

AUTHORIZATION TO DISCHARGE AND CONSTRUCT WASTEWATER TREATMENT FACILITIES
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND STATE DISPOSAL SYSTEM PERMIT PROGRAM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; hereinafter the "Act"), Minnesota Statutes Chapters 115 and 116 as amended and Minnesota Pollution Control Agency Regulation WPC 36 (hereinafter Agency Regulation WPC 36)

NORTHERN STATES POWER COMPANY

is authorized by the Minnesota Pollution Control Agency to construct wastewater treatment facilities and/or to discharge from

Monticello Nuclear Generating Plant
Monticello, Minnesota

to receiving water named Mississippi River,

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I and II, thereof.

This permit shall become effective on the date of issuance by the Director pending final approval by the Agency. The Permittee shall be notified of the final decision of the Agency regarding this permit.

This permit and the authorization to discharge shall expire at midnight, June 30, 1982. The Permittee is not authorized to discharge after the above date of expiration. In order to receive authorization to discharge beyond the above date of expiration, the Permittee shall submit such information and forms as are required by the Agency no later than 180 days prior to the above date of expiration pursuant to Agency Regulation WPC 36.

Date: AUG 26 1977



Sandra S. Gardebring
Executive Director
Minnesota Pollution Control Agency

Description

This facility is a nuclear fueled steam electric generating plant with a maximum nameplate generating capacity of 558 megawatts. The disposal system presently consists of a cooling tower system, radwaste treatment system, waste holdup pond, waste sump treatment system, pumps and piping. Plant cooling water, radwaste treatment system effluent, and holdup pond effluent are discharged from outfall serial number 001. Radwaste treatment system effluent is discharged via outfall serial number 001a to outfall 001. Holdup pond effluent consisting of heating system blowdown, softener waste, demineralizer regenerant, filter backwash and deicing water is discharged via outfall serial number 001b to outfall 001. Turbine building sump effluent, miscellaneous floor and area drainage, and roof drains are discharged from outfall serial number 002. Screen backwash water is discharged from outfall serial number 003. The discharges at this facility are characterized as follows:

| <u>Discharge Serial No.</u> | <u>Type of Wastewater</u> | <u>Maximum Flow</u> | <u>Typical Flow</u> |
|---------------------------------|---|-------------------------|-------------------------|
| 001 | Plant Cooling Water | 417 MGD | 400 MGD |
| 001a | Radwaste Treatment System Effluent | 150,000 g/d | 0 g/d |
| 001b | Holdup Pond Effluent | 25,000 g/d | 20,000 g/d |
| 002 | Turbine Building Sump and Miscellaneous Drainage Effluent | 58,000 g/d | 46,000 g/d |
| 003 | Screen Backwash | 2.2 MGD | 1.5 MGD |

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on July 1, 1977 and lasting until June 30, 1982 the Permittee is authorized to discharge plant cooling water, radwaste treatment system effluent, and holdup pond effluent from outfall serial number 001. Such discharges shall be limited and monitored by the Permittee as specified below:

| <u>EFFLUENT CHARACTERISTIC</u> | <u>DISCHARGE LIMITATIONS</u> | | | | <u>MONITORING REQUIREMENTS</u> | |
|---------------------------------|------------------------------|------------------|-----------------------|------------------|--------------------------------|------------------------|
| | kg/day (lbs/day) | | Other Units (Specify) | | Measurement Frequency | Sample Type |
| | <u>Monthly Avg</u> | <u>Daily Max</u> | <u>Monthly Avg</u> | <u>Daily Max</u> | | |
| Flow-M ³ /Day (MGD) | - | - | - | - | Continuous | Daily Average estimate |
| *Temperature °C (°F) | | | (See Page 8 of 18) | | Continuous | - |
| Plant Capacity Factor - Percent | | | | | | |
| Total Capacity | - | - | - | - | Monthly Average | - |
| Total Residual Chlorine | - | - | - | - | ** | |

The discharge of chlorine (Total Residual) shall be limited to a total of two hours per day. The Permittee shall monitor the amount and time of chlorine application daily and report it monthly along with other monitoring reports.

There shall be no discharge of floating solids or visible foam except that which occurs naturally in the river in other than trace amounts. The discharge shall not contain oil or other substances in amounts sufficient to create a visible color film on the surface of the receiving waters.

Samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of the discharge.

* Intake and discharge

** See page 9a of 18

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this permit and lasting until June 30, 1982, the Permittee is authorized to discharge radwaste treatment system effluent from discharge serial number 001a.

Such discharges shall be limited and monitored by the Permittee as specified below:

| <u>EFFLUENT CHARACTERISTIC</u> | <u>DISCHARGE LIMITATIONS</u> | | | | <u>MONITORING REQUIREMENTS</u> | |
|-------------------------------------|------------------------------|------------------|----------------------|------------------|--------------------------------|------------------------|
| | kg/day (lbs/day) | | Other Units(Specify) | | <u>Measurement Frequency</u> | <u>Sample Type</u> |
| | <u>Monthly Avg</u> | <u>Daily Max</u> | <u>Monthly Avg</u> | <u>Daily Max</u> | | |
| Flow-M ³ /Day (Gals/Day) | - | - | - | - | Weekly | Daily Average Estimate |
| Total Suspended Solids | - | - | 30 mg/l* | 100 mg/l* | Weekly | Grab |
| Turbidity | - | - | - | 25 NTU | Weekly | Grab |

The pH shall not be less than 6.5 nor greater than 8.5 and shall be monitored by weekly grab samples. These upper and lower limitations are not subject to averaging and shall be met at all times.

Samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of the discharge prior to mixing with other waste streams.

* In addition to the monthly average and daily maximum limitations, the seven (7) consecutive day average concentration shall not exceed 45 mg/l.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning on the effective date of this permit and lasting until June 30, 1982 the Permittee is authorized to discharge holdup pond effluent from outfall serial number 001b.

Such discharges shall be limited and monitored by the Permittee as specified below:

| <u>EFFLUENT CHARACTERISTIC</u> | <u>DISCHARGE LIMITATIONS</u> | | | | <u>MONITORING REQUIREMENTS</u> | |
|-------------------------------------|------------------------------|------------------|----------------------|------------------|--------------------------------|------------------------|
| | kg/day (lbs/day) | | Other Units(Specify) | | <u>Measurement Frequency</u> | <u>Sample Type</u> |
| | <u>Monthly Avg</u> | <u>Daily Max</u> | <u>Monthly Avg</u> | <u>Daily Max</u> | | |
| Flow-M ³ /Day (Gals/Day) | - | - | - | - | Weekly | Daily Average Estimate |
| Total Suspended Solids | - | - | 30 mg/l* | 100 mg/l* | Weekly | Grab |
| Turbidity | - | - | - | 25 NTU | Weekly | Grab |

The pH shall not be less than 6.5 nor greater than 8.5 and shall be monitored by weekly grab samples. These upper and lower limitations are not subject to averaging and shall be met at all times.

Samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of the discharge prior to mixing with other waste streams.

*In addition to the monthly average and daily maximum limitations, the seven (7) consecutive day average concentration shall not exceed 45 mg/l.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning on the effective date of this permit and lasting until June 30, 1982 the Permittee is authorized to discharge turbine building sump and miscellaneous drainage from outfall serial number 002.

Such discharges shall be limited and monitored by the Permittee as specified below:

| <u>EFFLUENT CHARACTERISTIC</u> | <u>DISCHARGE LIMITATIONS</u> | | | | <u>MONITORING REQUIREMENTS</u> | |
|-------------------------------------|------------------------------|------------------|-----------------------|------------------|--------------------------------|------------------------|
| | kg/day (lbs/day) | | Other Units (Specify) | | <u>Measurement Frequency</u> | <u>Sample Type</u> |
| | <u>Monthly Avg</u> | <u>Daily Max</u> | <u>Monthly Avg</u> | <u>Daily Max</u> | | |
| Flow-M ³ /Day (Gals/Day) | - | - | - | - | Weekly | Daily Average Estimate |
| Total Suspended Solids | - | - | 30 mg/l* | 100 mg/l* | Weekly | Grab |
| Turbidity | - | - | - | 25 NTU | Weekly | Grab |
| Oil and Grease | - | - | 10 mg/l | 15 mg/l | Monthly | Grab |

The pH shall not be less than 6.5 nor greater than 8.5 and shall be monitored by weekly grab samples. These upper and lower limitations are not subject to averaging and shall be met at all times.

There shall be no discharge of floating solids or visible foam except that which occurs naturally in the river in other than trace amounts.

The discharge shall not contain oil or other substances in amounts sufficient to create a visible color film on the surface of the receiving waters.

Samples taken in compliance with the monitoring requirements specified above shall be taken at a point representative of the discharge.

*In addition to the monthly average and daily maximum limitations, the seven (7) consecutive day average concentration shall not exceed 45 mg/l.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

6. During the period beginning on the effective date of this permit and lasting until June 30, 1982 the Permittee is authorized to discharge screen backwash from outfall serial number 003.

Such discharges shall be limited and monitored by the Permittee as specified below:

| <u>EFFLUENT CHARACTERISTIC</u> | <u>DISCHARGE LIMITATIONS</u> | | | | <u>MONITORING REQUIREMENTS</u> | |
|--------------------------------|------------------------------|------------------|-----------------------|------------------|--------------------------------|------------------------|
| | kg/day (lbs/day) | | Other Units (Specify) | | Measurement Frequency | Sample Type |
| | <u>Monthly Avg</u> | <u>Daily Max</u> | <u>Monthly Avg</u> | <u>Daily Max</u> | | |
| Flow-M ³ /Day (MGD) | - | - | - | - | Continuous | Daily Average Estimate |

For the purpose of this permit, the above discharge shall be limited solely to screened river water used to backwash intake screens. Debris, sludges, or other pollutants collected as a result of treatment of the intake water prior to use by the Permittee shall be disposed of as specified on page 10 of 19.

The discharge shall not contain oil or other substances in amounts sufficient to create a visible color film on the surface of the receiving water.

B. OTHER REQUIREMENTS**1. Interim Effluent Requirements**

During the period beginning with the effective date of the permit and lasting until the final determination by the Agency on final effluent limitations, the cooling tower system shall be operated as specified below:

- (a) Both circulating water pumps at the plant screen house shall be operated to limit temperature rise through the condenser and thereby minimize cold shock potential except in the event one of the pumps is out of service due to equipment failure or performance of nonscheduled maintenance to prevent equipment damage.
- (b) All the existing cooling towers shall be operated in a helper mode whenever ambient river temperature measured at some point unaffected by the plant's discharge is consistently at or above 20°C(68°F) except in the event the cooling towers or a portion of the cooling towers is out of service due to equipment failure or performance of nonscheduled maintenance to prevent equipment damage. In such case the portion of the cooling towers out of service shall be limited to those portions necessary to perform said repair or nonscheduled maintenance work.
- (c) In no case shall the maximum daily average temperature at the end of the discharge canal exceed the following limiting temperatures:
 - (i) During the months April through October - 35°C(95°F)
 - (ii) During the months November and March - 29.4°C(85°F)
 - (iii) During the months December through February - 26.7°C(80°F)
- (d) Whenever the permittee is required by the terms of its water appropriation permit dated March 12, 1970, from the Minnesota Department of Natural Resources to operate the cooling towers in a "partial recirculation" or "closed cycle" mode, the permittee may discharge heated water in excess of the limitations established in PART I, B. 1. (c).

2. Final Effluent Limitations

The discharges from this facility are subject to the thermal limitations established by Minnesota Regulation WPC 15 (d) (2) Class B. The permittee has submitted a demonstration in support of alternative effluent limitations pursuant to Minnesota Regulation WPC 36 (u) (3). Final effluent limitations shall be established by the Agency after public hearing on the permittee's request.

B. Other Requirements

3. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluids.

4. Intake Requirements

(a) The Permittee shall conduct a study of its intake structure. This study shall be carried out in accordance with a study design approved by the Director. Such study will be commenced upon approval of the study design and a final report on the study will be submitted to the Director within 6 months of the effective date of this permit.

The report shall contain a detailed demonstration showing that the location, design, construction, capacity and operation of the existing cooling water intake structure reflects the best technology available for minimizing adverse environmental impact on the surrounding water body. The report shall provide a summary of all monitoring data relevant to determining the effects of the existing intake structure. In addition, the report shall contain an estimate of the amounts of debris and other litter which are collected on the intake screens. The development of this report shall be guided by the Minnesota Pollution Control Agency's "Guide for Intake Monitoring Programs and the Development Document for Best Technology Available for Minimizing Adverse Environmental Impact of Cooling Water Intake Structure," as promulgated by the U.S. Environmental Protection Agency.

If the Permittee's existing system is not determined by the Agency to meet the Best Available Technology requirement of Section 316 (b) of the Act then the Permittee shall have the right to request a public hearing within thirty (30) days of being advised in writing of the Agency's determination.

(b) Large Debris collected at the trash racks shall be disposed of in such a manner as to prevent the materials from entering waters of the State. Until completion of the intake report specified in (a), the Permittee may return all material collected on the intake screen to the receiving water except that during any collection of intake material for purposes of the report the Permittee shall not return to the receiving water debris of other litter. Following completion of the intake report, this permit may be modified to specify the manner of debris disposal.

OTHER REQUIREMENTS

5. (a) From the effective date of the permit until July 1, 1978, the discharge of chlorine from outfall 001 shall not at any time exceed a concentration of .2 mg/l measured as total residual chlorine and the discharge of chlorinated water shall not exceed a total of 2 hours per day.
- (b) Notwithstanding subparagraph (a) above, for the purpose of avoiding condenser fouling, on not more than 30 days per year beginning with the effective date of the permit the Permittee may discharge chlorine at concentrations above that specified in subparagraph (a) but in no event above a maximum of .5 mg/l and an average of .2 mg/l measured as free available chlorine with the discharge of chlorinated water not to exceed a total of 2 hours per day. The Permittee shall notify the Agency at least 24 hours in advance of commencing chlorinations under this subparagraph (b).
- (c) From July 1, 1978, to the expiration of the permit the discharge of chlorine shall not at any time exceed a concentration of .2 mg/l measured as total residual chlorine and the discharge of chlorinated water shall not exceed a total of 2 hours per day. This limitation is subject to the results of the study provided in a stipulation between the Permittee and the Agency. If the results of the study demonstrate that the Permittee cannot comply with the limitation of this paragraph (c), then the Permittee shall construct facilities or implement procedures to comply and shall be granted the shortest feasible period of time within which to construct such facilities or implement such procedures. During any construction or implementation period, the limitations of paragraphs 5(a) and (b) shall remain in force and effect until the construction or implementation is complete at which time the limitation of this paragraph shall become effective.
- (d) Monitoring. From the effective date of this permit until the completion of the study provided in the stipulation between the Permittee and the Agency, the Permittee shall monitor in accordance with the stipulation. Thereafter, chlorine shall be monitored daily during application except holidays and weekends.

MONITORING AND REPORTING

1. Representative Sampling

Samples shall be taken at a point representative of the discharge. Any monitoring measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Monitoring Plan

The Permittee shall submit a monitoring plan or an amendment to any approved monitoring plan, to the Director within forty five (45) days after date of issuance of this permit for approval and thereafter submit a written report to the Director each month in compliance with such plan. The monitoring plan shall include the items described in Agency Regulation WPC 35 (n) (2). A new monitoring plan need not be submitted if the Permittee has a previously approved monitoring plan. Amendments to previously approved monitoring plans shall be submitted if additional or different monitoring is required by this permit.

3. Reporting

Monitoring results obtained during the previous month shall be summarized and reported on the designated "Discharge Monitoring Report Form", and received or postmarked no later than the 21st day of the month following the completed reporting period. The first report is due on the 21st day of the month following approval of the monitoring plan specified in PART I. C. 2. Signed copies of these, and all other reports required herein, shall be submitted to the Director at the following address:

Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113
Attn: Compliance and Enforcement Section

4. Reduction or Elimination of Monitoring Requirements

If the Permittee after monitoring for six (6) months or some other reasonable time as determined by the Director, determines that he is consistently meeting the effluent limits contained herein, the Permittee may request of the Director that the monitoring requirements be reduced or eliminated.

5. Monitoring Report

The Permittee shall report the results of the monitoring requirements in the units specified in this permit. A report or written statement is to be submitted even if no discharge occurred during the reporting period. The monthly report shall include (a) a description of any modifications in the waste collection, treatment and disposal facilities; (b) any changes in operational procedures; (c) any other significant activities which alter the nature or frequency of the discharge; (d) any other material factors regarding the conditions of this permit and such information as the Minnesota Pollution Control Agency or Director may reasonably require of the Permittee, pursuant to Minnesota Statutes Chapters 115 and 116 as amended and Agency Regulation WPC 35 (n).

6. Definitions

a. "Monthly Average" Discharge

1. Weight Basis - The "monthly average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the facility was operating. Where less than daily sampling is required by this permit, the monthly average discharge shall be determined by the summation of the measured daily discharges by weight, divided by the number of days during the calendar month when the measurements were made.
2. Concentration Basis - The "monthly average" concentration means the arithmetic average (weighted by flow value) of all the daily determinations of concentration made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily determination of concentration shall be the arithmetic average (weighted by flow value) of all the samples collected during the calendar day.

b. "Daily Maximum" Discharge

1. Weight Basis - The "daily maximum" discharge means the total discharge by weight during any calendar day.
 2. Concentration Basis - The "daily maximum" concentration means the daily determination of concentration for any calendar day.
- c. The "Agency" means the Minnesota Pollution Control Agency, as constituted pursuant to Minnesota Statutes, Section 116.02, Subd. 1.
- d. The "Director" means the Executive Director of the Minnesota Pollution Control Agency as described in Minnesota Statutes, Section 116.03 as amended.
- e. The "Regional Administrator" means the EPA Regional Administrator for the region in which Minnesota is located (now Region V).
- f. The "Act" means the Federal Water Pollution Control Act, as amended 33 U.S.C. 1251, et seq.
- g. A "Composite" sample, for monitoring requirements, shall be defined as no less than a series of grab samples collected at equally spaced hourly intervals and proportioned according to flow, unless otherwise approved in the monitoring plan.
- h. Pollutants, Toxic Pollutants, Other Wastes, Point Source, Disposal System, Waters of the State and other terms for the purpose of this permit are defined in Section 502 of the Act and Minnesota Statutes Section 115.01 as amended and Agency Regulation WPC 36 (b).

7. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304 (g) of the Act, and Minnesota Statutes, Section 115.03, Subd. 1 (e) (7), as amended.

The Permittee shall periodically calibrate and perform maintenance on all monitoring and analytical instrumentation used to monitor pollutants discharged under authorization by this permit, at intervals to insure accuracy of measurements. The Permittee shall maintain written records of all such calibrations and maintenance.

8. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the Permittee shall record the following information:

- a. the exact place, date, and time of sampling;
- b. the dates the analyses were performed;
- c. the person who performed the analyses;
- d. the analytical techniques, procedures or methods used; and
- e. the results of such analyses.

9. Additional Monitoring by Permittee

If the Permittee monitors any pollutant at the location(s) designated herein more frequently than required pursuant to this permit, the results of such monitoring shall be included in the calculation and reporting of values submitted on the designated Discharge Monitoring Report Form. Any increased monitoring frequency shall also be indicated on such designated form.

10. Recording and Records Retention

All sampling and analytical records required by the conditions of this permit shall be retained by the Permittee for a minimum of three (3) years. The Permittee shall also retain all original recordings from any continuous monitoring instrumentation, and any calibration and maintenance records, for a minimum of three (3) years. These retention periods shall be extended during the course of any legal or administrative proceedings or when so requested by the Regional Administrator, the Minnesota Pollution Control Agency or the Director.

PART II

MANAGEMENT REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants shall be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice of such changes to the Director. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Non-compliance Notificationa. Telephone Communication

If for any reason, a discharge from the facility identified in this permit occurs accidentally or otherwise which:

- 1) violates any daily maximum effluent limitation or other provision of this permit which violation may cause substantial environmental effects including any adverse health effects; or
- 2) contains a pollutant that is not identified and limited in this permit; or
- 3) contains oil above the effluent limitations of the permit, any polychlorinated biphenyls, or toxic pollutant;

then the Permittee shall immediately notify the Compliance and Enforcement Section by telephone (612) 296-7373 of the occurrence of such discharge and shall immediately recover as rapidly and as thoroughly as possible such discharged substance(s) and take such other actions as may be reasonable to minimize or abate pollution of the waters of the state caused by such discharge. This telephone notification shall be confirmed in writing within five (5) days which written confirmation shall include to the extent known:

- a) a description of the discharge and its cause;
- b) the duration of the discharge, including exact dates and times and all remedial action; or, if not corrected, the anticipated time the discharge is expected to continue and all actions taken to correct and reduce, eliminate or prevent the discharge and its reoccurrence.

b. Written Notice

If, for any reason, the Permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit or other provisions of this permit, the Permittee shall notify the Compliance and Enforcement Section in writing, within five (5) days of becoming aware of such condition. The written notification shall contain the following information:

- a) a description of the discharge and cause of non-compliance; and
- b) the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue; and steps being taken to correct, reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation and Quality Control

All waste collection, control, treatment, and disposal facilities shall be operated in a manner consistent with the following:

- a) The Permittee shall at all times maintain in good working order and operate as efficiently as possible any facilities or systems of control installed or used to achieve compliance with the terms and conditions of the permit.
- b) The Permittee shall provide an adequate operating staff which is duly qualified under Minnesota Regulations MWOS 1 if applicable (as determined by the Director pursuant to Agency Regulation WPC 36 (1) (6) (ee) to carry out the operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

4. Adverse Impact

The Permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from non-compliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge. The results of such monitoring shall be submitted to the Director as required under this provision.

5. Bypassing

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities or processes

necessary for compliance with the effluent limitations and prohibitions of this permit. The Permittee shall promptly notify the Director, Att: Compliance and Enforcement Section, in writing, of each such diversion or bypass.

Notification of any bypass which causes noncompliance with the daily effluent limitations shall be done in accordance with PART II, 2. (a) Non-compliance Notification.

6. Removed Substances

The Permittee shall dispose of solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewater in such manner as to prevent any pollutant from such materials from entering waters of the state. The Permittee in disposal of such material shall comply with all applicable water, air and solid waste statutes and regulations. When requested the Permittee shall submit a plan for such disposal for approval by the Director.

7. Power Failures

Upon the reduction, loss, or failure of the sources of power to the wastewater control facilities, the Permittee shall reduce or otherwise control production and/or all discharges to the greatest extent possible commensurate with maintaining the reliability of the Permittee's electrical generation system, provided that this condition shall not authorize a violation of any condition or limitation of this permit.

8. Construction

This permit only authorizes the construction of treatment works to attain compliance with the limitations and conditions of this permit, after plans and specifications for treatment facilities have been submitted and approved in writing by the Director prior to the start of any construction.

RESPONSIBILITIES

1. Right of Entry

The Permittee shall pursuant to Section 308 of the Act and Minnesota Statutes 115.04, allow the Director of the Minnesota Pollution Control Agency, the Regional Administrator, and their authorized representatives:

- a. to enter upon the Permittee's premises where a disposal system or other point source or portion thereof is located for the purpose of obtaining information, or examination of records or conducting surveys or investigations; and
- b. to bring such equipment upon the Permittee's premises as is necessary to conduct such surveys and investigations; and
- c. to examine and copy any books, paper, records or memoranda pertaining to the installation, maintenance, or operation or discharge, including but not limited to, monitoring data of the disposal system or point source or records required to be kept under the terms and conditions of this permit; and
- d. to inspect any monitoring equipment or monitoring procedures required in this permit; and
- e. to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any changes in control or ownership of facilities from which the authorized discharges emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, prior to the effective date of the transfer. A copy of this letter shall be forwarded to the Regional Administrator and the Director. Any succeeding owner or controller shall comply with the terms and conditions of this permit.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, and Minnesota Statutes, Section 116.075, Subd. 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Minnesota Pollution Control Agency and the Regional Administrator. Procedures for submitting such confidential material shall be pursuant to Minnesota Regulation WPC 36 (j) (2). As required by the Act, effluent data shall not be considered confidential. The Permittee shall immediately upon discovery report, in writing to the Director any errors or omissions of such record, reports, plans or other documents prepared in accordance with the terms and conditions of this permit. Knowingly making any false statement on any such report, confidential or otherwise, may result in the imposition of criminal penalties as provided for in Section 309 of the Act and Minnesota Statutes, Section 115.071 Subd. 2 (b).

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- d. Agency Regulation WPC 36 (s) (1).

5. Toxic Pollutants

Notwithstanding PART II, B, 4, above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307 (a) of the Act or Minnesota Statutes, Chapters 115 and 116 as amended, for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and in accordance with applicable laws and regulation.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance with the terms and conditions except as otherwise provided in PART II, A. 5. Bypassing and PART II, A. 7. Power Failures.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 of the Act and Minnesota Statutes, Chapters 115 and 116 as amended.

8. Federal, State and Local Laws

Nothing in this permit shall be construed to preclude the institution of any legal or administrative proceedings or relieve the Permittee from any responsibilities, liabilities, or penalties for violation of effluent and water quality limitations not included in this permit.

9. Property Rights

The issuance of this permit does not convey any property rights, in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or Local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.