

7049.0450 POTW APPLICATION FOR AUTHORIZATION TO GIVE REMOVAL CREDITS AND AGENCY REVIEW.

Subpart 1. **Who must apply.** A POTW authority that wants to give a removal credit or modify an existing removal credit shall apply for authorization from the agency. A POTW may apply for authorization to give or modify removal credits at any time. An application for authorization to give removal credits must be supported by the following information:

- A. a list of pollutants for which removal credits are proposed;
- B. consistent removal data required under part 7049.0410;
- C. proposed revised discharge limits for each affected subcategory of industrial users calculated according to part 7049.0390;
- D. a certification that the POTW has an approved local pretreatment program or qualifies for the exception to the requirement in part 7049.0430;
- E. sludge management certification containing a specific description of the POTW's current methods of using or disposing of its sludge and a certification that the granting of removal credits will not cause a violation of the sludge requirements in part 7049.0380, item A, subitem (4); and
- F. a national pollutant discharge elimination system permit limit certification stating that the granting of removal credits will not cause a violation of the POTW's national pollutant discharge elimination system permit limits and conditions as required in part 7049.0380, item A, subitem (5).

Subp. 2. **Assistance.** Nothing in this chapter precludes an industrial user or other interested party from assisting the POTW authority in preparing and presenting the information necessary to apply for authorization. The POTW shall remain solely responsible to the agency for the information contained in the application.

Subp. 3. **Review.** The agency shall review the POTW's application for authorization to give or modify removal credits according to parts 7049.0930 to 7049.0960 and shall, except as provided in this part, have no more than 180 days from public notice of an application to complete review. The agency may elect not to review an application for conditional removal credit authority upon receipt of the application, in which case the conditionally revised discharge limits will remain in effect until reviewed by the agency. This review may occur at any time according to parts 7049.0930 to 7049.0960, but in no event later than the time of any pretreatment program approval or any national pollutant discharge elimination system permit reissuance under those parts.

Statutory Authority: *MS s 115.03*

History: *33 SR 696*

Published Electronically: *November 6, 2008*