in parts 7001 0100 to 7001 0130

[For text of items A to C, see M.R.]

D if applicable, to make a change as provided in part 7001 0730, subpart 3, 7001 1150, subpart 2, or 7001.3550, subpart 3

[For text of subp 4, see M.R.]

Statutory Authority: *MS s 115 03*

History: *33 SR 696*

7001.1080 ESTABLISHMENT OF SPECIAL CONDITIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS.

Subpart 1 **Requirement.** According to part 7001.0150, subpart 2, a national pollutant discharge elimination system permit issued by the agency must contain conditions necessary for the permittee to achieve compliance with all Minnesota or federal statutes or rules. These conditions must be initially established by the commissioner in the draft permit but are subject to final issuance by the agency. The conditions to be included are given in subparts 2 to 9

Subp. 2. **Effluent limitations, standards, or prohibitions.** Except as provided in subpart 3, the commissioner shall establish effluent limitations, standards, or prohibitions for each pollutant to be discharged from each outfall or discharge point of the permitted facility, except that if the commissioner finds that as a result of exceptional circumstances it is not feasible to establish effluent limitations, standards, or prohibitions which are applicable at the point of discharge, the commissioner shall establish effluent limitations, standards, or prohibitions for pollutants in internal waste streams at the point prior to mixing with other

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waste streams or cooling water streams. In determining the appropriate effluent limitations, standards, or prohibitions the commissioner shall comply with the following requirements:

[For text of item A, see M.R.]

B. In establishing effluent limitations, standards, or prohibitions the commissioner shall consider the following:

[For text of subitems (1) and (2), see M.R.]

(3) the applicable water quality standards in parts 7050.0100 to 7050.0220, 7050.0300 to 7050.0380, 7055.0010 to 7055.0120, and 7055.0250 to 7055.0310.

[For text of subitems (4) and (5), see M.R.]

[For text of items C and D, see M.R.]

[For text of subps 3 to 5, see M.R.]

Subp. 6 Pretreatment requirements for publicly owned treatment works. If the applicant proposes to own or operate a publicly owned treatment works and if the applicant is required by part 7049.0800 to develop a publicly owned treatment works pretreatment program, the commissioner shall:

A. incorporate the provisions of the approved publicly owned treatment works pretreatment program into the permit and require the permittee to submit the information in part 7049.1020; or

B. if the publicly owned treatment works does not have an approved pretreatment program, incorporate into the permit a compliance schedule for development of an approvable pretreatment program. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the development of a pretreatment program. No increment in the schedule shall exceed nine months. The permit shall also require the permittee to submit to the commissioner, within 14 days following each date in the schedule, progress reports stating whether or not the permittee has complied with the increment of progress to be met on such date and, if not, the date on which the permittee expects to comply with this increment of progress, the reason for delay, and the steps taken to return to the schedule. In no event shall more than nine months elapse between progress reports to the commissioner.

[For text of subps 7 to 9, see M.R.]

Statutory Authority: *MS s 115.03, 115.44*

History: *32 SR 1699, 33 SR 696*

7001.1090 GENERAL CONDITIONS OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS.

[For text of subps 1 and 2, see M.R.]

Subp. 3 Permits for publicly owned treatment works.

A. A National Pollutant Discharge Elimination System permit issued by the agency to a publicly owned treatment works must require the permittee to control contribution to the POTW by each industrial user and report their significant industrial users and pretreatment activities to the agency as required by chapter 7049.

B. Permits issued to publicly owned treatment works that do not operate a federal delegated pretreatment program, as defined in part 7049.0120, subpart 7, shall contain or reference the pretreatment requirements applicable to nondelegated publicly owned treatment works, which are found in parts 7049.0600 to 7049.0720, and shall require the permittee to notify the agency of any of its industrial users that may be subject to national categorical pretreatment standards.

C Permits issued to publicly owned treatment works that operate a federal delegated pretreatment program, as defined in part 7049 0120, subpart 7, shall contain pretreatment requirements based on parts 7049 0600 to 7049 0650 and 7049 0800 to 7049 1020 and the publicly owned treatment work's approved pretreatment program.

Statutory Authority: *MS s 115 03*

History: *33 SR 696*

7001.1150 MODIFICATION, REVOCATION, AND REISSUANCE OF PERMITS.

Subpart 1 **Scope.** In addition to parts 7001.0170 and 7001 0190, subparts 2 and 3 apply to the modification or revocation and reissuance of national pollutant discharge elimination system permits

Subp 2. **Additional justification for modification, revocation, and reissuance of permits.** In addition to the justifications listed in part 7001 0170, the following constitute justification for the commissioner to commence proceedings to modify a permit or to revoke and reissue a permit

A the commissioner finds that there is a need to put a publicly owned treatment works on a compliance schedule for the development of a pretreatment program because the addition of pollutants into a publicly owned treatment works by an industrial user or combination of industrial users presents a substantial hazard to the functioning of the treatment works, the quality of the receiving waters, or the environment,

B the commissioner finds that there are grounds to modify the permit under section 301(h) or 301(i) of the Clean Water Act, United States Code, title 33, section 1311(h) or (i),

C the commissioner has approved a new or modified publicly owned treatment works pretreatment program and the pretreatment program has not yet been incorporated into the publicly owned treatment works' national pollutant discharge elimination system permit, or

D the commissioner has approved a compliance schedule for the development of a publicly owned treatment works pretreatment program and the compliance schedule has not yet been incorporated into the publicly owned treatment works' national pollutant discharge elimination system permit

Subp 3 **Minor modification of permits.** In addition to the corrections or allowances listed in part 7001.0190, subpart 3, the commissioner, upon obtaining the consent of the permittee, may modify a national pollutant discharge elimination system permit without following the procedures in parts 7001 0100 to 7001.0130 to incorporate conditions of a publicly owned treatment works pretreatment program or a modification to a publicly owned treatment works pretreatment program

Statutory Authority: *MS s 115 03*

History: *33 SR 696*