PLANNING AND ZONING ADVISORY COMMISSION AGENDA

Date: November 20, 2023
Time: Following the adjournment of the Nicollet County Board of Adjustments and Appeals Meeting (doors open at 6:45)
Location: Nicollet County Board Room, 501 S. Minnesota Avenue, St. Peter, MN

Copies of the meeting agenda and packet are available on the Nicollet County website at: https://mn-nicolletcounty.civicplus.com/AgendaCenter

Questions or comments regarding the meeting can be directed to Spencer Crawford, Deputy Zoning Administrator, at 507-934-7071, or spencer.crawford@co.nicollet.mn.us.

1. Call to Order
2. Roll Call
3. Review of Cancellations and Additions
4. Public Appearances
5. Approval of Minutes: *October 16, 2023*
6. **PUBLIC HEARING: PLN 23-19**
   - Applicant: Brett Geldner for Geldner Brothers Sand & Gravel LLC
   - Landowner: Geldner Brothers Sand & Gravel LLC
   - Request: 3-year Mineral Extraction CUP renewal
   - Location: Southwest ¼ of the Southwest ¼, Section 33-111-26 in Lake Prairie Township
   - Parcel Number: 07.133.0300
7. **PUBLIC HEARING: PLN 23-21**
   - Applicant: Adam Hoffmann for M.R. Paving & Excavating Inc.
   - Landowner: Ruth Rewitzer
   - Request: 3-year Mineral Extraction CUP renewal
   - Location: Western ½ of the Northwest ¼ , Section 1-109-30 in Courtland Township
   - Parcel Number: 04.201.0100
8. **PUBLIC HEARING: PLN 23-22**
   - Applicant: Adam Hoffmann for M.R. Paving & Excavating Inc.
   - Landowner: Timothy L Kohn
   - Request: 3-year Mineral Extraction CUP renewal
   - Location: Northern ½ of the Southwest ¼ , Section 6-109-29 in Courtland Township
   - Parcel Number: 04.306.0600

9. **PUBLIC HEARING: PLN 23-23**

Applicant:	Adam Hoffmann for M.R. Paving & Excavating Inc.
Landowner:	New Ulm Quartzite Quarries, Inc.
Request:	3-year Mineral Extraction CUP renewal
Location:	Northwest ¼ of the Southwest ¼, Section 35-110-30 in Courtland Township
Parcel Number:	04.035.1705

10. Review Permits
11. Old Business
12. Other Business
13. Communications
14. Adjourn

PLANNING COMMISSION
REGULAR MONTHLY MEETING MINUTES

OCTOBER 16, 2023	7:37 PM	NICOLLET COUNTY BOARD ROOM

ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	☒ Dave Ubel, *Chair* ☒ Jon Thoreson, *Vice Chair* ☒ Marie Dranttel, *Commissioner* ☒ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, *Chair* ☐ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab	☒ Spencer Crawford, Zoning Specialist (ZS) ☒ Roxann Klein, Assistant County Attorney (ACA) ☐ Shana Jackson, County Assessor (Assessor) ☒ Crystal Madden, Recording Secretary ☒ Other Staff: John Zehnder, Zoning Specialist ☐ Other Staff:

REVIEW OF CANCELLATIONS & ADDITIONS	None.

APPROVAL OF SEPTEMBER 19, 2023 MINUTES	MOTION		2ND
☒ APPROVE ☐ APPROVE WITH REVISIONS	☐ Dave Ubel, *Chair* ☒ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab		☐ Dave Ubel, *Chair* ☐ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab
VOTE TO APPROVE MINUTES	☒ PASS	☐ FAIL	VOTE: 5 - 0

PUBLIC APPEARANCES	None.

PUBLIC HEARINGS – CONDITIONAL USE

PLN23-18	APPLICANT/LANDOWNER: Zachary Swanson / Robert Schuck
DESCRIPTION	Conditional use approval for a twelve (12) foot by thirty-two (32) foot hunting shack, on property owned by Robert Schuck, within the Special Protection & Shoreland Zoning Districts.
CONFLICT OF INTEREST	None.
SITE VISIT & PUBLIC CONTACT	No Commissioners visited the site. There was no contact with Commissioners from members of the public.
STAFF REPORT PRESENTED BY	DZA Crawford
APPLICANT TESTIMONY	Present to represent the application was Zac Swanson, 16788 Willow Lane SW, Prior Lake.
PUBLIC TESTIMONY	No one was present to provide public testimony. No other correspondence was received.
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.

COMMISSION ACTION	MOTION		2ND
RECOMMEND APPROVAL WITH CONDITIONS, as recommended	☐ Dave Ubel, *Chair* ☒ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab		☐ Dave Ubel, *Chair* ☐ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab
VOTE TO RECOMMEND APPROVAL	☒ PASS	☐ FAIL	VOTE: 5 - 0

ADDITIONAL ITEMS

OLD BUSINESS	None.

DRAFT

OTHER BUSINESS	None.		
COMMUNICATIONS	None.		
MOTION TO ADJOURN MEETING	**MOTION**		**2ND**
08:02 PM	☐ Dave Ubel, *Chair* ☐ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab		☐ Dave Ubel, *Chair* ☐ Jon Thoreson, *Vice Chair* ☐ Marie Dranttel, *Commissioner* ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab
VOTE TO ADJOURN MEETING	☒ CARRIED	☐ FAILED	VOTE: 5 - 0

CRYSTAL MADDEN, RECORDING SECRETARY		**DATE**	
DAVE UBEL, CHAIR		**DATE**	

DRAFT

CONDITIONAL USE PERMIT

THREE-YEAR REVIEW OF MINERAL EXTRACTION PERMIT

GELDNER BROTHERS SAND & GRAVEL, LLC

PLN23-19

NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION

SUBJECT:	PLN23-19, Conditional Use Permit
APPLICANT/LANDOWNER:	Geldner Brothers Sand & Gravel, LLC
LOCATION:	Southwest ¼ of the Southwest ¼, Section 33-111-26 in Lake Prairie Township
PARCEL NO:	07.133.0300
EXISTING ZONING:	Conservancy Zoning District
HEARING DATE:	11/20/23
COUNTY BOARD DATE:	11/28/23
60 DAYS FROM REQUEST:	01/05/24

REQUEST

The current request is for a three-year renewal of a mineral extraction permit to mine, crush, and stockpile gravel, with a hot mix plant.

ORDINANCE

Mineral extraction operations are required to renew their conditional use permit every three (3) years per Nicollet County Zoning Ordinance 724.2 (3).

The mine pre-exists the November 25, 2014 amendments to the mineral extraction section of the Zoning Ordinance. If the original parameters of the project are changed, the operation must conform to current standards.

The renewal seems to meet all the requirements as listed in Nicollet County Zoning Ordinance Section 724 Mineral Extraction.

EXISTING LAND USE

The site is located along the western side of U.S. Highway 169, approximately 1.5 miles north of the city of Saint Peter. The property consists of 11.67 acres. The property contains the existing mining area, wooded bluff land, and storage area. The mining area is located in the east half of the site. Most of the property, including all mining areas, is zoned Conservancy. There is a small portion of the property in the Floodplain Zoning District along U.S. Highway 169.

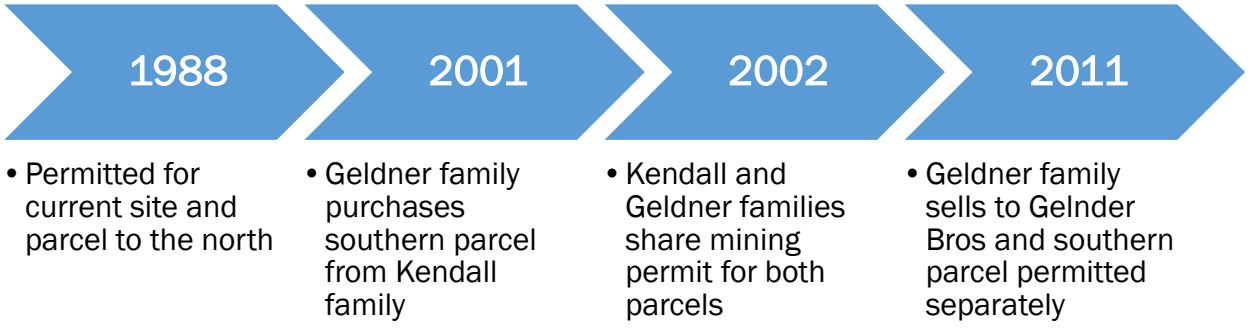
SURROUNDING LAND USE

U.S. Highway 169 and the Minnesota River Valley lie east of the site. The surrounding land uses are a mix of natural environment and agricultural. The Kendall pit (now abandoned) is located north of the site, the GP-75, LLC pit (formerly Brostrom-Pell) is located to the west, and the Gulf Shore LLC pit (formerly Woelpern) is located to the south. Roger's Creek is also located south/southwest of the site, but the creek's Flood Plain and Shoreland Zoning areas do no extend as far northeast as the Geldner pit.

PROJECT DESCRIPTION

Background:

The gravel pit was originally permitted in 1988. The operation is an open pit gravel mine. The original permit covered both the current Geldner Brothers pit and the abandoned pit immediately to the north currently owned by Mark and Susan Kendall. During the 2011 renewal, the permit was amended to cover only the Geldner Brothers gravel pit. The pit has been used for the mining, crushing, and stockpiling of gravel.



Operations:

According to the Applicant, the 11.67 acre property contains four acres actively being used for mining purposes, including extraction and storage. The application also clarifies the location of an additional 2.5 acres for future mining, with approximately 5 remaining acres not permitted to be mined. The maximum extent of permitted mining approximately follows the bluff-line to the east.

However, relatively little mining has occurred onsite over the last three years, with the Applicant stating that only three tons of material has been removed from the site since the last renewal. The site does not currently include any storage aside from a conveyer belt. The Applicant states there are no current plans to resume mining or increase storage, and notes that he has not performed any reclamation so far. Trips currently do not exceed five per week, but this number may increase in the future if more active mining begins. Equipment would include straight trucks, semis, and pickup trucks. Additional mining machinery would include loaders, excavates, dozers, screening, and crushing.

Setbacks:
Setbacks appear to be maintained on the southern and northern property lines. They also appear to be maintained on the eastern side of the property. The Applicant must preserve the visible bluff face east of the bluff line, which prevents any encroachment of setbacks on the eastern property line or the highway 169 right of way. However, it is currently unclear if setbacks have been maintained on the western side of the property.

Any mining activity within the setback requires a recorded agreement from the adjacent property owner granting the right to encroach on the property line.

Access:
The site has direct access to U.S. Highway 169.

Appearance:
The gravel pit is generally not visible from the Minnesota River, or from U.S. Highway 169 at this time as mining will remain behind the highest contour of the bluff-line. Section 724 of the Zoning Ordinance stipulates that mining operations in proximity to the Minnesota River Valley shall be conducted in such a manner as to preserve the face of the bluffs as viewed from the River and any roads along the River.

Blasting:
No blasting occurs at the site.

Bond:
Per Section 724.2 of the Nicollet County Zoning Ordinance, a bond in the amount of at least $2,500 per actively mined and not yet reclaimed acres shall be valid for a period of not less than one year beyond the expiration date of the permit. The Applicant presently has a Continuation Certificate from International Fidelity Insurance Company on file, which expires April 16, 2024. However, the current bond of $7,500 only covers three acres of mined property. The Applicant must increase the bond amount to $10,000 to cover the four acres specified in the application.

Dust, Noise, and Odor Control:
Dust on haul roads is minimal. If mining resumes, roads will be treated with water to control dust when necessary. Any mining operations at the pit are not expected to cause major noise or odor issues for adjoining properties.

Hours of Operation:
The Applicant proposes operating hours of 7AM to 5PM, Monday through Friday. These fit within Nicollet County's maximum allowed operating hours of 7AM to 7PM on Monday through Saturday. Deviation from this standard is allowed for emergencies and equipment repair. Any such deviation requires notification be made to Nicollet County Property Services.

Reclamation Plan:
There is a reclamation/end use plan on file for the facility. The proposed end use is wildlife habitat with the current plan depicting a return to preexisting topography.

Water:
Berms surrounding the pit help direct water to the bottom of the mine where it can filter naturally into the ground. The Applicant has also submitted a Storm Water Pollution Prevention Plan (SWPPP).

Waste Disposal:
No hazardous substances, such as engine oil, hydraulic oil, anti-freeze, or other maintenance fluids, are stored onsite. If mining were to resume, waste products would be disposed of offsite, using the appropriate professional services.

MINNESOTA POLLUTION CONTROL AGENCY STANDARDS

The Applicant has submitted a National Pollutant Discharge Elimination System (NPDES) Permit from the Minnesota Pollution Control Agency that expires May 31, 2027.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CONDITIONAL USE PERMIT CRITERIA

1. **Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.**

    - Mineral extraction is a conditionally permitted use in the Conservancy Zoning District.
    - The use is similar to other mineral extraction operations within the County.
    - The Applicant has a valid NPDES Permit and is not using explosives nor storing hazardous waste.

2. **The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**

    - The existing infrastructure is suited for mineral extraction operations.
    - The size and function of the operation is not unreasonable for the location.
    - It appears the burden on public infrastructure from the operation is minimal.

3. **The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**

   - The gravel pit is within a predominantly agricultural and natural environment area.
   - One abandoned and two active gravel pits are directly adjacent to the site, so the operation shares three of its four sides with compatible land uses.
   - No unreasonable noise, odor, or glare is expected. The Applicant has a method of controlling dust and preventing debris from entering the road.
   - An end use plan is on file, and the Applicant will be required to restore the property once extraction operations cease.

4. **The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**

   - The mine is generally not visible from U.S. Highway 169 at this time.
   - The proposal appears to be typical for a mineral extraction operation within the County.
   - Within one mile of the site there are three other mineral extraction operations, and the pit is only visible from those other properties.

5. **The requested use is consistent with the Nicollet County Land Use Ordinances.**

   - The request meets the applicable standards and requirements found in Sections 505, 603, and 724 of the Zoning Ordinance for mineral extraction conditional use permits.

6. **The requested use is not in conflict with the Nicollet County Comprehensive Plan.**

   - The Comprehensive Plan states that the aggregate industry provides vital jobs for residents, revenue for local businesses, and vital resources for highway building and construction.
   - The Comprehensive Plan state the Conservancy Zoning District should be protected, and the Applicant has a reclamation plan on file to restore the site once operations conclude.
   - The Comprehensive Plan states that Nicollet County will continue to work with aggregate businesses, such as this one, to ensure that these operations can continue in a sustainable and environmentally friendly manner.

7. **The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**

    - The Applicant applies water when necessary to control dust.
    - No blasting takes place onsite.
    - The gravel pit is not generally visible from U.S. Highway 169 or other residential properties.

8. **The requested use is reasonably related to the existing land use and environment.**

    - Mineral extraction is a conditionally permitted use in the Conservancy Zoning District.
    - Gravel has been extracted from this site since 1988, and there are usable deposits to be mined in the future.
    - The mineral extraction operation is similar to the surrounding gravel pits.

9. **There are no apparent unreasonable health risks posed to neighbors or the public in general.**

    - The proposal meets the applicable county and state standards for mining operations.
    - The request appears to be a typical mineral extraction operation within the County.
    - The site maintains a National Pollutant Discharge Elimination System permit from the Minnesota Pollution Control Agency.
    - The Applicant is not using explosives nor storing hazardous waste.
    - Any changes to the operation will require an amended conditional use permit.

10. **The requested use will/will not have an adverse effect upon public health, safety and welfare due to the following other factors:**

    - The request appears to meet County standards, with no apparent adverse effects to public health, safety, and welfare.

RECOMMENDATIONS

1. The Applicant shall undertake the project according to the plans and specifications submitted to the County with the application.

2. The conditional use permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.

3. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions, and all other applicable statutes, rules, and ordinances.

4. The conditional use permit to mine, crush, and stockpile gravel and operate a bituminous/concrete batch plant on site will be reviewed in November 2026.

5. An amended bond shall be submitted to the Property Services Department to cover the amount of actively mined acres and not yet reclaimed acres before the mineral extraction conditional use permit is granted. The bond shall be amended as needed to cover the amount of actively mined acres and not yet reclaimed acres. The bond must be kept in force during the time of operation.

6. A continuation certificate of the bond shall be sent to the Property Services Department with no lapse in time during the course of this permit.

7. The Applicant shall take appropriate action to minimize the dust on the road from hauling.

8. The Applicant will obtain a recorded agreement from the adjacent property owner to the west before mining activity takes place within the property line setback.

Applicant/Landowner:
Geldner Brothers Sand & Gravel, LLC

PLN23-19

ATTACHMENT A	**Application**
ATTACHMENT B	**Submitted by Applicant**
ATTACHMENT C	**Aerial Map**
ATTACHMENT D	**Location Map**
ATTACHMENT E	**Site Photographs**
ATTACHMENT F	**Neighbor Notification List**
ATTACHMENT G	**Criteria for Conditional Use Permit**

NICOLLET COUNTY EST. 1853

PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: **$496.00**

Map#: 83-33-000-03
Parcel#: 07.133.0300
Permit#: PLN23-19
Date: 10/24/2023

Applicant: Geldner Brothers Sand & Gravel LLC
Telephone: 507 327 7205
Owner: Geldner Brothers Sand & Gravel LLC
Property Address: 39962 US Highway 169, Saint Peter, MN 56082
Abbreviated Legal Description: SWSW 33-111-26
Township: Lake Prairie Township
Zoning District(s): CONSERVANCY

Record Type: Conditional Use Permit
Subtype: New
Category: Other
Description: Mineral Extraction CUP Renewal
G.C. Licence#: n/a
Job Cost: n/a

ATTACHMENT A
Application

PERMIT EXPIRATION DATE: **11/03/2024**

Brett Geldner Brett Geldner (Nov 6, 2023 06:55 CST)	Nov 6, 2023		11/03/2023
APPLICANT SIGNATURE	**DATE**	**PROPERTY SERVICES**	**DATE**

PLN23-19 Application JZ Signed

Final Audit Report 2023-11-06

Created:	2023-11-03
By:	John Zehnder (John.Zehnder@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAc4PZoORtdga-SpumkwpTe2mWxz1pcS2G

"PLN23-19 Application JZ Signed" History

Document created by John Zehnder (John.Zehnder@co.nicollet.mn.us)
2023-11-03 - 1:07:44 PM GMT

Document emailed to Brett Geldner (geldnerugi@yahoo.com) for signature
2023-11-03 - 1:08:11 PM GMT

Email viewed by Brett Geldner (geldnerugi@yahoo.com)
2023-11-03 - 1:11:28 PM GMT

Document e-signed by Brett Geldner (geldnerugi@yahoo.com)
Signature Date: 2023-11-06 - 12:55:57 PM GMT - Time Source: server

Agreement completed.
2023-11-06 - 12:55:57 PM GMT

Adobe Acrobat Sign

MINERAL EXTRACTION CHECKLIST

The following information is required to be provided for a conditional use permit application. Additional information may be required, as determined necessary by the Zoning Administrator and per Section 724 of the Zoning Ordinance.

NUMBER OF ACRES AS FOLLOWS:

4 Acres being mined or used for mining purposes (stockpiles, equipment storage, haul roads, etc).

2.5 Acres permitted and remaining to be mined in future phases.

0 Acres where land reclamation has occurred.

5 Acres not permitted to be mined (non-mining related acres).

11.67 Total acreage of property.

TONNAGE OF MATERIAL REMOVED:

3 Tons of material removed from site over the past three (3) years, or since last permit renewal date.

Include a copy of the renewed **BOND** or **LETTER OF CREDIT** for the site. Continuation letters must to be sent to the Property Services Office on years when the permit is not scheduled for renewal.

PLEASE PRINT:

Property Owner: Geldner Bros Sand & Gravel

Owner's Address: 1132 Rabbit Road ST Peter MN 56082

Contractor working the site: NA

Contractor's address: NA

Contractor's phone number: NA

Date: 10-23-2023

Applicant (Landowner or Contractor) Signature: [signature]

Parcel No. 07.133.0300 Map No. 083330000 3

Revised 11-29-18 JH

ATTACHMENT B
Submitted by Applicant

OPERATING PLAN FOR GELDNER BROTHERS SAND AND GRAVEL LLC.

Hours of operation are consistent with county ordinances Monday – Friday 7:00 am – 5:00 pm.

Brett Geldner is the contact (507) 327-7205 and the complaint management person.

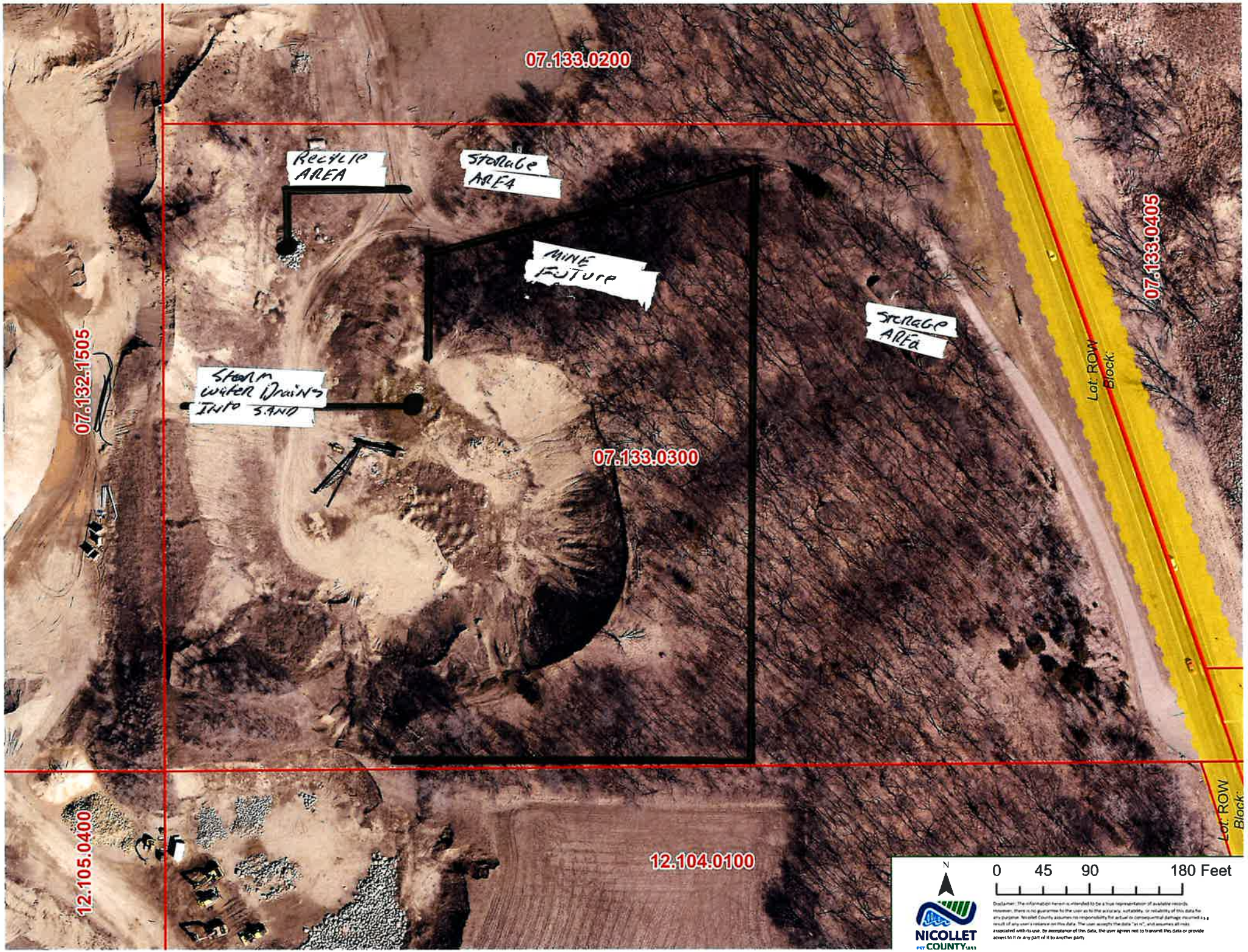
The equipment that is operating at this location is your standard construction vehicles straight trucks, semis and pickup trucks. The machinery includes but not limited to loaders, excavators, dozers, screening, and crushing. This is an example of the equipment that could be onsite and does not necessarily mean that it is operating at the same time. We are not operating any hot mix plants.

The estimated number of weekly trips is around five. Control measures are in place such as water to address dust and the pit location is operating within allowable noise thresholds.

We do not have materials stored onsite.

Waste products are disposed of offsite, using the appropriate professional services for disposal when needed.

Storm water is diverted to low lying area. There are berms around the pit to control the water.


07.133.0200
Recycle AREA
Storage AREA
MINE FUTURE
Storage AREA
Storm Water Drains INTO SAND
07.132.1505
07.133.0300
07.133.0405
Lot: ROW
Block:
12.105.0400
12.104.0100
Lot: ROW
Block:
N
0 45 90 180 Feet
NICOLLET COUNTY
Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, suitability, or reliability of this data for any purpose. Nicollet County assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. The user accepts the data "as is", and assumes all risks associated with its use. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party.

MINNESOTA POLLUTION CONTROL AGENCY

National Pollutant Discharge Elimination System/State Disposal System

MNG490312

Permittee:	Geldner Brothers Sand & Gravel LLC
Facility name:	Geldner Brothers Sand & Gravel LLC
City or Township:	Saint Peter, **County:** Nicollet
Issuance date:	April 21, 2023
Expiration date:	May 31, 2027

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to operate a disposal system at the facility named above and in accordance with the requirements of this permit

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: *Elise M. Doucette*

This document has been electronically signed.

for the Minnesota Pollution Control Agency

Elise M. Doucette
Supervisor
Industrial Division

Submit eDMRs
Submit via the MPCA e-Services at
https://rsp.pca.state.mn.us/TEMPO_RSP/Orchestrate.do?initiate=true

Submit WQ reports to:
Electronically: wq.submittals.mpca@state.mn.us
Include *Water quality submittals form:*
https://www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx

Questions on this permit?

- For eDMR and other permit reporting issues, use the directory listed at the bottom of the DMR page: https://www.pca.state.mn.us/business-with-us/discharge-monitoring-reports
- For specific permit requirements, contact your compliance staff: https://www.pca.state.mn.us/business-with-us/wastewater-compliance-and-enforcement-staff
- Wastewater Permit Program general questions, contact: MPCA, 651-282-6143 or 800-657-3938

1. Summary of stations and station locations

Station	Type of station	Local name	PLS location
LA 001	MNG49 Stormwater, Non-discharging	Geldner Brothers Sand & Gravel, LLC (J1-1442)	T111N, R26W, S33

2. Permit requirements

MNG490312	Geldner Brothers Sand & Gravel LLC	
		Non-Metallic Mining and Associated Activities General Permit Requirements
	2.1.1	**Applicability.** [Minn. R. 7001]
	2.1.2	This permit authorizes stormwater discharges associated with the following industrial activities: A. Construction sand and gravel (Standard Industrial Classification [SIC] Code 1442) and industrial sand mining areas (SIC Code 1446) - hereinafter Subsector J1. B. Dimension stone (SIC Code 1411), crushed and broken limestone (SIC Code 1422), crushed and broken granite (SIC Code 1423), crushed and broken stone (not elsewhere classified, SIC Code 1429) mining and quarrying areas - Subsector J2. C. Asphalt production areas, also known as asphalt paving mixtures and blocks (SIC Code 2951), including portable asphalt plants - Subsector D1. D. Concrete block and brick (SIC Code 3271), concrete products other than block and brick (SIC Code 3272), and ready-mix concrete (SIC Code 3273), including portable concrete plants - Subsector E2. E. Recycling and storage of materials approved in Minn. R. 7035.2860 (Beneficial Use of Solid Waste) at sites engaged in facility activities associated with all SIC Codes listed in A. through D. above. F. Activities associated with the above facilities noted, including maintenance activities and facilities, unless otherwise prohibited in this permit. This Permit authorizes stormwater discharges associated with construction activity and small construction activity, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15), respectively. The Permittee shall comply with the "Stormwater Discharge Design Requirements" chapter and the "Construction Activity Requirements" chapter of the MPCA Construction Stormwater (CSW) NPDES general permit (https://www.pca.state.mn.us/sites/default/files/wq-strm2-68a.pdf) when conducting construction activity and small construction activity. Earth disturbing activities conducted as a normal part of post-construction use of the permitted facility do not trigger the need for CSW permit coverage. The earth disturbing activity has to be part of a project to build, demolish, or replace a structure (e.g., building, road, pad, pipeline, transmission line) to trigger the need to comply with the CSW permit. Earth disturbance that is a normal part of the long-term use or maintenance of the property is not "active construction" and does not trigger the need for CSW permit coverage. [Minn. R. 7001]
	2.1.3	This permit authorizes non-stormwater discharges to surface waters of the state from dewatering of mine or quarry areas at J1 and J2 Subsectors that meet the effluent limits and requirements in this permit. "Mine Pit Dewatering" means any water that is impounded or that collects in the mine and is pumped from the mine through the efforts of the mine operator. Uncontaminated groundwater and stormwater collecting in a low area in which there is a stormwater outlet for stormwater/seepage/drainage by gravity overflow shall not be considered mine pit dewatering. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharge of process generated wastewater and is not authorized under this permit. [Minn. R. 7001]
	2.1.4	This permit authorizes non-stormwater discharges that do not discharge to a surface water of the state provided these discharges are not already authorized in a separate NPDES/SDS permit. Non-stormwater that co-mingles with stormwater is considered a non-stormwater discharge (wastewater) and must be managed compliant with this Permit. To be authorized under this permit, the following discharges must be collected, contained or infiltrate into the ground and Best Management Practices must be implemented to prevent contamination of groundwater: A. Aggregate wash water from Subsector J1 and J2 facilities. B. Dredging operations from Subsector J1 and J2 facilities.

		C. Installation, construction, and operation of wet scrubbers at asphalt production areas, including portable asphalt plants (Subsector D1). D. Washing trucks, mixers, transport buckets, forms and/or other equipment at concrete block and brick, concrete products other than block and brick, and ready-mix concrete facilities (Subsector E2). E. Uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers. F. Stormwater and deck wash water collected in holding tanks under scales. G. Wash water associated with cleaning of mobile equipment that does not use detergents, solvents, or degreasers. H. Waters used for sawing stone or dust control on crushers, conveyors, associated equipment, stockpiles, and site roadways. I. Boiler blowdown and reverse osmosis reject. J. Low or high pressure steam curing. K. Noncontact cooling water used for dryer, pump, and air compressor cooling. For wastewater discharges listed above, see the Technology Based Effluent Limits - Non-Stormwater Discharges section of this permit for Wastewater Basin Design and Construction Requirements for newly constructed basins as of the issuance date of this permit. [Minn. R. 7001]
	2.1.5	This permit authorizes non-stormwater discharges provided these discharges are not already authorized in a separate NPDES/SDS permit and that appropriate Best Management Practices are utilized to minimize erosion and the discharges of sediment when necessary: A. Emergency fire-fighting activities. B. Fire hydrant and fire suppression system flushing. C. Potable water line flushing. D. Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids. E. Landscape watering provided all pesticides, herbicides and fertilizers have been applied in accordance with manufacturer's instructions. F. Pavement wash waters where no detergents are used and no spills or leaks of potential pollutants such as fertilizers, salts, or toxic and hazardous materials have occurred unless all spilled material has been removed. G. Routine external building wash down that does not use detergents, solvents, or degreasers. H. Uncontaminated groundwater or spring water. I. Foundation or footing drains where flows are not contaminated. J. Incident windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g. 'piped' cooling tower blowdown or drains). [Minn. R. 7001]
	2.1.6	Not all activities covered by this permit will be conducted at each site covered under this permit. Therefore, only those provisions of this permit that address activities occurring at a particular site are applicable to that site. [Minn. R. 7001]
	2.1.7	**Activities Not Covered/Limitations on Coverage.** [Minn. R. 7001]
	2.1.8	This permit does not authorize the discharge from the following activities except as authorized in the Applicability Section of this permit: A. Dewatering of mine or quarry areas other than those under Subsector J1 and J2. B. Surface water discharges of scrubber or other air emissions control wastewater, cooling or boiler wastewater, floor drains from process areas, equipment/vehicle washing, cleaning and maintenance wastewaters, and sewage. C. Contaminated groundwater discharges. D. Petroleum refinement. E. Manufacturing of asphalt or asphalt emulsions. F. Industrial sand mines (SIC 1446) that utilize HF flotation. G. Dredging or filling of wetlands or other surface waters of the state. H. Discharges of hazardous substances, lubricants, fuel leaks, or fuel spills. I. Sites for which Environmental Assessment Worksheets or Environmental Impact Statements are

		required by Minn. R. ch. 116D and/or 42 U.S.C. Sec 4321 - 4370f, until that environmental review is completed. [Minn. R. 7001]
	2.1.9	This permit does not authorize new or expanded discharges that the MPCA determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to a violation of water quality standards consistent with the requirements of 40 CFR 122.4(i) and 122.44(d)(1)(i). This includes the discharge to groundwater where pollutants in the discharge reach surface waters and have reasonable potential to exceed applicable surface water quality standards. [40 CFR pt. 122, 4(i)]
	2.1.10	This permit does not authorize existing discharges that the MPCA determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to a violation of water quality standards consistent with the requirements of 40 CFR 122.44. This includes the discharge to groundwater where pollutants in the discharge reach surface waters and have reasonable potential to exceed applicable surface water quality standards. [40 CFR pt. 122, 44]
	2.1.11	This permit does not authorize discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a designated critical habitat. This permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a designed critical habitat. The owner must conduct any required review and coordinate with appropriate agencies for any project with the potential of affecting endangered or threatened species, or their critical habitat. [Minn. R. 7001]
	2.1.12	This permit does not authorize discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. This permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. The owner must be in compliance with the National Historic Preservation Act and conduct all required review and coordination related to historic preservation, including significant anthropological sites and any burial sites, with the Minnesota Historic Preservation Officer. [Minn. R. 7001]
	2.1.13	Facilities located within the exterior boundaries of an Indian reservation must apply to the U.S. EPA for coverage under the multi-sector general permit or for an individual permit. Note: "Indian country is defined under 18 USC Â§1151 and includes all lands within the exterior boundaries of federally recognized Indian reservations and on lands held in federal trust status. Facilities that currently do not have storm water discharge permit coverage and are located within Indian Country shall contact the United States Environmental Protection Agency (EPA) to apply for permit coverage. For existing discharges covered under a NPDES permit from EPA, discharges will continue to be covered by a NPDES permit. Dischargers that previously held permit coverage under previous versions of this permit after September 30, 2001, are no longer eligible for coverage under this permit and must contact EPA to apply for permit coverage.". [Minn. R. 7001]
	2.1.14	This permit does not authorize discharges to calcareous fens listed in Minn. R. 7050.0335. [Minn. R. 7007.0335]
	2.1.15	Mine site dewatering discharges from Subsectors J1 and J2 that discharge directly to the following receiving waters are not authorized by this permit: A. Outstanding Resource Value Waters (ORVWs) as defined by Minnesota Rules 7050.0335 and as listed in Minnesota Rules 7050.0470; B. Department of Natural Resources (DNR)-designated trout waters (trout waters are designated in Minn. R. 6264.0050, subp. 2 and 4); and C. DNR-posted fish-spawning areas. [Minn. R. 6264.0125]
	2.1.16	**Authorization**. [Minn. R. 7001]

	2.1.17	Permit Application. Owners and operators of a site or sites with covered facility activities identified in this permit, and who provide a complete and approvable application for a permit, are eligible for coverage under this permit for those activities. [Minn. R. 7001]
	2.1.18	**Notice of Coverage**. [Minn. R. 7001]
	2.1.19	Permittees requesting initial coverage are covered under this permit when the MPCA notifies them in writing of this coverage. [Minn. R. 7001]
	2.1.20	Additional sites may be covered under this permit provided that the new site(s) meet all applicability criteria of this permit and that all information required by the Site Inventory Report Form is submitted to the MPCA at least 10 days prior to initiation of land-disturbing activities at the new site(s) or initiation of operation at a previously developed site. [Minn. R. 7001]
	2.1.21	**Requiring an Individual Permit**. [Minn. R. 7001]
	2.1.22	If the MPCA finds that the facility site of a permit applicant or a Permittee covered under this permit would be more appropriately covered under an individual permit, the MPCA may require an individual permit for the applicant or the Permittee, in accordance with Minn. R. 7001.0210, subp. 6. In considering whether it is appropriate to issue an individual permit for a site, the MPCA will consider whether the site is contributing, or may contribute, to a water quality standard violation. Any interested person may petition the MPCA commissioner to take action under 40 CFR Â§ 122.28(b)(3)(i) to require a facility covered by the general permit to apply for and obtain an individual permit. [Minn. R. 7001.0210, subp. 6]
	2.1.23	This general permit does not cover activities or discharges covered under a pre-existing individual permit unless the MPCA has specifically revoked or terminated that individual permit. [Minn. R. 7001]
	2.1.24	This general permit does not cover industrial sand mining activities (SIC Code 1446) that: A. Meet or exceed the thresholds for mandatory environmental review and the MPCA determines the operations, emissions, activities, discharges, or facilities of the permit applicant or permittee have characteristics creating the potential for significant environmental effects; or B. The MPCA determines the need for site-specific permit requirements including, but not limited to, groundwater monitoring, additional surface discharge monitoring, hydrogeological study, etc. which are beyond those contained in this permit in order to protect waters of the state. If the MPCA determines that A or B apply, a permit applicant or Permittee shall obtain coverage under an individual permit for the facility site. Sites that are required to obtain individual permit coverage, at the Permittee's request, may be reviewed for general permit eligibility following the first full term of individual permit coverage. [Minn. R. 7001]
	2.1.25	**Notice of Temporarily Inactive Site(s)**. [Minn. R. 7001]
	2.1.26	The Permittee(s) must ensure that permanent stormwater Best Management Practices (BMPs) are in place if the site is temporarily inactive. [Minn. R. 7001]
	2.1.27	During the temporarily inactive period, intervention limit monitoring is not required, but the Permittee must indicate on the Comments field of the Discharge Monitoring Report the inactivity. Should the site become active, the Permittee is required to sample in accordance with the Monitoring Requirements section of the permit for the calendar year the site becomes active. [Minn. R. 7001]
	2.1.28	**Notice of Inactive Site(s)**. [Minn. R. 7001]
	2.1.29	The Permittee(s) must ensure stabilization of the site upon cessation of mining activities. Stabilization shall be initiated immediately after the termination of the mining operation and upon completion the area shall be restored to its intended state. [Minn. R. 7001]
	2.1.30	The Permittee(s) must complete the following to achieve final stabilization: A. The drainage ways that leave the site must be stabilized to prevent erosion with riprap or other protective material. B. All soils must be stabilized by a uniform perennial vegetative cover with a density of 70 percent over the entire pervious surface area, or other equivalent means necessary to prevent soil failure under erosive conditions.

		C. Temporary BMPs for erosion prevention, such as synthetic liners and silt fences, must be removed. BMPs designed to decompose on site (such as some compost logs) may be left in place. D. All sediment must be removed from conveyances and from temporary sedimentation basins that are to be used as permanent water quality management basins in order to sufficiently return the basin to design capacity. Sediment must be stabilized to prevent it from being washed back into the basin, conveyances or drainage-ways discharging off-site or to surface waters. E. Other BMPs as necessary must be implemented so as to prevent erosion from the site excavation areas and stockpiles that have been used by the Permittee. [Minn. R. 7001]
	2.1.31	In order to have permit coverage terminated and have the Permittee released from inspection, recording and reporting requirements, the Permittee shall ensure and certify on the Site Inventory Form for site(s) where the Permittee no longer conducts the activities authorized by this permit that: A. The site closure achieves final stabilization requirements; or B. There is no longer a discharge of pollutants to waters of the state, including groundwater, from activities covered by this permit; or C. The Permittee supplies the name and contact information for the owner or operator that is responsible for the site. [Minn. R. 7001]
	2.1.32	**Water Quality Based Effluent Limits**. [Minn. R. 7001]
	2.1.33	A wastewater discharge shall not cause or contribute to a violation of water quality standards unless the discharge meets all requirements of 40 CFR 122.44. [40 CFR pt. 122, 44]
	2.1.34	The Permittee shall operate and maintain the facility and shall control runoff, including stormwater, from the facility to prevent the exceedance of water quality standards specified in Minnesota Rules, chs. 7050 and 7060. [Minn. R. 7050, Minn. R. 7060]
	2.1.35	The Permittee shall limit and control the use of materials at the facility that may cause exceedances of surface water and groundwater standards specified in Minnesota Rules, chs. 7050 and 7060. These materials include, but are not limited to, detergents and cleaning agents, solvents, chemical dust suppressants, lubricants, fuels, drilling fluids, oils, fertilizers, explosives and blasting agents. [Minn. R. 7050, Minn. R. 7060]
	2.1.36	The MPCA may modify this permit, require corrective actions or take other actions if it determines that a discharge authorized by this permit is causing or contributing to a violation of water quality standards. [Minn. R. 7001]
	2.1.37	Floating solids or visible foam shall not be discharged in other than trace amounts. [Minn. R. 7001]
	2.1.38	Oil or other substances shall not be discharged in amounts that create a visible color film. [Minn. R. 7001]
	2.1.39	Any outlet pipe, culvert or hose outlets for the discharge shall be located at ground level. The Permittee shall install and maintain outlet protection measures, such as properly sized riprap, splash pads or gabions at the discharge stations (outlets) to prevent erosion. [Minn. R. 7001]
	2.1.40	All water from dewatering or basin draining activities must be discharged in a manner that does not cause nuisance conditions, flooding on nearby properties, erosion in receiving channels or on downslope properties, or inundation in a wetland causing adverse impact to the wetland. [Minn. R. 7001]
	2.1.41	**Special Requirements**. [Minn. R. 7001]
	2.1.42	For stormwater discharges with a discharge location that flows to and is within one mile of Outstanding Resource Value Waters (ORVWs) as defined in Minn. R. 7050.0335, subp. 1, 2, 3, and 4 (not including calcareous fens listed in Minn. R. 7050.0335 & Minn. R. 7050.0470) and trout waters as listed in Minn. R. 6264.0050, subp. 2 and 4: A. The Permittee shall develop and implement stormwater control measures, including BMPs that restrict the facility industrial stormwater discharges to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the water an Outstanding Resource Value Water. In addition, a stormwater intervention limit value of 65 mg/L for Solids, Total Suspended (TSS) applies to the discharge at a stormwater monitoring location, instead of 100 mg/L as specified in the 'Stormwater Limits and Monitoring Intervention Limits' section of this Permit. If the Permittee has a waiver from the requirements to conduct benchmark monitoring in accordance with the Technology Based Effluent Limits -

		Stormwater Discharges section of this permit, the benchmark value does not apply. B. If the discharge is to a trout stream, BMPs shall also be designed and implemented to protect the water quality from excess temperature increases. C. If the discharge is to a trout lake, BMPs shall also be designed and implemented to protect the water quality from excess phosphorus increases. D. If the discharge is to a wetland, the Permittee shall also comply with the requirements of Minn. R. 7050.0186 WETLAND STANDARDS AND MITIGATION. [Minn. R. 7050]
	2.1.43	If the site has any stormwater discharges with the potential for significant adverse impacts to a wetland (e.g., conversion of a natural wetland to a stormwater pond), the Permittee must demonstrate that the wetland mitigative sequence has been followed prior to the impacts to the wetland. [Minn. R. 7001]
	2.1.44	If the potential adverse impacts to a wetland on a specific site have been addressed by permits or other approvals from an official statewide program (U.S. Army Corps of Engineers 404 program, Minnesota Department of Natural Resources, or the State of Minnesota Wetland Conservation Act) specifically for the site, the Permittee may use that permit or other determination issued by these agencies to show that the potential adverse impacts have been addressed. For the purposes of this permit, de minimis actions are determinations by the permitting MPCA that address the site impacts, whereas a non-jurisdictional determination does not address site impacts. [Minn. R. 7001]
	2.1.45	If there are impacts from the site that are not addressed in one of the permits addressed in the Special Requirements section of this permit or other determinations (e.g., permanent inundation or flooding of the wetland, significant degradation of water quality, excavation, filling, draining), the Permittee must minimize all adverse impacts to wetlands by utilizing appropriate measures. Measures used must be based on the nature of the wetland, its vegetative community types and the established hydrology. These measures include in order of preference: A. Avoid all significant adverse impacts to wetlands from site discharges. B. Minimize any unavoidable impacts to wetlands from site discharges. C. Provide compensatory mitigation when the Permittee determines that there is no reasonable and practicable alternative to having a significant adverse impact on a wetland. For compensatory mitigation, wetland restoration or creation shall be of the same type, size, and whenever reasonable and practicable in the same watershed as the impacted wetland. [Minn. R. 7001]
	2.1.46	If a site discharges to a water of the state that appears on the current U.S. Environmental Protection MPCA (USEPA) approved list of impaired waters under Section 303 (d) of the Clean Water Act (33 U.S.C. Sec 303 (d)), the Permittee must review whether changes may be warranted in the site's Pollution Prevention Plan (Plan) to reduce the impact of the discharge. If a USEPA approved Total Maximum Daily Load (TMDL) has been developed, the Permittee must review the adequacy of the Plan to meet the TMDLs Waste Load Allocation. [Minn. R. 7001]
	2.1.47	**Technology Based Effluent Limits - Stormwater Discharges**. [Minn. R. 7001]
	2.1.48	**Stormwater Management Devices**. [Minn. R. 7001]
	2.1.49	The Permittee is authorized to use industrial stormwater ponds, sedimentation basins, and/or infiltration devices for stormwater management. [Minn. R. 7001]
	2.1.50	Industrial stormwater ponds, sedimentation basins, and/or infiltration devices shall not be located in areas that receive direct discharges from permanent or stationary vehicle fueling tanks (aboveground or underground storage tanks) and maintenance activity areas (shops), except where adequate secondary containment is provided as required under the SPCC Rule, and/or the basin is designed specifically to satisfy the federal SPCC Rule. Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. [Minn. R. 7001]
	2.1.51	When wastewater from authorized activities is co-mingled with stormwater, it is considered wastewater, and a surface water discharge is not authorized under this permit. This does not include stormwater co-mingling with mine dewatering from Subsector J1 and J2 facilities, which is approved for a surface water discharge under this permit. [Minn. R. 7001]
	2.1.52	If the Permittee provides documentation to MPCA that the stormwater management device was designed by a registered professional engineer to control a 10-year, 24-hour storm event (based on National Oceanic and Atmospheric Administration Atlas 14, Volume 8 (NOAA Atlas 14, Volume 8)), then no sampling of a discharge is required upon MPCA approval. If the stormwater management

		device is already in place at an existing facility, the sizing of the device shall be confirmed by a registered professional engineer before the sampling requirement is waived. This does not include unauthorized non-stormwater discharges to surface waters. This waiver is for monitoring only; effluent limits still apply to the discharge and Permittees must maintain compliance with the limits. This waiver is only effective for the term of the permit. Permittees must reapply for the waiver every permit term. [Minn. R. 7001]
	2.1.53	**Erosion and Sediment Control Practices.** [Minn. R. 7001]
	2.1.54	Sediment control practices must be established on all down-gradient perimeters and be located up-gradient of any buffer zones. The perimeter sediment control practice must be in place before any up-gradient land disturbing activities begin. Use a range of erosion controls within the broad categories of flow diversion (e.g. swales, berms) and structural controls (e.g. sediment traps, dikes, silt fences). These practices shall remain in place until the site has been stabilized. [Minn. R. 7001]
	2.1.55	The Permittee shall re-install all sediment control practices that have been adjusted or removed to accommodate short-term activities such as clearing or grubbing, or passage of vehicles, immediately after the short-term activity has been completed. Short-term activities shall be completed as quickly as possible. Re-installation of sediment control practices shall be completed no later than before the next precipitation event, even if the short-term activity is not complete. [Minn. R. 7001]
	2.1.56	The Permittee(s) shall plan for and implement appropriate BMPs such as construction phasing, vegetative buffer strips, horizontal slope grading, and other construction practices that minimize erosion. The location of areas not to be disturbed shall be delineated (e.g. with flags, stakes, signs, silt fence etc.) on the project site before work begins. [Minn. R. 7001]
	2.1.57	Temporary stockpiles or stripping/overburden stored outside the pit shall have sediment control mechanisms in place until the material is completely removed. Materials shall not be placed in any natural buffers, surface water, or stormwater conveyances such as curb and gutter systems, or conduits and ditches. [Minn. R. 7001]
	2.1.58	Vehicle Tracking. Vehicle tracking of sediment onto paved surfaces from the site or operation must be minimized by BMPs such as stone pads, concrete or steel wash racks, or equivalent systems. Street sweeping must be used if such BMPs are not adequate to prevent sediment from being tracked onto the street within 24 hours of discovery. The MPCA Vehicle Tracking factsheet may be used as guidance in BMP development: http://www.pca.state.mn.us/index.php/view-document.html?gid=7419. [Minn. R. 7001]
	2.1.59	Good Housekeeping. Permittees conducting the industrial activities described in this permit shall keep exposed areas that may contribute pollutants to stormwater sufficiently clean to reduce or eliminate contaminated stormwater runoff. [Minn. R. 7001]
	2.1.60	**BMP Maintenance**. [Minn. R. 7001]
	2.1.61	The Permittee shall maintain all BMPs identified in the Pollution Prevention Plan (Plan) and implemented at the facility, to ensure BMP effectiveness. [Minn. R. 7001]
	2.1.62	The Permittee shall develop a schedule for preventive maintenance of all BMPs. The schedule shall be stored with the Plan. [Minn. R. 7001]
	2.1.63	If the Permittee identifies BMPs that are not functioning properly, the Permittee shall replace, maintain, or repair the BMPs within seven (7) calendar days of discovery. If BMP replacement, maintenance, or repair cannot be completed within seven (7) calendar days, the Permittee shall implement effective backup BMPs (temporary or permanent) until the effectiveness of the original BMPs can be restored. The Permittee shall document the justification for an extended replacement, maintenance, or repair schedule of the failed BMPs, and maintain it with the Plan. [Minn. R. 7001]
	2.1.64	The Permittee shall record dates of all maintenance and repairs. The Permittee shall maintain these records with the Plan. [Minn. R. 7001]
	2.1.65	All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/2 of the height of the device. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. [Minn. R. 7001]
	2.1.66	If sediment escapes the facility, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts (e.g., fugitive sediment in streets could be

		washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets). For sediment releases to surface waters, the release must be reported to the MPCA/DNR. The sediment shall be removed from the surface water if approved by the DNR. [Minn. R. 7001]
	2.1.67	Temporary and permanent sedimentation basins must have the sediment removed once the depth of sediment collected in the basin reaches 1/2 the storage volume. Removal must be completed within 72 hours of discovery, or as soon as field conditions allow access. [Minn. R. 7001]
	2.1.68	**Spills and Leaks**. [Minn. R. 7001]
	2.1.69	The Permittee shall develop and implement a spill prevention and response procedure. If the site already has a separate plan (e.g. Prevention and Response Plan as required by Minn. Stat. 115E, or Spill Prevention Control and Countermeasure Plan as required by Federal Law), that plan can be incorporated by reference into the Pollution Prevention Plan (Plan). In either case, a minimum of the following components shall be included with the Plan, or in a separate document: A. The Permittee shall report and document spills or leaks (as defined in Minn. Stat. Section 115.061) that occur in exposed areas, or that drain to a monitoring location. B. Material handling procedures, storage requirements, and cleanup equipment/materials and procedures necessary to recover as rapidly and thoroughly as possible spills or leaks pursuant to Minn. Stat. Section 115.061. All methods and procedures must be made available to appropriate site personnel. C. Contact information for individuals and emergency and regulatory agencies that must be notified in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Minnesota Department of Public Safety Duty Officer at 800-422-0798 (toll free) or 651-649-5451 (metro area) per Minn. Stat. Section 115.061. [Minn. Stat. ch. 115]
	2.1.70	**Subsector D1 - Asphalt Production - Additional Spills and Leaks Requirements**. [Minn. R. 7001]
	2.1.71	In addition to the requirements in this Section, the Permittee shall use drip pans and splash guards where spills frequently occur at Subsector D1 facilities. [Minn. R. 7001]
	2.1.72	**Subsector E2 - Ready-Mix and Other Concrete Operations - Additional Spills and Leaks Requirements**. [Minn. R. 7001]
	2.1.73	In addition to the requirements in this Section, the Permittee shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, or settled dust from paved portions of the facility that are exposed to stormwater at Subsector E2 facilities. [Minn. R. 7001]
	2.1.74	The Permittee shall determine the frequency of sweeping or equivalent by the amount of industrial activity occurring at Subsector E2 facilities and the frequency of exposure to stormwater, but it shall be performed at least once per week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed and materials are present on paved surfaces. [Minn. R. 7001]
	2.1.75	The Permittee shall also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, buildings, and under other coverings. [Minn. R. 7001]
	2.1.76	The Permittee shall include measures in the Plan to ensure that process wastewater resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with applicable parts of this permit for Subsector E2 facilities. [Minn. R. 7001]
	2.1.77	**Technology Based Effluent Limits - Non-Stormwater Discharges**. [Minn. R. 7001]
	2.1.78	**Wastewater Basin Design and Construction Requirements**. [Minn. R. 7001]
	2.1.79	When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges, not including uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers, wash water associated with cleaning of mobile equipment that does not use detergents, solvents, or degreasers and/or waters used for sawing stone or dust control on crushers, conveyors, associated equipment, stockpiles, and site roadways, of this permit from Subsector J1 and J2 activities, it shall: A. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. B. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24-hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system.

		C. Not be constructed in areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. [Minn. R. 7001]
	2.1.80	When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges from Subsector E2 activities, it shall: A. Be designed consistent with accepted engineering practices. Designs shall be approved by a professional engineer or other licensed professional. B. Be constructed and maintained to allow for infiltration of wastewater. Long term soil infiltration rates for new infiltration devices shall not be greater than 1.63 inches per hour unless pretreatment practices are implemented prior to infiltration. C. Be constructed to allow for maximum separation distance from groundwater with a minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. D. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. E. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24-hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system. F. Not be constructed in areas with standing water or areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. The Permittee shall maintain design documentation to demonstrate containment basins meet the requirements of (A) through (F). [Minn. R. 7001]
	2.1.81	If a Permittee has indicated all stormwater and/or process wastewater is contained and/or infiltrates on site, the site is prohibited from discharging to surface waters and will not be required to submit Discharge Monitoring Reports (DMRs). The site will be assigned a Land Application (LA) designation in lieu of a Surface Discharge (SD) designation. [Minn. R. 7001]
	2.1.82	**Karst Topography**. [Minn. R. 7001]
	2.1.83	New Basins. New infiltration devices for authorized non-stormwater discharges are prohibited within 1000 feet up-gradient or 100 feet downgradient of active karst features. [Minn. R. 7001]
	2.1.84	Existing Basins. The design and construction of containment basins shall include additional or different measures as necessary (e.g. impervious liner in pond bottom) to assure compliance with surface and groundwater standards in Minn. R. chs. 7050 and 7060 and to ensure protection of drinking water supply management areas (see Minn. R. 4720.5100, subp. 13). These measures shall be identified in the Pollution Prevention Plan. [Minn. R. 7001]
	2.1.85	**Subsector J1 and J2 - Mine Pit Dewatering to Surface Waters**. [Minn. R. 7001]
	2.1.86	Permittees are authorized to discharge mine site dewatering flow to surface waters if the following conditions are met: A. Discharges only from Subsector J1 and J2 facilities. B. Discharges meet the effluent limits applied in this permit. C. The dewatering discharges do not co-mingle with other process wastewater. D. The dewatering discharges are not to ORVWs, DNR-designated trout waters, and/or DNR-posted fish-spawning areas. E. The Permittee has documented in their Pollution Prevention Plan location and initial flow estimates for surface discharge stations. [Minn. R. 7001]
	2.1.87	Dewatering or basin draining must be discharged to a control device on the project site whenever possible, such as a temporary or permanent sedimentation basin or infiltration device. Discharge from the control device must be visually checked to ensure adequate treatment is obtained and that nuisance conditions (see Minn. R. 7050.0210, subp. 2) will not result from the discharge. [Minn. R. 7001]
	2.1.88	If the water cannot be discharged to a control device prior to entering the surface water, it must be treated with the appropriate BMPs, such that the discharge does not adversely affect the receiving water or downstream landowners. [Minn. R. 7001]

	2.1.89	The Permittee(s) must ensure that discharge points are adequately protected from erosion and scour. The discharge must be dispersed over natural riprap, sand bags, plastic sheeting, or other accepted energy dissipation measures. Adequate sedimentation control measures are required for discharge water that contains suspended solids. [Minn. R. 7001]
	2.1.90	Any inlet pipe, culvert or hose for the discharge shall be raised above the ground so that the discharge flow does not draw in and transport solids from the sump area. [Minn. R. 7001]
	2.1.91	**Subsector D1 -Asphalt - BMPs for Wet Scrubber Wastewater.** [Minn. R. 7001]
	2.1.92	This permit authorizes stormwater discharges from asphalt production areas (SIC Code 2951) and/or stormwater discharges from the installation, construction, and/or operation of wet scrubbers at asphalt production plants. This permit does not authorize the discharge of asphalt production wet scrubber wastewater to surface waters or to groundwater. Any discharge to surface water will require an individual NPDES permit. [Minn. R. 7001]
	2.1.93	Wastewater from asphalt production wet scrubbers shall be held within pipes, aboveground tanks or lined impoundments. Pipes and tanks shall be operated and maintained to prevent leaks. Cracks or other failures in pipes or tanks shall be repaired immediately. If pipes are buried, or pipes or tanks are in contact with the land surface, they shall be inspected at least once before each operating year to locate and repair cracks or other failures. [Minn. R. 7001]
	2.1.94	An impoundment for containment of wet scrubber wastewater shall meet the design criteria specified in this section. Impoundments that do not meet the criteria in this part may be authorized if requested in writing by the Permittee, and approved in writing by the MPCA, at least 90 days before construction of the impoundment begins. [Minn. R. 7001]
	2.1.95	Construction of impoundments in close proximity to drinking water supplies and other areas subject to contamination should be avoided. A minimum separation of four feet between the top of the impoundment seal and the seasonal high water table shall be maintained. Drain tile under the impoundment shall not be used to permanently lower the water table. A minimum separation of ten feet between the top of the impoundment seal and bedrock formations shall be maintained. Impoundments shall not be constructed on locations with karst topography. [Minn. R. 7001]
	2.1.96	Impoundments shall be constructed utilizing at least a 30-mil-thick continuous Polyvinyl Chloride (PVC) or High Density Polyethylene (HDPE) liner, or a reinforced Portland cement concrete liner. A PVC or HDPE liner, not replaced on an annual basis, shall be covered with at least one-foot depth of finely textured soil. Liquid depths for impoundments shall be designed for a maximum of six feet. [Minn. R. 7001]
	2.1.97	PVC and HDPE liner systems shall be designed and installed in general accordance with the most recent version of MPCA guidance documents High Density Polyethylene Liner Guidance (June 2011) or Polyvinyl Chloride Liner Guidelines (May 2011). [Minn. R. 7001]
	2.1.98	No PVC or HDPE liner panels shall be used at more than one site without the prior written approval of the MPCA. The Permittee shall remove and properly dispose of used PVC and HDPE liner materials in accordance with applicable solid waste statutes and rules. [Minn. R. 7001]
	2.1.99	The subsoil bed for a PVC or HDPE liner shall be sufficiently prepared to ensure that all holes, rocks, stumps and other debris are eliminated. The subsoil shall be sieved or the area raked after grading to provide a smooth, flat surface free of stones and other sharp objects. The subsoil bed shall be sloped at least 1% upward toward the dike, so as to reduce gas and hydrostatic pressures, and to facilitate pumping of the impoundment. [Minn. R. 7001]
	2.1.100	PVC and HDPE liner panels shall be laid out to minimize seams, with an overlap of four to size inches. The PVC or HDPE liner anchor trench shall have a minimum six inch depth and be placed at least nine to twelve inches beyond the slope break at the dike. PVC and HDPE liners shall be installed under the direct supervision of a person experienced in the proper installation of such liners. This person shall inspect all seams on-site for their acceptability prior to the construction certification. [Minn. R. 7001]
	2.1.101	The design of a reinforced Portland cement concrete liner shall be in accordance with the American Concrete Institute (ACI) Manual of Concrete Practice. [Minn. R. 7001]

	2.1.102	The Permittee shall inspect each impoundment for cracks or other failures, at least once each operating year. This inspection shall be conducted after the spring thaw and before the start of the asphalt plant operating season. In addition: A. PVC and HDPE lined impoundments shall complete a water balance test annually after the spring thaw and before the start of the asphalt plant operating season. The water balance test shall be completed in accordance with the MPCA "Prefill and Water Balance Criteria" (December 2010). B. Concrete lined impoundments shall complete water tightness testing at least once per 5 years (once per permit cycle). Water tightness testing for concrete impoundments shall be completed in accordance with the most recent version of ACI 350.1 "Specification for Tightness Testing of Environmental Engineering Concrete Containment Structures." Impoundments that do not pass the water balance or tightness testing may not be placed into service until a passing result is achieved; this may require identifying and repairing problem areas of the impoundment and repeating the testing. The inspector shall prepare a written report of each water balance and inspection. Any cracks or other failures shall be repaired immediately, and certified by an engineer registered in Minnesota. [Minn. R. 7001]
	2.1.103	The Permittee shall keep signed copies of the impoundment design plans and specifications, construction certifications, water balance and inspection reports, and repair certifications with the asphalt plant at all times. [Minn. R. 7001]
	2.1.104	The Permittee shall divert surface water runoff around impoundments, prevent erosion, and protect the structural integrity of exterior embankments from failure. [Minn. R. 7001]
	2.1.105	The Permittee shall maintain impoundments during the winter so that ice layers and frost action do not damage the liner effectiveness and integrity. [Minn. R. 7001]
	2.1.106	Sediments that accumulate in asphalt production wet scrubber wastewater containment structures shall be removed in a manner so as to not damage the integrity and effectiveness of the containment structure. The Permittee may dispose of these sediments at a permitted sanitary landfill, through use as road base or subgrade, or through blending into the paving asphalt mixture. The Permittee may use one of the following options for sediment disposal if the MPCA authorizes this specific in writing: A. Leave in-place; B. Use as clean fill; or C. Land spread. The Permittee shall record in writing the volume of sediments removed from asphalt production scrubber disposal systems, and the method and location of the disposal of such materials. [Minn. R. 7001]
	2.1.107	The Permittee may dispose of asphalt production wet scrubber wastewater for the purposes of roadbed preparation or dust control, and in accordance with the following requirements: A. Wastewater may be applied to the surface of unpaved roads or roadbeds only if the asphalt plant is in the process of relocating, has ceased operation for the remainder of the year, or if alterations to the impoundment are needed. B. Wastewater may be applied to the surface of unpaved roads or roadbeds only if that road or roadbed is dry. C. Application to haul roads shall be conducted in such a manner to prevent runoff or prolonged ponding. D. Only the amount of water needed to control or prevent a dust problem may be applied. E. Wastewater used for dust control shall not enter any road ditch, surface water, or wetland. F. Wastewater shall not be applied at a rate greater than one gallon per square yard per year. [Minn. R. 7001]
	2.1.108	Asphalt Ingredients, Burner Fuels and Chemical Additives. If the Permittee proposes to use asphalt ingredients, burner fuels and/or chemical additives other than those designated below, at an asphalt production plant with a wet scrubber, the Permittee shall apply in writing to the MPCA for such approval, no later than 60 days before the planned date of utilization of the non-designated material. The Permittee may use these non-designated materials only with the written approval of

		the MPCA. The designated materials are: A. Clay, silt, sand, gravel and crushed stone produced from naturally occurring geologic formations, and without chemical additives. B. Recycled asphalt. C. Recycled asphalt saturated felt materials. D. Natural gas, butane, propane and methane. E. Gasoline, kerosene, diesel fuel, jet fuel and fuel oils (No. 1, No. 2, No. 3, No. 4, No. 5, No. 6). F. Petroleum derived waste oil as defined in Minn. R. 7045.0020. G. On-specification used oil fuel, as defined in Minn. R. pt. 7045.0020, except that total halogens shall not exceed 1,000 parts per million in the used oil fuel. H. Asphalt cement (AC). I. Hydrated lime. J. Anti-stripping agents approved by the MPCA under this permit. K. Aluminum chloride flocculants. L. Freemont 8201 and anionic polyacrylamide flocculants of similar chemical composition. M. Any mixture of the materials listed in subitems (A) through (L). N. Portland cement concrete. O. Recycled sediments from asphalt plant scrubber operations. P. Fines from asphalt fabric filter operations. Q. Silicone. [Minn. R. 7001]
	2.1.109	**Subsector E2 - Ready-Mix and Other Concrete Operations Discharges to Groundwater.** [Minn. R. 7001]
	2.1.110	This permit section is intended to cover process wastewater discharges from concrete product operations. Authorized discharges to groundwater specified in the Applicability Section of this permit are covered under this permit. Any discharge to surface water will require an individual NPDES permit. Wastewater discharges from facilities described by the following Standard Industrial Classification (SIC) codes are authorized: A. Concrete Block and Brick (SIC 3271) B. Concrete Products, N.E.C. (Not Elsewhere Covered) (SIC 3272) C. Ready-Mix Concrete (SIC 3273). [Minn. R. 7001]
	2.1.111	Containment basins shall be constructed in compliance with this permit. [Minn. R. 7001]
	2.1.112	Authorized E2 activity discharge to new containment basins (as of the issuance date of this permit) must meet the following conditions: A. be constructed to allow for maximum separation distance from groundwater with a minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. B. If the wastewater pH of authorized discharges from E2 activities is outside the range of 6.0-9.0 Standard Units (SU), the wastewater must also be passed through an extra soil zone, mixed with other authorized process waters or rinse waters, or held in a lined or sealed basin to prevent infiltration in order to bring the pH within the range of 6.0-9.0 SU before the wastewater mixes with groundwater. [Minn. R. 7001]
	2.1.113	Authorized E2 activity discharge to existing containment basins must meet the following conditions: A. If the wastewater pH of authorized discharges from E2 activities is outside the range of 6.0-9.0 Standard Units (SU), the wastewater must also be passed through a soil zone, mixed with other authorized process waters or rinse waters, or held in a lined or sealed basin to prevent infiltration in order to bring the pH within the range of 6.0-9.0 SU before the wastewater mixes with groundwater. [Minn. R. 7001]
	2.1.114	**Pollution Prevention Plan (Plan).** [Minn. R. 7001]
	2.1.115	The Permittee shall develop and implement a Pollution Prevention Plan (Plan) to address the specific conditions at the site. The goal of the Plan is to eliminate or minimize contact of stormwater with significant materials that may result in pollution of the runoff, as well as identify and correctly manage non-stormwater discharges. Minnesota Guide to Pollution Prevention Planning: https://www.pca.state.mn.us/quick-links/minnesota-guide-pollution-prevention-planning. [Minn. R. 7001]

	2.1.116	A Plan shall be developed, implemented, and maintained for each site authorized by this permit. A Plan shall be prepared and maintained in an appropriate and functional manner in accordance with relevant manufacturer specifications and accepted engineering practices. [Minn. R. 7001]
	2.1.117	A Plan shall be completed prior to submitting the permit application for authorization of activities by this permit. Permittees authorized under the previous version of this permit shall modify the Plan to comply with the requirements of this permit prior to submitting the permit application. [Minn. R. 7001]
	2.1.118	A Plan shall be used by the Permittee to document all BMPs used to comply with all control measures required in the Technology Based Effluent Limits sections of this permit. BMPs shall be designed and implemented to address the potential pollutants associated with the activities and materials identified by the Permittee. The documentation shall include a list of all structural and non-structural BMPs designed and implementation at the site. [Minn. R. 7001]
	2.1.119	The Plan shall include documentation of an assessment and inventory/list of materials handled and activities conducted at the site that can potentially be a source of pollutants to stormwater discharges. The assessment shall include but is not limited to the materials and activities identified below: A. Excavation. B. Crushing/Screening. C. Overburden, waste and products stockpiles. D. Raw material and final product storage. E. Waste products. F. Sediment washing. G. Material loading/unloading. H. Areas where spills and leaks may potentially contribute pollutants to stormwater. I. Vehicle and equipment maintenance, washing, and fueling. J. Chemical additives/dust suppressant use. [Minn. R. 7001]
	2.1.120	The Plan for each site shall include an inventory of all chemical additives currently used to treat wastewater and/or stormwater including chemical dust suppressants. This inventory shall include: A. The name of the additive. B. The process for which the additive will be used. C. The proposed method of application, application frequency, and daily average and maximum rates of use. D. The date of MPCA approval. MPCA approval is required for any additives that are new, increasing in usage, or not previously approved. See the Total Facilities Requirements section of this permit and go to the chemical additive webpage at http://www.pca.state.mn.us/index.php/water/water-types-and-programs/wastewater/wastewater-technical-assistance/chemical-additive-approvals.html to find the documents necessary to complete the approval process. [Minn. R. 7001]
	2.1.121	The Plan for each site shall include a site map, which does not need to be a surveyed map, at least to the level of detail indicated on a 7.5-minute U.S. Geological Survey quadrangle map, which identifies: A. Location of the site in relation to surface waters (including the name of the surface water; if the name is not known, indicate that on the map). B. Location of all impaired waters within one mile. The Permittee shall include the name of the impaired water and the impairment (e.g. impaired for biota fish, turbidity, nutrients, etc.). C. Location of all ORVWs, designated trout waters, and wetlands within one mile of the site (Minn. R. 7050.0335, 6264.0050, and 7050.0420). D. Directions of stormwater flow indicated by arrows (including stormwater that is contained/infiltrated on site). E. Location of all discharge points. F. Location of all overflow points from control devices. G. Topography of the area.

		H. Location of all activities and materials. I. Location of all structural BMPs. J. Location and description of any non-stormwater discharges. K. Dewatering points. L. Water supply wells. M. Surface water supply intakes. Portable sites can meet the requirements of (G) through (M) above by developing general plant configuration maps. [Minn. R. 7001]
	2.1.122	The Permittee shall review the Plan at least annually and modify the Plan, if: A. There is construction or a change in design, operation, or maintenance at the facility that affects stormwater and wastewater management or compliance with this permit. B. The Permittee has identified a monitoring location from which the discharge flows to, and is within one mile of, an impaired water. C. A routine inspection, compliance evaluation, or visual inspection identified deficiencies in the Plan and/or BMP. D. Additional stormwater and/or wastewater control measures and BMPs are necessary to meet applicable water quality standards or to address exceedances of intervention limits. E. There is an unauthorized discharge from the facility. If the Plan modification is based on a release or unauthorized discharge, include in the modified Plan a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements in the Total Facilities Requirements section of this permit. [Minn. R. 7001]
	2.1.123	The Plan must be kept at the site when the site is active. If there is no office located on-site, electronic access of the Plan is acceptable. The Plan must be available to the MPCA within 72 hours of a request for review. [Minn. R. 7001]
	2.1.124	The Plan shall identify the individual(s) responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the site's Plan, as well as personnel responsible for managing and implementing the Plan. [Minn. R. 7001]
	2.1.125	The Permittee must develop and implement an employee training program to inform appropriate personnel of the components and goals of the Plan. The Plan must also identify periodic dates for such training. [Minn. R. 7001]
	2.1.126	Records of all inspections conducted in accordance with permit requirements shall be maintained within the Plan. [Minn. R. 7001]
	2.1.127	**Subsector D1 - Asphalt - Additional Plan Requirements**. [Minn. R. 7001]
	2.1.128	Asphalt facilities (Subsector D1) must also identify: A. Petroleum storage. B. Fuel Storage. C. Recycled Asphalt Pavement Storage. D. Aggregate Storage. E. Recycled concrete, concrete block and brick crushing and storage. F. Cold Patch Storage. G. Release agent storage and application. [Minn. R. 7001]
	2.1.129	**Subsector E2 - Ready-Mix Operations - Additional Plan Requirements**. [Minn. R. 7001]
	2.1.130	Ready-Mix Operations (Subsector E2) must also identify: A. Bag house or other dust control device. B. Recycle/sediment pond, clarifier, or other device used for the treatment of process wastewater. C. The areas that drain to the treatment device. D. Description of multiple locations of ready-mix and other concrete operations, if applicable. [Minn. R. 7001]
	2.1.131	**Inspection Reports**. [Minn. R. 7001]
	2.1.132	The Permittee shall develop and implement an inspection schedule that includes a minimum of one site inspection per calendar month that the site is an active site and staffed. A minimum of one inspection per calendar year shall be conducted during a runoff event. [Minn. R. 7001]

	2.1.133	If the site is Inactive and unstaffed, Temporarily Inactive and unstaffed as defined, or is a site undergoing final stabilization, the Permittee is waived from the requirement to conduct monthly site inspections, but BMPs must be maintained. [Minn. R. 7001]
	2.1.134	All inspections and resulting maintenance must be recorded and retained within the Plan. Records of each inspection and maintenance activity shall include: A. Date and time of inspections. B. Name of person(s) conducting inspections. C. An evaluation of the facility to determine that the Plan accurately reflects conditions as described in the Pollution Prevention Plan. At a minimum, the Permittee shall inspect storage tank areas, waste disposal areas, maintenance areas, loading/unloading areas, and raw material, intermediate product, by-product and final product storage areas. D. An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function. E. An evaluation of the facility to determine whether new exposed significant materials or activities have been added to the site since completion of the Plan. F. Findings of inspections, including recommendations for corrective actions. G. Corrective actions taken (including dates, times, and party completing maintenance activities). [Minn. R. 7001]
	2.1.135	In addition to the inspection requirements of this Section, separately from the required annual runoff event inspection, the Permittee shall ensure that one of the required monthly inspections occurs during a snow melt event. The inspection shall include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in surface discharges, corrective actions to prevent sheen shall be implemented and documented in the Plan. [Minn. R. 7001]
	2.1.136	**Subsector D1 - Asphalt - Additional Inspection Reports Requirements**. [Minn. R. 7001]
	2.1.137	The operator of an Asphalt Facility shall also inspect the following areas: A. Material storage and handling areas; B. Liquid storage tanks; C. Hoppers and silos; D. Vehicle and equipment maintenance, cleaning, and fueling areas; and E. Material handling vehicles, equipment, and processing areas. Ensure that appropriate action is taken in response to the inspection by using follow-up procedures. Document in the Plan the inspections and follow up actions. [Minn. R. 7001]
	2.1.138	**Subsector E2 - Ready-Mix and Other Concrete Operations - Additional Inspection Reports Requirements**. [Minn. R. 7001]
	2.1.139	Dust collection and containment systems shall be included in the site inspections. [Minn. R. 7001]
	2.1.140	**Monitoring Requirements.** [Minn. R. 7001]
	2.1.141	**Stormwater Monitoring**. [Minn. R. 7001]
	2.1.142	The Permittee shall monitor each outfall for all parameters specified in the Limits and Monitoring Section of this permit during stormwater runoff from active site operations. The Permittee shall submit the results of intervention limit monitoring required by this permit on the Discharge Monitoring Report form provided by the MPCA. The information must be recorded in the specified areas on the form and in the unit specified. [Minn. R. 7001]
	2.1.143	Two samples shall be collected at each monitoring outfall and analyzed for each intervention limit parameter in a calendar year in order to determine an annual average concentration for each intervention limit parameter. The two samples shall be collected on two separate runoff events, one in the spring and one in the fall, if possible, each calendar year the Permittee is authorized to discharge under this permit. At the Permittee's discretion, more than two samples may be taken during separate runoff events and used to determine the annual average intervention limit(s). [Minn. R. 7001]
	2.1.144	If the Permittee is unable to obtain a minimum of two samples, less than two samples may be used to determine the annual average intervention limit(s) for the discharges during the year. However, for each sample that could not be obtained due to weather conditions and/or soil characteristics,

		the Permittee shall provide an explanation in the Comments section of the Discharge Monitoring Report and submit it to the MPCA. [Minn. R. 7001]
	2.1.145	Samples shall be collected during the first 30 minutes of a measurable runoff event at a monitoring outfall and sampling events shall be at least 72 hours apart, to the extent feasible. [Minn. R. 7001]
	2.1.146	The intervention limit monitoring location(s) selected by the Permittee shall be in a location that: A. Is below the most down-gradient BMP from the source of industrial activity or significant materials, but prior to discharging from the Permittee's operational control. B. Minimizes or eliminates sampling of stormwater from off-site sources (run-on). C. Yields a sample that best represents the contribution of pollutants the Permittee is required to monitor for in accordance with this permit and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater. [Minn. R. 7001]
	2.1.147	If the Permittee has identified multiple, but separate, stormwater discharges and each area of discharge is substantially similar in terms of exposure, BMPs, and pollutants discharged, the Permittee may choose one intervention limit monitoring location that is most representative and best allows for obtaining a sample. This is applicable to a single site only. Multiple sites may only choose a substantially similar outfall at a single site. [Minn. R. 7001]
	2.1.148	An exceedance of an applicable annual average intervention limit does not constitute a violation under this permit. However, the Permittee is required to perform any necessary corrective action(s) to address stormwater control measures, including the maintenance or implementation of BMPs, when an exceedance of an applicable intervention limit occurs as described below. Failure to respond to an intervention limit exceedance is a violation of the permit. If an exceedance of an intervention limit occurs, modify the Plan and document all corrective actions, including improvements to BMPs, necessary to meet the applicable intervention limits. Modifications and upgrades of the Plan and BMPs shall be initiated immediately, but no later than 14 days beyond discovery of an intervention limit exceedance. The Permittee must install a new or modified control and make it operational as soon as possible. If it is infeasible to complete the installation of a new or modified BMP within 14 calendar days, the Permittee must document why it is infeasible to complete the installation or repair within the 14-day timeframe. The Permittee must also outline a schedule for completing the work, and documentation must be completed as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If 45 days is infeasible, the Permittee must complete the installation or repair as soon as practicable and document the reason for delay. All documentation shall be contained within or as an attachment to the Plan. [Minn. R. 7001]
	2.1.149	If the site is Temporarily Inactive during a monitoring period, intervention limit monitoring is not required, but the Permittee shall indicate on their DMR the inactivity and indicate that permanent stormwater BMPs remain in place. Should the site become active, the Permittee is required to sample in accordance with this Section of the permit for the year the site became active. [Minn. R. 7001]
	2.1.150	If stormwater does not discharge to surface waters, no monitoring is required. If there is no discharge during the sampling period, the Permittee shall check the "No Flow" box and note the conditions on the Discharge Monitoring Report Form. [Minn. R. 7001]
	2.1.151	If the Permittee submits documentation in compliance with this permit and receives approval from MPCA, discharges from the mine dewatering control devices are not required to be sampled. This shall include overflows caused solely by direct rainfall and groundwater seepage. [Minn. R. 7001]
	2.1.152	Stormwater Limits and Monitoring Intervention Limits A. Subsectors J1, J2, D1, and E2: Total Suspended Solids, 100 mg/L. B. Subsector E2: Iron, 1.0 mg/L. [Minn. R. 7001]
	2.1.153	**Mine Dewatering to Surface Waters - Effluent Limit Monitoring**. [Minn. R. 7001]
	2.1.154	If dewatering flows do not discharge to surface waters, no monitoring will be required. If there is no discharge during the sampling period, the Permittee shall check the "No Flow" box and note the conditions on the Discharge Monitoring Report Form. [Minn. R. 7001]

	2.1.155	If the Permittee submits documentation in compliance with this permit and receives approval from MPCA, overflows from the mine pit dewatering control devices are not required to be sampled. This shall include overflows caused solely by direct rainfall and groundwater seepage. [Minn. R. 7001]
	2.1.156	One sample shall be collected quarterly from each monitoring outfall identified and analyzed for each required effluent limit parameters specified in the Limits and Monitoring Section of this permit. The sample(s) shall be collected each calendar quarter the Permittee is authorized to discharge under this permit. [Minn. R. 7001]
	2.1.157	For active mine dewatering, samples shall be representative of the discharge and collected during any measurable event at an outfall. Flow monitoring shall be monitored using a continuous flow monitor or pump-run times. [Minn. R. 7001]
	2.1.158	If the discharge event is an overflow caused by a rainfall event, the sample(s) shall be collected within the first 30 minutes of the measurable runoff event. If it is not possible to collect the sample(s) within the first 30 minutes, the sample(s) shall be collected as soon as practicable after the first 30 minutes and documentation must be included with the Comments field of the Discharge Monitoring Report Form that explains why it was not possible to collect the sample(s) within the first 30 minutes. [Minn. R. 7001]
	2.1.159	Mine Dewatering to Surface Waters - Monitoring for Permit Reissuance. The following parameters shall be sampled and analyzed prior to permit expiration and submitted with the application for permit re-issuance. Samples shall be representative of mine dewatering discharge activity, and must comply with the Total Facilities Requirements section of this permit: A. Total Dissolved Solids. B. Hardness. C. Oil & Grease and surfactants. D. Antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, and zinc. E. Aluminum, barium, boron, cobalt, iron, magnesium, manganese, molybdenum, total tin, and total aluminum. [Minn. R. 7001]
	2.1.160	**Total Facilities Requirements**. [Minn. R. 7001]
	2.1.161	Definitions. Refer to the 'Permit Users Manual' found on the MPCA website (www.pca.state.mn.us) for standard definitions. [Minn. R. 7001]
	2.1.162	Incorporation by Reference. The following applicable federal and state laws are incorporated by reference in this permit, are applicable to the Permittee, and are enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. pts. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. ch. 115 and 116. [Minn. R. 7001]
	2.1.163	Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by this permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the MPCA. [Minn. R. 7001.0150, subp. 3(E)]
	2.1.164	Toxic Discharges Prohibited. Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to 40 CFR pts. 400 to 460 and Minn. R. chs. 7050, 7052, 7053 and any other applicable MPCA rules. [Minn. R. 7001.1090, subp. 1(A)]
	2.1.165	Nuisance Conditions Prohibited. The Permittee's discharge shall not cause any nuisance conditions including, but not limited to: floating solids, scum and visible oil film, excessive suspended solids, material discoloration, obnoxious odors, gas ebullition, deleterious sludge deposits, undesirable slimes or fungus growths, aquatic habitat degradation, excessive growths of aquatic plants, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. [Minn. R. 7050.0210, Subpt. 2]
	2.1.166	Property Rights. This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, subp. 3(C)]
	2.1.167	Liability Exemption. In issuing this permit, the State and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under this

		permit. To the extent the State and the MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act. [Minn. R. 7001.0150, subp. 3(O)]
	2.1.168	The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what Minnesota statutes authorize. [Minn. R. 7001.0150, subp. 3(D)]
	2.1.169	Liabilities. The MPCA's issuance of this permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. [Minn. R. 7001.0150, subp. 3(A)]
	2.1.170	The issuance of this permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. [Minn. R. 7001.0150, subp. 3(B)]
	2.1.171	Severability. The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. [Minn. R. 7001]
	2.1.172	Compliance with Other Rules and Statutes. The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility. [Minn. R. 7001]
	2.1.173	Inspection and Entry. When authorized by Minn. Stat. ch. 115.04, 115B.17, subd. 4, and 116.091, and upon presentation of proper credentials, the Permittee shall allow the MPCA, or an authorized employee or agent of the MPCA, to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. [Minn. R. 7001.0150, subp. 3(I)]
	2.1.174	Control Users. The Permittee shall regulate the users of its facility to prevent the introduction of pollutants or materials that may result in the inhibition or disruption of the conveyance system, treatment facility or processes, or disposal system that would contribute to the violation of the conditions of this permit or any federal, state, or local law or regulation. [Minn. R. 7001.0150, subp. 3(F)]
	2.1.175	**Sampling**. [Minn. R. 7001]
	2.1.176	Representative Sampling. The Permittee shall conduct samples and measurements required by this permit as specified in this permit and shall be representative of the discharge or monitored activity. [Minn. R. 7001.0150, subp. 2(B)]
	2.1.177	Additional Sampling. If the Permittee monitors more frequently than required, they shall report the results and the frequency of monitoring on their eDMR for that reporting period. [Minn. R. 7001.1090, subp. 1(E)]
	2.1.178	Certified/Accredited Laboratory. A laboratory accredited by the Minnesota Department of Health [Minn. R. 4740.2010 through Minn. R. 4740.2120] and/or certified by the MPCA [Minn. R. 7001.4310 through Minn. R. 7001.4390] shall conduct analyses required by this permit, unless approved in writing by the MPCA. A certified/accredited laboratory does not need to complete analyses of dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine). Those analyses shall comply with 40 CFR pt. 136. Dissolved oxygen, pH, and total residual oxidants must be performed on-site. Follow the manufacturer's specifications for equipment maintenance and use. [Minn. R. 4740.2010-4740.2120, Minn. R. 7001.4310-7001.4390]
	2.1.179	Sample Preservation and Procedure. Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7041.3200]
	2.1.180	Equipment Calibration. The Permittee shall check and/or calibrate flow meters, pumps, flumes, lift stations, or other flow monitoring equipment used for purposes of determining compliance (within plus or minus ten percent of the true flow values) with permit requirements at least twice annually. [Minn. R. 7001.0150, subp. 2(B & C)]

	2.1.181	Maintain Records. The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following information: A. The exact place, date, and time of the sample or measurement; B. The date of analysis; C. The name of the person who performed the sample collection, measurement, analysis, or calculation; D. The analytical techniques, procedures, and methods used; and E. The results of the analysis. [Minn. R. 7001.0150, subp. 2(C)]
	2.1.182	Completing Reports. The Permittee shall submit the results of the required sampling and monitoring activities on the forms provided, specified, or approved by the MPCA. The Permittee shall record the information in the specified areas on those forms and in the units specified. Required forms may include a Sample Values Form. If required, the Permittee shall record individual values for each sample and measurement on the Sample Values Form provided by the MPCA. The Permittee shall submit Sample Values Form with the appropriate eDMRs. The Permittee may design and use their own Sample Values Form; however, the Permittee shall not use their form until the MPCA reviews and approves the form. Note: The Permittee shall also record required summary information on their eDMR. Permittee submitted summary information contained only on the Sample Values Form does not comply with reporting requirements. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.1090, subp. 1(D)]
	2.1.183	Submitting Reports. The Permittee shall submit eDMRs, Sample Values Forms, and other supplemental attachment forms via MPCA e-Services after the MPCA approves their authorization request. The Permittee shall electronically submit eDMRs, Sample Values Forms, and other supplemental attachment forms by the 21st day of the month following the sampling period or otherwise as specified in this permit. The Permittee shall complete eDMR submittal on or before 11:59 p.m. of the 21st day of the month following the sampling period or as otherwise specified in this permit. The Permittee shall submit an eDMR for each required station even if no discharge occurred during the reporting period. The Permittee shall submit other reports required by this permit electronically or by mail. The Permittee shall submit reports by the date specified in this permit. For electronic submittals, the Permittee shall submit on or before 11:59 p.m. on the date specified in this permit. For mailed submittals, the Permittee shall ensure that submittals via U.S. Postal Service or other hand delivery method contain postmarks by the date specified in this permit. Electronically: wq.submittals.mpca@state.mn.us Include Water quality submittals form: www.pca.state.mn.us/sites/default/files/wq-wwprm7-71.docx Or by mail: Attention: WQ Submittals Center Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, MN 55155-4191. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(H)]
	2.1.184	Incomplete or Incorrect Reports. The Permittee shall immediately submit an electronically amended report or eDMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or eDMR. The amended report or

		eDMR shall contain the missing or corrected data along with a comment on the eDMR explaining the circumstances of the incomplete or incorrect report. If it is impossible to amend the report or eDMR electronically, the Permittee shall immediately notify the MPCA and the MPCA will provide direction for the amendment submittals. [Minn. R. 7001.0150, subp. 3(G)]
	2.1.185	Required Signatures. The Permittee or the duly authorized representative of the Permittee shall sign all eDMRs, forms, reports, and other documents submitted to the MPCA per Minn. R. 7001.0150, subp. 2(D). The person or persons who sign the eDMRs, forms, reports, or other documents shall certify that he or she understands and complies with the certification requirements of Minn. R. chs. 7001.0070 and 7001.0540, including the penalties for submitting false information. A registered professional engineer shall certify technical documents, such as design drawings and specifications, and engineering studies submitted as part of a permit application or by permit conditions. [Minn. R. 7001.0540]
	2.1.186	Reporting Limit (RL). The Permittee shall report monitoring results below the RL of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the Permittee shall report the concentration as "< 0.1 mg/L." The Permittee shall not use "non-detected," "undetected," "below detection limit," or "zero" when reporting results. The MPCA considers these terms as permit reporting violations. Where sample values are less than the RL and the permit requires reporting of an average, the Permittee shall calculate the average as follows: A. If some values are less than (<) the RL, substitute zero for all non-detectable values to use in the average calculation; B. If all values are less than (<) the RL, calculate the average and report as < the RL average concentration; and C. To calculate a mass loading with a less than (<) the RL concentration, use the RL value in the calculation and then add the "<" to the product of the concentration and the volume. [Minn. R. 7001.0150, subp. 2(B)]
	2.1.187	Records. The Permittee shall, when requested by the MPCA, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. [Minn. R. 7001.0150, subp. 3(H)]
	2.1.188	Confidential Information. Except for data determined to be confidential according to Minn. Stat. ch. 116.075, subd. 2, all reports required by this permit are available for public inspection. The MPCA does not consider effluent data confidential. To request the MPCA maintain data as confidential, the Permittee shall follow Minn. R. 7000.1300. [Minn. R. 7000.1300]
	2.1.189	**Noncompliance and Enforcement**. [Minn. R. 7001]
	2.1.190	Subject to Enforcement Action and Penalties. Noncompliance with a term or condition of this permit subjects the Permittee to penalties provided by federal and state law set forth in section 309 of the Clean Water Act; United States Code, title 33, section 1319, as amended; and in Minn. Stat. ch. 115.071 and 116.072, including monetary penalties, imprisonment, or both. [Minn. R. 7001.1090, subp. 1(B)]
	2.1.191	Criminal Activity. The Permittee shall not knowingly make a false statement, representation, or certification in a record or other document submitted to the MPCA. A person who falsifies a report or document submitted to the MPCA, or tampers with, or knowingly renders inaccurate a monitoring device or method that requires maintenance under this permit is subject to criminal and civil penalties provided by federal and state law. [Minn. R. 7001.0150, subp. 3(G), Minn. R. 7001.1090, subp. 1(G & H), Minn. Stat. ch. 609.671, subd. 1]
	2.1.192	Noncompliance Defense. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [40 CFR 122.41(c)]
	2.1.193	Effluent Violations. If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by

		collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. If the Permittee discovers that noncompliance with a condition of the permit occurred and that the noncompliance could endanger human health, public drinking water supplies, or the environment, the Permittee shall within 24 hours of the discovery of the noncompliance orally notify the Commissioner and submit a written description of the noncompliance within five days of the discovery. If the Permittee discovers other noncompliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the Permittee shall report the description of noncompliance within 30 days of the discovery. If no eDMR is required within 30 days, the Permittee shall submit a written report including the description of noncompliance within 30 days of the discovery of the noncompliance. This description shall include the following information: A. A description of the event including volume, duration, monitoring results, and receiving waters; B. The cause of the event; C. The steps taken to reduce, eliminate, and prevent reoccurrence of the event; D. The exact dates and times of the event; and E. Steps taken to reduce any adverse impact resulting from the event. [Minn. R. 7001.0150, subp. 3(K)]
	2.1.194	Upset Defense. In the event of temporary noncompliance with applicable effluent limitation(s) resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the MPCA as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence: A. The specific cause of the upset; B. That the upset was unintentional; C. That the upset resulted from factors beyond the reasonable control of the Permittee and did not result from operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or increases in production which are beyond the design capability of the treatment facilities; D. That at the time of the upset the facility was being properly operated; E. That the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1(I); and F. That the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3(J). [Minn. R. 7001.1090]
	2.1.195	**Release**. [Minn. R. 7001]
	2.1.196	Unauthorized Releases of Wastewater Prohibited. This permit prohibits overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, except for discharges from outfalls specifically authorized by this permit. The MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. [40 CFR 122.41, Minn. Stat. ch. 115.061]
	2.1.197	Discovery of a Release. Upon discovery of a release, the Permittee shall: A. Take all reasonable steps to immediately end the release; B. Notify the Minnesota Department of Public Safety Duty Officer at 800-422-0798 or 651-649-5451 (metro area) immediately upon discovery of the release. The Permittee may contact the MPCA during business hours at 800-657-3864 or 651-296-6300 (metro area); and C. Recover as rapidly and as thoroughly as possible all substances and materials released or immediately take other action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If the Permittee cannot immediately or completely recover the released materials or substances, the Permittee shall contact the MPCA. If directed by the MPCA, the Permittee shall consult with other local, state, or federal agencies (such as the Minnesota Department of Natural Resources and/or the Wetland

		Conservation Act authority) for implementation of additional clean up or remediation activities in wetland or other sensitive areas. [Minn. R. 7001.1090]
	2.1.198	Sampling of a Release. Upon discovery of a release, the Permittee shall: A. Collect representative samples of the release. The Permittee shall sample the release for permitted effluent parameters and other parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, the Permittee shall collect fecal coliform bacteria samples where the Permittee determines that the release contains or may contain sewage. If the Permittee cannot immediately stop the release, the Permittee shall consult with the MPCA regarding additional sampling requirements. The Permittee shall collect samples at least, but not limited to, two times per week for as long as the release continues; and B. Submit the sampling results on the Release Report located on the MPCA's website at https://www.pca.state.mn.us/water/discharge-monitoring-reports. The Permittee shall submit the Release Report to the MPCA with the next eDMR or within 30 days, whichever is sooner. [Minn. R. 7001.1090]
	2.1.199	**Bypass**. [Minn. R. 7001]
	2.1.200	Anticipated Bypass. The Permittee may allow any bypass to occur that does not cause effluent limitation exceedances, but only if the bypass is for essential maintenance to assure efficient operation of the facility. The Permittee shall submit prior notice to the MPCA at least ten days before the date of the bypass, if possible. The notice of the need for an anticipated bypass shall include the following information: A. The proposed date and estimated duration of the bypass; B. The alternatives to bypassing; and C. A proposal for effluent sampling during the bypass. Any bypass wastewater shall enter waters of the state from outfalls specifically authorized by this permit. Therefore, the Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. [40 CFR 122.41(m)(2 & 3), Minn. R. 7001.1090, subp. 1(J)]
	2.1.201	This permit prohibits all other bypasses. The MPCA may take enforcement action against the Permittee for a bypass, unless the specific conditions described in Minn. R. 7001.1090 subp. 1(K) and 40 CFR 122.41(m)(4)(i) are met. In the event of an unanticipated bypass, the Permittee shall: A. Take all reasonable steps to immediately end the bypass; B. Notify the Minnesota Department of Public Safety Duty Officer at 800-422-0798 or 651-649-5451 (metro area) immediately upon commencement of the bypass. The Permittee may contact the MPCA during business hours at 800-657-3864 or 651-296-6300 (metro area); C. Immediately take action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If directed by the MPCA, the Permittee shall consult with other local, state, or federal agencies for implementation of abatement, clean up, or remediation activities; and D. Only allow bypass wastewater as specified in this section to enter waters of the state from outfalls specifically authorized by this permit. The Permittee shall collect samples at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. The Permittee shall also follow the reporting requirements for effluent violations as specified in this permit. [40 CFR 122.41(m)(4)i, Minn. R. 7001.1090, subp. 1(K), Minn. Stat. ch. 115.061]
	2.1.202	**Operation and Maintenance**. [Minn. R. 7001]
	2.1.203	The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance

		procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible. [Minn. R. 7001.0150, subp. 3(F)]
	2.1.204	In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until they restore facility treatment processes or until the Permittee provides an alternative method of treatment. [Minn. R. 7001.1090, subp. 1(C)]
	2.1.205	Solids Management. The Permittee shall properly store, transport, and manage biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or groundwaters of the state. The Permittee shall manage solids in accordance with local, state, and federal requirements. [40 CFR 503, Minn. R. 7041]
	2.1.206	Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent water quality degradation, except where the facility requires emergency maintenance to prevent a condition that would be detrimental to water quality or human health. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
	2.1.207	Control Tests. The Permittee shall conduct in-plant control tests at a frequency adequate to ensure compliance with the conditions of this permit. [Minn. R. 7001.0150, subp. 2(B), Minn. R. 7001.0150, subp. 3(F)]
	2.1.208	**Changes to the Facility or Permit**. [Minn. R. 7001]
	2.1.209	Permit Modifications. Except as provided under Minn. Stat. ch. 115.07, subd. 1 and 3, no person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the MPCA issues a written permit for the facility or activity. Permittees that propose to make changes to the facility or discharge that requires permit modification shall follow Minn. R. 7001.0190. If the Permittee cannot determine whether the proposed changes require a permit modification, the Permittee shall contact the MPCA prior to any action. The MPCA recommends that Permittees submit the application for permit modification to the MPCA at least 180 days prior to the planned change. [Minn. R. 7001.0300]
	2.1.210	This permit does not require plans, specifications, and MPCA approval when maintenance dictates the need for installation of new equipment, provided the equipment is the same design size and has the same design intent. For instance, Permittees can replace a broken pipe, lift station pump, aerator, or blower with the same design-sized equipment without MPCA approval. If this permit does not expressly authorize the Permittee proposed construction, the MPCA may require a permit modification. If the proposed construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until the MPCA issues a negative declaration and the Permittee receives or implements all approvals. [Minn. R. 7001.0030]
	2.1.211	Report Changes. The Permittee shall give advance notice as soon as possible to the MPCA of any substantial changes in operational procedures, activities that may alter the nature or frequency of the discharge, and/or material factors that may affect compliance with the conditions of this permit. If a permittee who indicated on their application that their site does not have stormwater discharge but that changes, the Permittee is required to submit an application for permit modification to indicate the change in status and meet the monitoring and reporting requirements of the permit. [Minn. R. 7001.0150, subp. 3(M)]
	2.1.212	Chemical Additives. The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit, in quantities or concentrations that have the potential to change the characteristics, nature, and/or quality of the discharge. The Permittee shall request approval for an increase or new use of a chemical additive at least

		60 days, or as soon as possible, before the proposed increase or new use. The Permittee shall include at least the following information for the proposed additive as instructed in the chemical additive approvals section on the MPCA website at https://www.pca.state.mn.us/water/wastewater-additional-guidance-and-information: A. The process for which the additive will be used; B. Safety Data Sheet (SDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive. The aquatic toxicity information shall include at minimum the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill, or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean; C. A complete product use and instruction label; D. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive (If the SDS does not include information on chemical composition, including percentages for each ingredient totaling to 100%, the Permittee shall contact the supplier to have this information provided); and E. The proposed method of application, application frequency, concentration, and daily average and maximum rates of use. Upon review of the information submitted regarding the proposed chemical additive, the MPCA may require additional information be submitted for consideration. This permit may be modified to restrict the use or discharge of a chemical additive and include additional influent and effluent monitoring requirements. Approval for the use of an additive shall not justify the exceedance of any effluent limitation nor shall it be used as a defense against pollutant levels in the discharge causing or contributing to the violation of a water quality standard. [Minn. R. 7001.0170]
	2.1.213	MPCA Initiated Permit Modification, Suspension, or Revocation. The MPCA may modify or revoke and reissue this permit pursuant to Minn. R. 7001.0170. The MPCA may revoke without reissuance of this permit pursuant to Minn. R. 7001.0180. [Minn. R. 7001.0170, Minn. R. 7001.0180]
	2.1.214	Total Maximum Daily Load (TMDL) Impacts. The MPCA may require facilities that discharge to an impaired surface water, watershed, or drainage basin to comply with additional permits or permit requirements. These requirements can include additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR ch. 122.44(l)(2)(i), necessary to ensure consistency with the assumptions and requirements of any applicable EPA approved wasteload allocations resulting from TMDL studies. [40 CFR 122.44(l)(2)i]
	2.1.215	Permit Transfer. This permit is not transferable to any person without the express written approval of the MPCA after compliance with the requirements of Minn. R. 7001.0190. A person who receives permit transference shall comply with the conditions of this permit. [Minn. R. 7001.0150, subp. 3(N)]
	2.1.216	Facility Closure. The Permittee is responsible for closure and post-closure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of the activities described in this permit at least 180 days before the reduction or cessation. The MPCA may require the Permittee to provide a Facility Closure Plan to the MPCA for approval. The MPCA may require a permit modification or reissuance for facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or groundwater. The MPCA may require the Permittee to establish and maintain financial assurance to ensure performance of certain obligations under this permit, including closure, post-closure care, and remedial action at the facility. If the MPCA requires financial assurance, the MPCA shall approve the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance. [Minn. Stat. ch. 116.07, subd. 4]

	2.1.217	Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance: Due by 180 days prior to permit expiration. [Minn. R. 7001.0040]
	2.1.218	If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration. If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following: A. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit; B. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit; or C. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies. [Minn. R. 7001.0040, Minn. R. 7001.0160]
	2.1.219	Termination of General Permit Coverage. Upon reclamation and stabilization of all permitted sites, the covered applicant shall submit a request for termination of general permit coverage using the Notification of Permit Termination e-services. Guidance is available on the MPCA website at: https://www.pca.state.mn.us/sites/default/files/p-gen1-18.pdf. [Minn. Stat. ch. 116.07]
	2.1.220	All discharges shall cease before a termination request form is submitted to the MPCA. Any discharge of pollutants to surface or groundwaters or land on or after the date of submittal shall be considered a violation of the Clean Water Act unless authorized by another NPDES permit. All land disturbances or alterations that are a result of the activities covered under this permit must be stabilized prior to submittal for closure, or the closure of those areas must have coverage under another NPDES permit. [Minn. Stat. ch. 116.07]
	2.1.221	The terms and conditions of the General Permit remain in full force and effect including the payment of the annual fee, until General Permit coverage has been formally terminated by the MPCA. [Minn. R. 7002]
	2.1.222	**Permit Specific Definitions**. [Minn. R. 7001]
	2.1.223	"Active Facility" means a place where work or other activity related to the production of asphalt and ready-mix / concrete products and extraction, removal, or recovery of nonmetallic minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to desired contour and stabilization has begun. This definition is derived from the definition of 'active mining area' found at 40 CFR pt. 440.132(a). [40 CFR 440.132(a), State Definitions]
	2.1.224	"Asphalt cement" means fluxed or unfluxed asphalt specially prepared for direct use in the manufacture of asphalt pavements. [State Definitions]
	2.1.225	"Asphalt Emulsion" means a mixture of asphalt cement, chemical, and water solution. Asphalt emulsions are produced by adding an emulsifying agent to asphalt and water. [State Definitions]
	2.1.226	"Asphalt pavement" means a mixture of asphalt cement (asphalt binder), aggregate, and other additives; may also be referred to as asphalt concrete (AC), bituminous mix (BM), and sometimes asphaltic concrete (HMAC). [State Definitions]
	2.1.227	"Effluent Monitoring Location" for the purposes of this permit means the location(s) within the boundary of the facility where the Permittee will collect mine dewatering and/or authorized non-stormwater discharges. The effluent monitoring location(s) selected by the Permittee shall be in a location that: A. Is immediately below the most down-gradient BMP from the specific industrial activity that has a numeric effluent limit, but prior to where the discharge co-mingles with stormwater from other sources. B. Yields a sample that represents the contribution of the pollutants for which the Permittee is required to monitor. [State Definitions]

	2.1.228	"Energy Dissipation" means methods employed at pipe outlets to prevent erosion. Examples include, but are not limited to: concrete aprons, riprap, splash pads, and gabions that are designed to prevent erosion. [State Definitions]
	2.1.229	"Facility" for the purposes of this permit, means land that shares a common border and that has a stormwater discharge associated with industrial activity as defined by 40 CFR Part 122.26(b)(14) with the discharge having a common owner/operator. [40 CFR pt. 122, 26(b)(14), State Definitions]
	2.1.230	"Impaired Water" means waters identified as impaired by the MPCA, and approved by the USEPA, pursuant to section 303(d) of the Clean Water Act (33 U.S.C. Section 303(d)). [CWA Sect. 303.d, State Definitions]
	2.1.231	"Impoundments" mean topographic depressions designed to hold liquid. [State Definitions]
	2.1.232	"Inactive Facility" means a site or portion of a site where nonmetallic mineral mining and/or milling, asphalt production and ready-mix concrete production occurred in the past but is not an Active Facility. The Permittee does not anticipate mining and/or associated activities to occur in the foreseeable future and has requested the permit coverage at this inactive portion be terminated, and the inactive portion is no longer covered by an active mining permit. [State Definitions]
	2.1.233	"Infeasible" means not technologically possible or not economically practicable and achievable in light of the best industry practices. [State Definitions]
	2.1.234	"Infiltration Device" for purposes of this permit, means a device to which industrial stormwater runoff is diverted, collected, or conveyed for the purpose of infiltration. This includes all man-made and natural infiltration areas to which runoff are diverted. An infiltration device does not include the parts of the system that diverts, collects, or conveys stormwater. Incidental infiltration from conveyances such as swales or ditches, including those with erosion prevention devices such as vegetation, silt fence, or fiber bails, is not an infiltration device. However, swales, ditches, or similar devices constructed with stop logs, ditch excavation for storage or other retention devices, which are for the purpose of increased infiltration, are infiltration devices. Wetlands (including types 1 through 8) and other natural surface water bodies are not infiltration devices or parts of infiltration device systems, and cannot be used as infiltration devices, unless mitigated in accordance with applicable state rules. [State Definitions]
	2.1.235	"Karst topography" means an area underlain by fractured carbonate bedrock in which erosion has produced geological characteristics such as: sinkholes; springs, subsurface drainage; caves; sinking streams; dissolutionally enlarged joints (grikes) or bedding planes, and bedrock surface channels (karren). Counties known for karst features include parts of Dakota, Rice, Dodge, and Mower, and most of Goodhue, Olmsted, Winona, Wabasha, Houston and Fillmore. [State Definitions]
	2.1.236	"Mine Pit Dewatering" means any water that is impounded or that collects in the mine and is pumped from the mine through the efforts of the mine operator. Uncontaminated groundwater and stormwater collecting in a low area in which there is a stormwater outlet for stormwater/seepage/drainage by gravity overflow shall not be considered mine pit dewatering. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharge of process generated wastewater and is not authorized under this permit. [State Definitions]
	2.1.237	"Non-Stormwater Discharge" means any discharge not comprised entirely of stormwater. [State Definitions]
	2.1.238	"Operator" is the person responsible for the overall operation of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.3000, State Definitions]
	2.1.239	"Owner" is the person who owns an industrial facility or part of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.3000, State Definitions]
	2.1.240	"Person" means any human being, any municipality or other governmental or political subdivision or public MPCA, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the MPCA. [State Definitions]
	2.1.241	"Pipes" mean hollow cylinders or tubes constructed of non-earthen materials. [State Definitions]
	2.1.242	"Pollution Prevention Plan" (Plan) means a plan for stormwater and non-stormwater discharges that include facility-specific activities and actions to, first, identify sources of pollution or

		contamination at the facility, and second, select and implement BMPs to eliminate or reduce contact of stormwater with significant materials and non-stormwater discharges that may result in polluted runoff from the facility. [State Definitions]
	2.1.243	"Primary Standard Industrial Classification (SIC) Code" for the purposes of this permit, is the SIC code associated with the industrial activity that generates the greatest revenue. If revenue data is not available, the owner/operator shall base the determination on the number of employees engaged in the industrial activity. If it is not possible to determine the primary SIC code using either of these two methods, the owner/operator shall base the determination on the SIC code with the greatest production. The industrial activity that generates the greatest revenue, employs the most personnel, or has the greatest production, is the industrial activity assigned the primary SIC code. [State Definitions]
	2.1.244	"Reclamation" means activities undertaken in compliance with applicable mined land reclamation requirements following the cessation of activities associated with extraction, removal and recovery of nonmetallic minerals, intended to return the land to an appropriate post-mining land use. [State Definitions]
	2.1.245	"Seasonal High Water Table" means the highest level the water table reaches during a given year. Methods of determining the seasonal high water table are given in part 7041.3400, subpart 3. [Minn. R. 7041.0100, Subp. 48]
	2.1.246	"Sediment Control" means methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins. [Minn. R. 7041.0100, Subpt. 48, Minn. R. 7041.3400, Subp. 3, State Definitions]
	2.1.247	"Significant Materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR pt. 122, 26(b)(12)]
	2.1.248	"Small Construction Activity" means small construction activity as defined in 40 CFR part 122.26(b)(15). Small construction activities include clearing, grading and excavating that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. [State Definitions]
	2.1.249	"Stormwater Pond" for purposes of this permit means constructed detention or retention facilities for the treatment of stormwater runoff under the requirements of this permit. This includes permanent ponds, dry ponds, flow equalization ponds (followed by other BMPs), and constructed wetlands. However, natural wetlands (including types 1-8) and other natural surface water bodies are not industrial stormwater ponds, parts of ponds or pond systems, and cannot be used as BMPs for stormwater treatment unless mitigated in accordance with applicable state rules. [State Definitions]
	2.1.250	"Structural BMPs" refers to the installation of devices that will reduce or eliminate pollutants to stormwater through installation of permanent structural devices to treat or control runoff. Examples of structural BMPs include but are not limited to installation of stormwater diversion berms or channels; sedimentation basins (retention or detention basins); oil/water separators; grit chambers; roofs, awnings, or buildings to cover significant material. [State Definitions]
	2.1.251	"Tanks" means a container, vessel, or enclosure designed to contain substances and is constructed of materials such as concrete, steel, plastic, or fiberglass reinforced plastic, and provides structural support. [State Definitions]

	2.1.252	"Temporarily Inactive Facility" means a site or portion of a site where nonmetallic mineral mining and/or milling, asphalt production and ready-mix concrete production occurred in the past but currently are not being actively undertaken and permit coverage is being maintained for the possibility of mining and/or associated activities in the foreseeable future. [State Definitions]
	2.1.253	"Treatment Works" means any plant, disposal field, lagoon, dam, pumping station, constructed drainage ditch or surface water intercepting ditch, or other works not specifically mentioned herein, installed for the purpose of treating, stabilizing or disposing of sewage, industrial waste, or other wastes. For the purposes of this permit, this includes stormwater ponds, sedimentation basins and/or infiltration devices for stormwater management. [Minn. Stat. ch. 115.01, Subpt. 21, State Definitions]
	2.1.254	"Water Quality Standards" means those provisions contained in Minn. R Chapters 7050 and 7052. [Minn. R. 7050, Minn. R. 7052, State Definitions]
	2.1.255	"Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes: A. a predominance of hydric soils; B. inundated or saturated by surface water or groundwater at a frequency and duration to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and, C. under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, Subpt. 1(a)B, State Definitions]

3. Submittal action summary

MNG490312	Geldner Brothers Sand & Gravel LLC	
		Non-Metallic Mining and Associated Activities General Permit Requirements
	3.1.1	Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance: Due by 180 days prior to permit expiration. [Minn. R. 7001.0040]

4. Limits and monitoring

Subject item	Parameter	Discharge limitations							Monitoring requirements			Notes
		Quantity /Loading avg.	Quantity /Loading max.	Quantity /Loading units	Quality /Conc. min.	Quality /Conc. avg.	Quality /Conc. max.	Quality/ Conc. units	Frequency	Sample type	Effective period	

Storm Water Pollution Prevention Plan for:

GELDNER BROTHERS SAND & GRAVEL, LLC
NICOLLET COUNTY, MINNESOTA

August 2014
Engineer Project No. 14-16976

ISG
I+S GROUP

info@is-grp.com + www.is-grp.com

An application fee is required under Minn. Stat. § 116.07, subd. 4d (1990) and Minn. R. ch. 7002 (Permit Fee Rules). The application fee is determined by the type of permit you are applying for. Please make your check payable to the MPCA.

Indicate which type of permit you are applying for:
(refer to flow chart on page 8 of the instructions to determine the appropriate fee category)

- ☐ Individual Permit Reissuance, no modifications: $1240
- ☐ Individual Permit Reissuance, modifications: $2480
- ☐ Individual Permit Reissuance, construction: $2480
- ☐ Individual Permit Reissuance, construction, increased design flow: $9300
- ☐ Individual Permit Minor Modification: $1240
- ☐ Individual Permit Major Modification: $2480
- ☐ Individual Permit Major Modification, construction: $2480
- ☐ Individual Permit Major Modification, construction, increased design flow: $9300
- ☐ Individual Permit Issuance: $9300
- ☐ Individual Pretreatment Permit Issuance: $2480
- ☐ Individual Dredge Materials Disposal Permit Issuance: $2480
- ☐ Individual Stormwater
- ☐ Biosolids Treatment o
- ☐ General Permit (MNG
- ☒ General Permit (MNG) Issuance: $1240
- ☐ General Permit (MNG) Modification: $1240

PERMIT APPLICATION FEE

SIGN HERE

Certification

Federal Regulations (40 CFR Part 122.22) and State Regulations (Minn. R. 7001.0060) require all permit applications to be signed as follows:

A. For a corporation: by a responsible corporate officer. For the purpose of this permit, a responsible corporate officer means: 1) a president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or 2) The manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding 425 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
B. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
C. For a municipality, county or other political subdivision: by a principal executive officer or ranking elected official.
D. For a state, federal or other public agency/agents: by a commissioner, assistant or deputy commissioner; director, assistant or deputy director.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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 submitted 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 for knowing violations."

Printed name: Brett Geldner Title: Owner

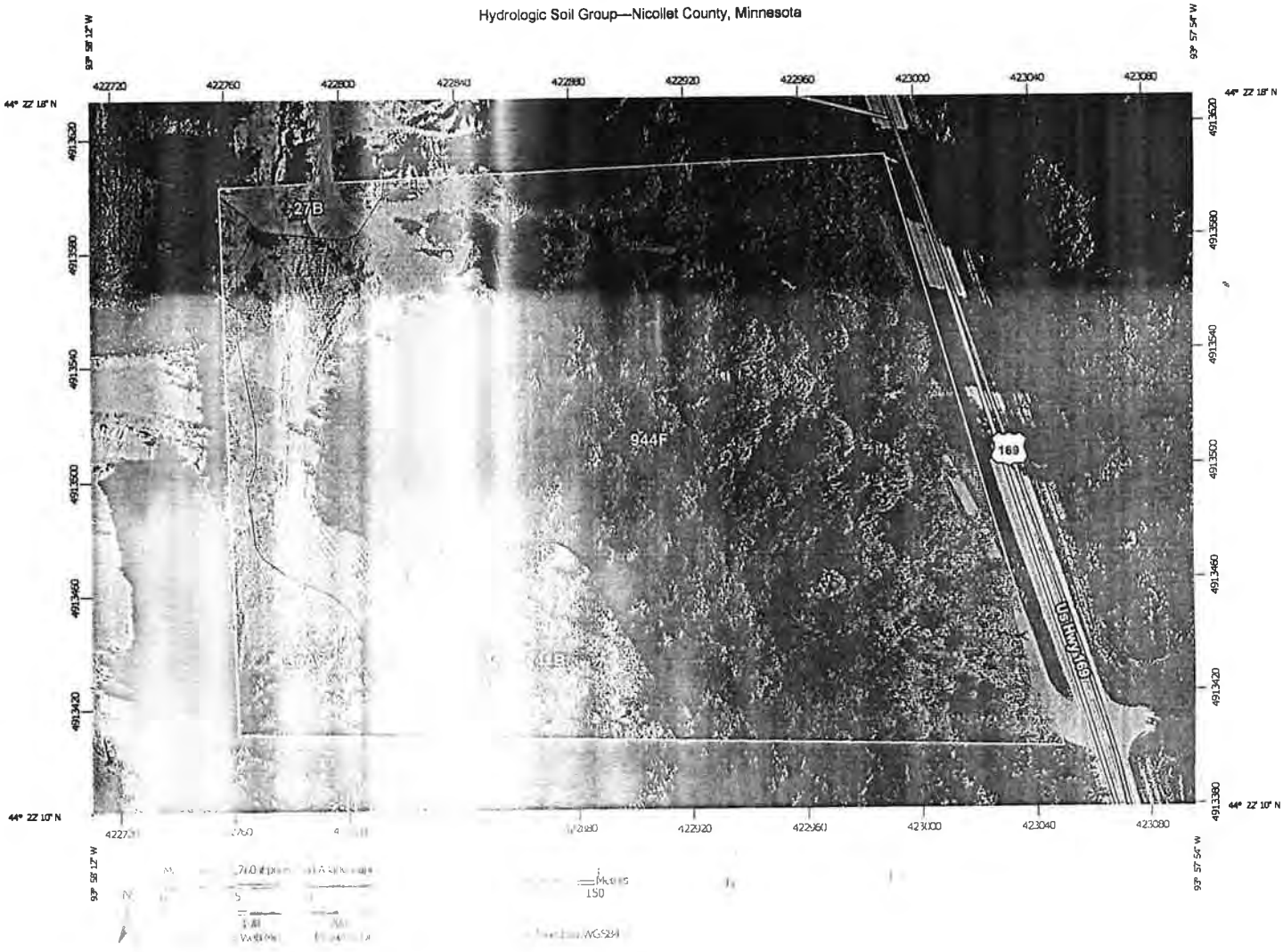
Authorized signature: Brett Geldner Date: 8-28-14

State tax ID#: 2520394 Federal tax ID#: 38-3840769

Applications that are submitted without an authorized signature, the required application fee, and attachments will be returned. Please make a copy for your records. Send the completed permit application, attachments *(including plans and specifications, if applicable)*, and check to:

Attn: Fiscal Services – 6th floor
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Hydrologic Soil Group—Nicollet County, Minnesota



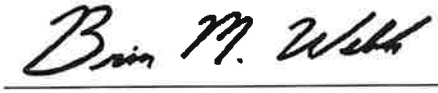
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8/8/2014
Page 1 of 4

Signature Sheet

I HEREBY CERTIFY THAT THIS REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.



Brian M. Welch, PE
Project Engineer
Reg. No. 51802

I+S Group, Inc.
115 East Hickory Street, Suite 300
Mankato, Minnesota 56001-3785

Storm Water Pollution Prevention Plan
Geldner Brothers Sand & Gravel, LLC
Gillette, Wyoming

Engineer's Project Number: 14-16771

Dated this 21st day of August, 2014

Storm Water Pollution Prevention Plan

Geldner Brothers Sand and Gravel, LLC

Prepared: August, 2014

Initial Report Prepared August 2014 by I+S Group

I+S Group Project No. 14-16976

Operator	Date
_____	_____
_____	_____
_____	_____

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Facility Information

Industrial Project or Site Name: Geldner Brothers Sand & Gravel, LLC

Facility Contacts: Geldner Brothers Sand and Gravel, LLC
Brandon Geldner
28808 West Lake Drive
Madison Lake, MN 56063

Standard Industrial Classification (SIC) No. and Description: Industrial Group 144: Sand and Gravel
1442 Construction Sand and Gravel

Applicable Narrative Activities: This project consists of the operation of an approximately 11.7 acre aggregate mine. Access to the site will be from the east. Once mining is completed, the mine will be restored by redressing the slopes with topsoil to a 3H:1V slope.

Location Access Description: The site is located adjacent to the west side of US Highway 169 approximately 1.5 miles north of St. Peter, MN. Access to the site will be west of US Highway 169. A vicinity map is included in Appendix A.

County or Counties: Nicollet County

Latitude/Longitude: 44.3706° N, 93.9673° W

Facility Acreage: The entire property consists of 11.67 acres of which 4.2 acres are used for industrial activity.

Storm Water Discharges Associated with Industrial Activity

There will be no storm water discharge associated with industrial activity. All storm water runoff will be retained on site.

The owner is aware that under the Storm Water Pollution Prevention Plan (SWPPP) they are entirely responsible for meeting SWPPP requirements within the boundaries of the industrial site where they perform industrial activities. A project responsibility chart is included in Appendix G.

Surface Waters Receiving Discharge

All storm water will be contained on site. Therefore, no surface waters will receive storm water discharge. Two impaired water bodies, Rogers Creek to the south and the Minnesota River to the east, are located within 1-mile of the site. Additionally, there is an existing wetland located east of US Highway 169. An impaired waters map is included in Appendix E.

Nature of the Industrial Activity

The industrial activities on this site will produce construction sand and gravel. A typical sequence of events for such a project begins with the clearing of the site of any existing structures or unnecessary vegetation. Mining will progress from the west end of the property to the east. During mining, a temporary depression is excavated for temporary storage and infiltration of storm water runoff. Industrial activities will cease on site with the completion of the final reclamation plan for the site.

Groundwater & Dewatering

Dewatering will not occur at the site. Additionally, no groundwater or surface waters will be used as an intake water supply. Therefore, a Minnesota Department of Natural Resourced (MN DNR) water

appropriations permit is not required. Any removal of material from below the water table would be accomplished utilizing dredging methods.

Blasting and Explosives

No blasting or explosives will be used on site.

Bond

The applicant will submit the required bond at the appropriate time in compliance with the County Ordinance. The applicant shall also furnish proof to the County yearly that the bond has been renewed upon request.

Elements of the SWPPP

The SWPPP has been prepared to address storm water runoff from industrial activities, to identify and address potential sources of pollution that are reasonably expected to affect the water quality of the industrial site. The SWPPP has been developed based on a strategy of reducing pollution at the source, as opposed to treatment before discharge.

The SWPPP will be revised or updated as appropriate whenever any of the following occurs: a change of significant effect on the discharge of pollutants that has not been previously addressed in the SWPPP; a change in site conditions based on updated plans and specifications; new operators conducting industrial activities under the SWPPP; addition of new areas of responsibility; changes made to the type of best management practices used; or results of inspections or investigations indicate the SWPPP is proving ineffective in eliminating or significantly minimizing pollutants.

The SWPPP has been developed to be compliant with applicable local sediment and erosion control plans. The SWPPP may be retained at an on-site location or as noted on the site notice. Hard copies of the SWPPP will be made readily available upon the request of public officials.

Discharges that occur after the site has undergone final stabilization or following the submission of a notice of termination for the industrial activity are outside the scope of this SWPPP.

Data used to describe the soil was obtained from the United States Department of Agriculture's web soil survey and has been included in the SWPPP plans. Additionally, a map showing the soils on site has been included in Appendix D. A copy of the industrial is included in Appendix B. The SWPPP plans included in Appendix C collectively indicate the following:

- drainage patterns and approximate slopes anticipated after major grading activities by either topographic lines or by drawn arrows indication the general direction of flow;
- areas where soil disturbance will occur by either notations or drawn lines;
- locations of support activities located within one (1) mile of the boundary of the site such as equipment staging areas, material storage areas, material borrow areas, and excavated material disposal areas by either graphical icons or drawn lines;
- locations of all in-place structural controls by either graphical icons, drawn lines, or notations;
- locations of any in-place permanent storm water control measures by either graphical icons or notations;
- surface waters including wetlands either at, adjacent to, or in close proximity to the site by either drawn lines or notations;
- locations where existing vegetation or stabilization practices are used by either drawn lines or notations.

If future projects within the site are proposed at a later date, the SWPPP will be revised by including the site map of the new project(s). Site maps will be provided for each area of soil disturbance permitted within the scope of the SWPPP.

Potential Pollution Sources

The following potential pollutants can be reasonably expected at industrial sites: industrial debris, litter, chemical wastes, industrial materials, sediment, dust, waste materials, petroleum products, sand, concrete truck wash out water, discarded equipment, sanitary wastes, and other similar pollutants.

Potential pollutants can be reasonably associated with the following typical point sources: fuel tanks, industrial equipment, parked vehicles, waste containers, vehicle traffic, drainage swales, channels, exposed soil, site personnel, sanitary facilities, and other similar point sources.

Pollution Prevention Practices

Pollution prevention practices will be designed to minimize pollutants from industrial and waste materials which will be stored on-site. Controls will be used to minimize, to the maximum extent practicable, the off-site vehicle tracking of sediments and the generation of dust.

The following pollution prevention BMPs can be reasonably expected at industrial sites: water truck spraying, orderly material storage, orderly equipment storage, proper waste disposal practices, orderly parking areas, street cleaning, spill prevention practices, use of petroleum sorbents, orderly concrete truck washout areas, use of stabilized construction accesses, use of trash containers, use of portable sanitation facilities, self-contained fuel cells, orderly petroleum product storage, use of dewatering bags, use of temporary velocity dissipation devices, use of flow diversion mechanisms, and other similar measures. Any additional or unique pollution prevention BMPs will be addressed on the project's site map.

Best Management Practices

Best Management Practices (BMPs) have been designed in order to control erosion and sediment. The purpose of erosion control measures is to prevent soil from moving. Erosion control measures are generally more effective than sediment control and typically involve providing a cover on the soil in order to shield the soil from rain and runoff. The purpose of sediment control measures is to filter or settle soil out of stormwater runoff. Erosion and sediment controls have been designed to retain sediment on-site to the maximum extent practicable.

It is the SWPPP Operator's responsibility to ensure that control measures are properly selected, installed, and maintained according to the designer's specifications. Controls will be developed to minimize the off-site transport of litter, industrial debris, and industrial materials. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule will be described in the inspection report and wherever possible those changes will be implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes will be implemented as soon as practicable.

Erosion Control and Stabilization Practices

Erosion control and stabilization measures will be initiated as soon as practicable in portions of the site where industrial activities have temporarily ceased. Stabilization measures that provide a protective cover will be initiated as soon as practicable in portions of the site where activities have permanently ceased. These measures will be initiated no more than fourteen (14) days after the industrial activity in that portion of the site that has temporarily or permanently ceased, unless the activity is scheduled

to resume within seven (7) days. If soil conditions prohibit the initiation of stabilization measures or vegetative practices, erosion control and stabilization measures will be initiated as soon as practicable.

Where temporary stabilization controls are infeasible, temporary sediment controls will be used along the perimeter of the site to the maximum extent practicable and the reasons why the activity was infeasible will be noted in the inspection report.

The following erosion control and stabilization BMPs can be reasonably expected at industrial sites: establishment of temporary or permanent vegetation, mulching, use of geotextiles, sod stabilization, use of vegetative buffer strips, protection of existing trees and vegetation, slope texturing, and other similar measures. Any additional or unique erosion control and stabilization BMPs will be addressed on the project's site map.

Sediment Control Practices

Sediment control practices will be used to remove eroded soils from storm water runoff. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls will be utilized for all down slope boundaries of the industrial area and for those side slope boundaries deemed appropriate. These perimeter controls will be installed as necessary and will be utilized until a common drainage location is established. At that time, a sedimentation basin will be utilized where feasible. If a sedimentation basin is not feasible, then equivalent control measures will be utilized until final stabilization of the site and the reasons why a basin was infeasible will be noted. The following sediment control BMPs can be reasonably expected at industrial sites: silt fences, sand/rock bags, berms, sedimentation basins, rock dams, inlet protection barriers, surge dams, use of existing vegetation, and other similar measures. Any additional or unique sediment control BMPs will be addressed on the project's site map.

Inspection Procedures

Personnel will inspect disturbed areas of the industrial site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. A site inspection report and annual inspection report will be included in the SWPPP. Templates for these inspections have been included in Appendix F. Sediment and erosion control measures identified in the SWPPP will be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site will be inspected for evidence of off-site sediment tracking.

The inspections will occur at least once every 14 calendar days, on a specifically defined day, regardless of whether or not there has been a storm event since the previous inspection. Where sites have been finally or temporarily stabilized, inspections will be conducted at least once every month. Where inspection vehicles could compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, or increase the potential for erosion, representative inspections will be performed.

In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections will be conducted as soon as access is practicable. The dates when major grading activities occur, the dates when industrial activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated will be maintained in the inspection report or noted on the site map. The inspection report will summarize the scope of the inspection, the dates of the inspection, major observations relating to the implementation of the SWPPP, actions taken as a result of inspections, and any incidents of non-compliance. If the inspection report does not identify any incidents of non-compliance, the report will be certified by the inspector that the site is in compliance with the SWPPP and the industrial permit.

Maintenance Procedures

All protective measures will be maintained in effective operating condition. If it is determined that BMPs are not operating effectively, then maintenance will be performed as necessary to maintain the continued effectiveness of storm water controls and prior to the next storm event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason will be documented in the inspection report and maintenance will be scheduled and accomplished as soon as practicable. The operator will replace or correct erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective immediately upon discovery. If a control has been used incorrectly, is performing inadequately, or is damaged, then the control will be replaced or modified within 24 hours of the inspection report. Sediment will be removed from the silt fences (or similar devices) before it reaches 50% of the above-ground height. If sediment escapes the site, accumulations will be removed at a frequency that minimizes off-site impacts and prior to the next rain event, if feasible.

Spill Response Procedures

Spills of toxic or hazardous substances exceeding reportable quantities need to be reported to the Duty Office of the Minnesota Department of Public Safety at (800) 422-0798. Reportable quantities are listed in the Emergency Planning and Community Right-to-Know Act (EPCRA) Consolidated List of Chemicals (List of Lists) ***The reportable quantity for oil is five (5) gallons or more on soil or any quantity released to surface waters.*** The primary and secondary facility contacts will be responsible for notifying the appropriate authorities of spill incidents. The information listed below will need to be provided when reporting spills.

- Name of caller
- Date, time and location of the incident
- Telephone number for call-backs at the scene or facility
- Whether local officials (fire, police, sheriff) have been notified of incident
- Materials and quantity involved in incident
- Incident location (physical address, intersection, etc.)
- Responsible party of incident (property/business owner)
- Telephone number of responsible party
- Any surface waters or sewers impacted
- What has happened and present situation

Immediately following a spill, complete the *Geldner Brothers Sand and Gravel, LLC List of Significant Spills and Leaks* included in Appendix H. Within 24 hours after the initial spill report, a written report will need to be sent to the Minnesota EPCRA Program using the emergency release follow-up report form included in Appendix H.

Dust and Noise Control Plan

All access roads to the site will continue to be maintained.

Operating procedures will be utilized to the extent possible to control dust and noise to meet the performance standards as regulated in the Ordinance. During any mining operation, water with limited use of chemical binders may be utilized as a last alternative to control any dust problems. Noise levels will not exceed the standards as regulated in MN Rules Chapter 7030.

All mining operations will be conducted in compliance with applicable county, state, and federal regulations. The applicant will consult with the MPCA regarding the Air Emission permitting requirements and the MN DNR and DOH regarding water permitting standards.

Reclamation Plan

A conceptual reclamation plan has been developed in conformance with the Nicollet County requirements for the planned after-use of the affected areas and the nature and extent of reclamation. Final mine reclamation of the site will commence after the site has been mined to the final depth over the 4.2 acres. Prior to reclamation, all equipment, stockpiles, and debris will be removed from the site. The proposed site reclamation will consist of reclaiming the site to native prairie grassland and open pasture.

Reclamation will consist of native prairie seeding for creation of open prairie grassland with a final grade at a maximum of 3H:1V contours on the side-slopes down to the final excavation depth. Topsoil will be restored to a depth sufficient for plants to become established, which is a minimum of 2-6 inches. The grading will consist of restoring the site with the remaining overburden and potentially clean topsoil from offsite if needed. Grading will be utilized to create a basin that will capture storm water surface runoff from the site and allow storm water to infiltrate and remain onsite. The undisturbed areas on the site (setback areas) will remain in the current naturally vegetated state. Reclamation areas will be seeded with a native grass mix (MnDOT Mesic Prairie General mixture 35-241 or comparable alternative). Preparation, seeding, and maintenance should be conducted per MnDOT or BWSR seeding guidelines. Final reclamation will be dependent upon site conditions and the final depths of mining. More information regarding the reclamation plan is listed below.

The applicant wishes to be provided flexibility in the reclaimed elevation with final reclaimed elevation dependent upon the depth of excavation and the amount of material remaining.

Please note that the reclamation plan developed is conceptual in nature and is subject to changes based on future regional comprehensive planning of this area and upon approval of the applicant and the Planning Board.

Appendix A: Vicinity Map

GELDNER BROTHERS SAND AND GRAVEL, LLC

NICOLLET COUNTY, MINNESOTA

VICINITY MAP



PREPARED BY:

ISG

I+S GROUP

PROJECT NO. 14-1216 CAD FILE NAME 14376 SKPP PLOT DATE 8/8/2014 DRAWN BY BMP

Appendix B: NPDES/SCS Permit

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Nonmetallic Mining and Associated Activities Application

NPDES/SDS Permit Program

Doc Type: Permit Application

Instructions on Page 7

Purpose: The National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit Program regulates stormwater and wastewater discharges to land and surface waters. This application applies to nonmetallic mining and associated operations that have stormwater that comes in contact with pollutants and may also have wastewater from the dewatering of pits and quarries, wash water from washing product or trucks, cooling cutting saws, or other sources.

For more information, please contact Theresa Haugen of the Minnesota Pollution Control Agency (MPCA) at 218-316-3920 or theresa.haugen@state.mn.us.

Permittee name: Geldner Brothers Sand & Gravel, LLC **Permit number:** MN G490000

Nonmetallic Mining and Associated Sites by PLS Coordinates

Let this list serve as an inventory of all sites owned or operated at the same facility. Include the activities and the Public Land Survey (PLS) coordinates for each site. Consider this a comprehensive listing of all the sites you want covered under this permit. For all sites listed below, you must complete pages 3-7 of this application. You only need to complete this inventory once.

Example: *JTs Aggregate owns and operates four pits and quarries throughout southern Minnesota. Three of the pits are construction sand and gravel pits, and one is a limestone quarry with a portable hot mix asphalt plant. The company dewaters from two pits in Fillmore County, but is unable to contain everything on site in one of the pits. The remaining pits are able to contain all stormwater on site. The chart below would be filled out as follows:*

		Dewatering			Stormwater				Treatment and disposal			
Site name, county PLS coordinate (Twp, range, section, Qtr-section)	**Station ID** (if applicable)	**Constr. sand/ gravel**	**Indl. sand**	**Sub. J2**	**J1**	**J2**	**D1**	**E2**	**Dewatering contained on site**	**Stormwater contained on site**	**Discharged Dewatering to surface Water**	**Discharged stormwater to surface water**
Sample S&G 1, Mower (TxxxN, RxxW, secxx, SE ¼)					X					X		
Sample S&G 2, Fillmore (TxxxN, RxxW, secxx, NE ¼)		X			X						X	X
Sample S&G 3, Fillmore (TxxxN, RxxW, secxx, NW ¼)		X			X				X	X		
Sample S&G 4, Olmsted (TxxxN, RxxW, secxx, SW ¼)				X		X	X			X		
Geldner Brothers Sand & Gravel, LLC (T111N, R26W, S33, SW 1/4)		X			X					X		

Site name, county PLS coordinate (Twp, range, section, Qtr-section)	Station ID (if applicable)	Dewatering			Stormwater				Treatment and disposal			
		Constr. sand/ gravel	Indl. sand	Sub. J2	J1	J2	D1	E2	Dewatering contained on site	Stormwater contained on site	Discharged Dewatering to surface Water	Discharged stormwater to surface water

Basic Information

Instructions on Page 7

Complete the following for each site:

Site name: Geldner Brothers Sand & Gravel, LLC

Facility site street/road address (not P.O. Box): 39962 US Highway 169

City: St. Peter State: MN Zip: 56082 Telephone:

Name of contact person at the site: Brandon Geldner

(If different than Facility Operator on Transmittal Form [wq-wwprm7-03] question #5)

Title: Owner Telephone: 5073277202 E-mail: bgeldner@aol.com

Name of secondary contact person at the site: Brett Geldner

Title: Owner Telephone: 5073277205 E-mail:

Activity Information

		Yes	No
1.	**Do you dewater from your mine, pit, or quarry to a surface water of the state?** *This is only authorized for Construction Sand and Gravel (SIC Code 1442), Industrial Sand (SIC Code 1446) Dimension stone (SIC Code 1411), Crushed and Broken Limestone (SIC Code 1422), Crushed and Broken Granite (SIC Code 1423), and Crushed and Broken Stone (not elsewhere classified, SIC Code 1429) mining and quarrying areas. (All other activities that dewater must obtain an individual permit.) Dewatering means water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator.*	☐	☒
2.	**Do you dewater from a mine, pit or quarry to a control device?** *Control devices include settling ponds, sedimentation basins, and/or infiltration basins. Devices shall be designed consistent with accepted engineering practices to control the pollutants of concern.*	☐	☒
3.	**Is the abovementioned control device designed to control a 10-year, 24-hour storm event?** *Documentation must be submitted with this application for MPCA to acknowledge the device as controlling mine pit dewatering from a 10-year, 24-hour storm event and for MPCA to dismiss the monitoring requirements in Section 8 of the permit. Designs must be approved by a professional engineer.* N/A	☐	☐
4.	**Have you had an overflow from your control device in the last five years?** *An overflow can be a result from direct rainfall and/or groundwater seepage. It is only different from mine pit dewatering because it is passive and not removed through efforts of the mine operator.* N/A	☐	☐
5.	**Do you discharge stormwater to groundwater?** *(e.g., Do you infiltrate stormwater to the ground?)*	☒	☐
6.	**Do you discharge stormwater to a surface water of the state?** *Because of the nature of the industry, if you answered 'yes' to question #4, this question should be 'yes' also. Often the overflow is a result of rainfall or snowmelt. More information is collected in this application under 'Location Identification of Surface Water Discharge' beginning at #18.*	☐	☒

7. **Do you have any of the following non-stormwater (also considered wastewater) activities conducted at your site?**
Check all that apply

- ☐ a. Wash water from Subsector J1 and J2 facilities
- ☐ b. Wet scrubbers at Subsector D1 facilities
- ☐ c. Washing trucks, mixers, transport buckets, forms and/or other equipment at Subsector E2 facilities
- ☐ d. Scale deck wash water
- ☐ e. Wash water associated with emergency cleaning of mobile equipment and/or cosmetic cleaning of mobile equipment that does not use detergents, solvents, or degreasers
- ☐ f. Waters used for dust control on crushers, conveyors, and associated equipment

	Yes	No
8. Is stormwater co-mingled with any of the non-stormwater listed in #7 above prior to discharge? *If you answered 'yes', then that stormwater is considered non-stormwater, or process wastewater and must be discharged in accordance with wastewater requirements. Therefore, there shall be no surface water discharge and all water must be collected, contain and infiltrate to the ground. The permittee must implement Best Management Practices to prevent contamination of groundwater.*	☐	☐

N/A

9. Select the Primary Activity and Secondary Activity (if applicable) at the site:

Subsector J1	Primary	Secondary
Construction sand and gravel mining (Standard Industrial Classification [SIC] Code 1442)	☒	☐
Industrial sand mining (SIC Code 1446)[1]	☐	☐
Subsector J2		
Dimension stone (SIC Code 1411)	☐	☐
Crushed and broken limestone mining/quarry area (SIC Code 1422)	☐	☐
Crushed and broken granite mining/quarry area (SIC Code 1423)	☐	☐
Crushed and broken stone mining/quarry area (not elsewhere classified, SIC Code 1429)	☐	☐
Subsector D1		
Hot mix asphalt production areas also known as asphalt paving mixtures and blocks (SIC Code 2951). This includes portable hot mix asphalt plants.	☐	☐
Subsector E2		
Concrete block and brick (SIC Code 3271)	☐	☐
Concrete products other than block and brick (SIC Code 3272)	☐	☐
Ready-mix concrete (SIC Code 3273)	☐	☐

[1] *If using flotation or acid leaching process(es), you are **not** eligible for this general permit and must apply for an individual permit.*

10. Describe completely your stormwater management systems used to control stormwater:
Includes industrial stormwater ponds, sedimentation basins, and/or infiltration devices.

The mine will completely contain all storm water which falls on the mining area. This will be held on the southwest end of the mining area as mining profresses east.

11. Describe completely your wastewater treatment systems:

There will be no wasewater on site.

12. For permit reissuance or modification, note any changes made to either the stormwater or wastewater treatment systems since this permit was last issued (include additional sheets, if needed):

N/A

13. How and where are the sediments and sludge removed from the stormwater and/or wastewater treatment systems at the facility disposed?

All stormwater runoff is contained on site. Stormwater sediment will naturally settle as storm water infiltrates.

14a. Does the facility discharge non-contact cooling water (for example, power generation, refrigeration, boilers, etc.)?
This is a non-stormwater discharge and must be infiltrated on site to be eligible for this general permit.

☐ Yes ☒ No If yes, is this once-through or recirculating: _____

14b. Are there any chemical additives to this waste stream? ☐ Yes ☐ No

15. List below all chemical additives that are used or proposed to be used at the facility.
This must include all process reagents, flocculants, biocides, wastewater treatment chemical additives, chlorine or other disinfectants, detergents, cleaning products, chemical dust suppressants, freeze conditioning agents, etc.

Product name	How often added	Where it is used	Average rate of use (weight or volume/day
N/A			

Attach Material Safety Data Sheets and complete product labels for each additive. Attach information on the chemical composition, aquatic toxicity, human health, and environmental fate for each proposed chemical additive.

16. What is the source of the intake water supply for the facility?
Intake water supply includes all make-up water supplied to the facility. **(Choose one.)**

☐ Municipal, include city name: N/A

☐ Groundwater, intake location: N/A

☐ Surface water, include name: N/A

If this is a non-municipal water supply, have you already obtained a Minnesota Department of Natural Resources (DNR) water appropriations permit? ☐ Yes ☐ No ☒ Not applicable

If yes, what is the DNR permit number: _____ DNR permit expiration date (mm/dd/yyyy): _____

Is the intake water supply chlorinated or otherwise disinfected? ☐ Yes ☐ No

17. Has the facility been required to complete an Environmental Impact Statement (EIS) and/or Environmental Assessment Worksheet (EAW)? ☐ Yes ☒ No ☐ Not applicable

If yes, attach a copy of the completed EIS/EAW and note: _____ _____
(Title) *Date (mm/dd/yyyy)*

18. What is the fate of the sewage generated by the facility?
Examples are septic tank and drainfield, routing to municipal sanitary sewer, portable containment systems, etc.

There is no permanent facility on site. Any sewage generated on site will require a portable containment system.

19. Is this site covered under any other permit? For example, does this site have an Industrial Stormwater Multi-Subsector General Permit (MNR050000) or a Construction Stormwater Permit (MNR100001)? ☐ Yes ☒ No
If yes, please provide permit identification number. This does not include coverage you already may have through this permit (MNG490000).

20. Have you developed a Pollution Prevention Plan for this site? ☒ Yes ☐ No
You must do so prior to submittal of this application. If you have already created one under another version of this general permit, you must update the plan prior to submittal of this application.

Location Identification of Surface Water Discharges

21. Please identify each surface water discharge location at your site. If you answered 'yes' to question #1, #4 (mine dewatering), and/or #6 (stormwater) above, please provide the discharge location.
The point source discharge location is defined as the location where a wastewater or stormwater discharge enters a surface water (not where the pipe leaves the wastewater facility structure). If a pipe extends out into a river or lake, the location is identified where the pipe leaves the shore and enters the body of water. If the discharge is to a tile line or storm sewer, the location is identified where the tile line or storm sewer enters a surface water. If the discharge is into an open ditch or ravine, the location is identified as the point where the discharge leaves the pipe and enters the open ditch. Examples include "to Twin Lakes", "to unnamed wetlands adjacent to Black Lake", "to a storm sewer to the Cottonwood River", or "to an unnamed ditch to the Sunrise River". For new facilities, enter as much information as available and provide a name or description for the Station ID.

Station ID (if applicable): _____

Type of discharge: _____
(i.e., pit site dewatering, stormwater runoff, overflow from control device)

Average discharge flow rate: _____
(Flow rates are not necessary for discharges that solely consist of stormwater runoff.)

Maximum discharge flow rate: _____

Flow duration and frequency:
Month of flow: _____ Days/week: _____ Hours/day: _____

Complete the table for each surface water discharge point. If this is an existing facility, refer to the current NPDES/SDS Permit for Station ID. For new facilities, enter as much information as available. If more space is needed for additional stations, attach additional pages.

Station ID: SD

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐E ☐W			
Latitude	**Longitude**	**Datum**	**Coordinate Collection Method**	**Date Coordinate Collected**

Receiving water name:

A datum for Latitude/Longitude and Universal Transverse Mercator (UTM) should be specified. For latitude/longitude coordinates, this will either be NAD83 or WGS84 (the default on most GPS units). NAD83 is preferred.

For latitude/longitude indicate the method of collection and the date of collection. Methods of collection include:

GPS – Survey Quality
GPS – Recreational Receiver WAAS enabled (Real Time Differential Corrected)
GPS – Recreational Receiver Uncorrected
GPS – Unknown
Digitized – Web Map Google / Yahoo / Microsoft
Digitized – Digital Raster Graph (DRG) (USGS 7.5 min topographic map 1:24,000 scale)
Digitized – Digital Ortho Quad (DOQ) (USGS aerial photo 1:24,000 scale)

Surface water discharge location example:

Station ID: SD *1*

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T 109 N	*R 28 ☐E ☒W*	*5*	*NW*	*NW*
Latitude	**Longitude**	**Datum**	**Coordinate Collection Method**	**Date Coordinate Collected**
44.271062	*-94.180317*	*NAD83*	*DOQ (aerial photo)*	*4/24/2009*

Receiving Water: *County Ditch 4*

		Yes	No
22.	**Do you dewater to any of the following receiving waters?** *If the answer is yes to any, you are not eligible for a general permit and must apply for an individual permit.*		
	a. Designated Outstanding Resource Value Waters (ORVW)? (Defined in Minn. R. 7050.0180 and listed in Minn. R. 7050.0470)	☐	☒
	b. DNR-posted fish-spawning areas?	☐	☒
	c. DNR-designated trout waters? Trout waters locations are listed in Minn. R. 6264.0050, subp. 1 and 3	☐	☒
23.	**Do you discharge stormwater to any of the following?** *If the answer is yes to any, the permit has specific requirements for your discharge. See Section 3 of the permit to insure you are able to meet these requirements. If not, an individual permit may be necessary.*		
	a. Within 2000 feet of an ORVW?	☐	☒
	b. Within 2000 feet of a DNR-designated Trout Steam?	☐	☒
	c. Within 1 mile of an impaired water?	☐	☒

24. Provide representative results from tests taken during the most recent discharge for each of the following in the projected discharge. If more than one discharge point is involved, attach additional copies as needed. *(Required under Minn. R. 7001.1050 and 7001.1060)*

	Minimum	Maximum
Temperature (degrees Fahrenheit)	N/A	N/A
pH	N/A	N/A
Total suspended solids (TSS) maximum (mg/L)		N/A
Total phosphorus maximum (mg/L)		N/A
Other potential pollutants	N/A	N/A

(for example, metals, ammonia, nitrate, nitrite, salts, residual chlorine, fluoride, oil and grease, polychlorinated biphenyls, phenols, poly nuclear aromatic hydrocarbons, and/or volatile organic compounds)

Please clearly indicate with the test results the specific dates, locations and methods of sampling. The time when you sample must be representative of the projected discharge wastewater quality.

Minnesota Department of Health (MDH) rules require that all laboratories conducting wastewater tests be certified. To help ensure the precision and accuracy of water quality test results, the MPCA accepts laboratory data only from MDH-certified laboratories. (Dissolved oxygen, pH, temperature and total residual chlorine analyses do not need to be done by a certified laboratory; these analyses shall be conducted as soon as practicable after sample collection and no later than one hour after collection.)

Indicate the name of the laboratory that will analyze your samples: N/A

Indicate the MDH Laboratory Certification No. for this laboratory: N/A

Site Diagram and Map

25. Attach a site map showing:

- location of all discharge points
- location of all overflow points from control devices
- directions of stormwater runoff (including stormwater that is contained/infiltrated on site).

Instructions

The National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit Program regulates stormwater and wastewater discharges to land and surface waters. This application applies to nonmetallic mining and associated operations that have stormwater that comes in contact with pollutants and may also have wastewater from the dewatering of pits and quarries, wash water from washing product or trucks, cooling cutting saws, or other sources.

All permittees must complete the *Transmittal Form* (wq-wwprm7-03). Facilities applying for Nonmetallic Mining and Associated Activities General Permit must complete questions #1-5, 9-11, Application Fees and Certification sections of the *Transmittal Form*. Otherwise, all questions are addressed in this application. The *Transmittal Form* (wq-wwprm7-03) only needs to be completed once regardless of the number of sites.

This is a multi-site permit. Many of the industries covered under this permit may have more than one location where they conduct the permitted activities. Only one *Transmittal Form* is needed, but **for each site (pit, quarry, or production site), a separate application must be completed.** All activities may be covered under one permit, but to correctly asses the discharges, Minnesota Pollution Control Agency (MPCA) needs information about each site.

All activities include construction at the facility and materials stored in compliance with Minn. R. 7035.2860 (Beneficial Use of Solid Waste). Any recycling and storage of these materials must meet the requirements of Minn. R. 7035.2855 (Solid Waste Storage Standards), including uncontaminated asphalt, concrete rubble and other materials for recycling or reuse.

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Transmittal Form

NPDES/SDS Permit Program

Doc Type: Permit Application

Instructions on Page 6

The National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit Program regulates wastewater discharges to land and surface waters. This form is required for all applicants, except permit termination/transfer.

Complete the application by typing or printing in black ink. Attach additional sheets as necessary. For more information, please contact the Minnesota Pollution Control Agency (MPCA) at: In Metro Area: 651-296-6300 or Outside Metro Area: 800-657-3864.

MPCA use only
Permit Number
Date Received (MM/DD/YYYY)

Existing Permit Information

Existing Permittee name: Nonmetallic Mining and Associated Activities Existing Permit number: MN G490000

Contact Information

1. Facility Owner

Organization name: Geldner Brothers Sand & Gravel, LLC
Mailing address: 28808 West Lake Drive
City: Madison Lake State: MN Zip: 56063
Telephone: 507-327-7202 Fax: E-mail: bgeldner@aol.com
Authorized agent: Brandon Geldner Title: Owner

2. Facility Operator

Organization name:
Mailing address:
City: State: Zip:
Telephone: Fax: E-mail:
Authorized agent: Title:
24-hour Emergency contact backup:
Name: Phone:

3. Discharge Monitoring Report contact

Organization name: N/A
Name: Title:
Mailing address:
City: State: Zip:
Telephone: Fax: E-mail:

4. Billing contact

Organization name: Geldner Brothers SAnd & Gravel, LLC
Name: Brandon Geldner Title: Owner
Mailing address: 28808 West Lake Drive
City: Madison Lake State: MN Zip: 56063
Telephone: 507-327-7202 Fax: E-mail: bgeldner@aol.com
24-hour Emergency contact backup:
Name: Brett Geldner Phone: 507-327-7205

5. Engineer or Consultant

Organization name: ISG
Name: Brian M. Welch Title: Professional Engineer
Mailing address: 115 East Hickory Street, Suite 300
City: Mankato State: MN Zip: 56001
Telephone: 507-387-6651 Fax: E-mail: brian.welch@is-grp.com

Certified Operator Information (if applicable)

Certified operators are required for all municipal facilities and for industrial land application facilities.

6. Main certified operator

Name: _____ Title: _____

Certification (check all that apply): ☐ A ☐ B ☐ C ☐ D ☐ Type IV ☐ Type v

Certification number: _____ Expiration date: _____

7. Other certified operator(s) (attach additional sheets if necessary)

Name: _____ Title: _____

Certification (check all that apply): ☐ A ☐ B ☐ C ☐ D ☐ Type IV ☐ Type v

Certification number: _____ Expiration date: _____

Name: _____ Title: _____

Certification (check all that apply): ☐ A ☐ B ☐ C ☐ D ☐ Type IV ☐ Type v

Certification number: _____ Expiration date: _____

Name: _____ Title: _____

Certification (check all that apply): ☐ A ☐ B ☐ C ☐ D ☐ Type IV ☐ Type v

Certification number: _____ Expiration date: _____

Facility Information

8. Facility Information (Sand and gravel facilities can skip to #9.)

Facility name: _____

Street address: _____

City/Township: _____ State: _____ Zip: _____

County: _____

Township (26-71 or 101-168)	**Range** (1-51)	**Section** (1-36)	**¼ Section** (NW, NE, SW, SE)	**¼ of ¼ Section** (NW, NE, SW, SE)
T N	R ☐ E ☐ W			
Latitude	**Longitude**	**Datum**	**Coordinate collection method**	**Date coordinate collected**

9. Is the facility located on tribal land? ☐ Yes ☒ No If yes, also apply to U.S. Environmental Protection Agency (EPA), Region V, John Coletti (312-886-6106).

10. The 1993 Legislature revised the MPCA's responsibilities in Minn. Stat. § 115.03, subd. 1 (e)(10) "Requiring that applicants for wastewater discharge permits evaluate in their applications the potential reuses of the discharged wastewater;"

As a result of this 1993 Law, the MPCA has been charged with requiring permit applicants to evaluate the reuse potential of their wastewater prior to discharge. Therefore, please provide an evaluation below of reuse potential of your wastewater prior to discharge. Some ideas include lawn watering, irrigation of parks or public property, use of cooling tower blowdown for thermal discharges, wetland reclamation, etc.

N/A

11. List all environmental permits the facility has received or applied for:

None

Surface Water Discharge (Sand and gravel facilities can skip to the application information section.)

12. Does the facility discharge to a surface water of the state? ☐ Yes ☐ No
If no, the surface water discharge section does not need to be completed.

13. Identify all surface water discharge stations.

Station ID: SD

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			
Latitude	**Longitude**	**Datum**	**Coordinate collection method**	**Date coordinate collected**

UTM Northing	UTM Easting	UTM Zone	UTM Datum	Coordinate collection method	Date coordinate collected
Receiving water:					

Station ID: SD

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			
Latitude	**Longitude**	**Datum**	**Coordinate collection method**	**Date coordinate collected**

UTM Northing	UTM Easting	UTM Zone	UTM Datum	Coordinate collection method	Date coordinate collected
Receiving water:					

Groundwater Monitoring Wells

14. Are there groundwater monitoring wells at the facility? ☐ Yes ☐ No *If no, the groundwater monitoring wells section does not need to be completed.*

15. Identify all groundwater monitoring well station locations:

Station ID: GW

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			

UTM Northing	UTM Easting	UTM Zone	UTM Datum	Coordinate collection method	Date coordinate collected

Station ID: GW

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			

UTM Northing	UTM Easting	UTM Zone	UTM Datum	Coordinate collection method	Date coordinate collected

Station ID: GW

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			

UTM Northing	UTM Easting	UTM Zone	UTM Datum	Coordinate collection method	Date coordinate collected

Station Locations

16. Identify all other permitted station locations not identified above:

Station ID:

Station type: ☐ Influent Waste Stream (WS) ☐ Internal Waste Stream (WS) ☐ Surface Water Monitoring (SW)
☐ Land Application (LA) ☐ Other (specify): _____

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			
Latitude	**Longitude**	**Datum**	**Coordinate collection method**	**Date coordinate collected**

Surface water *(surface water monitoring stations only)*:

Station ID:

Station type: ☐ Influent Waste Stream (WS) ☐ Internal Waste Stream (WS) ☐ Surface Water Monitoring (SW)
☐ Land Application (LA) ☐ Other (specify): _____

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			
Latitude	**Longitude**	**Datum**	**Coordinate collection method**	**Date coordinate collected**

Surface water *(surface water monitoring stations only)*:

Station ID:

Station type: ☐ Influent Waste Stream (WS) ☐ Internal Waste Stream (WS) ☐ Surface Water Monitoring (SW)
☐ Land Application (LA) ☐ Other (specify): _____

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)
T N	R ☐ E ☐ W			
Latitude	**Longitude**	**Datum**	**Coordinate collection method**	**Date coordinate collected**

Surface water *(surface water monitoring stations only)*:

Submittals

☒ The applicable application and any applicable attachments required by the application.

☒ Map: attach a U.S. Geological Survey topographical map or similar that indicates the location of the existing or proposed facility, the location of the stations identified above, the receiving water (if applicable) and any additional information required by the applications applicable to your facility.

☐ Schematic: attach a schematic of the treatment facility that includes all facility components, indicating the direction of wastewater flow and the location of the stations identified above.

☐ (Industrial facilities only) Flow Diagram or Water Balance Diagram: attach a flow diagram on the process in its entirety from raw water to discharge.

☐ (Major Municipal facilities only) Facility Description: attach a facility description that describes the collection system and wastewater treatment facility.

Note: *Please ensure this form and all applicable applications and attachments are complete. Incomplete applications will be returned. Review your existing NPDES/SDS Permit to ensure all required submittals have been completed. Failure to complete the application for reissuance or failure to complete requirements of the existing permit is considered a violation and may be subject to enforcement.*

Appendix C: SWPPP Plans

Appendix D: Soils Map

Hydrologic Soil Group—Nicollet County, Minnesota



Map Scale: 1:1,760 if printed on A landscape (11" x 8.5") sheet.

Meters: 0, 25, 50, 100, 150

Feet: 0, 50, 100, 200, 300

N

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Nicollet County, Minnesota
Survey Area Data: Version 9, Dec 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 6, 2011—Apr 6, 2012

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Nicollet County, Minnesota (MN103)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
27B	Dickinson loam, 2 to 6 percent slopes	A	0.2	1.7%
39A	Wadena loam, 0 to 2 percent slopes	B	1.0	7.7%
41B	Estherville sandy loam, 1 to 6 percent slopes	A	1.0	7.6%
944F	Lester-Storden-Estherville complex, 18 to 70 percent slopes	B	10.7	83.0%
Totals for Area of Interest			**12.9**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: *None Specified*

Tie-break Rule: Higher

Appendix E: Impaired Waters Map

Geldner Brothers Sand and Gravel, LLC

Nicollet County, Minnesota



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Appendix F: Inspection Reports

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Industrial Stormwater Site Inspection Form

NPDES/SDS Industrial Stormwater Permit

Doc Type: Self Audit

Instructions: This inspection form is intended to meet the requirements listed in Part III.F of MNR050000. Unless otherwise authorized, inspections shall be conducted by the Permittee once per calendar month for a total of 12 inspections per year. A minimum of one of the 12 inspections should occur during a runoff event. The Permittee can decide when this runoff event inspection will occur.

Facility Information

Facility name: _____ Date: _____

Facility address: _____

City: _____ State: _____ Zip code: _____

Site contact name: _____ Inspector name: _____

SIC Category: _____ Runoff event: ☐ Yes ☐ No

Permit no./Facility ID no.: _____ Weather: _____

Narrative activity and/or SIC Code(s): _____

Inspector Information

Date (mm/dd/yy): _____ Inspection number: _____

Name: _____ Trained for these duties: ☐ Yes ☐ No

Describe duties being performed:

_____

_____

Have the following areas been inspected at your facility?

a. Bulk storage areas (tanks, drums, fuels, pallets, etc.) ☐ Yes ☐ No

Describe findings:

_____

_____

Actions needed:

_____

_____

b. Waste disposal areas ☐ Yes ☐ No

Describe findings:

_____

_____

Actions needed:

_____

_____

c. Maintenance areas ☐ Yes ☐ No

Describe findings:

Actions needed:

d. Loading/Unloading areas ☐ Yes ☐ No

Describe findings:

Actions needed:

e. Raw material, intermediate product, by-product and final storage areas ☐ Yes ☐ No

Describe findings:

Actions needed:

Areas described in a.-e. above should be inspected in every inspection

BMP Evaluation (Stormwater Control Measures)

Evaluate all structural and non-structural Best Management Practices (BMPs) to determine whether they are properly functioning.

BMP type	Function	Description of condition

New Materials and Activities

Describe below any newly exposed materials and activities since the last inspection. Be sure that these materials are accurately noted in the Stormwater Pollution Prevention Plan (SWPPP).

Materials and activities	Date exposed

Runoff Event Inspection

Was the runoff inspection conducted during a storm event? ☐ Yes ☐ No

For the inspection conducted during a runoff event, it is important to visually inspect discharges (runoff) for contaminants (sheen, rusty color, milky or translucent, sediment (muddy), etc.). Describe below the discharges that you observed.

Discharges observed (Y/N)	Describe discharges (color, transparency, volume, etc.)
☐ Yes ☐ No	
☐ Yes ☐ No	
☐ Yes ☐ No	
☐ Yes ☐ No	

What changes should be taken to help clean up these discharges:

Oil and Grease Inspections

Is this facility required to inspect for oil and grease sheen? ☐ Yes ☐ No

Was the inspection conducted during a snowmelt event? ☐ Yes ☐ No

Results from oil and grease inspection:

Stormwater Pollution Prevention Plan (SWPPP) Updates

Does your SWPPP accurately describe site conditions? ☐ Yes ☐ No

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Industrial Stormwater Annual Report Form

NPDES/SDS Industrial Stormwater Multi-Sector General Permit

Due March 31, 2014

Doc Type: Permitting Annual Report

If this is the first time you have ever completed an Annual Report, it should cover the dates starting when the facility received permit authorization to December 31st of the reporting year.

The purpose of the Annual Report is to:

- Summarize compliance with National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Industrial Stormwater Permit during the reporting year.
- Assure that the Stormwater Pollution Prevention Plan (SWPPP) adequately represents facility conditions.
- Assure that Best Management Practices (BMPs) are working properly to manage industrial stormwater discharges.

Do not use this form to make changes to your Industrial Stormwater Permit coverage. Please use the *Administrative Change Form* (wq-strm3-60) found on the Minnesota Pollution Control Agency (MPCA) webpage at: http://www.pca.state.mn.us/xqgx14d7.

Instructions: The Annual Report must be submitted electronically to the MPCA by either the owner or the operator of the facility. All questions with an asterisk (*) are required fields, and must be completed before the form will be transmitted electronically.

PDF version: Save the form to your computer and send to the MPCA by using the 'Submit' button at the end of the form.

MS Word version: Save the form to your computer and send to MPCA as an e-mail attachment to iswprogram.pca@state.mn.us. If you do not receive an e-mail confirmation receipt within two business days, please contact the Industrial Stormwater Program.at iswprogram.pca@state.mn.us.

Questions: Contact MPCA staff by calling the **Stormwater hotline** at: 651-757-2119 or 800-657-3804 (non-metro only).

2013 Reporting Year

*Beginning date: _____, 2013 to December 31, 2013.

If you received permit coverage in 2013, the beginning date is the date your facility received permit authorization. Look for this date on your facility's permit coverage card. If you received permit coverage prior to January 1, 2013, enter January 1 in this box.

Facility Information

*Facility name: _____

*Facility address (physical location): _____

*City: _____ *State: MN *Zip code: _____

*Permit No./Facility ID No.
(ex. MNR053XXX, the number on your coverage card): _____ *Facility contact name: _____

SWPPP Information

*1a. Provide a summary of inspection dates, results, BMP maintenance, and oil and grease inspection results, if applicable. See Part VII of the permit to determine if oil and grease inspection requirements are applicable. (**Permit References: IV.B.7.a.1, IV.B.7.a.2**)
Note: If you did not do an inspection, place the word "none" in the field. The form will not submit without the fields filled in.

Inspection #	Inspection date (mm/dd/yyyy)	Inspection results	BMP maintenance	Results of oil/grease inspections (if applicable)
1				
2				
3				

4				
5				
6				
7				
8				
9				
10				
11				
12				

*1b. Was a minimum of one inspection per calendar year conducted during a runoff event? **(Permit Reference: III.F.1)**

☐ Yes ☐ No Date of inspection(s): _____

1c. The following sectors have additional sector-specific inspection requirements: A, C, D, E, F, G, H, I, J, L, M, N, O, P, Q, R, S, T, U, V, AA, AB. See Part 5.d. of Part VII of each "sector chapter" for your sector-specific inspection requirements. Provide a summary of the inspection results if your facility falls within these sectors. **(Permit Reference: VII.5.d)**

Sector letter	Sector-specific inspection results	Frequency of inspections
Example: *Sector M*	***Example:*** *During my monthly inspections, I inspected all areas where hazardous materials and general automotive fluids are stored, and there were no signs of spilled materials on the ground.*	***Example:*** *I am required to conduct two of my monthly inspections during precipitation event, which I did, in September and November. Both times, no pollutants were observed during either inspection.*

*2a. Does the SWPPP accurately reflect facility conditions?
☐ Yes ☐ No If no, modify your SWPPP. **(Permit Reference: IV.B.7.a.3)**

*2b. Were any newly exposed significant materials identified at the facility during the reporting year?
☐ Yes ☐ No If yes, modify your SWPPP. **(Permit Reference: IV.B.7.a.4)**

2c. Summarize below any SWPPP modifications made since receiving permit coverage at the facility. **(Permit Reference: IV.B.7)**

*2d. Yearly staff training: Provide the date(s) of the required 2013 Industrial Stormwater annual staff training:

_____ **(Permit Reference: III. K)**

*3. Has a review been conducted to determine if the facility is discharging to any newly listed impaired waters that are within one mile of the facility during the reporting year?

☐ Yes ☐ No

Impaired Waters Search Tool: http://www.pca.state.mn.us/mvri1126

Note: *Only review impaired waters that are impaired for the facility's required monitoring parameters (Part VII of the permit) or pollutant surrogates, check language listed on Page 26 of the permit.*

Are there any newly listed impaired waters within one mile of the facility?

☐ Yes ☐ No

If yes, list those waters below and modify your SWPPP. **(Permit Reference: IV.B.7.a.5)**

Note: If "year 2" benchmark value averages are exceeded and the facility discharges to an impaired water, the facility SWPPP must be updated no later than 30 days past the discovery of the exceedance. The facility must implement necessary non-structural BMPs no later than 60 days after discovery of the exceedance and structural BMPs no later than 180 days after discovery of the exceedance.

*4. Has the facility been subject to any U. S. Environmental Protection Agency-approved Total Maximum Daily Loads (TMDLs) during the reporting year?

☐ Yes ☐ No

Important Note: If yes, please review Part 1.B.j regarding eligibility for this permit. For information on TMDLs, visit: http://www.pca.state.mn.us/0agxa04. **(Permit Reference: IV.B.7.a.6)**

5. Provide a list of spills and leaks (as defined in Minn. Stat. § 115.061) that occurred at the facility during the reporting year. **(Permit Reference: IV.B.7.a.8)**

6. **If applicable**, provide a summary of all mobile industrial activities conducted by the facility during the reporting year **(Permit Reference: IV.B.7.a.9)**

Description of activity (include SIC code and/or Narrative Activity)	**Locations where the mobile activity occurred** (include latitude/longitude coordinates)	**Length of time at each location**

Owner or Operator Certification (*Required fields)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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 submitted 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. By typing my name in the following box I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

☐ *I agree

*Owner/Operator name: _____ *Date: _____
(This document has been electronically signed.) *(mm/dd/yyyy)*

Appendix G: Project Responsibility Chart

Appendix G

PROJECT RESPONSIBILITY CHART

Industrial Project or Site Name: Geldner Brothers Sand & Gravel, LLC
Nicollet County Mine Lat: 44.3706° N Lon. 93.9673° W

Any operator conducting under the Storm Water Pollution Prevention Plan (SWPPP) is entirely responsible for meeting SWPPP requirements within the boundaries of the industrial site where they perform industrial activities. The purpose of this chart is to identify the Best Management Practice responsibilities of any operator conducting under the SWPPP and to define the scope of inspections. If the part with day-to-day operational control has abandoned the site, the person with control over project specifications is considered to be the responsible party until the authority is transferred to another party and the SWPPP is updated.

	Operator(s) conducting under the SWPPP		**Other Operator(s)**	
Name				
Monthly Testing of Entire Facility				
Sediment/Erosion Control - Dredge Ponds				
Sediment/Erosion Control - Silt Fences				
Sediment/Erosion Control - Temporary Stabilization				
Sediment/Erosion Control - Permanent Stabilization				
Employee Training				
Spill Prevention/Control - Maintain Equipment				
Spill Prevention/Control - Maintain Concrete Berm in Oil Shed				
Spill Prevention/Control - Petroleum Product Storage				
Good Housekeeping - Dust Control				
Good Housekeeping - Spill Clean-Up				
Good Housekeeping - Waste Disposal				
Good Housekeeping - Sanitation Facilities				
Preventative Maintenance - Repair Vehicle Leaks				
Source Reduction - Chemical Storage				
Source Reduction - Material Storage				

Appendix H: Spill Notification and Response Report

APPENDIX H List of Significant Spills and Leaks	Plant Name: Geldner Brothers Sand & Gravel, LLC Nicollet County Mine Lat: 44.3706° N Lon. 93.9673° W	Emergency Contacts: Police, Fire, or Medical Emergency: 911 MPCA Tanks/Spills Section: (612) 297-8668 MPCA Water Quality Division: (612) 296-6062 Minnesota Duty Office: (651) 649-5451

Instructions: Record all significant spills and significant leaks of toxic or hazardous pollutants that have occurred at the facility in the three years prior to the effective date of the permit.

Definitions: Significant spills include, but are not limited to, releases of oil and hazardous substances in excess of reportable quantities

Date/ Time of Release	Spill	Leak	Location/ Volume of Release	Description				Response Procedure		Preventative Measures Taken
				Material	Quantity	Source	Reason	Amount of Material Removed	Material Still Exposed to Storm Water?	

Emergency Release Follow-up Report
40 CFR Part 355 *(Section 304 Notification Requirement)*

Use the *Submit by Email* button to send this report to the Minnesota EPCRA Program or mail to EPCRA, 445 Minnesota St., Suite 223, St. Paul, MN 55101

Use this form to provide information on a hazardous materials emergency release at your facility.

You must submit this form if you release a reportable quantity of any extremely hazardous substance or of a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substance. All fields are required.

Exempted releases are listed in 40 CFR § 355.31.

Float your cursor over the form fields below to view helpful information.

Facility Identification

ERC ID# | Facility Name

Street Address

City | Zip Code | County

Incident (Release) Information

Date | Time of Release | Duration 0 hours 0 minutes

Released Into: (Check all that apply) ☐ Air ☐ Water ☐ Soil ☐ Sewer

Chemical Released	Qty. (Lbs.)	EHS? + -

Describe any known or anticipated acute or chronic health risks associated with the release:

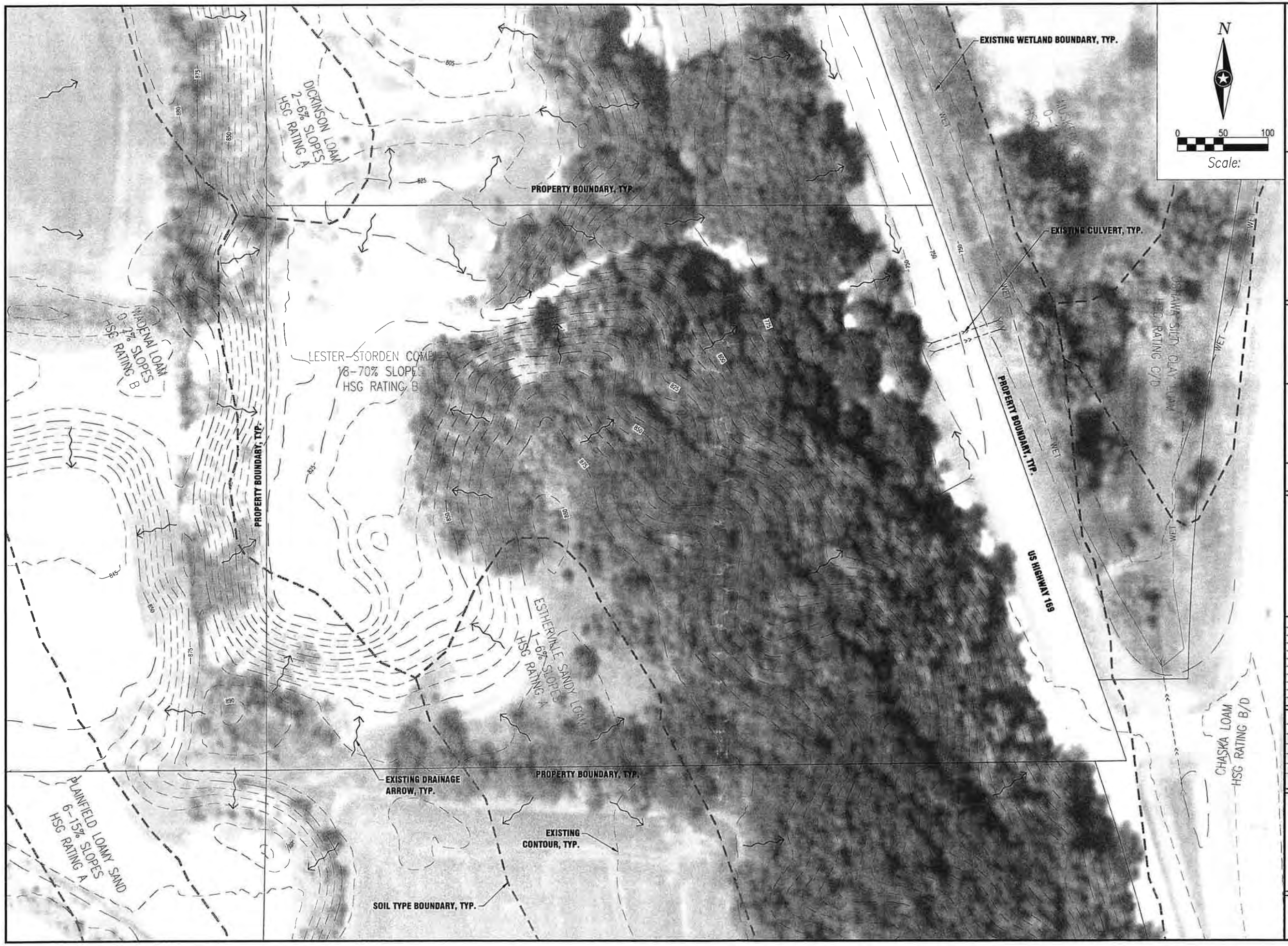
Advice regarding medical attention necessary for exposed individuals:

Precautions anticipated and taken as a result of the release, including evacuation:

Actions taken to respond to and contain the release:

Save Form

Submit by Email



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KEY PLAN

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BRIAN M. WELCH

Brian M. Welch

DATE 8-21-14 LIC. NO. 51802

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE LIC. NO.

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PROJECT

GELDNER BROTHERS SAND AND GRAVEL, LLC

NICOLLET COUNTY MINE PLAN

NICOLLET COUNTY MINNESOTA

REVISION SCHEDULE

NO	DATE	DESCRIPTION

PROJECT NO.	14-16976
FILE NAME	16976 SWPPP
DRAWN BY	BMP
DESIGNED BY	BMW
REVIEWED BY	-
ISSUE DATE	8-21-14
CLIENT PROJECT NO.	-

TITLE

EXISTING SITE

SHEET

2



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BRIAN M. WELCH

Brian M. Welch

DATE 8-21-14 LIC NO 51802

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DATE LIC NO

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PROJECT

GELDNER BROTHERS SAND AND GRAVEL, LLC

NICOLLET COUNTY MINE PLAN

NICOLLET COUNTY MINNESOTA

REVISION SCHEDULE

NO	DATE	DESCRIPTION

PROJECT NO	14-16976
FILE NAME	16976 SWPPP
DRAWN BY	BMP
DESIGNED BY	BMW
REVIEWED BY	-
ISSUE DATE	8-21-14
CLIENT PROJECT NO.	-

TITLE

PROPOSED STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

SHEET

3

SWPPP LEGEND

PROPOSED EROSION CONTROL BLANKET



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BRIAN M. WELCH

Brian M. Welch

DATE 8-21-14 LIC NO 51802

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE _____ LIC NO _____

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PROJECT **GELDNER BROTHERS SAND AND GRAVEL, LLC**

NICOLLET COUNTY MINE PLAN

NICOLLET COUNTY MINNESOTA

REVISION SCHEDULE

NO	DATE	DESCRIPTION

PROJECT NO.	14-16976
FILE NAME	16976 SWPPP
DRAWN BY	BMP
DESIGNED BY	BMW
REVIEWED BY	-
ISSUE DATE	8-21-14
CLIENT PROJECT NO.	-

TITLE **RECLAMATION STORM WATER POLLUTION PREVENTION PLAN (SWPPP)**

SHEET

4

STORM WATER POLLUTION PREVENTION PLAN NOTES:

GENERAL PROJECT INFORMATION:

PROJECT NARRATIVE:
This project consists of the construction of the construction of an approximately 4.2 acre aggregate mine. Mining operations will progress from the west end of the property to the east. Access to the site will be from the east. Once mining operations are completed, the mine will be restored by redressing the slopes with topsoil to a 3H:1V slope.

RESPONSIBLE PARTIES:
Contractor and Owner are required to apply for and receive a National Pollution Discharge Elimination System (NPDES) Stormwater Construction Permit from the MPCA at least 7 days prior to beginning work.

Contractor and owner shall identify a person knowledgeable and experienced in the application of erosion prevention and sediment control BMP's who will oversee the implementation of the SWPPP.

Company: Contact Person: Phone:

Company: Contact Person: Phone:

Owner shall identify the entity responsible for the long term Operation and Maintenance of the storm water management system

Company: Contact Person: **Phone:**

PROJECT AREAS:
Total project size (disturbed area) = 4.20 acres
Minimum area requiring MPCA permit = 1.00 acres
****PROJECT DOES REQUIRE AN MPCA NPDES PERMIT****
Existing area of impervious surface = 0.40 acres
Post construction area of impervious surface = 0.40 acres

Total new impervious surface area created = 0.00 acres

Minimum area of new impervious surface created requiring permanent storm water management = 1.00 acres

STORM WATER MANAGEMENT:
Types of permanent storm water management that will be used if more than one acre of new impervious surface is created are checked below:
[ ] Wet sedimentation basin [x] Infiltration / Filtration
[ ] Regional Pond – Un-Named [ ] Alternative methods

RECEIVING WATERS:
Surface waters which will receive storm water from the site within 1 mile (aerial radius measurement) of project boundary. Include waters shown on USGS 7.5 minute quad and all waters identified in Appendix A of the permit.

Name of Water Body	Type (ditch, pond, wetland, lake, etc.)	Appendix A Special or Impaired Water?
MINNESOTA	RIVER	IMPAIRED
MINNESOTA	CREEK	IMPAIRED
UNNAMED	WETLAND	NO

Additional BMPs together with enhanced runoff controls are required for discharges to Special or Impaired waters within 1 mile of the site. (See Appendix A)

SOIL TYPES:
Particle sizes on site will range from .002 mm to 128 mm. See Hydrologic Soils Group table below for soil types according to the USDA Web Soil Survey.

Hydrologic Soil Group – Summary by Map Unit – Nicollet County, Minnesota (MN103)			
Map Unit Symbol	Map Unit Name	Rating	Percent of AOI
27B	Dickinson loam, 2 to 6 percent slopes	A	1.7
39A	Wadena loam, 0 to 2 percent slopes	B	7.7
41B	Estherville Sandy loam, 1 to 6 percent slopes	C	7.6
944F	Lester-Storden-Estherville complex 18 to 70 percent slopes	D	83

CONSTRUCTION ACTIVITY NOTES:

EROSION PREVENTION:

Construction of silt fence and all other erosion control measures shall be complete before other construction activity occurs. Use phased construction wherever practical and establish turf as soon as possible to minimize sediment transport.

Turf establishment or temporary seeding or mulching of all exposed soil not being actively worked should be practiced following the table below:

Type of Slope or Disturbance Area	Time Area can Remain Open Without Being Actively Worked	
	Normal Water	IMPAIRED
Steeper than 3:1	14 days	7 days
10:1 to 3:1	14 days	7 days
Flatter 10:1	14 days	7 days
Ditches	1 day	1 day
Pipe Ends	1 day	1 day
Within 200 Feet of Surface Water	1 day	1 day

Temporary cover during construction is incidental.

Pipe outlets must be provided with temporary or permanent energy dissipation within 24 hours after connection to a surface water.

All exposed soils shall be seeded or sodded at the earliest possible time to prevent/reduce erosion.

A. Seed shall be MnDOT mixture 35-241 and shall be placed in accordance with MnDOT 2575. Seed shall meet MnDOT Specification 3876. Mulch shall be MnDOT 3882 Type 3 mulch. Mulch shall be applied at a rate of 2.0 tons/acre. Mulch shall be disc anchored. Fertilizer shall be applied to seeded areas incidental to seeding. Fertilizer shall be a Type 4, 18-1-8 (%n-p-k) applied at a rate of 150 lb/acre.

B. Temporary seed for up to one year shall be MnDOT mixture 21-113. Temporary seed for one to 5 years shall be MnDOT mixture 32-241. Seed shall be placed in accordance with MnDOT 2575. Seed shall meet MnDOT Specification 3876

C. Temporary mulching shall be Type 1 applied at a rate of 2 tons/acre and disc anchored OR Type 4 OR Hydraulic matrix type Hydraulic Mulch.

D. Temporary fertilizer shall be incidental to construction. Temporary fertilizer shall be Type 1, 10-10-20 (%n-p-k) applied at a rate of 200 lb/acre.

Additional erosion prevention measures may be found in the permit and MPCA's Best Management Practices.

SEDIMENT CONTROL PRACTICES:

Construction of silt fence and all other erosion control measures shall be complete prior to land disturbing activities occur.

A rock construction entrance or other approved alternative must be constructed at the entry point to the project site. Rock construction entrance must be 40'x25' (min.) of 2" – 4" crushed rock, 8" deep.

Inlet erosion protection shall be installed and maintained until turf or pavement has been established.

The contractor shall be responsible to control erosion from leaving the construction zone. All eroded material that leaves the construction zone shall be collected by the contractor and returned to the site at the contractor's expense.

Contractor shall maintain a 50-foot natural buffer or use redundant sediment controls near surface waters if a buffer is not feasible.

Contractor shall take the necessary steps to minimize soil compaction and preserve topsoil on site.

All streets must be swept within 24 hours when any tracking occurs.

Silt fence or other effective erosion control measures must be installed around the perimeter of any soil stockpiled, including temporary stockpiles, at this location or any other on the project site. Stockpiles cannot be placed in surface waters, including storm water conveyances such as curb and gutter systems, or conduits and ditches.

CONSTRUCTION ACTIVITY NOTES:

DEWATERING AND BASIN DRAINING:

Dewatering will not occur at the site. Any removal of material from below the water table would be accomplished utilizing dredging methods.

POLLUTION PREVENTION:

All solid waste collected from the construction site must be disposed in accordance with all applicable regulations.

All hazardous materials (oil, gasoline, fuel, point, etc) must be properly stored to prevent spills, leaks, or other discharge. Storage areas shall provide secondary containment and a hazardous materials spill kit. Equipment fueling and maintenance shall occur in a designated, contained area. Storage and disposal of hazardous waste must be in compliance with all applicable regulations. All runoff containing any hazardous material must be properly collected and disposed. No engine degreasing shall be allowed on site.

All sanitary wastes must be collected from portable units on site by a licensed sanitary waste management contractor. The units must be secured and shall be maintained on a regular basis as needed to prevent overfilling

Emergency Spill Plan – The Contractor is responsible for all construction personnel to be informed of the manufacturers' recommended spill cleanup methods, and the location of that information and cleanup supplies. The Contractor shall modify the SWPPP as required within seven calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. Plans must identify measures to prevent the reoccurrence of such releases. If a spill occurs, the following steps shall be followed:

1. Observe the safety precautions associated with the spilled material. Stop the source of the spill, if you can do so safely. Call 911 if fire or public safety hazards are created.
2. Contain the spilled material. Dirt, sand, or any semi-impermeable material may be used to create a containment structure to prevent the material from flowing.
3. Report the spill to the Minnesota Duty Officer at (651) 649-5451.
4. Clean up the spilled material and dispose of the wastes properly. With the exception of used oil, waste generated from petroleum spills that have been reported and cleaned up immediately are exempt from Minnesota's Hazardous Waste Rules. Waste generated from used oil spills must be sent to a facility for energy recovery

The contractor is responsible for monitoring air pollution and ensuring it does not exceed levels set by local, state, or federal regulations. This includes dust created by work being performed on the site. Air pollution and dust control correction is considered incidental to the unit bid prices for which work is being performed. Additional dust control measures may be required by the Engineer.

Concrete washout onsite: All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.

INSPECTION AND MAINTENANCE:

The Permittees must routinely inspect the construction site once every seven (7) days during active construction and within 24 hours of a rainfall event greater than 0.5 inches in a 24 hour period.

All inspections performed during construction must be recorded and records retained with the SWPPP in accordance with the Stormwater Permit. Contractor is responsible for keeping a record of all rainfall data & erosion control maintenance until final establishment of turf.

All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/2 of the height of the fence. Erosion control and other BMP's must be replaced, repaired, or supplemented when they reach 50% design load.

See MPCA website for example of SWPPP inspection and maintenance forms
http://www.pca.state.mn.us/index.php/view-document.html?gid=7409

FINAL STABILIZATION:

The Permittees must ensure final stabilization of the site. The Permittees must submit a Notice of Termination within 30 days after final stabilization is complete or control has been passed to another owner. All temporary erosion control measures and BMP's must be removed as part of the final site stabilization.

The storm water permit further defines final stabilization and its requirements.

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KEY PLAN

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BRIAN M. WELCH
DATE 8-21-14 LIC. NO. 51802

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA
DATE LIC. NO.

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PROJECT
GELDNER BROTHERS SAND AND GRAVEL, LLC
NICOLLET COUNTY MINE PLAN
NICOLLET COUNTY MINNESOTA

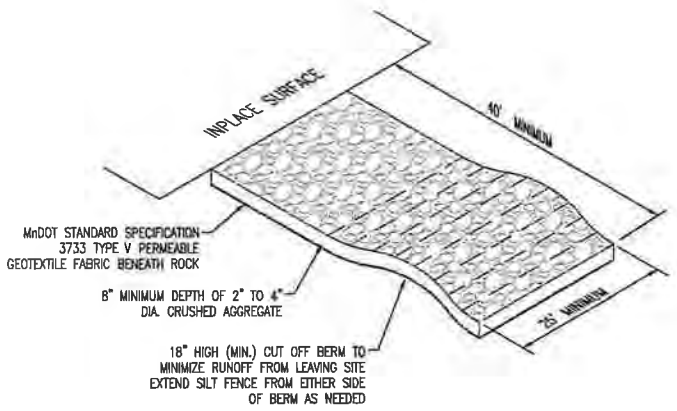
REVISION SCHEDULE

NO	DATE	DESCRIPTION

PROJECT NO.	14-16976
FILE NAME	16976 SWPPP
DRAWN BY	BMP
DESIGNED BY	BMW
REVIEWED BY	-
ISSUE DATE	8-21-14
CLIENT PROJECT NO.	-

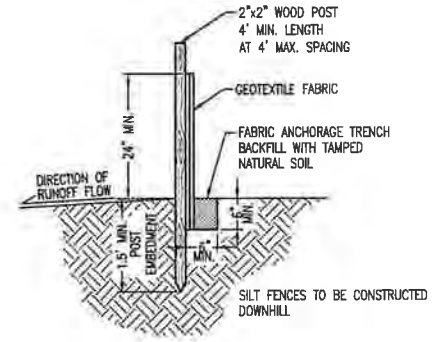
TITLE
STORM WATER POLLUTION PREVENTION PLAN (SWPPP) NOTES

SHEET
5



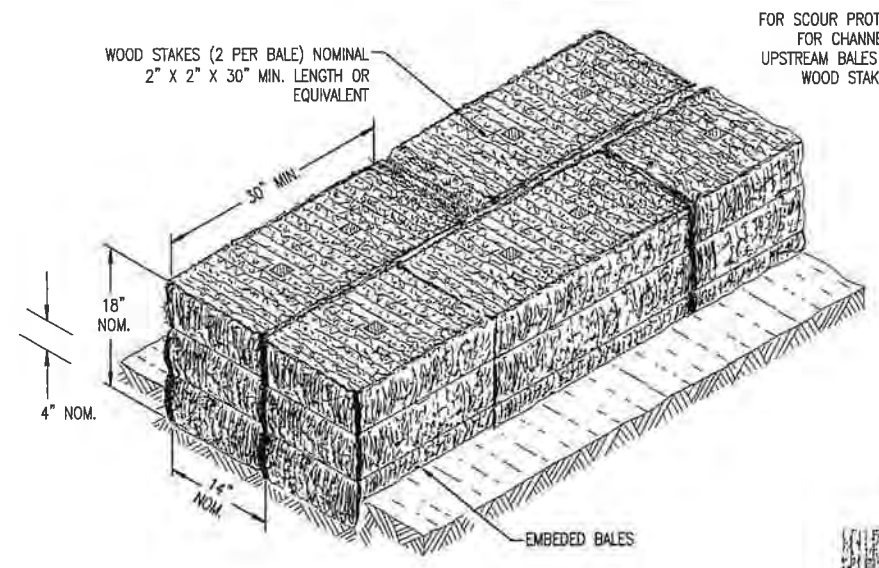
ROCK CONSTRUCTION ENTRANCE

N.T.S.

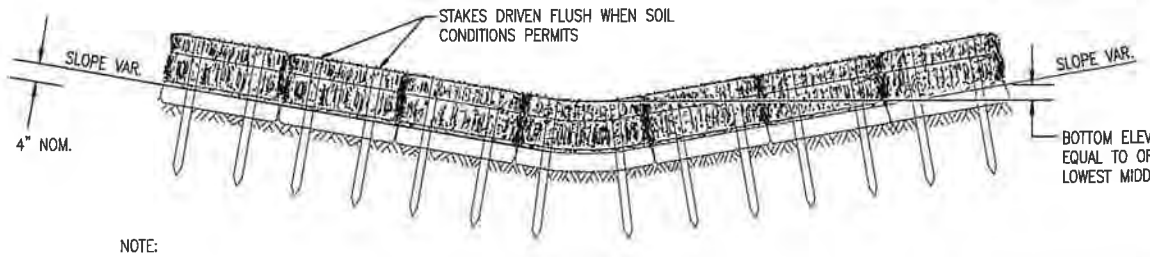


PREASSEMBLED SILT FENCE DETAIL

N.T.S.



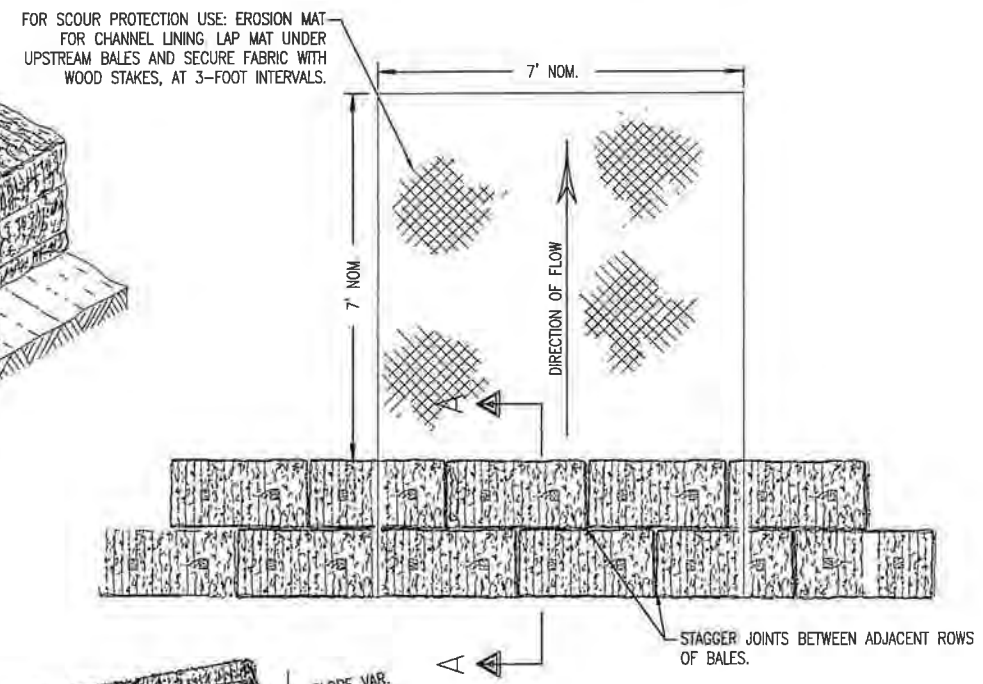
SECTION A-A



NOTE:
ALL DIMENSIONS ARE APPROXIMATE

FRONT ELEVATION

STAGGER JOINTS WITH A DOUBLE ROW.
N.T.S.



PLAN VIEW

HAY BALE DITCH CHECK

N.T.S.

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BRIAN M. WELCH

Brian M. Welch

DATE 8-21-14 LIC NO 51802

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DATE LIC NO

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PROJECT
GELDNER BROTHERS SAND AND GRAVEL, LLC
NICOLLET COUNTY MINE PLAN

NICOLLET COUNTY MINNESOTA

REVISION SCHEDULE

NO	DATE	DESCRIPTION

PROJECT NO	14-16976
FILE NAME	16976 SWPPP
DRAWN BY	BMP
DESIGNED BY	BMW
REVIEWED BY	-
ISSUE DATE	8-21-14
CLIENT PROJECT NO.	-

TITLE
STORM WATER POLLUTION PREVENTION PLAN (SWPPP) DETAILS

SHEET
6

GELDNER BROTHERS SAND AND GRAVEL, LLC
NICOLLET COUNTY MINE PLAN

NICOLLET COUNTY, MINNESOTA

ISG PROJECT NO. 14-16976

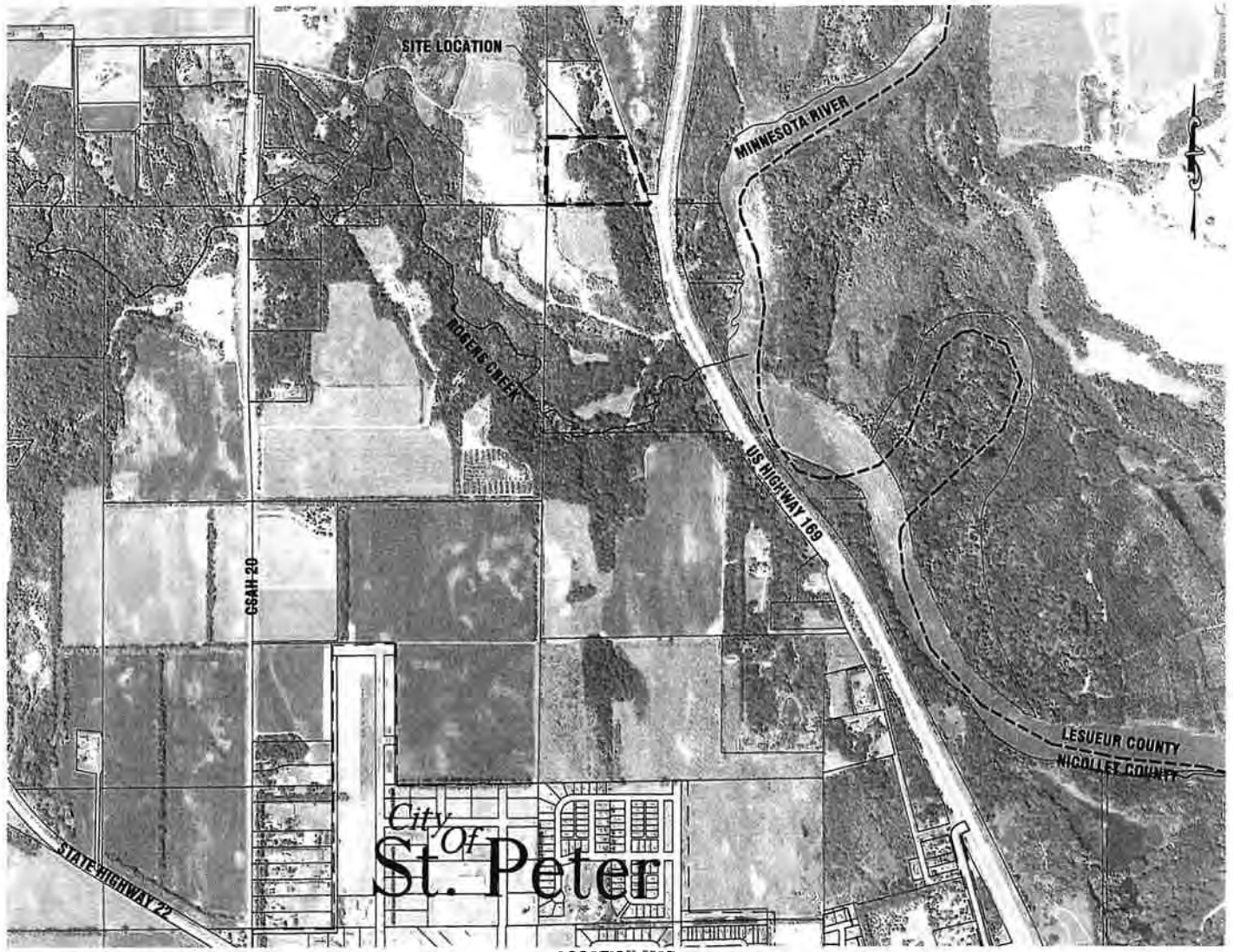
LEGEND

EXISTING

- CITY LIMITS
- SECTION LINE
- QUARTER SECTION LINE
- RIGHT OF WAY LINE
- PROPERTY / LOTLINE
- EASEMENT LINE
- ACCESS CONTROL
- WATER EDGE
- WETLAND BOUNDARY
- WETLAND / MARSH
- FENCE LINE
- CULVERT
- STORM SEWER
- SANITARY SEWER
- SANITARY SEWER FORCEMAIN
- WATER
- UNDERGROUND TELEPHONE
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- UNDERGROUND TV
- GAS
- UNDERGROUND FIBER OPTIC
- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- DECIDUOUS TREE
- CONIFEROUS TREE
- TREE LINE

PROPOSED

- LOT LINE
- RIGHT OF WAY
- EASEMENT
- CULVERT
- STORM SEWER
- STORM SEWER (PIPE WIDTH)
- SANITARY SEWER
- SANITARY SEWER (PIPE WIDTH)
- WATER
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- UNDERGROUND TV
- GAS
- CONTOUR



LOCATION MAP
1"=750'

SHEET INDEX

1 TITLE SHEET
2 EXISTING SITE
3 PROPOSED STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
4 RECLAMATION STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
5 STORM WATER POLLUTION PREVENTION PLAN NOTES
6 STORM WATER POLLUTION PREVENTION PLAN DETAILS

PROJECT INDEX:

OWNER:

GELDNER BROTHERS SAND & GRAVEL, LLC
28808 WEST LAKE DRIVE
MADISON LAKE, MINNESOTA 56062
CONTACT: BRANDON GELDNER
PH: 507-327-7202
EMAIL: BGELDNER@AOL.COM

PROJECT ADDRESS / LOCATION:

LATITUDE: 44.3706
LONGITUDE: -93.9673

NW 1/4 OF THE SW 1/4 OF THE SW 1/4
SECTION 33, TWP 111N, RANGE 26W

NICOLLET COUNTY, MINNESOTA

MANAGING OFFICE:

MANKATO OFFICE
115 EAST HICKORY ST.
SUITE 300
MANKATO, MN 56001
PHONE: 507.387.6651
FAX: 507.387.3583

PROJECT MANAGER: BRIAN WELCH
EMAIL: BRIAN.WELCH@IS-GRP.COM

SITE INFORMATION:

THE SITE IS AN 11.67 ACRE PARCEL LOCATED WEST OF US HIGHWAY 169 APPROXIMATELY 1.5 MILES NORTH OF ST. PETER, MINNESOTA.

ISG Architecture Engineering Environmental Planning
www.is-grp.com
I+S GROUP

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BRIAN M. WELCH

DATE 8-21-14 LIC. NO. 51802

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DATE _____ LIC. NO. _____

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PROJECT
GELDNER BROTHERS SAND AND GRAVEL, LLC
NICOLLET COUNTY MINE PLAN

NICOLLET COUNTY MINNESOTA

REVISION SCHEDULE

NO	DATE	DESCRIPTION

PROJECT NO.	14-16976
FILE NAME	16976 SWPPP
DRAWN BY	BMP
DESIGNED BY	BMW
REVIEWED BY	-
ISSUE DATE	8-21-14
CLIENT PROJECT NO.	-

TITLE

TITLE

SHEET

1

October 23, 2023

Brett Geldner

St Peter, MN 56082

RE: Mining through the Property Lines

Brett,

This agreement allows us to mine through the property lines.

Nicollet County is requiring this for their file.

10/3/23

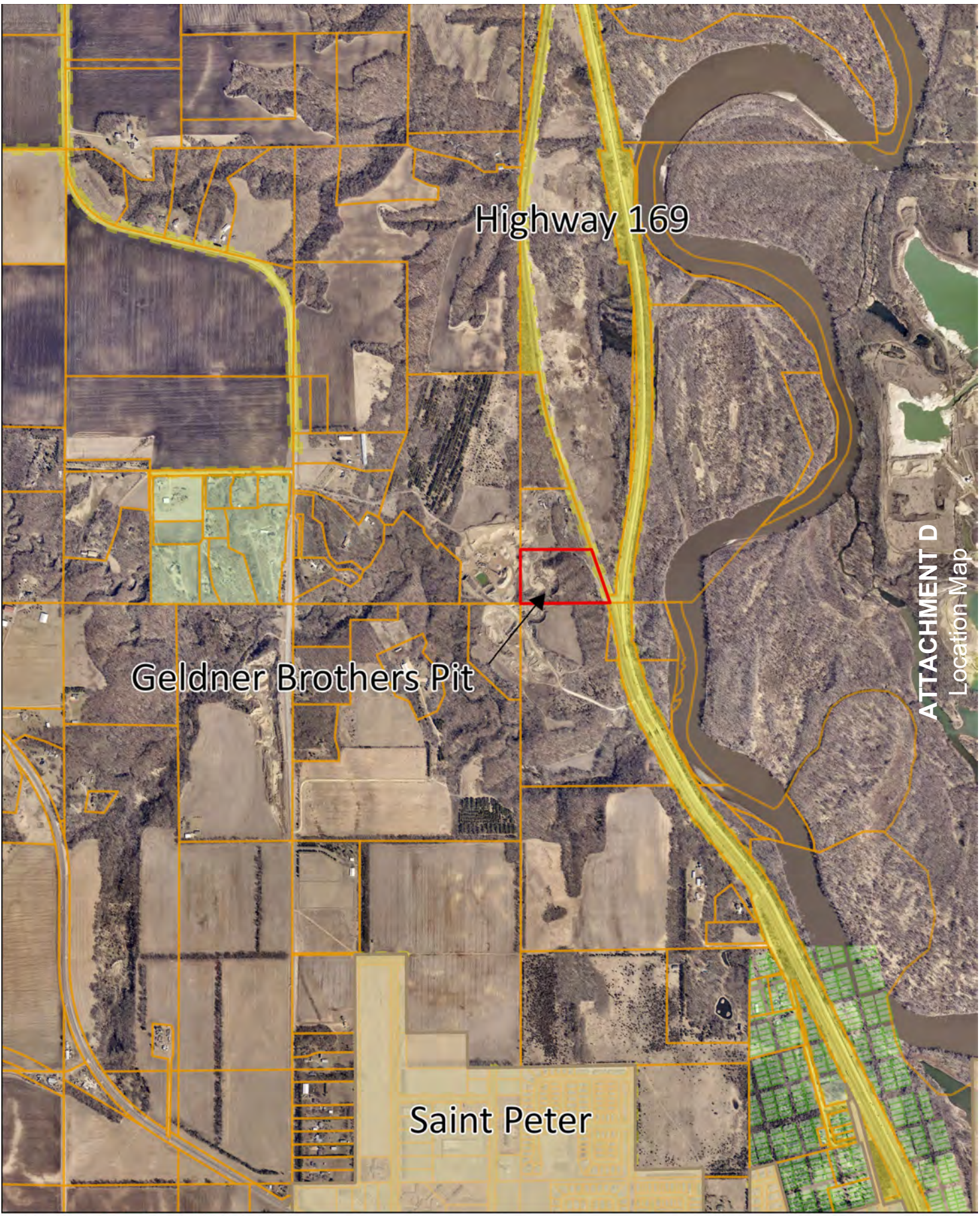
Gulf Shore, LLC
Matthew Brostrom - President

10-3-23

Brett Geldner - Owner



ATTACHMENT C
Aerial Map



NICOLLET COUNTY EST. 1853

Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, suitability, or reliability of this data for any purpose. Nicollet County assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. The user accepts the data "as is", and assumes all risks associated with its use. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party.

0 1,000 2,000 Feet

N





ATTACHMENT E
Site Photographs


10 30 2023


10 30 2023


10 30 2023


10 30 2023


10 30 2023

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
DAVIS JAMES S & ANNE L DAVIS	39835 COUNTY ROAD 20	SAINT PETER MN 56082
GELDNER BROTHERS SAND & GRAVEL LLC	1132 RABBIT RD	SAINT PETER MN 56082
GP-75 LLC	PO BOX 30	SAINT PETER MN 56082
GULF SHORE LLC	805 EVENSON ST	SAINT PETER MN 56082
KENDALL HARVEY M & DIANN A REVOCABLE TRUST	108 HILLCREST RD	MONTICELLO MN 55362
KENDALL MARK & SUSAN KENDALL	39956 US HIGHWAY 169	SAINT PETER MN 56082
MCCABE AMBROSE & SCHELLI REVOCABLE TRUST	40497 COUNTY ROAD 20	SAINT PETER MN 56082
MCCABE AMBROSE R & SCHELLI O MCCABE	40497 COUNTY ROAD 20	SAINT PETER MN 56082
MN (STATE OF)	500 LAFAYETTE RD	SAINT PAUL MN 55155-4030
MNR 130 LLC	130 DELAWARE ST SE	LONSDALE MN 55046
PETERSON JUSTIN & MADELEINE WALTER	39757 COUNTY ROAD 20	SAINT PETER MN 56082
WALTER JEREMY A & LISA F WALTER	39761 COUNTY ROAD 20	SAINT PETER MN 56082
COLLINS,CHARLES & SHARON	32546 HUGO DR	ST PETER, MN 56082
COVIA SOLUTIONS INC	3 SUMMIT PARK DR STE 700	INDEPENDENCE, OH 44131
Karen Brancamp - Lake Prairie Township	33952 348th St	Le Sueur, MN 56058

ATTACHMENT F
Neighbor Notification List

PLANNING COMMISSION
CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant	Brett Geldner	**Hearing**	November 20, 2023
Property Owner	Geldner Brothers Sand & Gravel LLC	**Continuation**	N/A
File	PLN23-19	**Commission Member**	

Use Request Three (3) year Mineral Extraction CUP renewal

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

YES ☐ NO ☐ REASON: _____

_____

_____

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

YES ☐ NO ☐ REASON: _____

_____

_____

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

5. The requested use is consistent with the County Zoning Ordinance.

ATTACHMENT G
Criteria for Conditional Use Permit

YES ☐ NO ☐ REASON: _____

_____

_____

6. The requested use is not in conflict with the County Comprehensive Plan.

YES ☐ NO ☐ REASON: _____

_____

_____

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

YES ☐ NO ☐ REASON: _____

_____

_____

8. The requested use is reasonably related to the existing land use and environment.

YES ☐ NO ☐ REASON: _____

_____

_____

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

YES ☐ NO ☐ REASON: _____

_____

_____

10. The requested use ____ have adverse effect upon public health, safety and welfare due to the following other factors.

WILL ☐ WILL NOT ☐ REASON: _____

_____

_____

THE NICOLLET COUNTY PLANNING COMMISSION

☐ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

☐ Application
☐ Information received at public hearing
☐ Pictures
☐ Site visit
☐ Staff Report

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE AND IN THE RECORD.

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING COMMISSION.

Date: _____ Commission Member: _____

CONDITIONAL USE PERMIT

MINERAL EXTRACTION PERMIT RENEWAL

M.R. Paving & Excavating

PLN23-21

NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION

SUBJECT:	Conditional Use Permit PLN23-21
APPLICANT:	Adam Hoffmann- M.R. Paving
LANDOWNER:	Ruth Rewitzer, Mary Henle, & Doris Guemmer
LOCATION:	Western ½ of the Northwest ¼, Section 1-109-30 in Courtland Township
PARCEL NO:	04.201.0100
EXISTING ZONING:	Conservancy Zoning District
HEARING DATE:	11/20/23
COUNTY BOARD DATE:	11/28/23
60 DAYS FROM REQUEST:	12/24/23

REQUEST

The Applicant is requesting a three (3) year review of their mineral extraction permit to mine, crush, stockpile, and process gravel, clay, and shale.

ORDINANCE

Mineral extraction operations are required to renew their conditional use permit every three (3) years per Nicollet County Zoning Ordinance 724.2 (3).

The renewal seems to meet all the requirements as listed in Nicollet County Zoning Ordinance Section 724 Mineral Extraction, including setbacks.

PROJECT DESCRIPTION

Timeline:

1987	1994	1996	2020
Angeline Guemmer receives a Conditional Use Permit for mineral extraction.	M.R. Paving & Excavating ssumes mining rights after acquiring Wallner Construction.	A demolition landfill is opened on the same property, but is ermitted separately.	Ownership of the property is transferred to Ruth Rewitzer, Mary Henle, & Doris Guemmer, who are the current owners.

Operations:

The eighteen (18) acre site leased by M.R. Paving & Excavating consists of an open pit gravel mine along with a storage and processing area. 22,000 tons of material have been removed from the mine over the past three years, which is occasionally processed onsite using a screener or crusher. The stockpiles consist of sand, clay, gravel, landscaping rock, and recycled concrete/asphalt. The recycled material is crushed down and mixed with aggregate for gravel, although there is no hot mix plant on site. The equipment used is typical for a gravel pit, consisting of payloaders, dozers, excavators, dump trucks, semis, water trucks, generators, conveyors, and skid loaders.

The five acres to be mined in future phases are located to the north and northeast of the existing pit. The Applicant expects mining operations to continue for another 8 to 10 years, although this may vary depending on future projects.

Access:

The site has direct access to 561st Avenue via a path leading down to the pit and storage area. The driveway is located about 700 feet south of the 561st Avenue & Highway 14 intersection.

Appearance:

The facility is screened by a mix of berms, trees, and topography. It is not visible from Highway 14 or the Minnesota River, and generally not visible from neighboring properties. It can be seen from the neighboring Kohn Pit, which is also a gravel mine.

Blasting:

No blasting occurs on the site.

Bond Requirements:

The Applicant has submitted an updated bond in the amount of $45,000 to cover the actively mined and not yet reclaimed acres. The bond amount is $2,500 per acre due to the pit preexisting the 2014 Mineral Extraction Zoning Ordinance amendment requiring $5,000 per acre.

Hours of Operation:

The hours of operation are from 7 am to 7 pm Monday through Friday, and 7 am to 2 pm on Saturday. No work is done on Sundays.

Signage:

There is a semi-trailer with an attached banner on the property being used as a sign. This is prohibited per Nicollet County Zoning Ordinance 735.4, and the size of the sign is prohibited per 735.7. Property Services staff are currently working with the Applicant to correct the violation.

Stormwater:

Stormwater for both the gravel pit and demolition landfill flows to a retention pond located in the southeast of the property. The Applicant has submitted a Stormwater Pollution Prevention Plan (SWPPP) and NPDES permit, which expires in 2025.

Dust, Noise, & Odor Control:

Water and/or zinc chloride is used to control dust on the haul road. Noise and odor do not appear to be outside of what is typical for a gravel pit. The Applicant has two individuals designated to handle complaints for this location.

Reclamation Plan:

The reclamation plan shows the gravel pit becoming a part of the demolition landfill to the south. Demolition rubble will be placed in phases within the pit as usable deposits are depleted. The final grade is depicted as a large and somewhat square mound sloping upwards on all sides.

SURROUNDING LAND USE

The surrounding land use is varied, with other gravel pits to the east and west; a school to the north; a shooting range to the southeast; and the Minnesota River to the south and southwest. There are dwellings in all directions at varying distances.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

1. **Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.**

    - Mineral extraction is a conditionally permitted use in the Conservancy Zoning District.
    - The use is similar to other mineral extraction operations within the County.
    - The Applicant has a valid NPDES Permit and SWPPP.

2. **The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**

    - The facility has access to Highway 14, which can accommodate larger trucks and typical traffic generated from this location.
    - The utility usage for this location does not appear to be unreasonable.

3. **The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**

    - There are similar mineral extraction operations within the area.
    - The mineral extraction operation is generally screened from the surrounding uses by berms, trees, and topography.
    - No unreasonable noise, odor, or glare is expected. The Applicant has a method of controlling dust by spraying water and zinc chloride.
    - The Applicant has a procedure in place to handle and resolve complaints.

4. **The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**

    - The operation appears to be typical for mineral extraction within the County.
    - The proposal meets the required setbacks for the Conservancy Zoning District & mineral extraction facilities.

- The use adheres to the applicable standards of Sections 724.5(3) and 724.5(16) of the Zoning Ordinance for the appearance and screening of mineral extraction facilities.

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

- The request meets the applicable standards and requirements found in Sections 505, 603, and 724 of the Zoning Ordinance for mineral extraction conditional use permits.

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

- The Comprehensive Plan states that the aggregate industry provides vital jobs for residents and revenue for local businesses.

- The Comprehensive Plan states that Nicollet County will continue to work with aggregate businesses, such as this one, to ensure that these operations can continue in a sustainable and environmentally friendly manner.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

- The use adheres to the standards of Sections 724.5(7), 724.5(9), and 724.5(13-14) of the Zoning Ordinance for dust control and air quality; hours of operation; noise and vibrations; and road dust and debris.

- Roads are treated to control dust as needed.

- No blasting takes place on site.

8. The requested use is reasonably related to the existing land use and environment.

- The request is a renewal and does not change the existing land use.

- Mineral extraction is a conditionally permitted use in the Conservancy Zoning District.

- There are similar mineral extraction operations within the area.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The Applicant has a valid NPDES Permit & SWPPP.

- The Applicant is not using explosives nor storing hazardous waste.

- Any changes to the operation will require an amended conditional use permit.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The request, as proposed, appears to meet County standards with no known adverse effects to public health, safety, and welfare.

STAFF RECOMMENDATIONS

1. The Applicant shall undertake the project according to the plans and specifications submitted to the County with the application.

2. The conditional use permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.

3. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

4. The conditional use permit to mine, crush, stockpile, and process gravel, clay, and shale will be reviewed in November 2026.

5. The bond shall be amended as needed to cover the amount of actively mined acres and not yet reclaimed acres. The bond must be kept in force during the time of operation.

6. A continuation certificate of the bond shall be sent to the Property Services Department with no lapse in time during the course of this permit.

7. All signage shall comply with Section 735 of the Nicollet County Zoning Ordinance.

Applicant: M.R. Paving & Excavating
Landowner: Ruth Rewitzer

PLN23-21

ATTACHMENT A	**Application**
ATTACHMENT B	**Submitted by Applicant**
ATTACHMENT C	**Aerial Map**
ATTACHMENT D	**Location Map**
ATTACHMENT E	**Site Photographs**
ATTACHMENT F	**Neighbor Notification List**
ATTACHMENT G	**Criteria for Conditional Use Permit**

NICOLLET COUNTY EST. 1853

PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: **$496.00**

Map#: 15-01-100-001
Parcel#: 04.201.0100
Permit#: PLN23-21
Date: 10/25/2023

Applicant: Adam Hoffmann- M.R. Paving
Telephone: 507-276-7410
Owner: Ruth Ann Rewitzer
Property Address: 55921 US Highway 14, New Ulm, MN 56073
Abbreviated Legal Description: NWNW & SWNW 1-109-30
Township: Courtland Township
Zoning District(s): CONSERVANCY

Record Type: Conditional Use Permit
Subtype: Renewal
Category: Other
Description: Mineral Extraction 3 year renewal
G.C. Licence#: n/a
Job Cost: n/a

ATTACHMENT A
Application

PERMIT EXPIRATION DATE: **10/25/2024**

Adam Hoffmann	Oct 25, 2023		10/25/23
APPLICANT SIGNATURE	**DATE**	**PROPERTY SERVICES**	**DATE**

PLN23-21 App

Final Audit Report 2023-10-25

Created:	2023-10-25
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAF1fmzJYd6y1WOvlw_ykBeqboaXKx19jM

"PLN23-21 App" History

Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
2023-10-25 - 7:00:54 PM GMT

Document emailed to Adam Hoffmann (adamh@mrpaving.com) for signature
2023-10-25 - 7:01:29 PM GMT

Email viewed by Adam Hoffmann (adamh@mrpaving.com)
2023-10-25 - 7:14:04 PM GMT

Document e-signed by Adam Hoffmann (adamh@mrpaving.com)
Signature Date: 2023-10-25 - 7:14:35 PM GMT - Time Source: server

Agreement completed.
2023-10-25 - 7:14:35 PM GMT

MINERAL EXTRACTION CHECKLIST

The following information is required to be provided for a conditional use permit application. Additional information may be required, as determined necessary by the Zoning Administrator and per Section 724 of the Zoning Ordinance.

NUMBER OF ACRES AS FOLLOWS:

18 Acres being mined or used for mining purposes (stockpiles, equipment storage, haul roads, etc).

5 Acres permitted and remaining to be mined in future phases.

-0- Acres where land reclamation has occurred.

-0- Acres not permitted to be mined (non-mining related acres).

53 Total acreage of property.

TONNAGE OF MATERIAL REMOVED:

22,000 Ton Tons of material removed from site over the past three (3) years, or since last permit renewal date.

Include a copy of the renewed **BOND** or **LETTER OF CREDIT** for the site. Continuation letters must to be sent to the Property Services Office on years when the permit is not scheduled for renewal.

PLEASE PRINT:

Property Owner: Ruth Reinitzer

Owner's Address: 55921 US Highway 14 New Ulm, MN 56073

Contractor working the site: M.R. Pavig & Excavating Inc.

Contractor's address: 2020 North Spring St. New Ulm, MN

Contractor's phone number: 507-354-4171

Date: 9-13-23

Applicant (Landowner or Contractor) Signature: Adam Hoffmann for M.R Pavig & Excavating Inc.

Parcel No. 04.201.0100 Map No. 15-01-100-001

Revised 11-29-18 JH

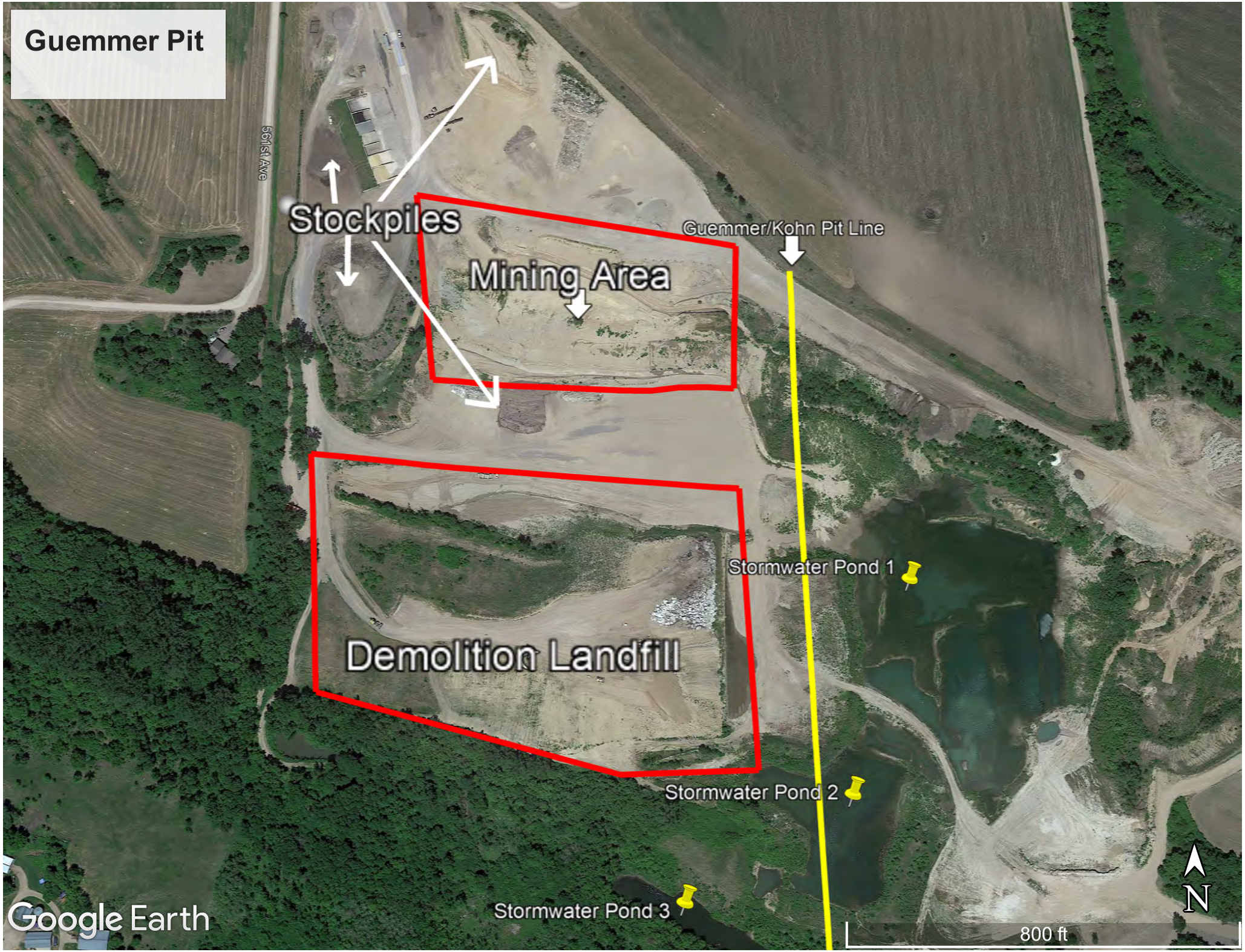
ATTACHMENT B
Submitted by Applicant

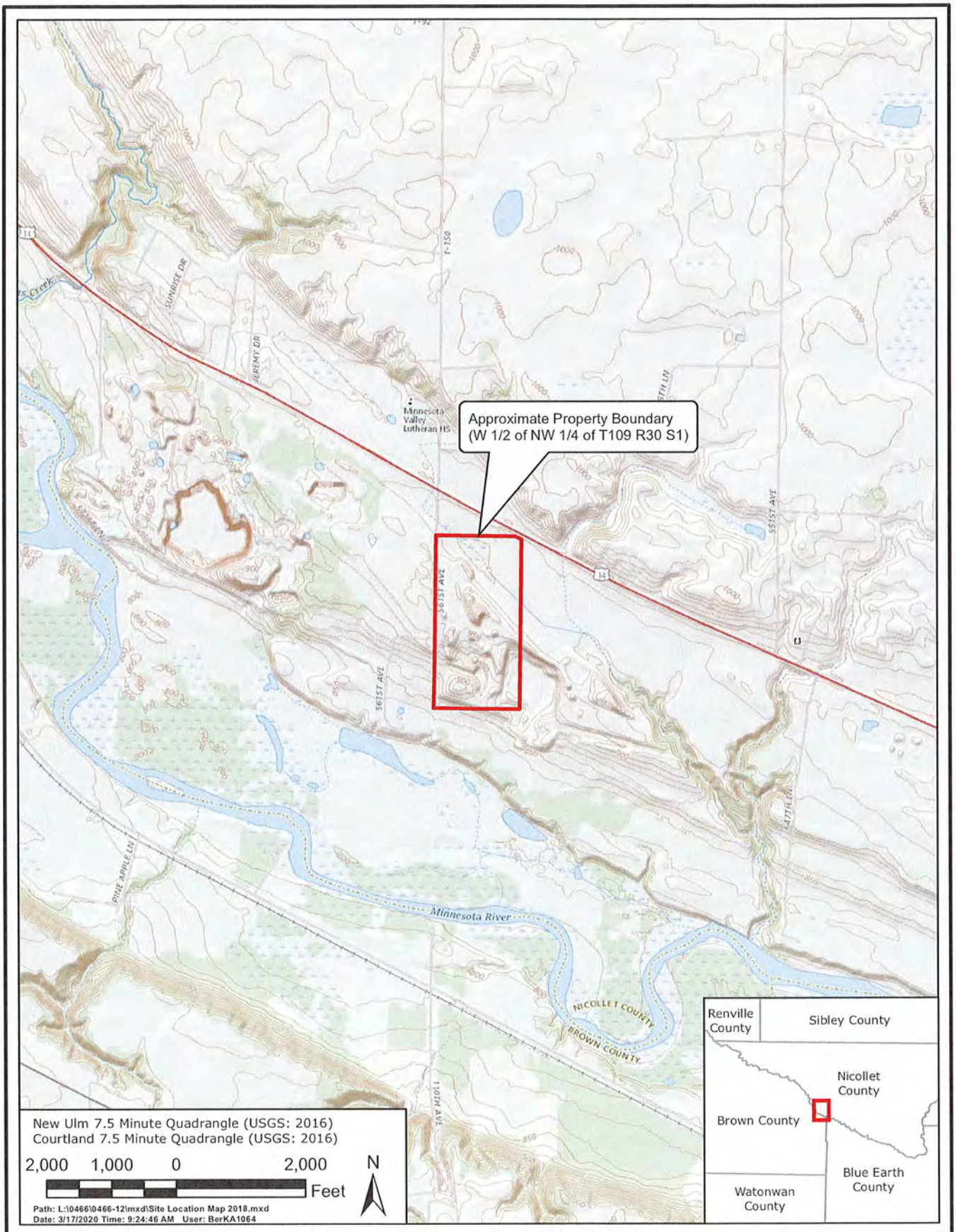
M.R.
PAVING & EXCAVATING, INC.
1000 North Front
P.O. Box 787
Phone (507) 354-4171 New Ulm, MN. 56073 Fax (507) 359-4156

Guemmer Pit
Sec 01-10-030
Parcel # 04-201-0100

We would like to renew our Guemmer Pit's mineral extraction Conditional Use Permit. This gravel pit is located west of Courtland off T.H. 14 and 561st Ave. The entrance which is already there is located south of the intersection of T.H. 14 and 561st Ave about 700 feet. The gravel pit will be used to furnish aggregate materials to state, county, and city projects in the area. The hours of operation will be from 7:00am to 7:00pm Monday through Friday and 7:00am to 2:00pm on Saturdays. No work will be done on Sundays. We will have berms and signs located around the pit for safety precautions. We will use water and or zinc chloride for dust control on the pit roads. There is no blasting or hot mix plant in this pit. The only hazardous material within the pit is diesel fuel which is stored in a steel tank within a containment. We process aggregates with a screener or crusher 1-2 times a year in this pit. Pit vehicles include payloaders, dozers, excavators, dump trucks, semis, water trucks, crusher, screener, generator, conveyors, and skid loaders. The average number of trips per day in this pit is 50. We will continue to reclaim the pit as material is mined out.

Complaint management procedures –
Please Call: Manager: Adam Hoffmann @ 507-276-7410 or
Owner: Matt Mathiowetz @ 507-276-376


Guemmer Pit
551st Ave
Stockpiles
Mining Area
Guemmer/Kohn Pit Line
Demolition Landfill
Stormwater Pond 1
Stormwater Pond 2
Stormwater Pond 3
Google Earth
N
800 ft



VALLEY DEMO & RECYLCING, L.L.C.

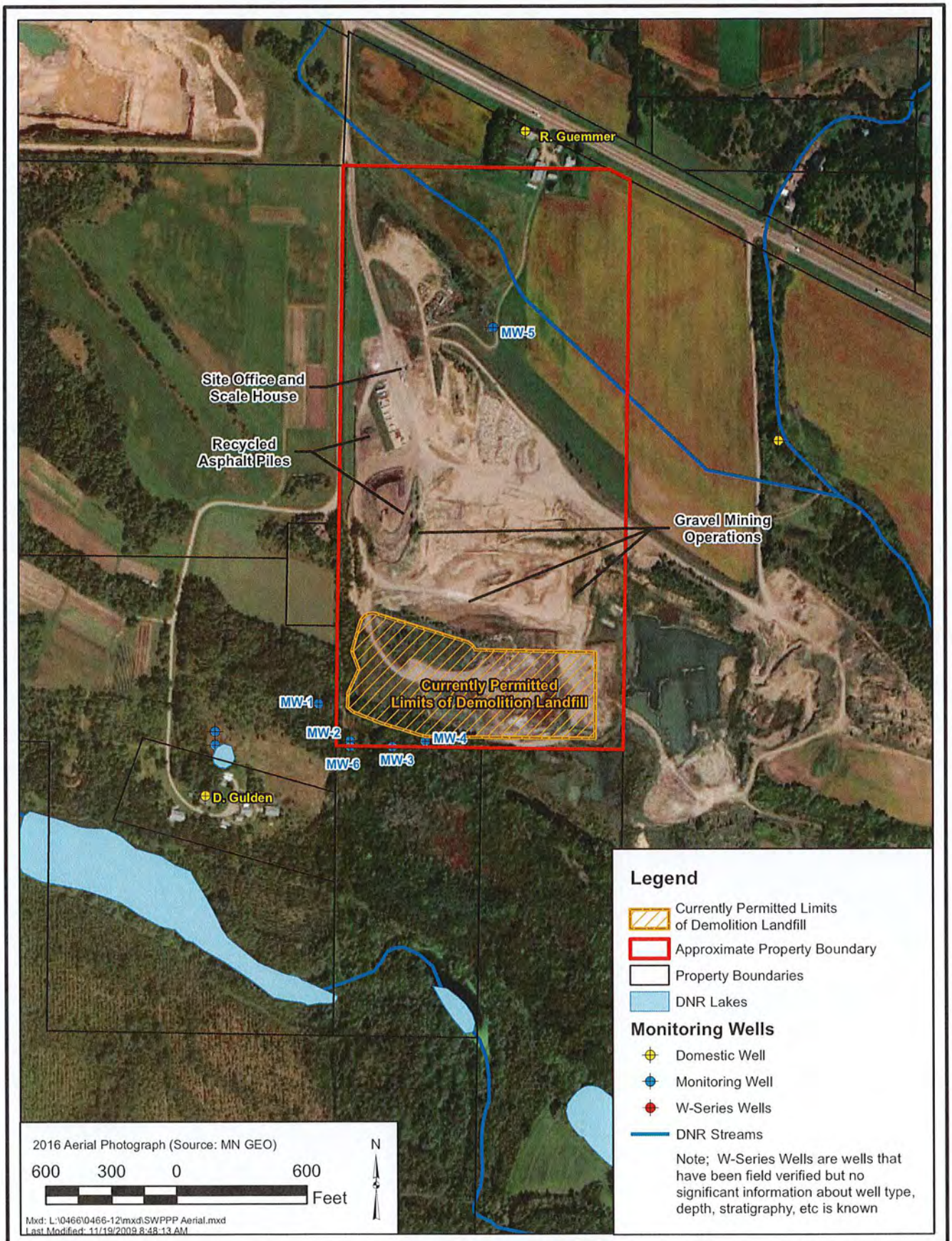
Site Location Map

WENCK

Responsive partner. Exceptional outcomes.

MAR 2020

Figure 1



GUEMMER PIT AND VALLEY DEMO LANDFILL

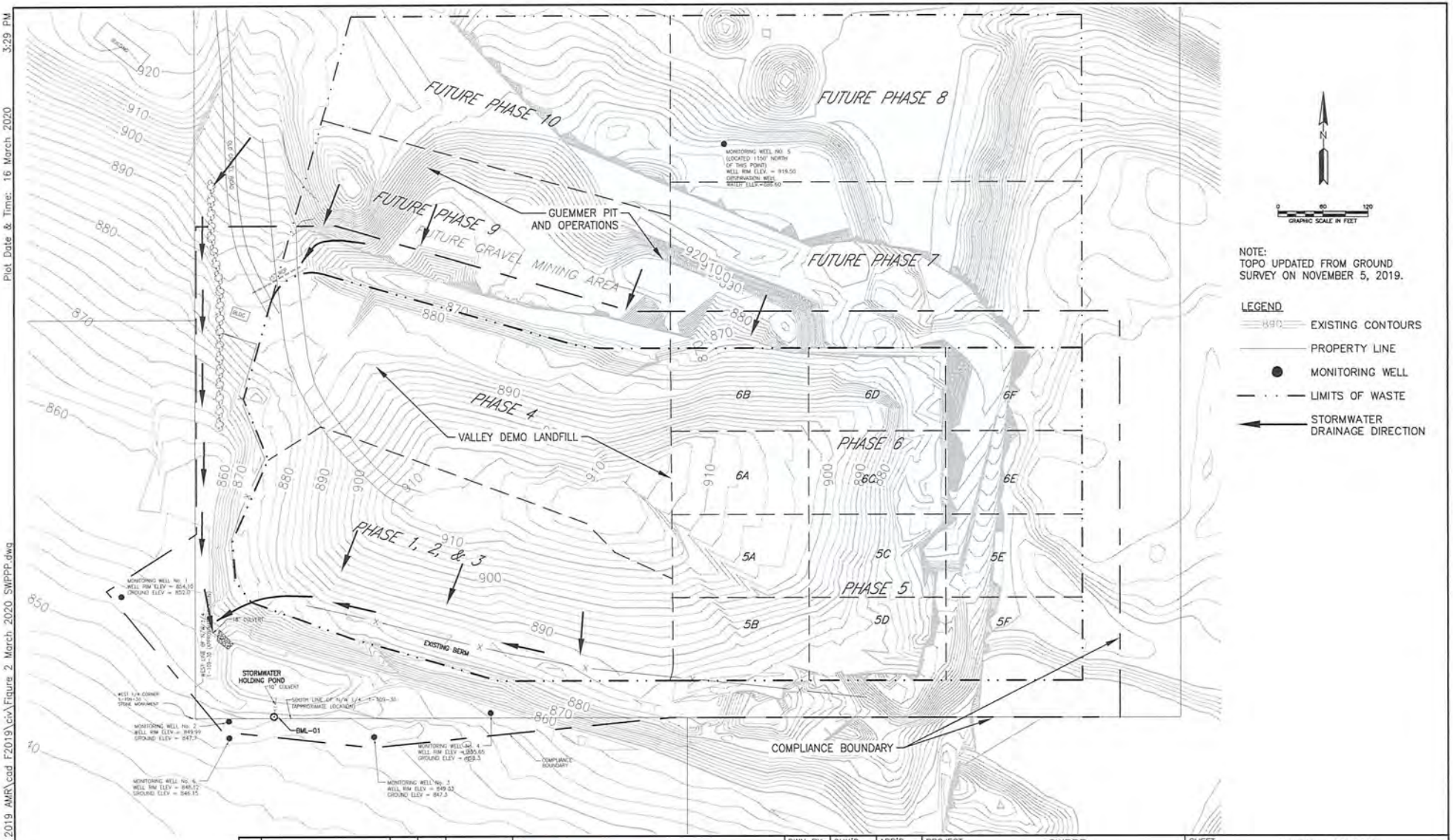
Site Location Map

WENCK

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MAR 2020

Figure 1b



REV	REVISION DESCRIPTION	DWN	APP	REV DATE

WENCK
Responsive partner. Exceptional outcomes.

1800 PIONEER CREEK CENTER
MAPLE PLAIN, MINNESOTA
PH. 763-479-4200
FAX 763-479-4242

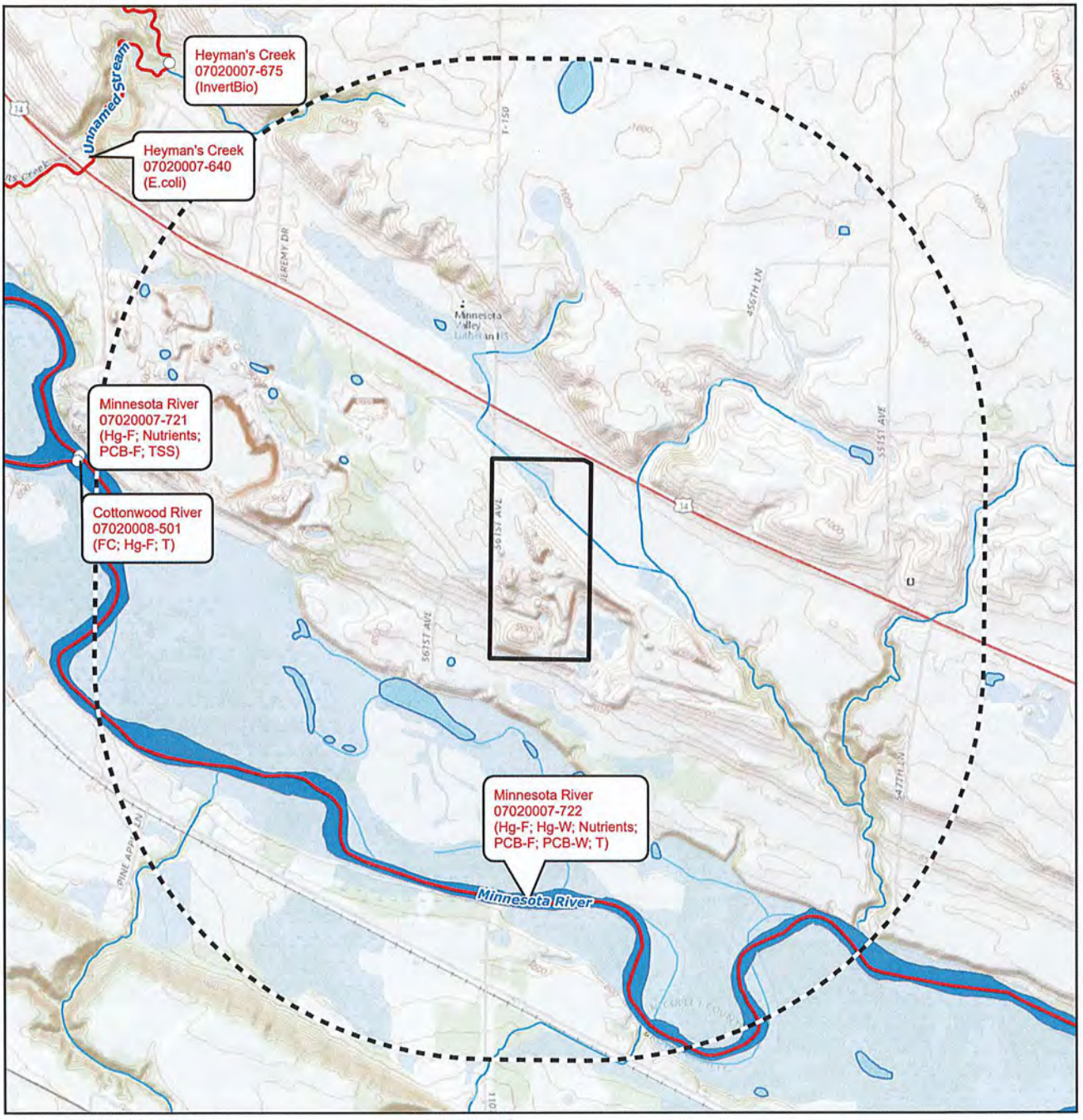
DWN BY	CHK'D	APP'D
JVB	TJS	TJS

DWG DATE: MARCH 2020
SCALE: AS NOTED

PROJECT: SWPPP
CLIENT: GUEMMER PIT AND VALLEY DEMO RECYCLING, LLC

SHEET TITLE: SITE LAYOUT
PROJECT NO.: 0466-0032
SHEET NO.: FIGURE 2
REV NO.:

M:\0466\0031 2019 AMR\cad F2019\civ\Figure 2 March 2020 SWPPP.dwg Plot Date & Time: 16 March 2020 3:29 PM



Calcareous Fens: MN DNR (2017)
Springs: MN DNR (2019)
Impaired Wetlands/Lakes/Streams: MPCA (2020)
Trout Streams/Lakes: MN DNR (2017)
Streams/Rivers/Lakes: USGS NHD (2015)
Revised National Wetlands Inventory: MN DNR (2009-2014)
Karsts Features: MN DNR (2018)

N

2,000 1,000 0 2,000 Feet

Path: L:\0466\0466-12\Pro\SWPPP\SWPPP.aprx
3/17/2020 9:31 AM BerKA1064 Layout: 303 (d) Impaired Waters and Wetlands Map

Legend

- Project Boundary
- 1 Mile Radius
- Special or Restricted Waters within 1-Mile of Monitoring Locations
- Federal Designated Scenic or Recreational Rivers
- Calcareous Fens
- Minnesota Springs
- Stream Sink
- Sinkhole
- Prone To Surface Karst
- Flow Direction
- Scientific and Natural Area Boundaries
- 2020 MPCA Impaired Streams (Draft)
- 2020 MPCA Impaired Wetlands (Draft)
- 2020 MPCA Impaired Lakes (Draft)
- Trout Stream
- Trout Lakes
- Lake, Pond or Reservoir
- River or Stream
- Revised National Wetland Inventory
- Rivers and Streams

GUEMMER PIT AND VALLEY DEMO LANDFILL

Special Waters Map

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MAR 2020

Figure 3

ATTACHMENT F.5

Map C – Reclamation/End Use (2015)

MINNESOTA POLLUTION CONTROL AGENCY

AUTHORIZATION TO DISCHARGE

STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/

STATE DISPOSAL SYSTEM (SDS) PROGRAM

MNR053BF9

Facility Name:	Valley Demolition and Recycling, LLC
Permittee (Owner):	Valley Demo & Recycling LLC
Permittee (Operator):	Valley Demo & Recycling LLC
City or Township:	New Ulm, **County:** Nicollet
Issuance date:	April 1, 2020
Expiration date:	March 31, 2025

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee named above seeking coverage under this general permit to discharge stormwater associated with industrial activity to waters of the state of Minnesota in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: Jeff Udd *for the* Minnesota Pollution Control Agency

This document has been electronically signed.

Jeff Udd, P.E.
Manager
Water and Mining Section
Industrial Division

Permit application & reports:
Submit via the MPCA Online e-Services Portal at
https://rsp.pca.state.mn.us/

Questions?
Contact the Stormwater Program at:
iswprogram.pca@state.mn.us or
651-757-2119 or 800-657-3804

WENCK File #0466-0032
March 2020

Stormwater Pollution Prevention Plan

Guemmer Pit and Valley Demo
Landfill Property

Prepared for:

M.R. Paving & Excavating, Inc.

2020 North Spring Street
New Ulm, MN 56073

WENCK
Responsive partner.
Exceptional outcomes.

Prepared by:

WENCK Associates, Inc.
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, MN 55359
Phone: 763-479-4200

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B. SWPPP Training Attendance Record
C. Site Inspection Forms and Evaluation of Non-Stormwater Discharges
D. BMP Maintenance Log

1.0 Coverage Under State of Minnesota Industrial Stormwater General Permit

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the Guemmer Pit and Valley Demolition Landfill, which is owned by M.R. Paving & Excavating, Inc. The Site's primary industrial activities fall under the narrative activity description of Sector L "Landfills and Land Application Sites". Based on these activities, the Site is required to obtain and operate in accordance with the State of Minnesota Industrial Stormwater General Permit MNR050000 (the Permit) effective April 1, 2020. Copies of applicable Permit documents are included in Appendix A.

This SWPPP also satisfies the requirements of M.R. Paving & Excavating's General Permit Authorizations to Discharge Stormwater Associated with Industrial Activity under the National Pollutant Discharge Elimination System State Disposal System Permit Program (MNG 490037). The aforementioned General Permit allows multi-site coverage for eligible aggregate and hot mix asphalt sites, for which this SWPPP covers Guemmer Gravel Pit.

The Site engages in industrial activity and meets the terms and conditions of the Permit. They are permitted to discharge stormwater to waters of the state, a municipal separate stormwater sewer system (MS4) or a combined sewer system within the State of Minnesota, through the Minnesota Pollution Control Agency (MPCA). The goal of the Industrial Stormwater Program is to protect water quality in accordance with state and federal statutes and rules by eliminating or minimizing contact of stormwater with significant materials. If contact cannot be eliminated or reduced, stormwater that has contacted significant materials should be managed and treated, if necessary, before it is discharged.

The Site has both a gravel pit operation and a construction and demolition debris landfill, which operates under MPCA Solid Waste Permit SW-527. The Site will conduct its operations in compliance with applicable environmental regulations and in a manner that is safe for its personnel, guests, and the community. In the event of an environmental incident, or release to the environment, the Site will take prompt and appropriate action using trained personnel to protect life, health, and the environment, and report the incident in a timely manner to the MPCA.

A copy of this SWPPP is to be kept in the environmental files at the Site. Stormwater records are maintained on-site for a minimum of three (3) years.

2.0 Stormwater Pollution Prevention Team

The Site's administrative body for stormwater compliance shall be known herein as the Stormwater Pollution Prevention Team. The team consists of personnel who are responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the Site's SWPPP. Pertinent Site personnel should be appropriately trained on an annual basis to perform the tasks required of the SWPPP. It is essential that these Site personnel understand the SWPPP as well as the goal of the Permit.

Stormwater Pollution Prevention Team

- Timothy Rahe - CEO: SWPPP Management
- Bryce Boelter – Landfill Supervisor: Site Inspection and Record Keeping
- Brian Rahe – Pit Manager: Monitoring, Employee Training, and Record Keeping

Responsibilities:

- SWPPP Management- Responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the SWPPP
- Employee Training- Responsible for training employees as listed in Section 9.0 of the SWPPP
- Site Inspection and Monitoring - Appropriately trained to conduct inspections as detailed in the SWPPP, and to collect, package, and submit stormwater samples
- Record Keeping - Responsible for maintaining a record of documents required to be kept with the SWPPP and submitted with the annual report

3.0 Facility Description

3.1 General Site Conditions

With regards to specific site information, the Guemmer Pit is located approximately four miles southeast of New Ulm, Minnesota, and approximately 1/2 mile south of state Highway 14. The site is located in the W ½ of the NW ¼ of Section 1, T109N, R30W, Courtland West Township, Nicollet County. Site location, boundaries and features are shown on Site Location Maps – Figures 1A and 1B. The southern portion of the site is utilized as an MPCA permitted demolition landfill, which is approximately 10 acres in permitted size. There are no permanent structures of storage tanks at the site. The Minnesota River is located 1/2 mile south of the site. The river is separated from the site by an abandoned railroad grade which is approximately 30 feet in elevation above the base of the pit. Agriculture and wood lots border the property boundaries.

3.2 General Stormwater Conditions

The majority of stormwater from the gravel mining operations is entirely contained on-site. Material storage piles of sand and gravel do not show signs of wind erosion. Outside areas of the site are kept in a neat and orderly condition. Good housekeeping practices are effective. Currently, surface water runoff from the demolition landfill flows to the south, where it drains into a storm water holding pond located near the southwest corner of the landfill. The pond is constructed with culverts serving as both an inlet and outlet. Berms are in-place to the north of the landfill to prevent stormwater run-on into the active landfill filling area. A horizontal expansion is planned for the landfill and additional surface water handling capacity will be needed, so a new sedimentation pond will be constructed in the future. This pond will be constructed near the southeast corner of the landfill. Minor amounts of runoff may occur near the southern property boundary, however, outfalls in this area would be filtered by the vegetation. A Site Layout Map detailing stormwater flow patterns and control features is presented as Figure 2.

3.3 Impaired Waters / Total Daily Maximum Loads (TMDLs)

According to the Permit Term 37.2, the permittee is required to review each benchmark monitoring location at the Site each year to determine if it is within one mile of an existing impaired body of water or newly listed impaired body of water. Nearby waters are shown on Figure 3. The site is located within one-mile of an impaired water, wetland, or trout stream. The Minnesota River is located within one-mile south of the site (see Figure 3) and is impaired for Pcb's. According to Part V.A.1 and 2 of the permit, the modification of benchmark parameters do not apply at this time. However, the permit does require that an annual review be conducted by the permittee to determine if any newly impaired water is identified.

3.4 Wetlands and Special Waters

The Site does not directly discharge to any wetland areas or special waters.

4.0 Assessment of Industrial Activities and Significant Materials

4.1 Significant Materials Inventory and Storage Practices

All Industrial activities at the Site currently fall under the North American Industry Classification System (NAICS) 562212 which is comprised of establishments primarily engaged in operating landfills for the disposal of nonhazardous solid waste. However, MNR050000 defines sectors by utilizing Standard Industrial Classifications (SIC) codes to determine coverage requirements. The SIC Code is not covered by the Permit but the primary industrial activity at the Site falls under the narrative activity of Subsector L2, "Any open or closed non-hazardous waste landfills and land application sites, which do not discharge to surface water(s), stormwater that has directly contacted solid waste".

4.2 Assessment of Activities

The purpose of this evaluation is to identify Site activities that can potentially be sources of pollutants to stormwater discharges associated with industrial activity.

This facility mines, and stockpiles sand and gravel for various uses and sale. Sand and gravel products are loaded into truck trailers adjacent to the stockpile areas. Loading and unloading operations primarily occur below the level of surrounding properties.

As previously stated, the southern portion of the site is utilized as an MPCA permitted demolition landfill, which is approximately 10 acres in permitted size. The landfill accepts the following demolition type waste:

Bituminous concrete	Concrete, including rerod	Stone
Uncontaminated soil	Masonry (bricks, plaster)	Untreated wood
Siding	Wall coverings	Electrical wiring, components
Roofing materials	Duct work	Wall board, sheetrock
Built-in cabinetry	Plumbing fixtures	Carpet and padding
Ceramic items	Conduit and pipes	Glass
Insulation	Plastic building parts	Sheathing
Molded fiberglass	Rubber	Drain tile
Metal	Ceiling tile	Wood and vinyl flooring
Burned structures	Asbestos-containing materials	Nonrecyclable packaging[1]
Demo-like industrial waste[2]		

[1]Nonrecyclable packaging consists of paper, cardboard, and plastic.
[2]Demo-like industrial waste consists of wood, concrete, porcelain fixtures, shingles, and window glass from industrial sources as opposed to demolition sources.

The continuous daily disposal of waste at the landfill will occur until the permitted final elevations are achieved. The landfill is operated in a manner to prevent run-off of contaminated stormwater. Stormwater that has contacted waste is prevented from leaving the landfill. When practical, the Site adds clean soil cover to the waste and promotes uncontaminated stormwater run-off from these covered areas. Final cover will be applied to portions of the landfill that have reached final permitted grades.

To assure that only approved wastes are accepted at the landfill, on-site personnel are responsible for visually inspecting all loads to insure that prohibited materials are not unloaded on-site. Each load of debris is checked and weighed by the gate attendant prior to acceptance. Next, each load is inspected by the operator as it is dumped on the working face of the landfill. Finally, each load is inspected by the operator as it is layered onto the working face of the landfill.

Survey control is used to ensure that the development of the landfill progresses horizontally within defined waste cells and vertically to design waste elevations.

5.0 Stormwater Control Measures Implementation

5.1 Best Management Practices

Best Management Practices (BMPs) were developed for the following stormwater control measures to eliminate or reduce contact or exposure of pollutants to stormwater or remove pollutants from stormwater prior to discharge from the Site. A description of the BMPs and how they will be evaluated is included below. All non-structural BMPs are required to be in place immediately after receiving authorization to discharge. All structural BMPs are required to be in place within 12 months after receiving authorization to discharge.

5.2 Good Housekeeping

Good housekeeping practices are employed to ensure the Site reduces the contact of potential pollutants with precipitation thereby reducing the chance of release of pollutants to stormwater. The following good housekeeping BMPs will be employed at the Site:

- Pick up and dispose of trash, scrap and other loose materials
- Periodically clean or sweep paved areas
- Clean site equipment and machinery as necessary
- Clean up spills/leaks if they should occur
- Use drip pans to collect fluids from equipment and machinery during maintenance activities
- Use dry materials for cleanup of liquids
- Use appropriate methods to store materials including labeling, organization and selection of containers
- Ensure stored material (concrete for crushing) are controlled in stockpiles in order to minimize stormwater contact; and
- Use proper fueling equipment and procedures

5.3 Eliminating and Reducing Exposure

Industrial activities and significant materials, to the extent prudent and feasible, shall be located in areas not exposed to stormwater. Site inspections will be used to evaluate this BMP.

5.4 Salt Storage

Salt is not stored at the Site.

5.5 General Practices

The following preventive actions will apply to the above-mentioned areas and practices to minimize pollutants from entering stormwater. These are considered general best management practices for the aggregate industry as well as the demolition landfill.

1. Piles
   - Divert stormwater flows around storage piles with berm.
   - Capture runoff from piles in pond or catch basin.

- Avoid placing piles near storm sewer drains, catch basins and stormwater conveyances.
- Plan the placement of piles on the site to minimize runoff.
- If piles are to be maintained for long periods of time and other measures cannot be taken to limit runoff, treat piles with a dust suppressant to reduce wind and water erosion. However, the addition of water to a pile means that more fuel will be required when drying the material. Therefore the application of water should only be used when absolutely necessary. Diversion or capture are better methods in this case.
- Cover pile, or use multiple sided enclosures, to minimize runoff.

2. Recycled Asphalt Pavement (RAP) Piles (prevention of oil discharge)
   - Oily runoff from RAP piles is generally not a large problem. However, when it is observed for a given pile, the following measures can be taken to minimize its stormwater impacts:
   - Divert stormwater flows around storage piles with berm.
   - Capture oily runoff and treat with an oil/water separator.
   - Cover pile or use multiple sided enclosure (bin) to minimize runoff.
3. Access, Haul Roads and Parking Areas
   - Pave entrances and exits (even small areas help) to minimize tracking of dirt.
   - Minimize the amount of dust suppressant or water applied to unpaved roads for dust control in order to minimize water runoff.
   - Conduct regular vacuuming and/or sweeping of paved areas.
4. Aggregate Transfers
   - Clean up any excess material that does not get to the next step.
   - Divert stormwater around working areas.
5. Demolition Landfill - General BMPs to be implemented include:
   - Leakage from vehicles such as heavy equipment is monitored by the equipment operators and reported to the appropriate supervisor. Supervisors will arrange for cleanup.
   - The property boundary will be inspected by the personnel designated by the Stormwater Pollution Prevention Committee in the spring and fall for signs of erosion. Any signs of erosion should be reported to the site operation for corrective action.
   - Haul roads will be watered when site conditions such as excessive fugitive dust indicate a need. This will prevent dust from leaving the property and being washed into area water surface by stormwater. Timing of the application of water is at the discretion of the Pit Foreman.
   - The facility exit onto Highway 14 should be swept periodically at the discretion of the Pit Foreman to maintain its effectiveness.

5.6 Site Inspections

A Stormwater Pollution Prevention Team member (or qualified designee) will conduct Site inspections. Site inspections shall be conducted at least monthly. See Section 6.0 of this Plan for additional information.

No chemical additives are used at the Site for treatment of stormwater.

According to the Permit Term 15.2, upon discovery of vehicles tracking material off site, the material must be cleaned up, removed, and properly disposed of within 72 hours.

5.7 Maintenance Requirements

The monthly Site inspections shall be used to monitor the condition of the Site grading and sedimentation ponds and schedule maintenance activities for BMPs. Potential maintenance for the BMPs includes:

- Grading Site areas that no longer allow flow of stormwater
- Cleaning catch basins of sediment
- Dredging sedimentation basins
- Jetting leachate collection pipes
- Installing additional silt fencing
- Seeding areas as necessary to maintain vegetation

Preventive maintenance of equipment is used to reduce leaks and other releases from vehicles, machines, and equipment that could come into contact with precipitation or stormwater. The only process equipment identified needing routine maintenance to reduce potential stormwater impact may be the Site landfill heavy equipment which include: front end loaders, dozers, road grader, skid-steer, and the hydraulic components on them. Maintenance of this equipment is outlined in maintenance documents. Copies of these documents are present at the Site office.

A BMP Maintenance Log is included as Appendix D.

5.8 Elimination of Unauthorized Non-Stormwater Discharges

A blank evaluation form is available in Appendix C. Both authorized non-stormwater discharges and unauthorized non-stormwater discharges are listed on the form. The evaluation of non-stormwater discharges shall be made as part of the periodic Site inspections. Completed evaluations shall be kept with the SWPPP.

5.9 Spill Prevention and Response Requirements

The Site is not required to have a Spill Prevention Control and Countermeasures (SPCC) Plan.

5.10 Mercury Minimization Plan

No sources containing mercury are exposed to stormwater at the Site.

5.11 Employee Training

SKB has a program for training employees about stormwater pollution control, discussed in Section 9.0.

6.0 Site Inspections

6.1 Monthly Site Inspections

The permit requires monthly site inspections. Site personnel on the Stormwater Pollution Prevention Team have been trained and are responsible for performing monthly site inspections, to evaluate the effectiveness and adequacy of the requirements contained within the SWPPP. Inspections shall include the following:

- A determination that the SWPPP accurately reflects site conditions. Areas of industrial activity should be inspected. A determination should be made as to whether the Site drainage conditions, and potential pollution sources identified in the SWPPP remain accurate.
- An evaluation that structural and non-structural BMPs prescribed in the SWPPP are being implemented, properly operated, and adequately maintained.
- An evaluation of the facility to determine whether new exposed significant materials or activities have been added to the Site since completion of the SWPPP.
- An evaluation of BMP performance, including a visual assessment of the stormwater discharge at the outfall at the point of exit from the facility as well as drainage swales, storm drains, parking lot, ASTs, transfer areas, dumpsters, metal storage, areas, used oil storage, and other exposed storage areas.
- Sector L: The Permittee shall ensure the following areas are inspected while conducting monthly inspections:
    1. Areas of landfills that have not yet been finally stabilized.
    2. Active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures.
    3. Leachate collection and treatment systems.
    4. Locations where equipment and waste trucks enter and exit the site.
    5. Inactive landfills for stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas.

Information reported shall include the inspection dates, inspection personnel, scope of the inspection, major observations, and revisions needed in the SWPPP. If the evaluation identifies potential areas of concern, the SWPPP will be modified to correct the deficiencies. Maintain inspection records and summary reports on site for a period of three years following the duration of the permit. Appendix C contains a copy of the Inspection Form. The current monthly Inspection Form is also available on the MPCA Industrial Stormwater Permit Information Access web page for the Site.

Subsequent to the inspections, appropriate actions will be taken as necessary to remedy observed deficiencies and may include implementation of additional BMPs. Completed inspection forms will be maintained in the Site's environmental files.

6.2 Annual Report

The Site must submit an annual report through the MPAC's e-Services Portal by March 31st of each year. Each annual report shall cover those portions of the previous calendar year

the Site was authorized to discharge. The annual report shall include, at a minimum, the following information:

- A summary of inspection dates, findings, and BMP maintenance conducted during the course of the reporting year.
- A confirmation that the Plan accurately reflects Site conditions.
- A confirmation that newly exposed significant materials (if any) have been identified and that the Plan has been modified to address them.
- A confirmation the Site has conducted a review of Section 303(d) Listed Waters with or without a USEPA-approved TMDL and that the Plan has been modified to comply with Part V. of the Permit, if changes have occurred since the previous annual report.
- A description of any Plan modifications made during the reporting year.
- A list of any reportable spills and leaks that occurred at the facility during the reporting year.

7.0 Non-Stormwater Discharge

In accordance with the Permit, certain non-stormwater discharges are authorized provided that appropriate BMPs are utilized to minimize erosion and the discharges of sediment where necessary. The following non-stormwater discharges are authorized:

- Discharges from emergency fire-fighting activities;
- Fire hydrant and fire suppression system flushing (if the discharge does not contain chemical additives or surfactants);
- Potable water, including water line flushing but excluding chlorination of water lines for disinfection unless dechlorinated;
- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Landscape watering provided pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents are used and no spills or leaks of potential pollutants such as fertilizers, salts, or toxic and hazardous materials have occurred unless spilled material has been removed;
- Routine external building wash-down that does not use detergents, solvents, or degreasers.
- Uncontaminated groundwater or spring water;
- Foundation or footing drains where flows are not contaminated with process materials; and
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or drains).

In the event that a non-stormwater discharge is identified, which is not covered under the Permit, the Site will either seek coverage under a site-specific discharge permit or eliminate the non-stormwater flow. Continued inspection of non-stormwater discharge will be recorded as part of monthly inspections (Section 6.1).

8.0 Spill History and Response Procedures

If a spill of petroleum from vehicles occurs at the property, it is important to immediately notify a member of the Spill Response Team responsible for implementing the Spill Response Plan.

The following persons are designated as the Spill Response Committee:

Leader: Mr. Bryce Boelter
Landfill Supervisor / Operator
Valley Demo & Recycling, LLC.

If possible, stop or plug any leaks. If possible, use shovels, and sand to contain or isolate the spilled material. An effort should be made, if possible, to prevent the spilled material from impacting surface water. Following any spill, the Stormwater Pollution Prevention Plan will be evaluated to determine if it was successful or unsuccessful in responding to the spill. The Prevention Plan will then be revised and improved.

According to site personnel, there have not been any significant discharges of hazardous substances at the site.

9.0 Team Member Training Program

A program for training employees about stormwater pollution control, spill response, good housekeeping, and materials management practices is currently in place. Training is provided to employees at least once a year. New employees receive training as part of their orientation program.

Employees requiring training include:

- Employees overseeing implementation of, revising, and amending the SWPPP
- Employees performing installation, inspection, maintenance, and repair of BMPs
- Employees who work in areas of industrial activity subject to the permit
- Employees who conduct stormwater discharge monitoring required by the permit

A record of the trainer's name and trainer's organization, and the names of trained individual(s) and dates that the individual(s) received training will be maintained. Course attendance records are to be kept in the files at the Site. See Appendix B for a Training Record form.

10.0 General Monitoring Requirements

10.1 Sampling Schedule

The Site is required to conduct quarterly sampling in accordance with the Permit Term 40.1. Sampling requirements in the permit are ongoing on a quarterly basis until the benchmark values are met, as described below. Quarters are based on calendar quarters and sampling must begin the first full calendar quarter after coverage under the Permit begins (July 2020). Reports are due 21 days following the end of each quarter (January 21st, April 21st, July 21st, and November 21st.)

The Site is required to collect representative stormwater samples from the following location:

1) BML-01: Stormwater Pond

Sample location is shown on Figures 2.

In accordance with the monitoring requirements of Appendix B of the Permit, SKB Austin and Lansing Landfill will monitor stormwater discharges at the stormwater sample points identified above for the following parameters:

Table 10-1: Monitoring Parameters for each BML

BML	Sector	Parameter	Benchmark Values
BML-01	L2	Solids Suspended-Total (TSS)	100 mg/L[2]
		Iron, Total as Fe	1.0 mg/L

Note: For purposes of benchmark pH monitoring, the Permittee is required to report instantaneous results only, and not a calculation of pH averages. pH measurements are logarithmic, and the Agency will be performing a logarithmic average for this parameter using the instantaneous results submitted

Samples are to be collected manually by grab sample method. Samples must be collected within the first 30 minutes of discharge (precipitation or snowmelt) at the designated benchmark monitoring locations, provided at least 72 hours have elapsed since the previous measurable runoff event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample shall be collected as soon as practicable and documentation must be included with the Stormwater Monitoring Report (see Section 10.3) that explains why it was not possible to collect the sample within the first 30 minutes.

The Site will preserve collected samples for shipping and follow correct test procedures in accordance with 40 CFR 136 3(e). As required by the Permit, samples will be sent to a laboratory certified by the Minnesota Department of Health (MDH) and/or registered with the MPCA to conduct an analysis.

In the absence of a measurable runoff event during a quarter due to weather conditions and/or site soil characteristics, the Permittee shall submit a Stormwater Monitoring Report

as described in Section 10.5 indicating that no sample was able to be collected during the quarter.

10.2 Comparing Average of Quarterly Results to Benchmark Values

In accordance with the Permit Term 46.2 “after collecting and analyzing four (4) separate quarterly samples, one per calendar quarter for each benchmark monitoring location, Permittees shall average the values for each benchmark parameter, and compare it against the benchmark value” and refer to the following possible outcomes:

a. Benchmark Values **Are Not Exceeded** - No further monitoring is required unless a newly listed impaired water is identified within one mile of the facility. In that situation, if the facility discharges to that water, and the pollutant(s) of impairment or surrogate is for a benchmark parameter for the Site’s sector(s), then further monitoring may be required.
b. Benchmark Values **Are Exceeded** – The permittee shall collect at least one sample the following quarter where the exceedance occurred and calculate the average of the four most recent quarters to determine a new average benchmark value. If the new average benchmark value is below applicable benchmark value(s), no further monitoring is required. If benchmark values continue to be exceeded, SWPPP modifications must be made, including improvements to BMP and/or installation of new or modified controls. Monitoring will continue in the next upcoming quarter and then be reevaluated at the end of that quarter.

10.3 Benchmark Monitoring Data Reporting

The Site must submit a Stormwater Monitoring Report to the Agency for each quarter that sampling is required. The form must be postmarked by the 21st day of the month following the quarter (i.e. If the quarter ended June 30th, the postmark deadline is July 21st). In the absence of a measurable runoff event during a quarter due to weather conditions and/or site soil characteristics, the Permittee shall complete the appropriate sections of the Stormwater Monitoring Report for each quarter that samples could not be obtained, and submit that Report to the agency. If four quarterly samples from four separate quarters are not able to be collected, quarterly monitoring must continue until at least four quarterly samples have been obtained to determine a four-quarter average of each benchmark monitoring parameter as described in Section 10.4.

The report will be submitted through the MPCA’s e-Services Portal.

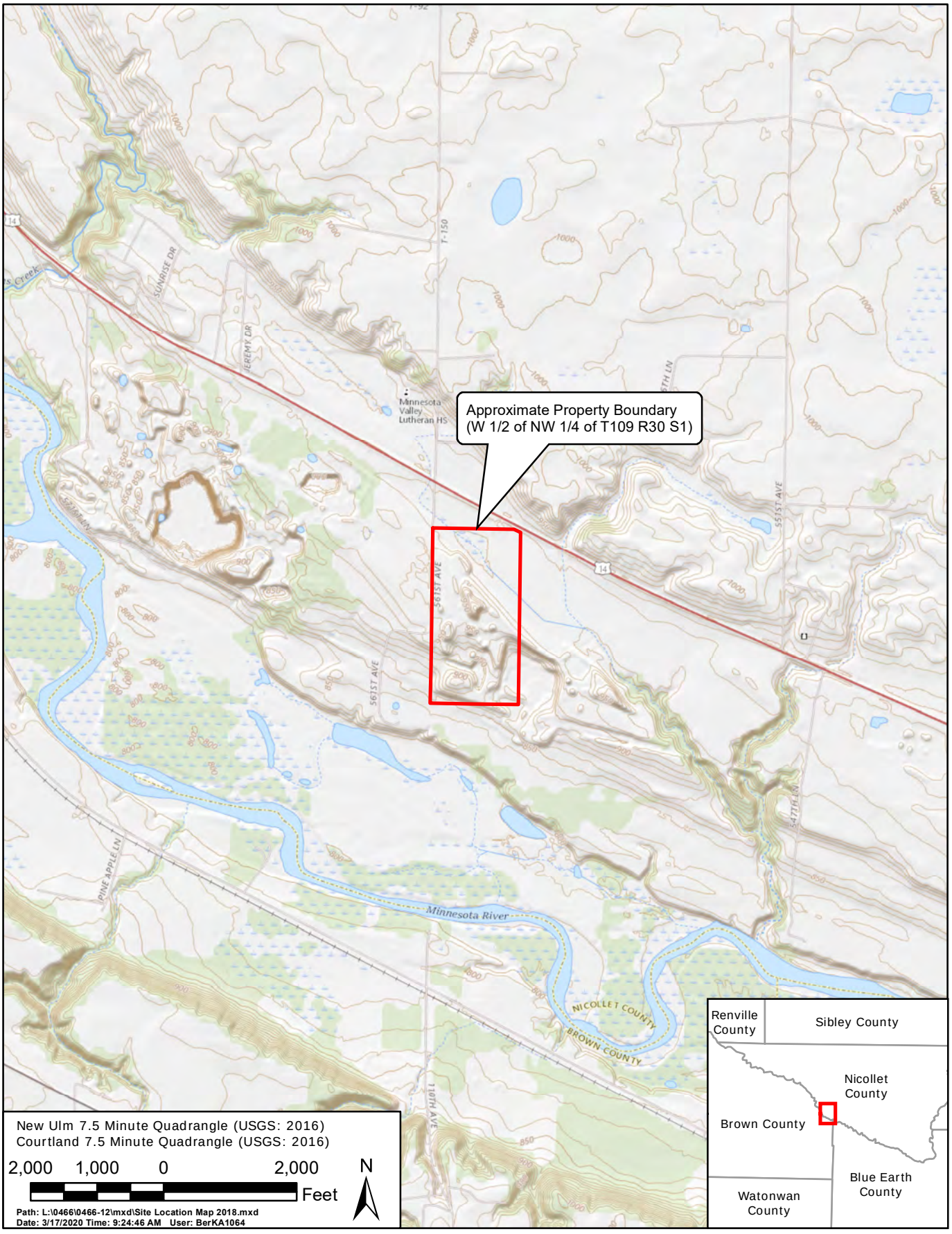
11.0 SWPPP Review Log

The SWPPP is a “living” document and must be reviewed at least annually and updated making sure everything is current and updated and modifying if it is not. Any modification is to be recorded in the SWPPP Review Log. Modifications could include but are not limited to changes in personnel, design, operation, or maintenance, but could also include newly listed TMDLs and BMP deficiencies identified through inspections or benchmark monitoring.

Date	Reviewer(s) Name	Revision Made to Plan
November 2014	Wenck Associates Inc.	Revised plan to meet requirements of the April 2015 Industrial Stormwater Multi-Sector General Permit (MSGP)
March 2020	Wenck Associates Inc.	Revised plan to meet requirements of the April 2020 Industrial Stormwater General Permit

Figures

1. Site Location Map
1b. Site Location Map – Aerial
2. Site Detail Map –Site Layout
3. 303d Impaired Waters and Special Waters Map



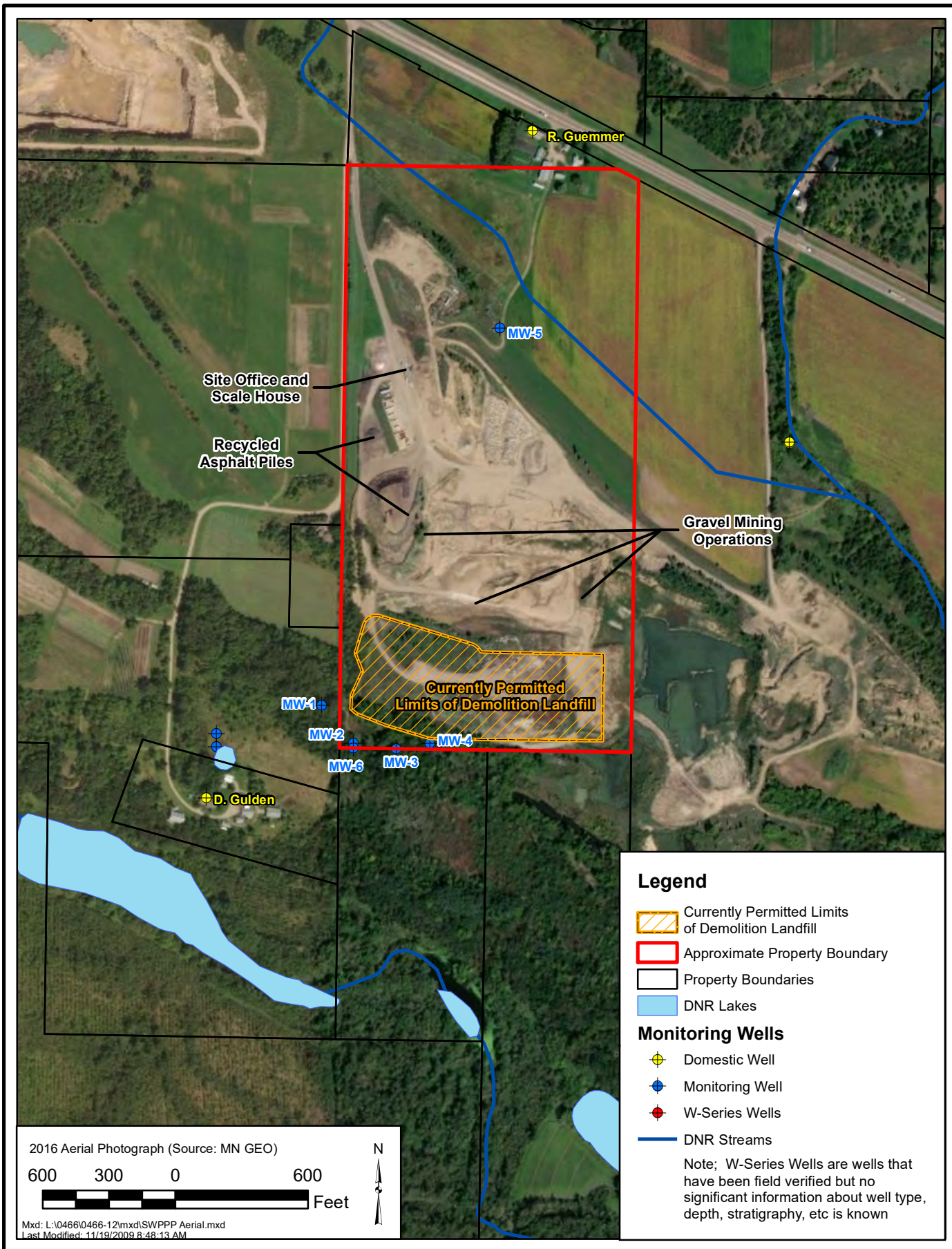
VALLEY DEMO & RECYLCING, L.L.C.

Site Location Map

WENCK
Responsive partner. Exceptional outcomes.

MAR 2020

Figure 1



GUEMMER PIT AND VALLEY DEMO LANDFILL

Site Location Map

WENCK

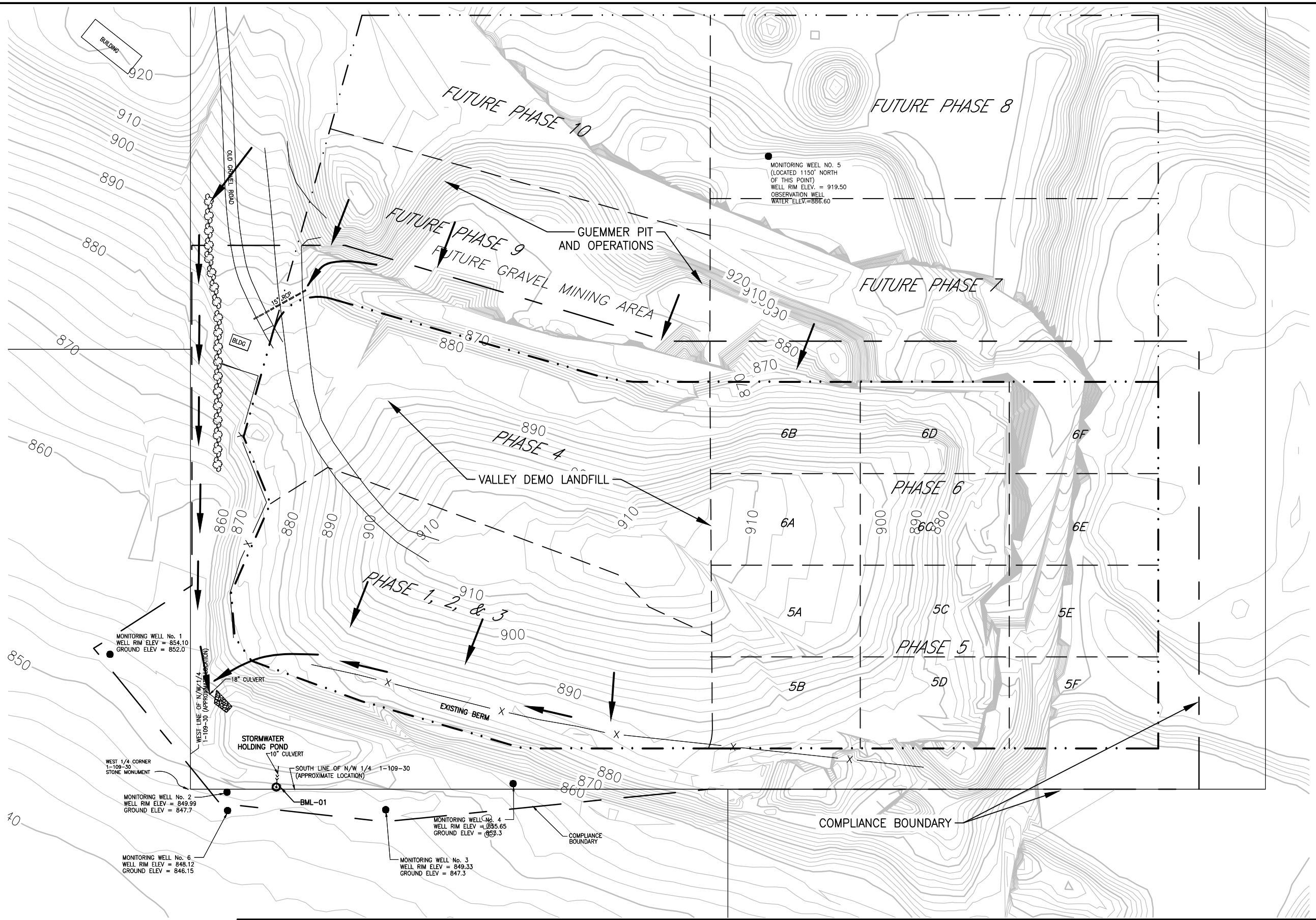
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MAR 2020

Figure 1b

Plot Date & Time: 16 March 2020 3:29 PM

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NOTE:
TOPO UPDATED FROM GROUND SURVEY ON NOVEMBER 5, 2019.

LEGEND

- 890 EXISTING CONTOURS
- PROPERTY LINE
- MONITORING WELL
- LIMITS OF WASTE
- STORMWATER DRAINAGE DIRECTION

REV	REVISION DESCRIPTION	DWN	APP	REV DATE

WENCK
Responsive partner. Exceptional outcomes.
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MINNESOTA
PH. 763-479-4200
FAX 763-479-4242

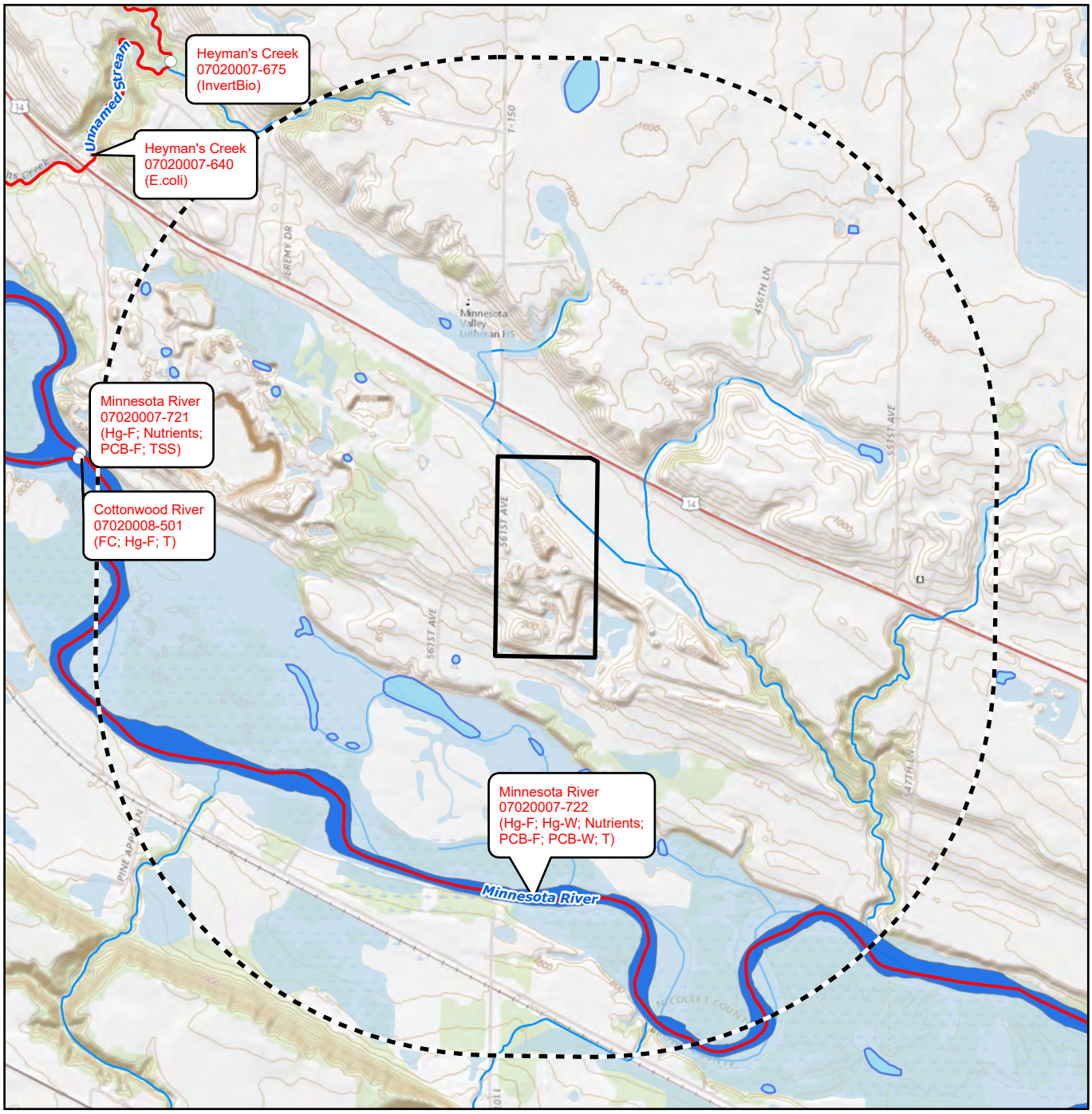
DWN BY	CHK'D	APP'D
JVB	TJS	TJS

DWG DATE: MARCH 2020
SCALE: AS NOTED

PROJECT: SWPPP
CLIENT: GUEMMER PIT AND VALLEY DEMO RECYCLING, LLC

SHEET TITLE: SITE LAYOUT

PROJECT NO.	SHEET NO.	REV NO.
0466-0032	FIGURE 2	



Calcareous Fens: MN DNR (2017)
Springs: MN DNR (2019)
Impaired Wetlands/Lakes/Streams: MPCA (2020)
Trout Streams/Lakes: MN DNR (2017)
Streams/Rivers/Lakes: USGS NHD (2015)
Revised National Wetlands Inventory: MN DNR (2009-2014)
Karsts Features: MN DNR (2018)

N

2,000 1,000 0 2,000 Feet

Path: L:\0466\0466-12\Pro\SWPPP\SWPPP.aprx
3/17/2020 9:31 AM BerKA1064 Layout: 303 (d) Impaired Waters and Wetlands Map

Legend

- Project Boundary
- 1 Mile Radius
- Special or Restricted Waters within 1-Mile of Monitoring Locations
- Federal Designated Scenic or Recreational Rivers
- Calcareous Fens
- Minnesota Springs
- Stream Sink
- Sinkhole
- Prone To Surface Karst
- Flow Direction
- Scientific and Natural Area Boundaries
- 2020 MPCA Impaired Streams (Draft)
- 2020 MPCA Impaired Wetlands (Draft)
- 2020 MPCA Impaired Lakes (Draft)
- Trout Stream
- Trout Lakes
- Lake, Pond or Reservoir
- River or Stream
- Revised National Wetland Inventory
- Rivers and Streams

GUEMMER PIT AND VALLEY DEMO LANDFILL

Special Waters Map

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Figure 3

Appendix A

State of Minnesota Industrial Stormwater General Permit

MINNESOTA POLLUTION CONTROL AGENCY

AUTHORIZATION TO DISCHARGE

STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/

STATE DISPOSAL SYSTEM (SDS) PROGRAM

MNR050000

Permittee (Owner):	**Multiple**	
Permittee (Operator):	**Multiple**	
City or Township:	**Statewide**	**County: Statewide**
Issuance date:	**April 1, 2020**	
Expiration date:	**March 31, 2025**	

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee named above seeking coverage under this general permit to discharge stormwater associated with industrial activity to waters of the state of Minnesota in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: Jeff Udd

This document has been electronically signed.

for the Minnesota Pollution Control Agency

Jeff Udd, P.E.
Manager, Water & Mining Section
Duluth Office
Industrial Division

Submit permit application & monitoring reports:
Submit via the MPCA Online e-Services Portal at
https://rsp.pca.state.mn.us/

Questions?
Contact the Stormwater program at:
iswprogram.pca@state.mn.us or
651-757-2119 or 800-657-3804

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1.1	**PART I. PERMIT AUTHORIZATION**. [Minn. R. 7090]
1.2	This permit authorizes stormwater discharges associated with industrial activity for any primary SIC code and/or narrative activities and co-located industrial activities, as defined in 40 CFR 122.26 (b)(14)(i)- (xi), except (x), which includes ten categories of industrial activity required to obtain an industrial stormwater permit. The categories are organized by 29 sectors of industrial activity listed in Appendix A. [Minn. R. 7090.0010]
1.3	For sectors J and L that have construction stormwater discharges, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15), a separate construction stormwater permit is not required if the Permittee notifies the MPCA prior to starting construction activity as described in Sector J - Mineral Mining and Dressing and Sector L - Landfills and Land Application Sites. [Minn. R. 7090]
2.1	**Prohibitions and Limitations on Authorization**. [Minn. R. 7090]
2.2	This permit does not authorize the following activities, discharges, or releases. a. Non-stormwater (except those with authorization of non-stormwater discharges), such as: i. Non-contact cooling water. ii. Domestic and industrial wastewater and process wastewater. For example, wash water, commercial equipment and/or vehicle cleaning. iii. Biosolids. iv. Spills of any substance that may cause water pollution as defined in Minn. Stat. 115.01, subd. 13. v. Placement of fill into waters of the state requiring local, state, or federal authorizations (such as U.S. Army Corps of Engineers Section 404 Permits, Department of Natural Resources Public Waters Work Permits, or Local Governmental Unit Wetland Conservation Act replacement plans or determinations). b. Piping and drainage systems for process wastewater and floor drains from process areas that lead to the stormwater drainage system must be separated from the storm drainage system to prevent any inadvertent discharge of pollutants. The Permittee shall obtain a separate NPDES/SDS permit for process wastewater discharges. c. Stormwater discharges mixed with non-stormwater, except those authorized non-stormwater discharges identified as: emergency fire fighting activities and uncontaminated non-stormwater discharges not already listed in 2.2.a. d. Stormwater discharges from any portion of the facility where stormwater discharge has authorization under an NPDES/SDS permit. e. Stormwater discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) and (b)(15) (except for sectors J and L that have construction stormwater discharges, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15)) and have notified the MPCA prior to construction activity. f. This permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (Minn. Stat. ch. 116D), or the National Environmental Policy Act (42 U.S.C. 4321 - 4370 f). g. This permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species, or adversely modify a designated critical habitat. h. This permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. i. Discharges to impaired water(s) when a USEPA-approved Total Maximum Daily Load (TMDL) report applies a Waste Load Allocation of zero (0) to a specific facility or industrial activity. j. Discharges to an impaired water when a USEPA-approved TMDL report has identified a specific facility or industrial activity that requires stormwater control measures, BMP provisions, or compliance schedules not contained in this permit for that impaired water. k. Industrial stormwater discharges flowing to prohibited waters, as defined in Minn. R. 7050.0335. l. Any discharges or activities described under "limitation on authorization" in the sector-specific requirements of the permit. [40 CFR 122.26, Minn. R. 7090, Minn. Stat. 115.01, Subd. 13, Minn. Stat. 116.D]

2.3	This permit authorizes the following discharges or activities provided the Permittee complies with all terms and conditions of this permit, and all terms and conditions of the Additional Requirements for Discharges to Special (Prohibited, Restricted, Other) and Impaired Waters section of this permit. a. Industrial stormwater discharges flowing to restricted waters as defined in Minn. R. 7050.0335. b. Industrial stormwater discharges flowing to trout waters listed in Minn. R. 6264.0050, subps. 2 and 4 and Minn. R. 7050.0420. c. Industrial stormwater discharges flowing to wetlands as defined in Minn. R. 7050.0186, subp. 1a(B). [Minn. R. 6264.0050, Subp. 2, Minn. R. 6264.0050, Subp. 4, Minn. R. 7050.0186, Subp. 1(a)B, Minn. R. 7050.0335, Minn. R. 7050.0420, Minn. R. 7090]
3.1	**Eligibility Requirements**. [Minn. R. 7090]
3.2	To be eligible for authorization to discharge industrial stormwater under this permit, the Owner/Operator's facility shall have a primary Standard Industrial Classification (SIC) code or narrative activity as defined in 40 CFR 122.26(b)(14)(i)-(xi), except (x), and as summarized in Appendix A. [Minn. R. 7090]
4.1	**Obtaining Coverage**. [Minn. R. 7090]
4.2	To obtain coverage under this general permit, the applicant shall: a. Meet the eligibility requirements of this permit. b. Develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the Stormwater Pollution Prevention Plan (SWPPP) section of this permit prior to submitting an application to the MPCA. c. Submit a complete and accurate permit application with appropriate fee, on a form the MPCA provides, and certify that the Applicant has completed a SWPPP. d. Receive written or electronic notification from the Agency granting permit coverage. [Minn. R. 7090]
4.3	The Agency issues a facility-specific Notice of Coverage to facilities that obtain coverage under this general permit. The Notice of Coverage includes effluent limit and/or benchmark monitoring requirements specific to the facility. [Minn. R. 7090]
5.1	**Submitting an Application**. [Minn. R. 7090]
5.2	An Owner/Operator of a facility that has a stormwater discharge associated with industrial activity for any primary SIC code and/or narrative activities and co-located industrial activities regulated under 40 CFR 122.26(b)(14))(i)-(xi), except (x), as summarized in Table 5 of Appendix A, that is seeking a conditional exclusion for No Exposure in accordance with this Part of the permit shall submit an application to obtain the No Exposure Exclusion. Any facility that obtains a conditional exclusion for No Exposure prior to the effective date of this permit must submit a new application for the No Exposure Exclusion. A facility seeking the No Exposure Exclusion does not need to develop a SWPPP. [Minn. R. 7090.3060]
5.3	If a person proposes to construct a new facility or engages in a new activity that requires permit coverage, the person shall submit a complete permit application at least 180 days before the planned date of the commencement of facility construction or the planned date of the commencement of the activity, whichever occurs first. [Minn. R. 7090.3010]
5.4	To continue permit coverage beyond the date of permit expiration, Permittees shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. If the Permittee has submitted a timely application, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160): a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit; b. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application. [Minn. R. 7001.0040, Minn. R. 7090.0160]
5.5	The MPCA may deny authorization under this permit and require the applicant to submit an application for a separate NPDES/SDS permit in accordance with Minn. R. ch. 7001. [Minn. R. 7090.0020]
5.6	Permittees are authorized to discharge industrial stormwater from their facility under the terms and conditions of this permit beginning on the issuance date listed on their permit coverage. [Minn. R. 7090]

6.1	**MS4 Notification**. [Minn. R. 7090]
6.2	If the Permittee has an industrial stormwater discharge and directly discharges into a regulated Municipal Separate Storm Sewer System (MS4), the Permittee shall notify the MS4 operator that they are discharging industrial stormwater into their storm sewer system. [Minn. R. 7090]
7.1	**Transfer of Ownership or Control**. [Minn. R. 7090]
7.2	When the ownership or operational control of the facility changes, the Permittee must submit an application request, on a form the MPCA provides, for permit transfer to the MPCA as designated by the Agency. The new Owner/Operator shall sign, certify, and submit the form to the Agency on or before the effective date of the change. The new Owner/Operator shall comply with the terms and conditions of this permit. [Minn. R. 7090.2060]
8.1	**Termination of Coverage**. [Minn. R. 7090]
8.2	Permittees shall comply with this permit until the Permittee completes and submits a Notice of Termination Form, on a form the MPCA provides. The Permittee shall sign and submit a Notice of Termination request within 30 days after one or more of the following conditions are met: a. The Permittee ceases industrial activity regulated under this permit and eliminates the contact of stormwater with significant materials. b. The Permittee obtains authorization under an individual NPDES/SDS permit or industry specific general NPDES/SDS permit for industrial stormwater discharges. [Minn. R. 7090]
8.3	Authorization to discharge industrial stormwater under this permit terminates after the Permittee receives either written or electronic notification of coverage termination by the MPCA. [Minn. R. 7001.0030]
9.1	**Issuance of an Individual Permit**. [Minn. R. 7090]
9.2	In place of general permit coverage, an Owner/Operator may apply for an individual permit to authorize industrial stormwater discharges, in accordance with Minn. R. 7001.0210, subp. 6. [Minn. R. 7001.0210, Subp. 6]
9.3	The Agency may require an individual permit for the applicant or Permittee, in accordance with Minn. R. 7001.0210, subp. 6. [Minn. R. 7001.0210, Subp. 6]
10.1	**Conditional Exclusion for No Exposure**. [Minn. R. 7090.3060]
10.2	A facility that meets the eligibility requirements for this permit and No Exposure Exclusion requirements outlined below may submit an application for No Exposure to the Agency in accordance with Minn. R. 7090.3060. Beginning upon the issuance date on the written or electronic notification of No Exposure from the Agency, the facility must maintain the No Exposure Exclusion requirements for the permit term or apply for permit coverage. [Minn. R. 7090.3060]
11.1	**No Exposure Exclusion Requirements**. [Minn. R. 7090]
11.2	This exclusion is for facilities where all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. A facility must meet the following conditions to qualify for this exclusion: a. Eliminate or obtain permit coverage for all prohibited non-stormwater discharges. b. As appropriate, inspect and eliminate all areas of past exposure (e.g., stains or debris resulting from previous runoff and exposure of stormwater to significant materials). c. Eliminate exposure of authorized non-stormwater discharges and all significant materials related to industrial activity (including but not limited to waste materials, dumpsters that are not empty/lidded or at loading docks). d. Eliminate exposure of all industrial activities or authorized non-stormwater discharges coming in contact with stormwater. Ensure that industrial equipment is properly maintained and free of leaks. e. Eliminate exposure of significant materials through any direct or indirect pathway, such as from industrial activities that generate dust and particulates. [40 CFR 122.26(g), Minn. R. 7090.3060, Minn. R. 7090.3080]
11.3	The conditional exclusion for No Exposure is available on a facility-wide basis in accordance with Minn. R. 7090.3060, subp. 5(B). [Minn. R. 7090.3060, Subp. 5(B)]
12.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
12.2	Monitoring and reporting requirements in this part do not apply to unstaffed inactive and temporarily

	inactive facilities or sites undergoing reclamation. [Minn. R. 7090]
12.3	If a Permittee is ending their permit coverage to certify for No Exposure Exclusion, a separate Notice of Termination is not required. The permit coverage will automatically end when the Permittee completes the No Exposure Exclusion application. The same is true if a facility must switch from No Exposure Exclusion to permit coverage. [Minn. R. 7090]
12.4	If the facility operations terminate entirely after obtaining the conditional exclusion for No Exposure, the Permittee shall submit a Notice of Termination. [Minn. R. 7090.3060, Subp. 5]
12.5	The conditional exclusion for No Exposure is nontransferable, in accordance with Minn. R. 7090.3060, subp. 5(D). [Minn. R. 7090.3060, Subp. 5(D)]
12.6	Any facility that has a conditional exclusion for No Exposure must re-certify for the exclusion at least 180 days before the expiration date of the existing permit. [Minn. R. 7090.3060, Subp. 5(D)]
12.7	If a Permittee plans a change that will result in failure to maintain a condition of No Exposure at a facility, the Owner/Operator of a facility shall apply for and receive permit authorization before commencing the change. [Minn. R. 7090.3010, Subp. 2, Minn. R. 7090.3060, Subp. 5]
12.8	Any facility that has authorization for the conditional exclusion for No Exposure by the Agency must post the No Exposure Certification in an area of the facility that provides highest visibility to employees and visitors. [Minn. R. 7090]
12.9	An Owner/Operator of a facility that has a stormwater discharge associated with industrial activity for any primary SIC code and/or narrative activities and co-located industrial activities regulated under 40 CFR 122.26(b)(14))(i)-(xi), except (x), as summarized in this Part of the permit, that is seeking a conditional exclusion for No Exposure shall submit an application to obtain the No Exposure Exclusion. Any facility that obtains a conditional exclusion for No Exposure prior to the effective date of this permit must submit a new application for the No Exposure Exclusion. A facility seeking the No Exposure Exclusion does not need to develop a SWPPP. [40 CFR 122.26(g), Minn. R. 7090]
13.1	**Responsibilities**. [Minn. R. 7090]
13.2	The Owner/Operator, who signs the application, is the Permittee and is responsible for compliance with all terms and conditions of this permit. [Minn. R. 7001.0150, Subp. 3, Minn. R. 7090]
14.1	**PART II. STORMWATER CONTROL MEASURES**. [Minn. R. 7090]
14.2	The Permittee shall design and implement BMPs for each stormwater control measure below. The Permittee shall design and implement all stormwater control measures, including BMPs, to reduce or eliminate contact or exposure of pollutants to stormwater or remove pollutants from stormwater prior to discharge from the facility. The SWPPP must include the type and objective of the BMP, and a description of how the Permittee shall evaluate each BMP to determine proper function. The Permittee shall implement all non-structural BMPs immediately and all structural BMPs within 12 months of receiving authorization to discharge industrial stormwater under this permit. [Minn. R. 7090]
15.1	**Good Housekeeping**. [Minn. R. 7090]
15.2	The Permittee shall keep exposed areas that may contribute pollutants to stormwater sufficiently clean to reduce or eliminate contaminated stormwater runoff. Typical problem areas include, but are not limited to, trash containers, storage areas, loading docks, vehicle fueling, maintenance areas, and: a. Dust Generation. Identify and properly manage through BMPs all on-site sources of dust to minimize stormwater contamination from the deposition of dust on the areas exposed to precipitation. b. Vehicle Tracking of Significant Materials. The Permittee shall remove and properly dispose of significant materials that have been tracked off-site within 72 hours of discovery. [Minn. R. 7090]
16.1	**Eliminating and Reducing Exposure**. [Minn. R. 7090]
16.2	The Permittee shall evaluate their stormwater control measures of their significant materials to determine if and how they can reduce or eliminate exposed materials. To the extent prudent and feasible, the Permittee shall situate industrial activities and significant materials in areas not exposed to rain, snow, snowmelt, or runoff. [Minn. R. 7090]
17.1	**Salt storage, use, and management at the facility (If present at the facility)**. [Minn. R. 7090]
17.2	The Permittees should implement the following BMPs if salt piles are present at the facility: a. Cover salt piles or store the salt piles indoors;

	b. Minimize the use of salt or other de-icing/anti-icing materials by using the proper equipment, material, and application rates. c. Implement practices to reduce exposure resulting from adding or removing material from the salt piles (e.g., sweeping, diversions, containment); and d. Document within the SWPPP the location of any storage piles containing salt stored outside. [Minn. R. 7090]
17.3	Hired contractors should minimize the use of salt or other de-icing/anti-icing materials by using equipment, material, and application rates, as recommended by the Winter Parking Lot and Sidewalk Maintenance Manual found on the MPCA's website (www.pca.state.mn.us). In addition, the Permittee may attend and/or encourage their contractor to attend training and/or utilize best practices for winter maintenance activities. [Minn. R. 7090]
18.1	**Erosion Prevention and Sediment Control**. [Minn. R. 7090]
18.2	The Permittee shall identify areas at the facility that, due to topography, land disturbance (e.g. construction, grading, landscaping), or other factors, have potential for soil erosion. In those areas, the Permittee shall implement structural, vegetative, and/or stabilization BMPs to prevent or control on-site erosion and reduce sediment loads in stormwater discharges. [Minn. R. 7090]
19.1	**Chemical Additive Use**. [Minn. R. 7090]
19.2	If the Permittee intends to use polymers, flocculants, or other sedimentation treatment chemicals at the facility, the Permittee shall comply with the following minimum requirements: a. The Permittees must use conventional erosion and sediment controls prior to chemical addition to ensure effective treatment. b. Chemicals may only be applied where treated stormwater flows to a sediment control system that allows for filtration or settlement of the floc prior to discharge. c. Chemicals must be selected that are appropriately suited to the types of soils likely to be exposed to stormwater runoff at the facility, and to the expected turbidity, pH, and flow rate of stormwater flowing into the chemical treatment system. d. Use chemicals in accordance with standard engineering practices, and with dosing specifications and sediment removal design specifications of the manufacturer or chemical supplier. [Minn. R. 7090]
19.3	The SWPPP must contain an inventory of all chemical additives the Permittee uses to treat stormwater including, at a minimum, the following: a. The process for the use of the additive. b. The method of application, application frequency, concentration, and daily average and maximum rates of use. c. A complete product use and instruction label. d. Material Safety Data Sheet (MSDS), for the additive(s), which must include: i. Aquatic toxicity, human health, and environmental fate information for the additive. The aquatic toxicity information must include, at minimum, the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean; and ii. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive to the extent possible. [Minn. R. 7090]
19.4	The Permittee shall retain chemical additive use records for at least three years. [Minn. R. 7090]
20.1	**Management of Runoff**. [Minn. R. 7090]
20.2	The SWPPP must describe all permanent stormwater BMPs the Permittee implements at the facility to manage runoff, including, but not limited to, the permanent structural BMPs used to divert stormwater runoff away from fueling, manufacturing, treatment, storage, and disposal areas, and BMPs that treat, infiltrate, reuse, contain, or otherwise reduce pollutants in stormwater discharges. [Minn. R. 7090]
20.3	Industrial stormwater ponds and infiltration systems must not contribute to contaminant spreading to a greater extent or rate in locations where high levels of contaminants (as defined by the Agency) exist in the soil or in the shallow aquifer. A qualified professional (e.g. professional hydrogeologist, engineer, etc.) shall conduct a site analysis and file a report with the SWPPP for any contamination on-site, as determined

	by the Agency. [Minn. R. 7090]
20.4	If the Permittee finds that industrial stormwater ponds and infiltration systems are a contributor to contaminant increases or movement, the Permittee shall submit a plan to the Agency that describes how the Permittee will reduce contaminants, or will redesign, relocate, or eliminate the industrial stormwater ponds and infiltration systems, as needed, to eliminate the contribution to contaminant problems. The Permittee shall submit the plan to the Agency within one year of the Permittee's authorization to discharge under this permit or within one year of discovery if the Permittee discovers their ponds or infiltration systems are a contributor of contaminant spreading. The Permittee shall implement the plan as soon as the Agency grants approval. The plan does not reduce or eliminate more stringent requirements that other Agency regulatory programs may impose. If the Permittee and the Agency cannot seek agreement with an acceptable plan, the Permittee shall apply for an individual NPDES/SDS permit. [Minn. R. 7090]
20.5	This permit prohibits Permittees from constructing infiltration systems in areas within 1,000 feet up-gradient or 100 feet down-gradient of active karst features. The Permittee shall not use industrial stormwater ponds and infiltration systems in any high-risk karst area unless a qualified professional (e.g. professional hydrogeologist, engineer, etc.) conducts a geotechnical evaluation to ensure that the industrial stormwater pond or infiltration system does not present a significant risk to groundwater. The Minnesota Stormwater Manual describes standard engineering practices. The Manual can be found on the MPCA's website. If the industrial stormwater ponds and infiltration systems present a risk, the Permittee shall take appropriate measures to minimize or eliminate the risk, such as sealing or removal of the industrial stormwater ponds or infiltration systems. The Permittee shall document the evaluation with the SWPPP. [Minn. R. 7090]
20.6	This permit prohibits the construction of a new infiltration system in the following areas: a. Areas that receive discharges from vehicle fueling and maintenance activity. b. Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock. c. Areas of predominately Hydrologic Soil Group D (clay) soils. d. Areas where soil infiltration rates are field measured at more than 8.3 inches per hour unless the Permittee amends the soil to slow the infiltration rate below 8.3 inches per hour. [Minn. R. 7090]
20.7	The Permittee shall coordinate industrial stormwater ponds and infiltration systems in vulnerable wellhead protection areas with local drinking water authorities and design them to not adversely affect drinking water supplies. The Permittee shall contact the appropriate local drinking water authorities and document coordination efforts with the SWPPP. [Minn. R. 7090]
20.8	This permit prohibits Permittees from constructing infiltration systems within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13. If Permittees locate infiltration systems within the following areas, Permittees shall review and apply the requirements found in the "Guidance and recommendations for conducting a higher level of engineering review for stormwater infiltration in DWSMAs and Wellhead Protection Areas" section of the Minnesota Stormwater manual (www.pca.state.mn.us): a. In an Emergency Response Area (ERA) within a DWSMA classified as having high or very high vulnerability as defined by the Minnesota Department of Health; or b. In an ERA within a DWSMA classified as moderate vulnerability unless a regulated MS4 Permittee performed or approved a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater; or c. Outside of an ERA within a DWSMA classified as having high or very high vulnerability, unless a regulated MS4 Permittee performed or approved a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater. [Minn. R. 7090]
20.9	Permittees with any infiltration system defined as a USEPA "Class V injection well" shall contact the USEPA Region V to determine the need to register as a "Class V injection well." Refer to the USEPA Underground Injection Well Program for the definitions and complete registration process. The Permittee shall document contacts and USEPA response with the SWPPP. [Minn. R. 7090]
21.1	**Facility Inspection Requirements**. [Minn. R. 7090]
21.2	Unless the facility is inactive and unstaffed, the Permittee shall develop and implement an inspection

	schedule that includes a minimum of 1 facility inspection per calendar month that the facility is active and staffed. Further, the Permittee shall conduct a minimum of 1 of these inspections per calendar year during a rain or snowmelt runoff event. [Minn. R. 7090]
21.3	If a facility is inactive and unstaffed, monthly facility inspections are not required as long as there are no industrial materials or activities exposed to stormwater. However, the Permittee shall include the following in the SWPPP: a. BMP implementation that assures adequate protection of all waters receiving industrial stormwater discharges from the facility during the months the facility is inactive and unstaffed and; b. which months the facility was inactive and unstaffed. [Minn. R. 7090]
21.4	All facility inspections must include the following: a. An evaluation of the facility to determine that the SWPPP accurately reflects site conditions. At a minimum, the Permittee shall inspect storage tank areas, waste disposal areas, maintenance areas, loading/unloading areas, and raw material, intermediate product, by-product and final product storage areas. b. An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function. c. An evaluation of the facility to determine whether there are new exposed significant materials or activities at the site since completion of the SWPPP. d. During an inspection conducted during a runoff event, an evaluation of the stormwater runoff to determine discoloration or if other contaminants are visible in the runoff (e.g. oil & grease). [Minn. R. 7090]
21.5	The Permittee shall document all inspections and the following information must be stored with the SWPPP: a. Inspection date (i.e. mm/dd/yyyy), time, and weather conditions. b. Inspector name. c. Inspection findings. d. A description of any necessary corrective actions and a schedule for corrective action completion. [Minn. R. 7090]
22.1	**Maintenance Requirements**. [Minn. R. 7090]
23.1	**BMP Maintenance**. [Minn. R. 7090]
23.2	The Permittee shall maintain all stormwater BMPs at the facility, to ensure BMP effectiveness. a. The Permittee shall develop a schedule for preventive maintenance of all stormwater BMPs, and store the schedule with the SWPPP. b. If the Permittee identifies BMPs that are not functioning properly, the Permittee shall replace, maintain, or repair the BMPs within 7 calendar days of discovery. If the Permittee cannot complete BMP replacement, maintenance, or repair within 7 calendar days, the Permittee shall implement effective backup BMPs within 48 hours of discovery, and maintain the backup BMPs until the Permittee restores the effectiveness of the original BMPs. The Permittee shall document the justification for an extended replacement, maintenance, or repair schedule of the failed BMPs, and store it with the SWPPP. c. The Permittee shall record dates of all maintenance and repairs. The Permittee shall store these records with the SWPPP. [Minn. R. 7090]
24.1	**Equipment Preventative Maintenance**. [Minn. R. 7090]
24.2	The Permittee shall develop and implement a preventive maintenance program and store the information with the SWPPP. The program must require regular inspection, maintenance, and repair of industrial equipment and systems. The inspections must identify conditions that could cause breakdowns or failures, which may result in leaks, spills, and other releases (e.g. hydraulic leaks, torn bag-house filters, etc.), and the discharge of pollutants to stormwater. The preventive maintenance program may incorporate, by reference, a separate Operation and Maintenance Manual (or equivalent), as long as it addresses the items the preventive maintenance program requires above. [Minn. R. 7090]
25.1	**Elimination of Unauthorized Non-Stormwater Discharges**. [Minn. R. 7090]
25.2	The Permittee shall evaluate and document all non-stormwater discharges and eliminate all discharges not authorized by this permit or a separate NPDES/SDS permit. The Permittee shall document the evaluation with the SWPPP, and must include:

	a. The date of any evaluation. b. A description of the evaluation criteria used. c. A list of monitoring locations the Permittee observes during the evaluation. d. The different types of non-stormwater discharges and source locations. e. The action(s) taken, such as a list of control measures used to eliminate any unauthorized discharge(s) the Permittee identifies. [Minn. R. 7090]
26.1	**Spill Prevention and Response Requirements**. [Minn. R. 7090]
26.2	The Permittee shall develop and implement a spill prevention and response procedure. If the facility already has a separate plan (e.g. Prevention and Response Plan as required by Minn. Stat. ch. 115E, or Spill Prevention Control and Countermeasure (SPCC) Plan as required by Federal Law), that Permittee can incorporate the plan by reference into the SWPPP. In either case, the Permittee shall include a minimum of the following components with the SWPPP or in a separate SPCC document: a. Areas where the storage, transfer, or use of solid or liquid significant materials occurs and, where spills and leaks of the material may potentially contribute pollutants to stormwater discharges. b. Identify areas, monitoring locations and surface waters that may be affected by spills, leaks, or discharges from emergency firefighting activities. c. Report and document spills or leaks (pursuant to Minn. Stat. 115.061) that occur in exposed areas, or that drain to a monitoring location. d. Material handling procedures, storage requirements, and cleanup equipment/materials and procedures necessary to recover as rapidly and thoroughly as possible spills or leaks pursuant to Minn. Stat. 115.061. The Permittee shall make all methods and procedures available to appropriate facility personnel. e. Contact information for individuals and emergency and regulatory agencies that require notification in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (metro area) per Minn. Stat. 115.061. [Minn. R. 7090]
26.3	The Permittee shall ensure the use of infiltration is not part of a spill containment plan. This includes spill plans required under Federal Spill Prevention Containment and Control (SPCC) requirements or Minn. Stat. ch. 115E "The Spill Bill.". [Minn. R. 7090]
26.4	The Permittee shall ensure the use of a pond is not part of a spill containment plan, including spill plans required under Federal Spill Prevention Containment and Control (SPCC requirements or Minn. Stat. ch. 115E), unless appropriate controls are in place to contain the spill. If the Permittee uses a pond as part of a spill containment plan, the pond must have a chemically compatible liner for chemical spills that the Permittee expects to enter the pond and must have outlet controls to contain a spill. A plan must also be in place to clean up a spill so that the pond will not continue to be a source of spilled pollutants. The Permittee shall document evaluations with the SWPPP. [Minn. R. 7090]
27.1	**Mercury Minimization Plan**. [Minn. R. 7090]
27.2	The Permittee shall evaluate the facility to determine if stormwater can come into contact with any mercury sources. If mercury sources are exposed to stormwater, the Permittee shall develop a Mercury Minimization Plan that describes how the Permittee will manage mercury sources at the site to eliminate exposure to precipitation and stormwater runoff. To the extent feasible, the Permittee shall remove and manage mercury sources and devices from stormwater exposure in accordance with Minn. R. ch. 7045, Hazardous Waste, and any additional applicable state and federal rules. [Minn. R. 7090]
28.1	**Employee Training Program**. [Minn. R. 7090]
28.2	The Permittee shall develop and implement a training program for employees. Training must cover stormwater control measures, components and goals of the SWPPP, monitoring procedures, and other applicable requirements of the permit. The program must include a training schedule that includes training at least annually. Training must correlate with the job function of the employee. At a minimum, the Permittee shall ensure that the following individuals receive training: a. Employee(s) responsible for writing, revising, and implementing the SWPPP. b. Employee(s) responsible for installing, inspecting, maintaining, and repairing BMPs. c. Employee(s) whose work involves the regulated industrial activity, including but not limited to loading/unloading areas, processing areas, waste and fluid management areas, fueling areas, and vehicle maintenance areas.

	d. Employee(s) who conduct stormwater discharge monitoring. [Minn. R. 7090]
28.3	The Permittee shall maintain training records including: a. The trainer's name and trainer's organization (internal or external). b. The names (printed first and last) of the employee(s) and date(s) the employee(s) received training. c. A detailed description of the training provided to each employee. [Minn. R. 7090]
28.4	The Permittee shall maintain the training records either in the SWPPP, or in a separate record stored with the SWPPP, for at least three years. [Minn. R. 7090]
29.1	**PART III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)**. [Minn. R. 7090]
30.1	**General SWPPP Requirements**. [Minn. R. 7090]
30.2	a. The Permittee shall develop, implement and maintain a SWPPP for each facility authorized by this permit. b. The Permittee shall complete a SWPPP prior to submitting the permit application. c. A Permittee with authorization under the previous version of this permit shall modify the SWPPP to comply with the requirements of this permit prior to submitting the application. d. The SWPPP must identify the individuals responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the facility's SWPPP. e. The Permittee shall incorporate into the SWPPP, a section specific to any mobile industrial activities the Permittee conducts away from the facility. The section must address each stormwater control measure required by this permit, and sector specific requirements of all applicable sectors. The Permittee shall keep a copy of this section of the SWPPP at the location where the mobile industrial activity occurs. f. Any sector specific SWPPP requirements must be in addition to SWPPP requirements in this section of the permit. g. The SWPPP must list all personnel receiving training to conduct facility inspections. h. The SWPPP must include records of all details relating to the monthly visual inspections in accordance with the Stormwater Control Measures section of this permit. i. The SWPPP must include all information pertaining to maintenance in accordance with the Stormwater Control Measures section of this permit. j. The SWPPP must include all documentation pertaining to the elimination of unauthorized non-stormwater discharges as required by the Stormwater Control Measures section of this permit. k. The SWPPP must contain, or the Permittee shall keep as a separate document, any documentation the Spill Prevention and Response Requirements of the Stormwater Control Measures section of this permit requires. l. The SWPPP must contain a Mercury Minimization Plan if the Permittee discovers mercury sources as a result of compliance with the Stormwater Control Measures section of this permit. The SWPPP must include all information regarding the Employee Training Program requirements from the Stormwater Control Measures section of this permit. [Minn. R. 7090]
31.1	**Facility Description**. [Minn. R. 7090]
31.2	The SWPPP must include: a. A narrative description of the industrial activities the Permittee conducts at the facility. b. The total size of the facility property in acres. c. A calculation of the facility acreage that has industrial activity and/or significant materials in contact with stormwater. The calculation excludes acreage that does not discharge industrial stormwater, such as natural and landscaped areas, employee parking lots, and office buildings, etc. [Minn. R. 7090]
32.1	**Facility Map**. [Minn. R. 7090]
32.2	The SWPPP must include a map. The facility map(s) must be a United States Geological Survey map or equivalent, and must depict the following: a. Location of the facility in relation to surface waters receiving industrial stormwater discharges from the facility. Include the name of the surface water on the map. If the name is not known, indicate that on the map. b. Location of all impervious surfaces within the facility property boundaries. c. Arrows that indicate directions of stormwater flow. d. Location of all activities and materials identified in the Assessment of Activities and Materials items 33.1 through 35.2 below.

	e. Location of all structural BMPs. f. Location of all impaired waters within one mile of any monitoring location. The Permittee shall include the name of the impaired water and the impairment (e.g. impaired for biota, turbidity, nutrients, etc.). g. Location and name of any designated, special or restricted waters described in the Additional Requirements for Discharges to Special and Impaired Waters section of this permit that is within one mile of a facility's monitoring location. h. Location of all storm sewer inlets. i. Location of all loading dock drains, including those that connect to a storm sewer. j. Location of each benchmark monitoring location. Assign each benchmark monitoring location a unique identifying number (e.g. BML01, BML02, BML03, etc.) that the Permittee uses when submitting monitoring data to the Agency. Clearly label each benchmark monitoring location from which a discharge flows to, and is within one mile of, an impaired water. k. Location of each effluent monitoring location, if applicable. Assign each effluent monitoring location a unique identifying number (e.g. EML01, EML02, EML03, etc.) that the Permittee uses when submitting monitoring data to the Agency. Clearly label each effluent monitoring location to which a discharge flows, and is within one mile of, an impaired water. l. Location and description of any non-stormwater discharges authorized by this permit. [Minn. R. 7090]
33.1	**Facility Assessment of Activities and Materials**. [Minn. R. 7090]
34.1	**Assessment of Activities**. [Minn. R. 7090]
34.2	The SWPPP must include an assessment and inventory of all activities that can potentially be sources of pollutants to industrial stormwater discharges. Examples of these activities include: a. Fueling. b. Vehicle and equipment maintenance. c. Loading and unloading of dry bulk materials or liquids. d. Liquid storage tanks. e. Outdoor manufacturing and processing. f. Outdoor storage of significant materials. g. Access roads, rail cars, and tracks. h. Waste treatment, storage, or disposal including waste ponds, dumpsters, and solid waste storage or management. i. Dust or particulate-generating processes including dust collection devices and vents. j. Contamination of rooftops by pollution control devices. The Permittee may have additional examples. [Minn. R. 7090]
35.1	**Assessment of Materials and Associated Pollutants**. [Minn. R. 7090]
35.2	The SWPPP must include documentation of an assessment and inventory of all facility materials that can potentially be a source of pollutants to industrial stormwater discharges from the following: a. Raw materials. b. Intermediate products. c. By-products. d. Final products. e. Waste products. The assessment must also include pollutant constituents, such as crankcase oil, zinc, sulfuric acid, cleaning solvents, etc. associated with the sources listed above. [Minn. R. 7090]
36.1	**BMP Documentation**. [Minn. R. 7090]
36.2	The Permittee shall document in the SWPPP all BMPs the Permittee uses to comply with each stormwater control measure required in the Stormwater Control Measures section of this permit. The Permittee shall design and implement BMPs to address the potential pollutants associated with the activities and materials that the Permittee identifies in the Facility Assessment of Activities and Materials section above. The documentation must include a list of all structural and non-structural BMPs the Permittee designs and implements at the facility. [Minn. R. 7090]

37.1	**SWPPP Modification Requirements**. [Minn. R. 7090]
37.2	The Permittee shall review the SWPPP at least annually and modify the SWPPP if: a. There is construction or a change in design, operation, or maintenance at the facility that affects stormwater management or compliance with this permit. b. The Permittee identifies a monitoring location that is within one mile of an impaired water, including newly listed impaired waters. c. A routine inspection, compliance evaluation, or visual inspection identifies deficiencies in the SWPPP and/or BMPs. d. Additional stormwater control measures and BMPs are necessary to meet applicable water quality standards or to address exceedances of benchmark values. e. There is an unauthorized discharge from the facility. If the SWPPP modification is because of a release or unauthorized discharge, update the SWPPP to include a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements in the Stormwater Control Measures section of this permit. f. There is a change in personnel responsible for managing the SWPPP, implementing BMPs, conducting monthly visual inspections, or collecting stormwater samples at the facility. [Minn. R. 7090]
38.1	**SWPPP Availability Requirements**. [Minn. R. 7090]
38.2	Permittees shall keep the SWPPP at the industrial facility and make it available to the Agency within 72 hours of a request for review. (Minn. R. 7090.3040, subp. 2). [Minn. R. 7090]
39.1	**PART IV. ANNUAL REPORT**. [Minn. R. 7090]
39.2	Permittees shall submit an annual report : Due annually, by the 31st of March. [Minn. R. 7090]
39.3	The Annual Report must cover those portions of the previous calendar year the Permittee had authorization to discharge industrial stormwater. The Annual Report must include, at a minimum, the following information: a. A summary of inspection dates, findings, and any BMP maintenance the Permittee conducted during the course of the reporting year. b. The results of any inspection requirements involving oil and grease, as described in the Sector-Specific Requirements section of this permit, if applicable. c. A confirmation that the SWPPP accurately reflects facility conditions. d. A confirmation that newly-exposed significant materials (if any) are identified and that the Permittee modifies the SWPPP to address them. e. A confirmation that the Permittee conducts a review of impaired waters and that the Permittee modifies the SWPPP to address applicable permit requirements of the Stormwater Pollution Prevention Plan and Benchmark Monitoring Requirements sections of this permit, if necessary. f. A confirmation that the Permittee meets the review requirements of USEPA-approved TMDLs that may apply to the facility, g. A description of any SWPPP modification the Permittee makes in accordance with the Stormwater Pollution Prevention Plan section of this permit, including any information supporting the use of a monitoring waiver outlined in the Benchmark Monitoring Requirements Section of this permit. h. A list of all spills and leaks (as pursuant to Minn. Stat. 115.061) occurring at the facility during the reporting year. i. If applicable, a summary of all facility mobile industrial activities. At a minimum, the summary must include a description (including SIC code and/or narrative activity), locations of the mobile industrial activity (including latitude and longitude coordinates), and length of time of the mobile industrial activity occurrence(s). [Minn. R. 7090]
39.4	The Permittee shall submit the Annual Report in a format determined by the MPCA. [Minn. R. 7090]
40.1	**PART V. BENCHMARK MONITORING REQUIREMENTS**. [Minn. R. 7090]
40.2	The Permittee shall monitor benchmark parameters specified for the Permittee's industrial sector(s) using the procedures outlined in this section of the Permit. [Minn. R. 7090]
40.3	The Permittee shall monitor each benchmark monitoring location for all benchmark parameters specified for the facility's primary SIC code and/or narrative activity and any co-located industrial activity as outlined

	in the Sector-Specific Requirements portion of this permit, unless exempted by a benchmark monitoring waiver. Appendix B lists the benchmark monitoring parameters and corresponding values for each sector. [Minn. R. 7090]
40.4	An exceedance of an applicable benchmark value does not constitute a violation. However, the Permittee shall perform all necessary corrective action(s) to address stormwater control measures, including the maintenance or implementation of BMPs, when an exceedance of an applicable benchmark value occurs. Failure to respond to a benchmark value exceedance is a permit violation. [Minn. R. 7090]
41.1	**Monitoring Procedures and Sample Collection Methods**. [Minn. R. 7090]
41.2	If the Permittee identifies multiple but separate industrial stormwater discharges, and each area of discharge is substantially similar in terms of exposure, BMPs, pollutants, and surface water receiving runoff, the Permittee may choose one benchmark monitoring location that is most representative and best allows for obtaining a sample. If the surface water receiving runoff is not substantially similar, the Permittee must designate multiple unique benchmark monitoring location(s). [Minn. R. 7090]
41.3	The Permittee shall ensure that a laboratory certified by the Minnesota Department of Health (MDH) and/or registered with the MPCA (or other MPCA-approved accredited lab) conducts analyses this permit requires. Laboratory certification is not required for the visual observation of the presence of debris. Analysis of pH must comply with manufacturer's specifications for equipment calibration and use. pH analysis must occur on-site, within 15 minutes of sample collection. (Minn. Stat. 144.97 through 144.98 and Minn. R. 4740.2010 and 4740.2050 through 4740.2120). The Permittee shall maintain written records of all calibrations and maintenance within the SWPPP. Sample preservation and test procedures for the analysis of pollutants must conform to 40 CFR 136.3. [40 CFR 136.3]
41.4	Sample preservation and test procedures for the analysis of pollutants must conform to 40 CFR 136.3(e). [Minn. R. 7090]
42.1	**Where to Collect a Sample; Number of Samples**. [Minn. R. 7090]
42.2	Permittees shall collect one sample per quarter from each benchmark monitoring location and analyze each sample for the sector-specific benchmark parameters. The Permittee shall collect samples from each stormwater benchmark monitoring location the Permittee identifies in the permit application and the SWPPP. Permittees shall collect samples for at least four calendar quarters. [Minn. R. 7090]
42.3	Sampling intervals correspond to calendar quarters. Sampling requirements begin the first full calendar quarter following the facility's coverage issuance date. For example, if the Permittee obtains coverage on June 29, monitoring starts in the quarter beginning July 1. If the Permittee obtains coverage on April 1, monitoring starts in the quarter beginning July 1. [Minn. R. 7090]
43.1	**When to Collect a Sample**. [Minn. R. 7090]
43.2	Permittees shall collect samples from a measurable runoff event (rain or snowmelt) at the benchmark monitoring location(s), provided there is a gap of 3 days between measurable runoff events. During a measurable runoff event, Permittees shall collect samples in each of the first 4 calendar quarters after receiving coverage. The Permittee shall attempt to collect a stormwater sample within the first 30 minutes upon the discharge reaching the benchmark monitoring location, to the extent feasible. If it is not possible to collect the sample within the first 30 minutes of a measurable runoff event, the Permittee shall collect the sample as soon as practicable and note this information on the Stormwater Monitoring Report. It is not necessary to collect samples outside the facility's normal operating hours. [Minn. R. 7090]
44.1	**How to Collect a Sample**. [Minn. R. 7090]
44.2	The Permittee shall take samples either manually by grab method, or by automated sampling. If a Permittee uses automated sampling, the device must either collect one sample during the first 30 minutes of discharge or must collect samples throughout the discharge period, and then combined them as a composite sample. [Minn. R. 7090]
45.1	**Unable to Collect a Sample**. [Minn. R. 7090]
45.2	Permittees shall submit a Stormwater Monitoring Report to the MPCA for every calendar quarter the Permittee has sampling requirements, even if there is not a measurable runoff sufficient to obtain a sample. In the absence of a measurable runoff event during a quarter due to weather conditions and/or site soil characteristics, the Permittee shall complete the appropriate sections of a Stormwater Monitoring

	Report, providing an explanation, and submit the report to the MPCA. [Minn. R. 7090]
45.3	If the Permittee is unable to obtain a minimum of four (4) quarterly samples over four (4) separate quarters, the Permittee shall continue the quarterly monitoring requirements until they obtain four (4) quarterly samples. [Minn. R. 7090]
46.1	**Compare four (4) quarterly samples to benchmark value**. [Minn. R. 7090]
46.2	After collecting and analyzing four (4) separate quarterly samples, one per calendar quarter for each benchmark monitoring location, Permittees shall average the values for each benchmark parameter, and compare it against the benchmark value. If the Permittee collects more than one sample per quarter then, the results must be averaged within the quarter. The Permittee shall compare the average of the quarterly monitoring results with the applicable benchmark value for its applicable sectors and refer to the "Benchmark Values Met" and/or "Benchmark Values Exceeded" sections below to determine any necessary further actions. [Minn. R. 7090]
46.3	For averaging purposes, the Permittee shall use a value of zero for any sample result the laboratory reports that is less than the method detection limit. For results the laboratory reports as falling between the method detection level and the quantitation limit (i.e. a confirmed detection, but below the level that can be reliably quantified), the Permittee shall use a value halfway between zero and the quantitation limit. [Minn. R. 7090]
47.1	**Benchmark Values Met**. [Minn. R. 7090]
47.2	The Permittee does not need to collect additional samples for any parameter where the averaged results are below the permit benchmark value, unless the Agency lists a new impaired water and the facility has a monitoring location from which the discharge flows to, and is within one mile of the impaired water. If this occurs, the Permittee shall complete additional monitoring for the benchmark parameter(s) for which the recently listed water is impaired. This only applies if the pollutant(s) of impairment or its appropriate surrogate(s) is among the list of benchmark parameters listed for the Permittee's industrial sector(s). [Minn. R. 7090]
48.1	**Pollutant of Impairment: Surrogate**. [Minn. R. 7090]
48.2	Biota (Fish): Solids, Total Suspended (TSS) Biota (Macroinvertebrates): Solids, Total Suspended (TSS) Biota (Plant): Solids, Total Suspended (TSS) Dissolved Oxygen (DO): *BOD, Carbonaceous 05 Day (20 Deg C) (CBOD5), and/or COD (Chemical Oxygen Demand) Nutrient Eutrophication Biological Indicators: Phosphorus, Total (as P) Turbidity: Solids, Total Suspended (TSS) *In the case of water impaired for Dissolved Oxygen, the Permittee shall monitor for either CBOD 5 or COD, or both, depending if these pollutants are among the sector-specific pollutants of the Permittee's sector. [Minn. R. 7090]
48.3	Prior to the first full calendar quarter following the USEPA-approved listing of the impaired water, the Permittee shall submit a modification application to restart benchmark monitoring. Then, beginning the first full calendar quarter following the USEPA-approved listing of the impaired water, the Permittee shall begin the additional monitoring for the pollutant(s) of impairment or its appropriate surrogate(s), using the procedures outlined above. [Minn. R. 7090]
49.1	**Benchmark Values Exceeded**. [Minn. R. 7090]
49.2	The Permittee shall collect a least one sample in the following quarter at the benchmark monitoring location(s) where exceedance(s) have occurred. Calculate the average of the four most recent quarters and compare this new average with the applicable benchmark value(s). [Minn. R. 7090]
49.3	If a benchmark value is at or is exceeded, Permittees shall complete the following steps: 1. Modify the SWPPP and document all corrective actions necessary to meet the applicable benchmark values, including improvements to BMPs. 2. Initiate modifications and upgrade the SWPPP and BMPs immediately, but no later than 14 days beyond discovery of a benchmark value exceedance. 3. Install a new or repair an existing control measure to make it operational as soon as possible.

	a. If the Permittee is unable to complete the installation or repair within 14 calendar days, the Permittee shall document why it is infeasible within the 14-day timeframe. b. Identify a schedule for completing the work, and document as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. Include all documentation within or as an attachment to the SWPPP. These time intervals are not grace periods, but are reasonable schedules for documenting findings and for making repairs and improvements. These time intervals are in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely. [Minn. R. 7090]
50.1	**Reporting Benchmark Monitoring Data**. [Minn. R. 7090]
50.2	Monitoring data must be submitted in a format determined by the MPCA. The Permittee shall record information in the specific areas on the form and in the units specified. [Minn. R. 7001.0150, Subp. 2(B), Minn. R. 7001.1090, Subp. 1(D)]
50.3	The Permittee shall submit monitoring data to the MPCA no later than the 21st day of the month following the sampling quarter. [Minn. R. 7090]
50.4	If the Permittee discovers their submission of an incomplete or incorrect report, or if the Agency notifies the Permittee that they submitted an incomplete or incorrect report, the Permittee shall immediately submit an amended report to the Agency. The amended report must contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. [Minn. R. 7001.0150, Subp. 3(G)]
51.1	**Benchmark Monitoring Waivers**. [Minn. R. 7090]
51.2	Permittees shall complete benchmark monitoring as required by the Sector-Specific Requirements section in this permit unless they are approved for a benchmark monitoring waiver. Permittees may submit a benchmark monitoring waiver during the permit application process. [Minn. R. 7090]
51.3	There are three Benchmark Monitoring Waivers Permittees may request depending on their facility circumstances: 1. General Benchmark Monitoring Waiver, 2. Run-On Demonstration Waiver, or 3. Natural Background Pollutant Waiver. These waivers are for Benchmark monitoring only, not effluent limits. [Minn. R. 7090]
52.1	**General Benchmark Monitoring Waiver**. [Minn. R. 7090]
52.2	Permittees with either of the following systems at the facility or a portion of the facility may be eligible for a General Benchmark Monitoring Waiver: a. Infiltration system: The Permittee has an infiltration system in accordance with the Benchmark Monitoring Waiver for Industrial Stormwater Infiltration and Ponding section of this permit b. Pond system: The Permittee has a pond system in accordance with the Benchmark Monitoring Waiver for Industrial Stormwater Infiltration and Ponding section of this permit. [Minn. R. 7090]
53.1	**Run-On Demonstration Waiver**. [Minn. R. 7090]
53.2	Upon calculating quarterly benchmark averages, if Permittees demonstrate drainage onto the site from upgradient sources (run-on) are the source of any benchmark value exceedance, the Permittee may be eligible for a Run-On Demonstration Waiver. [Minn. R. 7090]
53.3	To qualify for this waiver, the Permittee shall demonstrate that the specific run-on pollutant is causing the parameter exceedance at the benchmark monitoring location. At a minimum, the Permittee shall conduct the following activities to complete the demonstration: a. Sample the run-on prior to co-mingling with other stormwater discharges, and analyze the run-on against the pollutant parameter with exceedances. b. Complete a run-on demonstration narrative that describes the following: i. Nature of the run-on including a description of the adjacent property, land use type, and the activity the Permittee believes to be responsible for the stormwater contamination. ii. The dates and lab results of the samples taken for comparison purposes of the facility benchmark monitoring locations and the sampling points the Permittee selects for run-on sampling.

	iii. A statement that the Permittee assesses and believes that the run-on flows to, and is directly impacting the specific benchmark monitoring location where exceedances are occurring. iv. Any efforts the Permittee takes to divert or minimize run-on to the facility. v. Any other relevant information that supports the Permittee's use of this waiver. c. The Permittee shall document the demonstration in the facility's waiver request and, once approved, in the facility's SWPPP. d. Address the use of an approved waiver in all subsequent Annual Report submittals to the Agency. [Minn. R. 7090]
54.1	**Natural Background Pollutant Waiver**. [Minn. R. 7090]
54.2	Upon calculating quarterly benchmark averages, if Permittees demonstrate the exceedance of the benchmark value is attributable to the presence of that pollutant in the natural background, the Permittee may be eligible for a Natural Background Pollutant Waiver. Pollutants from former site operations or run-on are not natural background pollutants. [Minn. R. 7090]
54.3	To qualify for the waiver, Permittees shall complete the following: a. Demonstrate that the average of all samples taken of a specific benchmark parameter of the natural background is significantly contributing to and causing the benchmark value exceedance at the benchmark monitoring location. b. Document in the facility's waiver request and, once approved, maintain with the SWPPP the supporting rationale for concluding the benchmark value exceedance is attributable to natural background pollutant levels. The Permittee shall include with the supporting rationale any previously collected data that describes the levels of natural background pollutants in the industrial facility stormwater discharge. c. Address the use of an approved waiver in all subsequent Annual Report submittals to the MPCA. [Minn. R. 7090]
55.1	**Benchmark Monitoring Waiver for Industrial Infiltration and Ponding**. [Minn. R. 7090]
55.2	This section addresses requirements for the Benchmark Monitoring Waiver for industrial stormwater infiltration systems, and industrial stormwater ponds as defined in the Definitions and Abbreviations section of this permit. (Note that effluent limit monitoring is not exempt from monitoring.) The Agency will not grant the Benchmark Monitoring Waiver unless the Permittee complies with all applicable requirements of the permit, and specifically this section. Note that the Stormwater Control Measures and Sector-Specific Requirements sections of this permit have specific additional sector or subsector requirements and certain prohibitions as stated in the Stormwater Control Measures - Facility Inspection Requirements section of this permit regarding stormwater infiltration. The Permittee shall comply with the Stormwater Control Measures and Sector-Specific Requirements sections in order to utilize infiltration or ponding as part of a stormwater treatment system. Violation of any specific requirements that may affect the operation of the industrial stormwater pond or infiltration system may result in revocation of the monitoring waiver. [Minn. R. 7090]
56.1	**Requirements for a Benchmark Monitoring Waiver for Infiltration Systems**. [Minn. R. 7090]
56.2	Unless prohibited from obtaining a Benchmark Monitoring Waiver under the sector or subsector requirements of the Sector-Specific section of this permit, a Permittee may request a Benchmark Monitoring Waiver for infiltration systems that the Permittee operates in accordance with the applicable requirements of the permit. For Permittees with infiltration systems that experience a bypass or overflow of stormwater from storm events that exceed the design capacity of the infiltration system, the Permittee does not have to monitor for benchmark parameters. (Note that effluent limit monitoring is not exempt from monitoring.) To obtain a Benchmark Monitoring Waiver, the Permittee shall submit a waiver request to the MPCA and once approved, comply with the terms and conditions below. [Minn. R. 7090]
57.1	**Design Requirements for a Benchmark Monitoring Waiver for Infiltration Systems**. [Minn. R. 7090]
57.2	The Permittee shall design infiltration systems consistent with accepted engineering practices. A professional engineer or other licensed professional shall approve the designs. The Minnesota Stormwater Manual describes accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements outlined in this section. [Minn. R. 7090]
57.3	The Permittee shall design and operate Infiltration systems to infiltrate at a long-term expected rate of no less than 0.2 inches per hour to no greater than 1.63 inches per hour. See the Minnesota Stormwater

	Manual for detailed information on soils and long term versus perk test or infiltrometer measurements. [Minn. R. 7090]
57.4	The infiltration system must provide, at minimum, a storage volume that will contain the entire volume of runoff to the infiltration system, up to and including the 2-year, 24-hour storm event. [Minn. R. 7090]
57.5	Infiltration devices must infiltrate the design storage volume (which may be equal to or greater than the runoff from the 2 year event) within 48 hours at the long-term infiltration rate. The Permittee shall base the calculated design volume of runoff from National Oceanic and Atmospheric Administration Atlas 14, Volume 8 (NOAA Atlas 14, Volume 8) and the runoff characteristics of the watershed to the infiltration system. [Minn. R. 7090]
57.6	Infiltration devices must have suitable soils to provide treatment at the design long-term infiltration rate. The Permittee shall conduct testing to ensure that the infiltration system stormwater storage area has at least three feet of suitable soils between the stormwater storage area and either groundwater, the soil elevation leaving evidence of seasonally saturated soils, or fractured bedrock, whichever is least. The Permittee shall test the soil pursuant to the recommendations of the Minnesota Stormwater Manual or equivalent professional sources. [Minn. R. 7090]
58.1	**Operation and Maintenance**. [Minn. R. 7090]
58.2	The Permittee shall maintain and operate the infiltration system to meet the design criteria. In addition, the Permittee shall design, maintain, and modify the outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair. For example, pre-settling of solids, removal of floatable material, and other maintenance actions, which allow the Permittee to provide effective long-term operation of the infiltration system. [Minn. R. 7090]
58.3	The Permittee shall visually inspect all newly constructed or up-graded infiltration systems after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Pollution Prevention Plan - Facility Inspection Requirements section of the permit or, if applicable, the Sector-Specific Requirements of the permit, to ensure that infiltration is occurring at the appropriate rate and the device is operating correctly. [Minn. R. 7090]
58.4	The Permittee shall provide appropriate access, equipment, and training for staff for operation and maintenance of the infiltration systems. [Minn. R. 7090]
58.5	Permit violations regarding the design, operation, and maintenance of an infiltration system, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
59.1	**Documentation**. [Minn. R. 7090]
59.2	The Permittee shall keep the design basis for meeting the criteria for a Benchmark Monitoring Waiver under this part with the SWPPP. The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
60.1	**Requirements for a Benchmark Monitoring Waiver for Industrial Stormwater Ponds**. [Minn. R. 7090]
60.2	For industrial stormwater ponds meeting the requirements of a Benchmark Monitoring Waiver, stormwater bypasses or overflow from storm events exceeding the Benchmark Monitoring Waiver design capacity (specified in this Appendix) are exempt from permit monitoring requirements. Note that effluent limit monitoring is not exempt from monitoring, under this part. To obtain a Benchmark Monitoring Waiver, the Permittee shall submit a waiver request to the MPCA and comply with the following terms and conditions. [Minn. R. 7090]
61.1	**Design Requirements for an Industrial Stormwater Pond Benchmark Monitoring Waiver**. [Minn. R. 7090]
61.2	The Permittee shall design industrial stormwater ponds qualifying for a Benchmark Monitoring Waiver consistent with accepted engineering practices and a professional engineer or other licensed professional approves. The applicable portions of the Minnesota Stormwater Manual describes generally accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements outlined in this section. [Minn. R. 7090]
61.3	Permittees shall design and operate the industrial stormwater pond to eliminate scour and re-suspending of sediment at high flows, so Permittees expect to meet that benchmark values up to the 10-year, 24-hour

	storm event based on NOAA Atlas 14, Volume 8. [Minn. R. 7090]
61.4	The Permittee shall design the industrial stormwater pond permanent storage (dead storage below the outlet) volume to eliminate scour and re-suspension of settled solids for the expected flow velocities. The Permittee shall adjust the maximum permanent storage (or dead storage) depth for the site conditions to provide enough sediment storage, and to prevent scour. The Permittee shall limit the depth to prevent anaerobic conditions from developing in the pool. The optimum depth in the permanent pool usually varies between 3 feet to 10 feet deep, depending on the site-specific conditions of flow and the nature of the pollutants. [Minn. R. 7090]
61.5	The Permittee shall incorporate skimmers, screens, or equivalent collection devices into the outlets so that the industrial stormwater pond will not discharge floatable materials. The Permittee shall inspect and maintain such devices to prevent clogging or discharge of collected material. The Permittee shall dispose collected materials properly. [Minn. R. 7090]
62.1	**Operation and Maintenance**. [Minn. R. 7090]
62.2	The Permittee shall maintain and operate the industrial stormwater pond to meet design criteria. In addition, the Permittee shall design, maintain and modify outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair, as needed. For example, pre-settling of solids, removal of floatable material, or other maintenance actions which allow the Permittee to provide effective long term operation of the industrial stormwater pond. [Minn. R. 7090]
62.3	The Permittee shall visually inspect newly constructed or up-graded industrial stormwater ponds after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Pollution Prevention Plan - Facility Inspection Requirements section of the permit or, if applicable, the Sector-Specific Requirements section of the permit, to ensure that the industrial stormwater pond is operating correctly. [Minn. R. 7090]
62.4	The Permittee shall provide access, equipment, and training for appropriate staff for operation and maintenance of the industrial stormwater pond. [Minn. R. 7090]
62.5	The Permittee shall operate and maintain all industrial stormwater ponds as required by this permit, and any restrictions in the sector or subsector specific requirements of the Sector-Specific section of this permit. Permit violations regarding the design, operation, and maintenance of an industrial stormwater pond, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
63.1	**Documentation**. [Minn. R. 7090]
63.2	The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
64.1	**PART VI. EFFLUENT LIMIT REQUIREMENTS**. [Minn. R. 7090]
64.2	If applicable, Permittees shall comply with the effluent limitations required in the Sector-Specific Requirements section of this permit. The Permittee shall identify and monitor all effluent monitoring locations at the facility where industrial activity with an effluent limit occurs. [Minn. R. 7090]
64.3	Appendix B lists the parameters with corresponding effluent limits for specific sectors. This Effluent Limit Requirements section of the permit is not applicable to Permittees with no effluent limit requirements listed for their corresponding sector(s). [Minn. R. 7090]
65.1	**Effluent Monitoring Procedures and Sample Collection Methods**. [Minn. R. 7090]
65.2	Permittees shall collect one (1) sample annually from each effluent monitoring location and analyze the sample for each required effluent limit parameter. Permittees shall collect the sample(s) each calendar year the Permittee has permit coverage. [Minn. R. 7090]
65.3	Permittees shall collect samples during any measurable runoff event at each effluent monitoring location. Collect the sample(s) within the first 30 minutes of the measurable runoff event. If it is not possible to collect the sample(s) within the first 30 minutes, collect the sample(s) as soon as practicable and document on the Monitoring Report Form that it was not possible to collect the sample(s) within the first 30 minutes. [Minn. R. 7090]
65.4	Permittees shall take samples either manually by grab method, or by automated sampling. If the Permittee

	uses automated sampling, the device must either collect one sample during the first 30 minutes of discharge, or must collect a series of samples throughout the discharge period and combine them as a composite sample. [Minn. R. 7090]
65.5	If the Permittee determines that an effluent monitoring location and a benchmark monitoring location are at the same location, and the effluent sampling of a pollutant parameter coincides with the sampling of a benchmark pollutant parameter, the Permittee may collect one sample and analyze for both purposes. [Minn. R. 7090]
66.1	**Effluent Limit Exceedances**. [Minn. R. 7090]
66.2	A sampling result that exceeds an effluent limit is a permit violation. The Permittee shall immediately make every effort to verify the violation by collecting additional samples. The Permittee shall investigate the cause of the violation and take action to prevent future violations. Immediately report violations that pose a threat to human health or a drinking water supply, or represent a significant risk to the environment to the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (metro area). In addition, the Permittee may also contact the Agency during business hours. [Minn. R. 7090]
66.3	If any monitoring value exceeds a numeric effluent limit contained in this permit, the Permittee shall indicate the violation on its Industrial Stormwater Monitoring Report and conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing the corrective actions required below. [Minn. R. 7090]
66.4	If an effluent limit is at or is exceeded, Permittees shall complete the following steps: 1. Modify the SWPPP and document all corrective actions necessary to meet the applicable effluent limit, including improvements to BMPs. 2. Initiate modifications and upgrade the SWPPP and BMPs immediately, but no later than 14 days beyond discovery of an effluent limit violation. 3. Install a new or repair an existing control measure to make it operational as soon as possible. a. If the Permittee is unable to complete the installation or repair within 14 calendar days, the Permittee shall document why it is infeasible within the 14-day timeframe. b. Identify a schedule for completing the work, and document as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. Include all documentation within or as an attachment to the SWPPP. These time intervals are not grace periods, but are reasonable schedules for documenting findings and for making repairs and improvements. These time intervals are in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely. [Minn. R. 7090]
66.5	Additional effluent monitoring must be conducted monthly, at a minimum, until the discharge is in compliance with the effluent limit or the MPCA waives the requirement for additional monitoring. The additional monitoring must be reported to the MPCA. [Minn. R. 7090]
67.1	**Effluent Monitoring Data Reporting**. [Minn. R. 7090]
67.2	The Permittee shall submit the data in a format determined by the MPCA. Record the information in the specific areas on the form and in the specific units If the Permittee cannot acquire a sample during the sampling period due to weather conditions and/or site soil characteristics, the Permittee shall check the "No Flow" box and note the conditions on the form. [Minn. R. 7001.0150, Subp. 2(B), Minn. R. 7001.1090, Subp. 1(D)]
67.3	The Permittee shall submit the monitoring data for each required effluent monitoring location even if a discharge did not occur during the sampling period. [Minn. R. 7001.0150, Subp. 2(B), Minn. R. 7001.0150, Subp. 3(H)]
67.4	The Permittee shall submit the annual monitoring report no later than 21 days after the end of each calendar year following issuance of ISW permit coverage. [Minn. R. 7090]
67.5	If the Permittee discovers their submission of an incomplete or incorrect report, or if the Agency notifies the Permittee of an incomplete or incorrect report, the Permittee shall immediately submit an amended form to the Agency. The amended report must contain the missing or correct data along with a cover

	letter explaining the circumstances of the incomplete or incorrect report. [Minn. R. 7001.0150, Subp. 3(G)]
68.1	**PART VII. SECTOR-SPECIFIC REQUIREMENTS**. [Minn. R. 7090]
68.2	The Permittee shall comply with these sector-specific requirements for any primary SIC code and/or narrative activity and co-located industrial activities as defined in the eligibility requirements of this permit. The sector-specific requirements apply to those areas of the Permittee's facility where those sector- specific activities occur. [Minn. R. 7090]
69.1	**Sector A. Timber Products**. [Minn. R. 7090]
70.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
70.2	These Sector A requirements apply to industrial stormwater discharges at timber product facilities, with the industrial activity codes listed in Appendix A. [Minn. R. 7090]
71.1	**Limitations on Authorization**. [Minn. R. 7090]
71.2	Stormwater discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection are not authorized by this permit. These discharges require a separate NPDES/SDS permit. [Minn. R. 7090]
72.1	**Stormwater Controls**. [Minn. R. 7090]
73.1	**Inspections**. [Minn. R. 7090]
73.2	If the Permittee performs wood surface protection and preservation activities, the Permittee shall inspect all processing areas that are subject to compliance with 40 CFR pt. 264 and 265, subp. W, to assess the effectiveness of BMPs the Permittee uses to eliminate all discharges of chemical preservatives. Any discharge from these areas is process wastewater and is not stormwater, and requires a separate NPDES/SDS permit. [Minn. R. 7090]
73.3	The Permittee shall conduct inspections of treated wood storage areas to assess the effectiveness of BMPs used to minimize or eliminate the discharge of stormwater that comes into contact with wood preservation chemicals. [Minn. R. 7090]
74.1	**Other Industry Specific Control Measures**. [Minn. R. 7090]
74.2	For indoor and/or outdoor storage of significant materials (including but not limited to: arsenic, chromium, zinc, copper, and phenolic solution storage tanks and structures), the Permittee shall provide complete secondary containment. Also, the Permittee shall drain stormwater accumulating in outdoor storage tanks and structures only after an inspection demonstrates that there are no occurrences of contact of stormwater with significant materials. [Minn. R. 7090]
75.1	**SWPPP Requirements**. [Minn. R. 7090]
75.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Inventory of Exposed Materials. If the Permittee uses chlorophenolic, Pentachlorophenol, creosote, or chromium-copper-arsenic formulations for wood surface protection or preserving, identify the following and document within the SWPPP: i. Areas where contaminated soils from treatment equipment, and stored materials still remain. ii. The management practices the Permittee utilizes to prevent these materials coming into contact with stormwater runoff. b. Description of Stormwater Controls. The Permittee shall describe the BMPs they implement to address the following sources for pollution potential: i. Log, lumber and wood product storage areas. ii. Residue storage areas. iii. Chemical storage areas. If the Permittee performs wood surface protection and preservation activities, address the specific BMPs for these activities. [Minn. R. 7090]

76.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
76.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table A-1 in Appendix B. [Minn. R. 7090]
77.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
78.1	**Industrial Stormwater Ponds**. [Minn. R. 7090]
78.2	Sector A facilities, except those operating under SIC code 2491, may use industrial stormwater ponds for stormwater management without additional restrictions. [Minn. R. 7090]
78.3	The Permittee of a Sector A industrial facility operating under an SIC code of 2491 (wood preserving) has authorization to use industrial stormwater ponds for stormwater management. Industrial stormwater ponds constructed after April 5, 2010, must meet the following design criteria. a. Line the industrial stormwater pond with a synthetic liner that is chemically compatible with materials expected to enter the pond. Design the pond to restrict infiltration to less than 500 gallons per acre per day. The pond must be Ultra Violet (UV) stable. b. Design the industrial stormwater pond in accordance with accepted engineering practices. See Agency "Recommended Pond Design Criteria" December 2009, Document number: wq-wwtp5-53 and any applicable supporting technical criteria. Any Permittee required to comply with this part does not have authorization to utilize the benchmark monitoring waiver described in the Benchmark Monitoring Waiver for Industrial Stormwater Infiltration and Ponding section of the permit. [Minn. R. 7090]
78.4	Sector A facilities operating under SIC code 2491 are not eligible for the General Benchmark Monitoring Waiver as described in the Benchmark Monitoring Waivers section of the permit. [Minn. R. 7090]
79.1	**Infiltration Systems**. [Minn. R. 7090]
79.2	The Permittee of a Sector A industrial facility operating under an SIC code of 2491 (wood preserving) has authorization to use a designed infiltration system for stormwater management, implemented prior to April 5, 2010, provided the Permittee complies with the following requirements: a. The Permittee shall conduct benchmark monitoring in accordance with the terms and conditions of the Benchmark Monitoring Requirements section of this permit for all industrial stormwater prior to infiltration. b. If the Permittee has a designed infiltration system operating prior to April 5, 2010, the Permittee can continue using that device. However, on or after April 5, 2010, the Permittee shall not construct new infiltration systems, expand infiltration activities or practices that result in infiltration, or expand volume of infiltration. [Minn. R. 7090]
79.3	Sector A facilities operating under SIC code 2491 that use a designed infiltration system to manage industrial stormwater are not eligible for the General Benchmark Monitoring Waiver as described in the Benchmark Monitoring Waivers section of the permit. [Minn. R. 7090]
80.1	**Sector B. Paper and Allied Products Manufacturing**. [Minn. R. 7090]
81.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
81.2	These Sector B requirements apply to stormwater discharges occurring from the industrial activity from paper and allied products manufacturing facilities, including stormwater runoff from wood storage areas and other raw and product material storage areas, with the industrial activity codes in Appendix A. [Minn. R. 7090]
82.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
82.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table B-1 in Appendix B. [Minn. R. 7090]
83.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
83.2	Sector B industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]

84.1	**Sector C. Chemical and Allied Products Manufacturing**. [Minn. R. 7090]
85.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
85.2	These Sector C requirements apply to stormwater discharges occurring from the industrial activity from chemical and allied products manufacturing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
86.1	**Limitations on Authorization**. [Minn. R. 7090]
86.2	The following discharges are not authorized under this permit: a. Non-stormwater discharges containing inks, paints, other hazardous or non-hazardous substances, etc. resulting from an on-site spill, including materials collected in drip pans. b. Wash water from material handling and processing areas. c. Wash water from drum, tank, or container rinsing and cleaning. d. Discharges of runoff from coal yards and coal piles. The discharge of any coal yard and coal pile runoff is a wastewater and will require a separate NPDES/SDS permit. [Minn. R. 7090]
87.1	**Stormwater Controls**. [Minn. R. 7090]
88.1	**Inspections**. [Minn. R. 7090]
88.2	In addition to the inspection requirements outlined in the Stormwater Control Measures chapter of this permit, the Permittee shall ensure that a total of 2 monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
89.1	**SWPPP Requirements**. [Minn. R. 7090]
89.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following come into contact with stormwater: i. Access roads, rail cars, and tracks. ii. Areas where bulk substance transfers occur. iii. Operating machinery. b. Potential Pollutant Sources. The Permittee shall describe the following sources that have potential pollutants associated with them: i. Outdoor storage of salt, pallets, coal, drums and containers. ii. Access roads, rail cars, and tracks. iii. Areas where bulk substance transfers occur. iv. Areas where machinery operates. [Minn. R. 7090]
90.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
90.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table C-1 in Appendix B. [Minn. R. 7090]
91.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
91.2	Sector C industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
92.1	**Sector D. Asphalt Paving and Roofing Materials and Lubricant Manufacturing**. [Minn. R. 7090]
93.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
93.2	These Sector D requirements apply to stormwater discharges occurring from the industrial activity from asphalt paving and roofing materials and lubricant manufacturing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
94.1	**Limitations on Authorization**. [Minn. R. 7090]
94.2	The following discharges are not authorized under this permit:

	a. Discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products that are classified as SIC Code 2911. b. Discharges from oil recycling facilities. c. Discharges associated with fats and oils rendering. [Minn. R. 7090]
95.1	**Stormwater Controls**. [Minn. R. 7090]
96.1	**Inspections**. [Minn. R. 7090]
96.2	The Permittee shall inspect the following areas: material storage and handling areas; liquid storage tanks, hoppers, and silos; vehicle and equipment maintenance, cleaning, and fueling areas; and material handling vehicles, equipment, and processing areas. The Permittee shall take appropriate action in response to the inspection by using follow-up procedures. Document in the SWPPP the inspections and follow up actions. [Minn. R. 7090]
96.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
97.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
97.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table D-1 in Appendix B. [Minn. R. 7090]
98.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
98.2	Sector D industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
99.1	**Sector E. Glass, Clay, Cement, Concrete, and Gypsum Products**. [Minn. R. 7090]
100.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
100.2	These Sector E requirements apply to stormwater discharges occurring from the industrial activity from glass, clay, cement, concrete, and gypsum products facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
101.1	**Stormwater Controls**. [Minn. R. 7090]
102.1	**Good Housekeeping**. [Minn. R. 7090]
102.2	The Permittee shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, or settled dust from paved portions of the facility with exposure to stormwater. The Permittee shall determine the frequency of sweeping or equivalent by the amount of industrial activity occurring in the area and the frequency of exposure to stormwater, but the Permittee shall perform this action least once per week if the Permittee is handling or processing cement, aggregate, kiln dust, fly ash, or settled dust. [Minn. R. 7090]
103.1	**Inspections**. [Minn. R. 7090]
103.2	The Permittee shall include dust collection and containment systems in the facility inspections. [Minn. R. 7090]
104.1	**Preventive Maintenance**. [Minn. R. 7090]
104.2	For facilities producing ready-mix concrete, concrete block, brick, or similar products, the Permittee shall include measures in the SWPPP to ensure that process wastewater resulting from washing trucks, mixers, transport buckets, forms, or other equipment are discharged in accordance with a separate applicable NPDES/SDS permit. [Minn. R. 7090]
105.1	**SWPPP Requirements**. [Minn. R. 7090]
105.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify the following locations:

	i. Bag house or other dust control device ii. Recycle/sedimentation pond, clarifier, or any other device the Permittee uses for the treatment of process wastewater. iii. The areas that drain to the treatment device. [Minn. R. 7090]
106.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
106.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table E-1 in Appendix B. [Minn. R. 7090]
107.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
107.2	Sector E industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
108.1	**Sector F. Primary Metals**. [Minn. R. 7090]
109.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
109.2	These Sector F requirements apply to stormwater discharges occurring from the industrial activity from primary metals, including products and manufacturing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
110.1	**Stormwater Controls**. [Minn. R. 7090]
111.1	**Good Housekeeping**. [Minn. R. 7090]
111.2	The Permittee shall include a cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, especially areas where material loading and unloading, storage, handling, and processing occur. The Permittee shall also implement a cleaning program which includes regular sweeping for paved areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable. For un-stabilized areas where sweeping is not practicable, the Permittee shall choose alternative stormwater management devices that effectively trap or remove sediment. [Minn. R. 7090]
112.1	**Inspections**. [Minn. R. 7090]
112.2	The Permittee shall conduct inspections addressing air pollution control equipment (e.g. baghouses, electrostatic precipitators, scrubbers, and cyclones) for any signs of degradation (e.g. leaks, corrosion, or improper operation) that could limit efficiency and lead to excessive emissions. The Permittee shall monitor airflow at inlets and outlets (or use equivalent measures) to check for leaks (e.g. particulate deposition) or blockage in ducts. The Permittee shall inspect all process and material handling equipment (e.g. conveyors, cranes, and vehicles) for leaks, drips, or the potential loss of material. [Minn. R. 7090]
112.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
113.1	**SWPPP Requirements**. [Minn. R. 7090]
113.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where the following activities may come into contact with stormwater: i. Storage or disposal of wastes such as spent solvents and baths, sand, slag and dross. ii. Pollution control equipment (e.g. baghouses). iii. Coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions and losses from coal and coke handling operations. b. Inventory of Exposed Material. The Permittee shall include in the inventory of materials, areas where deposition of particulate matter from process air emissions or losses during material handling activities are possible. [Minn. R. 7090]

114.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
114.2	In accordance with the Benchmark Monitoring Requirements section of this permit the Permittee shall monitor the applicable parameters in Table F-1 in Appendix B. [Minn. R. 7090]
115.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
115.2	Sector F industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
116.1	**Sector G. Metal Mining (Ore Mining and Dressing)**. [Minn. R. 7090]
117.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
117.2	These Sector G requirements apply to stormwater discharges associated with the industrial activity from metal mining facilities, with the industrial activity codes in Appendix A, including: a. Mines abandoned on public lands on or after August 25, 1980, b. Discharges from inactive facilities, and c. Mining sites undergoing reclamation. Permittees shall obtain permit coverage for metal mining facilities that discharge stormwater contaminated by, or that has come in contact with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation. [Minn. R. 7090]
117.3	Discharges of stormwater runoff from the following areas are authorized for active facilities, temporarily inactive facilities, and metallic mining sites undergoing reclamation: a. Discharges from waste rock and overburden piles if the composition is entirely of stormwater and the discharge does not combine with mine drainage. b. Topsoil piles. c. Off-site haul and access roads. d. On-site haul and access roads constructed of waste rock, overburden, or spent ore if discharge composition is entirely stormwater and does not combine with mine drainage. e. On-site haul and access roads not constructed of waste rock, overburden, or spent ore except if the Permittee uses mine drainage for dust control. f. Runoff from tailings dams or dikes not constructed of waste rock or tailings, if composed entirely of stormwater and no process fluids are present. g. Runoff from tailings dams or dikes when constructed of waste rock or tailings if composed entirely of stormwater, no process fluids are present, and if the discharge does not combine with mine drainage. h. Concentration building if composed only of stormwater and there is no contact with material piles. i. Mill site and pellet plant if composed only of stormwater and there is no contact with material piles. j. Office or administrative building and housing if mixed with stormwater from industrial area. k. Chemical storage area. l. Docking facility if no excessive contact with waste product that would otherwise constitute mine drainage. m. Explosive storage. n. Fuel storage areas (oil tanks, coal piles). o. Vehicle and equipment maintenance area and building. p. Power plant. q. Truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage. r. Unreclaimed or disturbed areas outside of active mining area. s. Partially or inadequately reclaimed areas or areas not released from reclamation requirements. t. Parking areas where there is parking of vehicles/equipment other than an employee or visitor type-parking area. [Minn. R. 7090]
118.1	**Limitations on Authorization**. [Minn. R. 7090]
119.1	**Discharges not authorized or required by this permit**. [Minn. R. 7090]
119.2	a. Discharges from active metal mining facilities that are subject to effluent limitation guidelines for the

	Ore Mining and Dressing Point Source Category (40 CFR pt. 440). b. Discharges that come in contact with overburden or waste rock are subject to 40 CFR pt. 440, and are therefore not authorized under this permit, provided that the discharges drain to a point source (either naturally or as a result of intentional diversion) and they combine with "mine drainage" that is otherwise regulated under the Part 440 regulations. c. Discharges from overburden or waste rock can be covered under this permit if they are composed entirely of stormwater, do not combine with sources of mine drainage that are subject to 40 CFR pt. 440, and meet other eligibility criteria contained in the Authorization section of this permit. [Minn. R. 7090]
119.3	The following discharges do not need an industrial stormwater permit as long as the discharge occurs prior to ore extraction, and there is not coverage by an active mining permit issued by the applicable State or Federal agency: a. Discharges from exploration and land disturbance activities conducted to determine the viability of ore extraction b. Discharges from the construction of infrastructure prior to ore extraction c. Discharges from the construction of site access roads d. Discharges from the removal of overburden and waste rock Discharges from these areas which disturb greater than one acre must have coverage by the General Stormwater Permit for Construction Activity. [Minn. R. 7090]
119.4	Acid drainage as well as contaminated seeps and springs discharging from waste rock dumps that do not directly result from precipitation events, are not authorized by this permit. See also the standard Limitations on Authorization in the Authorization section of this permit. [Minn. R. 7090]
119.5	Closed or abandoned mine sites where disturbances associated with extraction, beneficiation, or processing of mined materials took place prior to August 25, 1980, and where extraction, beneficiation or processing activities have not taken place after August 25, 1980, are not considered either active or inactive mining facilities and do not require an industrial stormwater permit. [Minn. R. 7090]
119.6	Sites where mining claims are being maintained prior to disturbances associated with extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an industrial stormwater permit. [Minn. R. 7090]
120.1	**Sector-Specific Definitions**. [Minn. R. 7090]
120.2	The following definitions do not supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii): [Minn. R. 7090]
120.3	"Reclamation" means activities undertaken, in compliance with applicable mined land reclamation requirements, following cessation of the activities associated with extraction through production of a salable product, intended to return the land to an appropriate post-mining land use in order to meet applicable Federal and State reclamation requirements. [Minn. R. 7090]
120.4	"Active metal mining facility" means a place where the Permittee conducts work or other activity related to the extraction, removal, or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). [Minn. R. 7090]
120.5	"Inactive metal mining facility" means a site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive metal mining facility has an identifiable Owner/Operator. [Minn. R. 7090]
120.6	"Temporarily inactive metal mining facility" means a site or portion of a site where metal mining and/or milling occurred in the past but currently the Permittee is not actively undertaking, and the facility is covered by an active mining permit issued by the applicable State or Federal agency. [Minn. R. 7090]
121.1	**Stormwater Controls**. [Minn. R. 7090]

122.1	**Employee Training**. [Minn. R. 7090]
122.2	The Permittee shall conduct training at active and temporarily inactive sites. The Permittee shall document all training regardless of site type in the facility's SWPPP. [Minn. R. 7090]
123.1	**Inspections**. [Minn. R. 7090]
123.2	The Permittee shall conduct site inspections in accordance with the Stormwater Control Measures section of this permit. If the facility is inactive and unstaffed, temporarily inactive and unstaffed as defined above, or is a site undergoing reclamation, the Permittee does not have to do monthly facility inspections. The Permittee shall inspect the site when the Permittee has reason to believe that severe weather or natural disasters may damage stormwater control measures or increase discharges. If circumstances change and the facility becomes active and/or staffed, this exception no longer applies and compliance with the monthly inspection requirements in accordance with the Stormwater Control Measures section of this permit must begin immediately. The Agency retains the authority to revoke this exception where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an in-stream excursion above an applicable water quality standard, including designated uses. [Minn. R. 7090]
124.1	**Management of Runoff**. [Minn. R. 7090]
124.2	If treatment of stormwater (e.g. chemical or physical systems, oil and water separators, artificial wetlands) is necessary to protect water quality, the Permittee shall describe the type and location of treatment the Permittee uses. Where practical, the Permittee shall use passive and/or active treatment of stormwater runoff. The Permittee may discharge treated runoff as a stormwater source regulated under this permit provided the discharge does not combine with discharges subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR pt. 440). [Minn. R. 7090]
125.1	**Other Industry Specific Control Measures**. [Minn. R. 7090]
125.2	When capping is necessary to minimize pollutant discharges in stormwater, Permittees shall identify and documents in the SWPPP the source needing capping and the cap construction material. [Minn. R. 7090]
126.1	**SWPPP Requirements**. [Minn. R. 7090]
126.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall document in the SWPPP the locations of the following (as appropriate): i. Mining or milling site boundaries. ii. Access and haul roads. iii. Outline of the drainage areas of each monitoring location within the facility with indications of the types of discharges from the drainage areas. iv. Location(s) of all permitted discharges covered under an individual NPDES/SDS permit, outdoor equipment storage, fueling, and maintenance areas. v. Materials handling areas. vi. Outdoor manufacturing, outdoor storage, and material disposal areas. vii. Outdoor chemicals and explosives storage areas. viii. Overburden, materials, soils, or waste storage areas. ix. Tailings piles and ponds (including those proposed). x. Heap leach pads. xi. Off-site points of discharge for mine drainage and process water. xii. Surface waters. xiii. Boundary of tributary areas that are subject to effluent limitations guidelines. xiv. Location(s) of sites undergoing reclamation and reclaimed areas. b. Inventory of Exposed Materials. The Permittee shall document in the SWPPP the mining and associated activities that can potentially affect stormwater, including a general description of the location of the site relative to major transportation routes and communities.

	c. Potential Pollutant Sources. For each area of the mine or mill site where industrial stormwater discharges occur, the Permittee shall identify the types of pollutants (e.g. heavy metals, sediment) likely to be present in significant amounts. The Permittee shall consider the following factors: i. The mineralogy of the ore and waste rock (e.g. acid forming). ii. Toxicity and quantity of chemicals the Permittee uses, produces, or discharges. iii. The likelihood of contact with stormwater. iv. Vegetation of site (if any). v. History of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock or overburden characterization data and test results for potential generation of acid rock. If the Permittee acquires any new data due to changes in type of ore the Permittee mines, the Permittee shall update the SWPPP with this information. d. Description of Stormwater Controls. The Permittee shall document all control measures the Permittee implements. If the Permittee implements or plans control measures that are not listed above, the Permittee shall include descriptions of these controls in the SWPPP. [Minn. R. 7090]
126.3	In accordance with the Benchmark Monitoring Requirements section of this permit the Permittee shall monitor the applicable parameters in Table G-1 and G-2 of Appendix B. The Permittee may be notified by the Agency that additional monitoring must be conducted to accurately characterize the quality and quantity of pollutants discharged from waste rock and overburden piles. [Minn. R. 7090]
127.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
127.2	Sector G industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
128.1	**Termination of Coverage**. [Minn. R. 7090]
128.2	If a site, or portion of a site, has no applicable state or federal reclamation requirements on or after August 25, 1980, it no longer needs permit coverage if the stormwater discharges do not have the potential to cause or contribute to violations of state water quality standards. [Minn. R. 7090]
129.1	**Sector H. Coal Mines and Coal Mining-Related Facilities**. [Minn. R. 7090]
130.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
130.2	These Sector H requirements apply to stormwater discharges occurring from the industrial activity from coal mines and coal mining-related facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
131.1	**Limitations on Authorization**. [Minn. R. 7090]
131.2	The following discharges are not authorized under this permit: a. Discharges from pollutant seeps or underground drainage from inactive coalmines and refuse disposal areas that do not result from precipitation events, and discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas. b. Stormwater discharges subject to an existing effluent limitation guideline at 40 CFR pt. 434. [Minn. R. 7090]
132.1	**Sector-Specific Definitions**. [Minn. R. 7090]
132.2	The following definitions do not supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii). [Minn. R. 7090]
132.3	"Reclamation" means activities undertaken in compliance with applicable mined land reclamation requirements following cessation of the activities associated with extraction, removal, or recovery of coal intended to return the land to an appropriate post-mining land use in order to meet applicable Federal and State reclamation requirements. [Minn. R. 7090]
132.4	"Active coal mining facility" means a place where work or other activity related to the extraction, removal,

	or recovery of coal is occurring. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). [Minn. R. 7090]
132.5	"Inactive metal mining facility" means a site or portion of a site with past metal mining and/or milling activities but is not an active facility as defined above, and where the inactive portion does not have active mining permit coverage issued by the applicable State or Federal agency. An inactive metal mining facility has an identifiable Owner/Operator. [Minn. R. 7090]
132.6	"Temporarily inactive metal mining facility" means a site or portion of a site with past metal mining and/or milling activities but currently are not being actively undertaken, and the facility has active mining permit coverage issued by the applicable State or Federal agency. [Minn. R. 7090]
133.1	**Stormwater Controls**. [Minn. R. 7090]
134.1	**Employee Training**. [Minn. R. 7090]
134.2	As part of the employee training program, the Permittee shall address the following activities: use of reused and recycled waters, solvents management, proper disposal of dyes, and proper disposal of petroleum products and spent lubricants. [Minn. R. 7090]
135.1	**Erosion and Sedimentation Controls**. [Minn. R. 7090]
135.2	Surface Mining Control and Reclamation Act (SMCRA) requirements regarding sediment and erosion control measures are primary requirements of the SWPPP for mining-related areas subject to SMCRA authority. [Minn. R. 7090]
136.1	**Good Housekeeping**. [Minn. R. 7090]
136.2	The Permittee shall use sweepers and covered storage, water haul roads to minimize dust generation, and conserve vegetation to minimize erosion. [Minn. R. 7090]
137.1	**Inspections**. [Minn. R. 7090]
137.2	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that 2 of the monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
137.3	For active mining-related areas and inactive areas under SMCRA Bond Authority, the Permittee shall perform quarterly inspections, corresponding with the inspections performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative. [Minn. R. 7090]
137.4	The Permittee shall perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections. [Minn. R. 7090]
138.1	**SWPPP Requirements**. [Minn. R. 7090]
138.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: i. All applicable mining-related areas. ii. Acidic spoil, refuse, or un-reclaimed disturbed areas. iii. Liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants. b. Potential Pollutant Sources. The Permittee shall describe the following sources that have potential pollutants associated with them: i. Truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation. ii. Fuel or other liquid storage. iii. Pressure lines containing slurry, hydraulic fluid, or other potential harmful liquids. iv. Loading or temporary storage of acidic refuse or spoil.

	c. Description of Stormwater Controls. Most active coal mining-related areas (SIC Codes 1221- 1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal-producing states to implement SMCRA through State SMCRA regulations. The Permittee shall address all SMCRA requirements regarding control of stormwater-related pollutant discharges in the SWPPP. [Minn. R. 7090]
139.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
139.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table H-1 in Appendix B. [Minn. R. 7090]
140.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
140.2	Sector H industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
141.1	**Sector I. Oil and Gas Extraction and Refining**. [Minn. R. 7090]
142.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
142.2	These Sector I requirements apply to stormwater discharges occurring from oil and gas extraction facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
143.1	**Limitations on Authorization**. [Minn. R. 7090]
143.2	This permit does not authorize stormwater discharges from petroleum drilling operations that are subject to nationally established effluent limitation guidelines found at 40 CFR pt. 435, respectively. [Minn. R. 7090]
144.1	**Stormwater Controls**. [Minn. R. 7090]
145.1	**Inspections**. [Minn. R. 7090]
145.2	The Permittee shall inspect equipment and vehicles that store, mix (including all on- and offsite mixing tanks), or transport chemicals or hazardous materials (including those transporting supplies to oil field activities). [Minn. R. 7090]
145.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 of the monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
146.1	**Preventive Maintenance**. [Minn. R. 7090]
146.2	The Permittee shall describe and implement measures that prevent or minimize contamination of stormwater from chemical mixing areas, and take measures necessary to prevent discharges of stormwater that have contacted wastewater pollutants from any sources associated with production, field exploration, drilling, well completion, or well treatment (i.e. produced water, drilling muds, drill cuttings, and produced sand). [Minn. R. 7090]
147.1	**SWPPP Requirements**. [Minn. R. 7090]
147.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: i. Locations used for the treatment, storage, or disposal of wastes. ii. Chemical mixing areas. iii. Construction and drilling areas. iv. All areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 CFR 435.32. b. Potential Pollutant Sources.

	The Permittee shall describe the following sources that have pollution potential: i. Chemical, cement, mud, or gel mixing activities. ii. Drilling or mining activities. iii. Equipment rehabilitation activities. [Minn. R. 7090]
148.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
148.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table I-1 in Appendix B. [Minn. R. 7090]
149.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
149.2	Sector I industrial facilities have may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
150.1	**Sector J. Mineral Mining and Dressing**. [Minn. R. 7090]
151.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
151.2	These Sector J requirements apply to stormwater discharges occurring from construction activity and industrial activity from the following activities specified in Appendix A: a. Active, temporarily inactive, and inactive mineral mining and dressing facilities; b. Mining sites undergoing reclamation; and c. Earth-disturbing activities conducted prior to active mining activities as defined in this section. [Minn. R. 7090]
152.1	**Limitations on Eligibility for Coverage**. [Minn. R. 7090]
152.2	The Permittee is not allowed to conduct the following earth-disturbing activities conducted prior to active mining activities under this permit: a. Disturbing 50 acres or more where stormwater will discharge within one mile to special waters; or b. Disturbing 50 acres or more where stormwater will discharge to impaired waters. If the Permittee will conduct either of these activities, the Permittee shall submit an application for coverage under the Construction Stormwater NPDES/SDS General Permit MNR100001 (CSW Permit). [Minn. R. 7090]
153.1	**Limitations on Authorization**. [Minn. R. 7090]
153.2	The following discharges are not authorized under this permit: a. Dewatering of mine or quarry areas. b. Aggregate wash water The following activities do not require coverage under this permit a. Discharges from exploration sites and land disturbance activities to determine the financial viability of a site prior to mineral extraction that disturb less than one acre, including the building of site roads and removal of overburden and waste rock to expose minerals and are not covered by an active mining permit issued by the applicable State or Federal agency. Note: If these activities disturb greater than one acre, you must obtain coverage under either this Industrial Stormwater Permit or the General Stormwater Permit for Construction Activity. b. Discharges from earth-disturbing activities that disturb less than one acre for construction of infrastructure at mineral extraction, including the building of site roads and removal of overburden and waste rock to expose minerals do not require industrial stormwater permit. c. Closed mineral mining sites where disturbances associated with extraction, removal or recovery of minerals took place prior to September 30, 1992, and where extraction, removal or recovery activities have not taken place on or after September 30, 1992 are not active or inactive mineral mining facilities and do not require an industrial stormwater permit. d. Sites where the Permittee maintains mineral mining claims to extraction disturbances removal, or recovery of minerals and sites where minimal activities are undertaken for the sole purpose of maintaining a mineral mining claim are not active or inactive mining facilities and do not require an industrial stormwater permit. [Minn. R. 7090]
154.1	**Sector-Specific Definitions**. [Minn. R. 7090]
154.2	The following definitions do not supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii). [Minn. R. 7090]

154.3	Earth-disturbing activities conducted prior to active mining activities. These activities consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities: a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to road construction); providing access to a mine site for vehicles and equipment (except when related to road construction); or other earth disturbances associated with mine site preparation activities on any areas where active mining activities have not yet commenced (e.g., for heap leach pads, waste rock facilities, tailings impoundments, wastewater treatment plants); and b. Construction of staging areas to prepare for erecting structures (e.g., to house project personnel and equipment, mill buildings, etc.) and construction of roads. Earth-disturbing activities associated with the construction of staging areas and the construction of roads conducted prior to active mining are "construction activity" or "small construction activity" as defined by 40 CFR Parts 122.26(b)(14)(x) and (b)(15)(i) and have additional effluent limits if more than one acre is disturbed. [Minn. R. 7090]
154.4	"Reclamation" means activities undertaken in compliance with applicable mined land reclamation requirements following the cessation of activities associated with extraction, removal and recovery of minerals, intended to return the land to an appropriate post- mining land use. [Minn. R. 7090]
154.5	"Active Mineral Mining Facility" means a place where the Permittee conducts work or other activity related to the extraction, removal, or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). [Minn. R. 7090]
154.6	"Inactive Mineral Mining Facility" means a site or portion of a site with past mineral mining and/or milling activities but is not an active facility as defined above, and where the inactive portion does not have active mining permit coverage from the applicable State or Federal agency. [Minn. R. 7090]
154.7	"Temporarily Inactive Mineral Mining Facility" means a site or portion of a site where mineral mining and/or milling occurred in the past but currently are not active, and the facility is covered by an active mining permit issued by the applicable State or Federal agency. [Minn. R. 7090]
155.1	**Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities**. [Minn. R. 7090]
155.2	Permittees must notify the MPCA prior to initiating earth-disturbing activities conducted prior to active mining. Permittees must submit the notification to csw.notify.pca@state.mn.us or in another manner determined by the MPCA. The notification must include the following information: a. Name of facility or permit identification number b. County where work will be performed c. Estimated start date for construction and estimated completion date d. Approximate number of acres to be disturbed. [Minn. R. 7090]
155.3	This permit covers stormwater discharges from earth-disturbing activities conducted prior to active mining activities that disturb an area equal to or greater than one acre. For these earth-disturbing activities, the Permittee must comply with all applicable requirements of this permit except for the stormwater control measures in the Stormwater Control Measures and Sector Specific Requirements sections of this permit and the monitoring requirements in Effluent Monitoring & Benchmark sections of this permit. In addition, the Permittee shall comply with the following requirements: a. A Permittee that conducts type a. activities as defined by Earth-Disturbing Activities Conducted Prior to Active Mining must comply with sections 7-11, 14, and 22-23 of the CSW Permit. The CSW Permit stormwater control measures supersede the stormwater controls listed above. Compliance with the CSW Permit requirements for earth disturbing activities conducted prior to active mining no longer apply when active mining activities commence. b. A Permittee that conducts type b. activities as defined by Earth-Disturbing Activities Conducted Prior to Active Mining must comply with sections 5-23 of the CSW Permit. The CSW Permit stormwater control measures supersede the stormwater controls listed above. Compliance with these requirements for earth-disturbing activities conductive at active mine sites is no longer required when the Permittee ceases earth-disturbing activities and has met final stabilization requirements with the CSW Permit. [Minn. R. 7090]
156.1	**Erosion and Sedimentation Controls**. [Minn. R. 7090]
156.2	The Permittee shall implement sediment control on all down-gradient perimeters before any up-gradient

	land disturbing activities begin. Use a range of erosion controls within the broad categories of: flow diversion (e.g. swales); stabilization (e.g. temporary or permanent seeding); and structural controls (e.g. sediment traps, dikes, silt fences). The Permittee shall adjust the timing of the installation of sediment control practices to accommodate short-term activities. [Minn. R. 7090]
157.1	**Inspections**. [Minn. R. 7090]
157.2	If a facility is inactive and unstaffed, the Permittee does not have to conduct monthly facility inspections outlined in the Stormwater Controls Section of this permit and may conduct semi-annual inspections. This exception only applies to Sector J activities. [Minn. R. 7090]
158.1	**SWPPP Requirements**. [Minn. R. 7090]
158.2	The SWPPP requirements are applicable for active mineral mining facilities, earth-disturbing activities, inactive mining facilities, temporarily inactive mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation. In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify the following locations: i. Mining or milling site boundaries. ii. Access and haul roads. iii. Outline of the drainage areas of each monitoring location within the facility with indications of the types of discharges from the drainage areas. iv. Location(s) of all permitted discharges covered under a separate NPDES/SDS permit. v. Outdoor equipment storage, fueling, and maintenance areas. vi. Materials handling areas. vii. Outdoor manufacturing, outdoor storage, and material disposal areas. viii. Outdoor chemicals and explosives storage areas. ix. Overburden, materials, soils, or waste storage areas. x. Heap leach pads. xi. Surface waters. xii. Boundary of tributary areas that are subject to effluent limitations guidelines. xiii. Location(s) of reclaimed areas. b. Potential Pollutant Sources. i. For each area of the mine or mill site where industrial stormwater discharges occur, the Permittee shall identify the types of pollutants (e.g. heavy metals, sediment) likely present in significant amounts. Evaluate the following factors in the identification of pollutants: a. The mineralogy of the waste rock (e.g. acid forming). b. Toxicity and quantity of chemicals the Permittee uses, produces, or discharges. c. The likelihood of contact with stormwater. d. Vegetation of site (if any). e. History of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock. ii. The Permittee shall describe the mining and associated activities that can affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities. [Minn. R. 7090]
159.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
159.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table J-1 in Appendix B. [Minn. R. 7090]
160.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
160.2	Sector J industrial facilities may use infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
161.1	**Termination of Coverage**. [Minn. R. 7090]

161.2	If a site, or portion of a site, has no applicable county, state, or federal reclamation requirements after September 30, 1992, it no longer meets permit requirements provided the stormwater discharges do not have the potential to cause or contribute to violations of state water quality standards. The permit requirements also do not apply to reclamation sites after September 30, 1992. A site or portion of a site is considered a reclamation area if: a. Raw materials, intermediate byproducts, finished products, and waste products do not have the potential to cause or contribute pollutants to stormwater discharges. b. The Permittee stabilizes the drainage ways that leave the site to prevent erosion with riprap or other protective material. c. The Permittee completes soil-disturbing activities at the site and stabilizes all soils with a uniform perennial vegetative cover with a density of 70 percent over the entire pervious surface area, or other equivalent means necessary to prevent soil failure under erosive conditions. d. The Permittee stabilizes drainage ditches constructed to drain water from the site to preclude erosion. e. The Permittee removes temporary synthetic and structural erosion prevention and sediment control BMPs. f. The Permittee cleans out all sediment from conveyances and from temporary sedimentation basins that the Permittee uses as permanent water quality management basins. The Permittee shall stabilize sediment to prevent it from washing back into the basin, conveyances or drainage-ways discharging off-site or to surface waters. The cleanout of permanent basins must be sufficient to return the basin to design capacity. g. The Permittee shall install permanent stormwater treatment for new impervious surfaces the Permittee creates. h. The Permittee shall implement other BMPs as necessary to prevent erosion from the site excavation areas and stockpiles that the Permittee uses. [Minn. R. 7090]
162.1	**Sector K. Hazardous Waste Treatment, Storage, or Disposal Facilities**. [Minn. R. 7090]
163.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
163.2	These Sector K requirements apply to stormwater discharges occurring from the industrial activity from hazardous waste treatment, storage, or disposal facilities (TSDFs), with the industrial activity codes in Appendix A. [Minn. R. 7090]
164.1	**Limitations on Authorization**. [Minn. R. 7090]
164.2	The Permittee cannot discharge the following under this permit: a. Hazardous waste landfill wastewaters, sanitary wastewater, contaminated groundwater, wastewater from recovery pumping wells, leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater, and contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. b. Contaminated stormwater from hazardous waste landfills is regulated pursuant to 40 CFR pt. 445, subp. A. These numeric limitations (effluent limitation guidelines) apply to contaminated stormwater discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR pts. 264, subp, N and 265, subp. N. [Minn. R. 7090]
165.1	**Sector-Specific Definitions**. [Minn. R. 7090]
165.2	"Contaminated stormwater" as defined in 40 CFR pt. 445 (Landfills Point Source Category) means stormwater that comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined below. Some specific areas of a landfill that may produce contaminated stormwater include, but are not limited to, the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas. [Minn. R. 7090]
165.3	"Drained free liquids" means aqueous wastes drained from waste containers (e.g. drums) prior to landfilling. [Minn. R. 7090]
165.4	"Land treatment facility" means a facility or part of a facility that applies hazardous waste onto or incorporates into the soil surface; such facilities are disposal facilities if the waste will remain after closure. [Minn. R. 7090]
165.5	"Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, but that is not a land application or land treatment unit, surface impoundment, underground injection well,

	waste pile, salt dome formation, salt bed formation, underground mine, or cave as these terms are defined in 40 CFR 257.2, 258.2, and 260.10. [Minn. R. 7090]
165.6	"Landfill wastewater" as defined in 40 CFR pt. 445 (Landfills Point Source Category) means all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. [Minn. R. 7090]
165.7	"Leachate" means a liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste as defined in 40 CFR pt. 257. [Minn. R. 7090]
165.8	"Non-contaminated stormwater" as defined in 40 CFR pt. 445 (Landfills Point Source Category) means stormwater that does not come into contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined above. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill. [Minn. R. 7090]
165.9	"Pile" means any non-containerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage and that is not a containment building as defined in 40 CFR 260.10. [Minn. R. 7090]
165.10	"Surface impoundment" means a facility or part of a facility that is a natural topographic depression, human-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), that is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and that is not an injection well. Examples of surface impoundments are holding storage, settling, and aeration pits, ponds, and lagoons as defined in 40 CFR pt. 257. [Minn. R. 7090]
166.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
166.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table K-1 in Appendix B. [Minn. R. 7090]
167.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
168.1	**Industrial Stormwater Ponds**. [Minn. R. 7090]
168.2	The Permittee of a Sector K industrial facility not operating as a Solid Waste Management Unit (SWMU) with outdoor storage has authorization to use industrial stormwater ponds for stormwater management without additional restrictions. [Minn. R. 7090]
168.3	The Permittee of a Sector K industrial facility operating as a SWMU with outdoor storage has authorization to use industrial stormwater ponds for stormwater management provided that any industrial stormwater pond constructed after April 5, 2010 meets the following design criteria. Any Permittee required to comply with this part does not have authorization to utilize the general benchmark monitoring waivert. a. Line the industrial stormwater pond with a synthetic liner that is chemically compatible with materials expected to enter the pond. Design the pond to restrict infiltration to less than 500 gallons per acre per day. The pond must be Ultra Violet (UV) stable. b. Design the industrial stormwater pond in accordance with accepted engineering practices. See Agency "Recommended Pond Design Criteria" December 2009, Document number: wq-wwtp5-53 and any applicable supporting technical criteria. [Minn. R. 7090]
169.1	**Infiltration Systems**. [Minn. R. 7090]
169.2	The Permittee of a Sector K industrial facility not operating as a SWMU with outdoor storage has authorization to use a designed infiltration system for industrial stormwater management and does not need to comply with the requirements below. [Minn. R. 7090]
169.3	The Permittee of a Sector K industrial facility operating as a SWMU with outdoor has authorization to use a designed infiltration system for stormwater management, implemented prior to April 5, 2010, provided the Permittee complies with the following requirements: a. The Permittee shall conduct benchmark monitoring in accordance with the terms and conditions of this permit, of all industrial stormwater prior to infiltration. However, any Permittee that has to comply with this part that is using a designed infiltration system to manage industrial stormwater does not have

	authorization to utilize the benchmark monitoring waiver. b. If the Permittee has a designed infiltration system operating prior to April 5, 2010, the Permittee has authorization to continue using that device. However, on or after April 5, 2010, the Permittee does not have authorization to construct new infiltration systems, expand infiltration activities or practices that result in infiltration, or expand volume of infiltration. [Minn. R. 7090]
170.1	**Sector L. Landfills and Land Application sites**. [Minn. R. 7090]
171.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
171.2	These Sector L requirements apply to stormwater discharges occurring from the industrial activity from: a. Landfills and land applications, with the industrial activity codes in Appendix A b. Earth-disturbing activities conducted ancillary to active landfill activities as defined in this section. [Minn. R. 7090]
172.1	**Limitations on Eligibility for Coverage**. [Minn. R. 7090]
172.2	The Permittee is not allowed to conduct the following Earth-disturbing activities conducted ancillary to active landfill activities under this permit: a. Disturbing 50 acres or more where stormwater will discharge within one mile to special waters; or b. Disturbing 50 acres or more where stormwater will discharge to impaired waters. If the Permittee will conduct either of these activities, the Permittee shall submit an application for coverage under the Construction Stormwater NPDES/SDS General Permit MNR100001 (CSW Permit). [Minn. R. 7090]
173.1	**Limitations on Authorization**. [Minn. R. 7090]
173.2	The Permittee cannot discharge the following under this permit: a. Leachate. b. Gas collection condensate. c. Drained free liquids. d. Contaminated and non-contaminated groundwater. e. Wastewater from recovery wells. f. Sanitary wastewater. g. Laboratory wastewater. h. Contact wash water from washing truck and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. [Minn. R. 7090]
174.1	**Sector-Specific Definitions**. [Minn. R. 7090]
174.2	"Contaminated stormwater" means stormwater that comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined below. Some specific areas of a landfill that may produce contaminated stormwater include, but are not limited to, the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas. [Minn. R. 7090]
174.3	"Drained free liquids" means aqueous wastes drained from waste containers (e.g. drums) prior to landfilling. [Minn. R. 7090]
174.4	"Landfill wastewater" means all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate; gas collection condensate; drained free liquids; laboratory-derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. [Minn. R. 7090]
174.5	"Leachate" means liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste. [Minn. R. 7090]
174.6	"Non-contaminated stormwater" means stormwater that does not come in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined above. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill. [Minn. R. 7090]

174.7	Earth-disturbing activities conducted ancillary to active landfill activities: means "construction activity" or "small construction activity" as defined by 40 CFR parts 122.26(b)(14)(x) and (b)(15)(i) that are secondary to standard active landfill activities. a. This definition includes earth-disturbing activities that result in land disturbance equal to or greater than one acre for the purpose of building, demolishing, or replacing a structure such as a road, staging area, or structure to house personnel/equipment/etc. that support active landfill activities. b. This definition excludes earth-disturbing activities conducted as a standard part of active landfill activities. Stormwater discharges from these activities are considered industrial stormwater and subject to all applicable requirements of parts I through VIII of this permit. These activities may include, but are not limited to: i. Materials stockpiled for daily, intermediate, and final cover. ii. Daily or intermediate cover placed on cells or trenches. iii. Inactive areas of the landfill or open dump. iv. Landfills or open dump areas that have gotten final covers but are not yet stabilized or where vegetation has yet to establish itself. v. Exposed soils from excavating cells/trenches. vi. Land application sites where waste application has been completed but final vegetation has not yet been established. vii. Earth disturbance as a part of long-term maintenance of the property, such as re-grading a road or re-graveling a gravel parking lot or equipment pad. viii. Cleaning out a roadside drainage ditch to maintain its "as-built" state. [Minn. R. 7090]
175.1	**Requirements Applicable to Earth-Disturbing Activities Conducted Ancillary to Active Landfill Activities**. [Minn. R. 7090]
175.2	Permittees must notify the MPCA prior to initiating earth-disturbing activities conducted ancillary to active landfill activities. The notification must be submitted to csw.notify.pca@state.mn.us or in another manner determined by the MPCA. The notification must include the following information: a. Name of facility or permit identification number b. County where work will be performed c. Estimated start date for construction and estimated completion date d. Approximate number of acres to be disturbed. [Minn. R. 7090]
175.3	If the Permittee performs earth-disturbing activities conducted ancillary to active landfill activities, the Permittee shall comply with: a. All applicable requirements of this permit except for the stormwater control measures in the Stormwater Control Measures and Sector-Specific sections, and the applicable monitoring requirements in the Effluent Monitoring and the Additional Requirements for Discharges to Special and Impaired Waters sections of this permit , and b. Sections 5 through 23 of the CSW Permit. The stormwater control measures in the CSW Permit supersede the stormwater controls listed in the Stormwater Control Measures and the Sector-Specific sections of this permit. Authorized discharges from areas where earth-disturbing activities conducted ancillary to active landfill activities have ceased and stabilization as required in the CSW Permit has been completed, are no longer subject to the requirements of this part). Stabilization is not required for areas where active landfill activities will occur. After required stabilization is complete, authorized discharges become subject to all other applicable requirements in this permit, including: the stormwater control measures in the Stormwater Control Measures and Sector-Specific sections; the inspection requirements in the Stormwater Control Measures section of this permit; and the monitoring requirements in the Effluent Monitoring and the Additional Requirements for Discharges to Special and Impaired Waters sections of this permit. [Minn. R. 7090]
176.1	**Final Stabilization for Earth-Disturbing Activities Conducted Ancillary to Active Landfill Activities**. [Minn. R. 7090]
176.2	The above requirements for Earth-Disturbing Activities Conducted Ancillary to Active Landfill Activities no longer apply when earth-disturbing activities have ceased and final stabilization has complied with the CSW Permit. [Minn. R. 7090]

177.1	**Stormwater Controls**. [Minn. R. 7090]
178.1	**Erosion and Sedimentation Controls**. [Minn. R. 7090]
178.2	The Permittee shall implement sediment control practices on all down-gradient perimeters before any up-gradient land disturbing activities begin. These practices must remain in place until the Permittee establishes final stabilization. The Permittee shall provide temporary stabilization (e.g. temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following: i. Materials stockpiled for daily, intermediate, and final cover. ii. Inactive areas of the landfill. iii. Landfills areas that have final cover but vegetation has not been established. iv. Land application sites where waste application has been completed but final vegetation has not yet been established. [Minn. R. 7090]
179.1	**Good Housekeeping**. [Minn. R. 7090]
179.2	The Permittee shall provide protected storage areas for pesticides, herbicides, and fertilizers. [Minn. R. 7090]
180.1	**Inspections**. [Minn. R. 7090]
180.2	Inspect the following areas while conducting inspections as required by the Stormwater Control Measures section of this permit; i. Areas of landfills that do not have final stabilization. ii. Active land application areas, areas used for storage of material and wastes that are exposed to precipitation, stabilization, and structural control measures. iii. Leachate collection and treatment systems. iv. Locations where equipment and waste trucks enter and exit the site. v. Inactive landfills for stabilization and structural erosion control measures, leachate collection and treatment systems, and all closed land application areas. [Minn. R. 7090]
181.1	**Preventive Maintenance**. [Minn. R. 7090]
181.2	The Permittee shall maintain the following: a. All containers the Permittee uses for outdoor chemical and significant materials storage. b. All elements of leachate collection and treatment systems, to prevent commingling of leachate with stormwater. c. The integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), to minimize the effects of settlement, sinking, and erosion. [Minn. R. 7090]
182.1	**SWPPP Requirements**. [Minn. R. 7090]
182.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: i. Active and closed landfill cells or trenches. ii. Active and closed land application areas. iii. Locations where open dumping is occurring or has occurred. iv. Locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff. v. Leachate collection and handling systems. b. Potential Pollutant Sources. The Permittee shall describe the following sources that have potential pollutants associated with them: i. Fertilizer, herbicide, and pesticide application. ii. Earth and soil moving. iii. Waste hauling and loading or unloading. iv. Daily, interim, and final cover material stockpiles as well as temporary waste storage areas. v. Exposure of active and inactive landfill and land application areas. vi. Uncontrolled leachate flows. vii. Failure or leaks from leachate collection and treatment systems. [Minn. R. 7090]
183.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]

183.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table L-1 in Appendix B. [Minn. R. 7090]
184.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
184.2	Sector L industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
185.1	**Sector M. Automobile Salvage Yards**. [Minn. R. 7090]
186.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
186.2	These Sector M requirements apply to stormwater discharges occurring from the industrial activity from automobile salvage yards, with the industrial activity codes in Appendix A. [Minn. R. 7090]
187.1	**Stormwater Controls**. [Minn. R. 7090]
188.1	**Employee Training**. [Minn. R. 7090]
188.2	The Permittee shall address the following areas in the employee training program: proper handling (collection, storage, recycling and/or disposal) of fuels, oil, used mineral spirits, antifreeze, mercury switches, refrigerants, and solvents. [Minn. R. 7090]
189.1	**Good Housekeeping**. [Minn. R. 7090]
189.2	The Permittee shall either conduct indoors or minimize exposure of the following: i. Recycle lead battery cable ends and wheel balancing weights. ii. Remove all fluids from vehicles and recycle or dispose of accordingly. iii. Remove and segregate mercury switches, mercury containing devices, and batteries. iv. Recycle fuels. v. Remove and dispose of refrigerants as required with complete avoidance of venting to atmosphere. vi. Remove and dispose of glycols as required. vii. Remove and recycle all lead parts. viii. Separate and recycle plastics if feasible, or dispose as solid waste. ix. Store all engines and transmissions that the Permittee removes from vehicles in covered areas that does not have exposure to precipitation. [Minn. R. 7090]
190.1	**Inspections**. [Minn. R. 7090]
190.2	The Permittee shall immediately inspect vehicles arriving at the facility. The Permittee shall inspect the following for signs of leakage; all equipment containing oily parts, hydraulic fluids, any other types of fluids, and mercury switches. Also the Permittee shall inspect all vessels and areas where hazardous materials and general automotive fluids are stored, including, but not limited to, mercury switches, brake fluid, transmission fluid, fuels and oils, refrigerants, and antifreeze. [Minn. R. 7090]
190.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
191.1	**Spills and Leaks**. [Minn. R. 7090]
191.2	The Permittee shall drain vehicles of all fluids before storage in the facility yard or before the Permittee crushes vehicles. If vehicles arrive at the facility with leaks, the Permittee shall either eliminate or contain the leak immediately to prevent stormwater contamination. [Minn. R. 7090]
192.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
192.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table M-1 in Appendix B. [Minn. R. 7090]
193.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
194.1	**Industrial Stormwater Ponds**. [Minn. R. 7090]
194.2	The Permittee of a Sector M industrial facility has authorization to use industrial stormwater ponds for

	stormwater management, provided that any industrial stormwater pond constructed after April 5, 2010, meets the following design criteria: a. Any Permittee required to comply with this part does not have authorization to utilize the benchmark monitoring waiver. b. The Permittee shall line the industrial stormwater pond with a synthetic liner that is chemically compatible with materials that enter the pond. Design the pond to restrict infiltration to less than 500 gallons per acre per day. The pond must be Ultra Violet (UV) stable. c. Design the industrial stormwater pond in accordance with accepted engineering practices. See Agency "Recommended Pond Design Criteria" December 2009, Document number: wq-wwtp5-53 and any applicable supporting technical criteria. [Minn. R. 7090]
195.1	**Infiltration Systems**. [Minn. R. 7090]
195.2	The Permittee of a Sector M industrial facility has authorization to use a designed infiltration system for stormwater management, implemented prior to April 5, 2010, provided the Permittee complies with the following requirements: a. The Permittee shall conduct benchmark monitoring in accordance with the Benchmark Monitoring Requirements section of this permit, of all industrial stormwater prior to infiltration. However, any Permittee required to comply with this part that is using a designed infiltration system to manage industrial stormwater does not have authorization to utilize the benchmark monitoring waiver. b. If the Permittee has a designed infiltration system operating prior to April 5, 2010, the Permittee has authorization to continue using that device. However, on or after April 5, 2010, the Permittee does not have authorization to construct new infiltration systems, expand infiltration activities or practices that result in infiltration, or expand volume of infiltration. [Minn. R. 7090]
196.1	**Mercury Minimization Plan**. [Minn. R. 7090]
196.2	All vehicle recyclers and vehicle scrap processors must remove and manage and recycle mercury containing convenience lighting switch assemblies, mercury containing ABS switch assemblies, and mercury containing air bag sensor switch assemblies found in some vehicles manufactured before model year 2002. Under Minn. Stat. 116.92, subd. 4(c), "A person may not crush a motor vehicle unless the person has first made a good faith effort to remove all of the mercury switches in the motor vehicle. [Minn. R. 7090]
196.3	In addition, the Permittee shall also evaluate the facility to identify any additional sources of mercury that the Permittee may use or introduce at the facility. This includes, but is not limited to, mercury containing devices such as float switches, tilt switches; manometers; barometers; batteries; flame sensors (diostats); hydrometers; medical devices; lamps; mercury compounds; pyrometers; displacement relays; wetted reed relays; thermometers; pressure gauges; thermostats; etc. The plan must describe how the Permittee is removing mercury-containing devices, segregating mercury containing devices to avoid spills and contact with stormwater, and the methods used for recycling any mercury generated at the facility (including the specific recycling program the Permittee uses). The Permittee shall remove and recycle all mercury and mercury-containing devices in accordance with Minn. Stat. 115A.932 and 116.92 and in accordance with state and federal Universal Waste Rules and other applicable water, air, and waste regulations. [Minn. R. 7090]
197.1	**Sector N. Scrap Recycling and Waste Recycling Facilities**. [Minn. R. 7090]
198.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
198.2	These Sector N requirements apply to stormwater discharges occurring from the industrial activity from scrap recycling and waste recycling facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
199.1	**Limitation on Authorization**. [Minn. R. 7090]
199.2	Non-stormwater discharges from ferrous and non-ferrous metal turnings containment areas do not have authorization by this permit. [Minn. R. 7090]
200.1	**Stormwater Controls**. [Minn. R. 7090]
201.1	**Good Housekeeping**. [Minn. R. 7090]
201.2	The Permittee shall minimize exposure of recyclables to precipitation and runoff and use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high

	traffic areas. [Minn. R. 7090]
202.1	**Inspections**. [Minn. R. 7090]
202.2	The Permittee shall minimize acceptance of materials that may be significant sources of pollutants by conducting inspections of the in-bound materials. [Minn. R. 7090]
202.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
203.1	**Management of Runoff**. [Minn. R. 7090]
203.2	The Permittee shall either store recyclables indoors or minimize; a. Contact of stormwater runoff with stockpiled scrap materials, processed materials, storage of materials and non-recyclable wastes. b. Contact of surface runoff with stockpiles of turnings exposed to cutting fluids by: i. Storing all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover. ii. Establishing dedicated containment areas for all turnings that come into contact with cutting fluids. The Permittee may discharge stormwater runoff from these areas, provided that the Permittee first collects and treats any runoff with an oil and water separator or its equivalent. The Permittee shall regularly maintain the oil and water separator (or its equivalent) and properly dispose of or recycle collected residual fluids. c. Contact of stormwater with residual liquids, particulate matter, and waste materials that are stored either outdoors or under cover. d. Surface runoff from coming in contact with scrap processing equipment, including operations that generate visible particulate residue (e.g. shredding). e. Pollutants in discharges from truck and rail car loading and unloading areas, and must include measures to clean up spills and leaks resulting from the transfer of liquid wastes. [Minn. R. 7090]
204.1	**Other Industry Specific Control Measures**. [Minn. R. 7090]
204.2	The Permittee shall notify major suppliers about which scrap materials they will not accept at the facility or they will only accept under certain conditions. [Minn. R. 7090]
204.3	The Permittee shall properly handle, store, and manage scrap lead-acid batteries. [Minn. R. 7090]
205.1	**SWPPP Requirements**. [Minn. R. 7090]
205.2	The SWPPP may refer to applicable portions of other existing plans, such as SPCC plans required under 40 CFR pt. 112. In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. The Permittee shall identify the locations of any of the following activities or sources that may come into contact with stormwater: i. Outdoor scrap and waste processing equipment. ii. Containment areas for turnings exposed to cutting fluids. [Minn. R. 7090]
206.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
206.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table N-1 in Appendix B. [Minn. R. 7090]
207.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
208.1	**Industrial Stormwater Ponds**. [Minn. R. 7090]
208.2	The Permittee of a Sector N industrial facility has authorization to use industrial stormwater ponds for stormwater management provided that any industrial stormwater pond constructed after April 5, 2010, meets the following design criteria. Any Permittee required to comply with this part does not have authorization to utilize the benchmark monitoring waiver. a. Line the industrial stormwater pond with a synthetic liner that is chemically compatible with materials expected to enter the pond. Design the pond to restrict infiltration to less than 500 gallons per acre per

	day. The pond must be Ultra Violet (UV) stable. b. Design the industrial stormwater pond in accordance with accepted engineering practices. See Agency "Recommended Pond Design Criteria" December 2009, Document number: wq-wwtp5-53 and any applicable supporting technical criteria. [Minn. R. 7090]
209.1	**Infiltration Systems**. [Minn. R. 7090]
209.2	The Permittee of a Sector N industrial facility has authorization to use a designed infiltration system, implemented prior to April 5, 2010, for stormwater management provided the Permittee complies with the following requirements: a. The Permittee shall conduct benchmark monitoring in accordance with the terms and conditions of the Benchmark Monitoring Requirements section of this permit for all industrial stormwater prior to infiltration. However, any Permittee required to comply with this part that is using a designed infiltration system to manage industrial stormwater does not have authorization to utilize the benchmark monitoring waiver. b. If the Permittee has a designed infiltration system operating prior to April 5, 2010, the Permittee has authorization to continue using that device. However, on or after April 5, 2010, the Permittee does not have authorization to construct new infiltration systems, expand infiltration activities or practices that result in infiltration, or expand volume of infiltration. [Minn. R. 7090]
210.1	**Mercury Minimization Plan**. [Minn. R. 7090]
210.2	All vehicle recyclers and vehicle scrap processors must remove and manage and recycle mercury-containing convenience lighting switch assemblies, mercury containing ABS switch assemblies, and mercury containing air bag sensor switch assemblies found in some vehicles manufactured before model year 2002. Under Minn. Stat. 116.92, subd. 4(c), "A person may not crush a motor vehicle unless the person has first made a good faith effort to remove all of the mercury switches in the motor vehicle.". [Minn. R. 7090]
210.3	In addition, the Permittee shall also evaluate the facility to identify any additional sources of mercury that the Permittee may use or introduce at the facility. This may include but is not limited to mercury containing devices such as float switches, tilt switches, manometers, barometers, batteries, flame sensors (diostats), hydrometers, medical devices, lamps, mercury compounds, pyrometers, displacement relays, wetted reed relays, thermometers, pressure gauges, thermostats, etc. The plan must describe how the Permittee is removing mercury-containing devices, segregating mercury-containing devices to avoid spills and contact with stormwater, and the methods used for recycling any mercury generated at the facility, including the specific recycling program the Permittee uses. Remove and recycle all mercury and mercury-containing devices in accordance with Minn. Stat. 115A.932 and 116.92 and in accordance with state and federal Universal Waste Rules and other applicable water, air, and waste regulations. [Minn. R. 7090]
211.1	**Sector O. Steam Electric Generating Facilities**. [Minn. R. 7090]
212.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
212.2	These Sector O requirements apply to stormwater discharges occurring from the industrial activity from steam electric power generating facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
213.1	**Limitations on Authorization**. [Minn. R. 7090]
213.2	The Permittee cannot discharge the following under this permit: a. Non-stormwater discharges subject to effluent limitations guidelines. b. Stormwater discharges from ancillary facilities (e.g. gas turbine stations and substations) that are not contiguous to a steam electric power generating facility and heat capture co- generation facilities. c. Coal pile runoff wastewater. Collect and treat coal pile runoff wastewater separate from other collected stormwater runoff. Discharge of coal pile runoff wastewater has authorization under an individual NPDES/SDS permit for the facility, which includes effluent limitations for this discharge. [Minn. R. 7090]
214.1	**Stormwater Controls**. [Minn. R. 7090]
215.1	**Good Housekeeping**. [Minn. R. 7090]
215.2	The Permittee shall describe and implement procedures to reduce or control the tracking of ash and residue from ash loading areas. The Permittee shall describe and implement housekeeping procedures, such as, dust suppression, containment, or clearing loading areas, floors and roadways of ash and excess water. [Minn. R. 7090]

216.1	**Inspections**. [Minn. R. 7090]
216.2	The Permittee shall inspect the following areas: a. Coal handling areas. b. Switchyards. c. Ash handling areas. d. Areas adjacent to disposal ponds and landfills. [Minn. R. 7090]
216.3	The Permittee shall inspect all residue hauling (e.g. ash) vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds as soon as practicable. [Minn. R. 7090]
216.4	In addition to the inspection requirements outlined in Stormwater Control Measures section of this permit, the Permittee shall ensure 2 of the required monthly inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
217.1	**Preventive Maintenance**. [Minn. R. 7090]
217.2	The Permittee shall describe and implement measures that prevent or minimize stormwater from contacting fugitive dust emissions from coal handling areas. [Minn. R. 7090]
217.3	The Permittee shall describe and implement measures that prevent or minimize contamination of stormwater runoff from delivery vehicles carrying significant materials arriving at the facility. The Permittee shall have procedures ensuring overall integrity of the body or container and procedures to deal with leakage or spillage from vehicles or containers. [Minn. R. 7090]
217.4	The Permittee shall describe and implement measures that prevent or minimize contamination of surface runoff from oil-bearing equipment in switchyard areas. The Permittee shall use level grades and gravel surfaces to slow down flows and limit the spread of spills from oil- bearing equipment in switchyards, or collect runoff in perimeter ditches from these areas. [Minn. R. 7090]
218.1	**Spills and Leaks**. [Minn. R. 7090]
218.2	The Permittee shall describe and implement measures to reduce the potential for an oil or chemical spill, or reference the appropriate part of the facility SPCC plan. Visually inspect the structural integrity of all aboveground tanks, pipelines, pumps, and related equipment, and conduct any necessary repairs, pursuant to Minnesota tanks program requirements. [Minn. R. 7090]
219.1	**Management of Runoff**. [Minn. R. 7090]
219.2	The Permittee shall describe and implement measures that prevent or minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Develop procedures to reduce ash residue that the Permittee may track on to access roads by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas. [Minn. R. 7090]
220.1	**SWPPP Requirements**. [Minn. R. 7090]
220.2	In addition to the requirements of the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify the locations of any of the following activities or sources that may come into contact with stormwater: i. Scrap yards and general refuse areas. ii. Short- and long-term storage of construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer, and pesticides. iii. Landfills and construction sites. iv. Stockpile areas (e.g. coal, ash or limestone piles). [Minn. R. 7090]
221.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
221.2	In accordance with the Benchmark and Effluent Monitoring Requirements sections of this permit, the Permittee shall monitor the applicable parameters in Table O-1 in Appendix B. [Minn. R. 7090]
222.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**.

	[Minn. R. 7090]
222.2	Sector O industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
223.1	**Sector P. Land Transportation and Warehousing**. [Minn. R. 7090]
224.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
224.2	These Sector P requirements apply to stormwater discharges occurring from the industrial activity from land transportation and warehousing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
225.1	**Limitations on Authorization**. [Minn. R. 7090]
225.2	Only those portions of a land transportation facility having vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations are industrial activities under this permit. If other portions of the facility include industrial activities that are described at 40 CFR 122.26(b)(14)(i-ix and xi), those industrial activities are also regulated under this permit, and the appropriate sector requirements for such activities apply. [Minn. R. 7090]
225.3	The limitation above is not applicable to warehousing and storage. This permit regulates all portions of a facility conducting warehousing and storage operations, as long as the industrial SIC codes are 4221-4225, warehousing and storage. [Minn. R. 7090]
225.4	This permit does not authorize the discharge of vehicle, equipment or surface wash water, including tank cleaning operations. Such discharges may discharge to a sanitary sewer in accordance with applicable industrial pretreatment requirements, recycled on-site, or may require a separate NPDES/SDS permit. [Minn. R. 7090]
226.1	**Stormwater Controls**. [Minn. R. 7090]
227.1	**Employee Training**. [Minn. R. 7090]
227.2	When conducting employee training, the Permittee shall include: a. Proper management and disposal of used oil and spent solvent management. b. Fueling procedures. c. Proper painting procedures. d. Used battery management. [Minn. R. 7090]
228.1	**Good Housekeeping**. [Minn. R. 7090]
228.2	The Permittee shall minimize or prevent stormwater from contacting locomotive sanding (loading sand for traction) areas. The Permittee shall implement sediment removal practices to minimize the offsite transport of sanding material. [Minn. R. 7090]
229.1	**Inspections**. [Minn. R. 7090]
229.2	The Permittee shall inspect the following areas/activities: a. Storage areas for vehicles/equipment awaiting maintenance. b. Fueling areas. c. Indoor and outdoor vehicle/equipment maintenance areas. d. Vehicle/equipment cleaning areas. [Minn. R. 7090]
229.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of two (2) inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
230.1	**Preventive Maintenance**. [Minn. R. 7090]
230.2	The Permittee shall maintain all material storage vessels (e.g. used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater, and plainly label the storage vessels. [Minn. R. 7090]
231.1	**Spills and Leaks**. [Minn. R. 7090]

231.2	The Permittee shall confine the storage of leaky or leak prone vehicles/equipment awaiting maintenance to designated areas. [Minn. R. 7090]
232.1	**Other Industry Specific Control Measures**. [Minn. R. 7090]
232.2	All petroleum bulk oil stations and terminals must comply with applicable State and Federal laws regulating large bulk fuel storage tanks, including the SPCC and provisions for secondary containment. The Permittee must obtain a separate permit with the Agency for aboveground storage tanks with a capacity larger than 1.0 million gallons. Follow all rules and requirements pursuant to Minn. R. 7151.1200 concerning aboveground storage tanks, and Minn. R. 7150 regarding underground storage tanks. [Minn. R. 7090, Minn. R. 7150, Minn. R. 7151.1200]
233.1	**SWPPP Requirements**. [Minn. R. 7090]
233.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify the following areas of the facility and indicate whether activities occurring there may come into contact with stormwater: i. Fueling stations. ii. Vehicle/equipment maintenance or cleaning areas. iii. Storage areas for vehicle/equipment with actual or potential fluid leaks. b. Potential Pollutant Sources. The Permittee shall describe and assess the potential for the following facility activities and areas to contribute pollutants to stormwater discharges: i. On-site waste storage or disposal. ii. Dirt/gravel parking areas for vehicles awaiting maintenance. iii. Fueling areas. [Minn. R. 7090]
234.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
234.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table P-1 In Appendix B. [Minn. R. 7090]
235.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
235.2	Sector P industrial facilities may use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
236.1	**Sector Q. Water Transportation**. [Minn. R. 7090]
237.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
237.2	These Sector Q requirements apply to stormwater discharges occurring from the industrial activity water transportation facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
238.1	**Limitations on Authorization**. [Minn. R. 7090]
238.2	The Permittee cannot discharge the following under this permit: a. Bilge and ballast water. b. Sanitary wastes. c. Pressure wash water. d. Cooling water originating from vessels. [Minn. R. 7090]
239.1	**Stormwater Controls**. [Minn. R. 7090]
240.1	**Employee Training**. [Minn. R. 7090]
240.2	The Permittee shall, as part of the employee training program, address the following activities: a. Used oil management. b. Spent solvent management. c. Disposal of spent abrasives. d. Fueling procedures. e. Painting and blasting procedures. f. Used battery management. [Minn. R. 7090]

241.1	**Good Housekeeping**. [Minn. R. 7090]
241.2	The Permittee shall implement and describe a schedule for routine yard maintenance and cleanup. The Permittee shall regularly remove scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, and packaging from the general yard area. [Minn. R. 7090]
241.3	The Permittee shall describe procedures for routinely maintaining and cleaning the drydock area to prevent or minimize pollutants in stormwater runoff. The Permittee shall address the cleaning of accessible areas of the drydock prior to flooding and following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. [Minn. R. 7090]
241.4	The Permittee shall regularly clean deposits of abrasive blasting debris and paint chips. [Minn. R. 7090]
242.1	**Inspections**. [Minn. R. 7090]
242.2	The Permittee shall inspect the following areas: a. Pressure washing area. b. Blasting, sanding, and painting areas. c. Engine maintenance and repair areas. d. Drydock area. e. General yard area. [Minn. R. 7090]
242.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
243.1	**Preventive Maintenance**. [Minn. R. 7090]
243.2	The Permittee shall implement and describe measures to prevent spent abrasives, paint chips, and overspray from coming into contact with stormwater. The Permittee shall contain all blasting and painting activities, or use other measures to prevent the discharge of the contaminants (e.g. hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). [Minn. R. 7090]
243.3	The Permittee shall implement and describe measures to prevent or minimize the contamination of stormwater from all areas used for engine maintenance and repair. [Minn. R. 7090]
243.4	The Permittee shall implement and describe measures to prevent or minimize the contamination of stormwater from material handling operations and areas (e.g. fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). [Minn. R. 7090]
244.1	**Other Industry Specific Control Measures**. [Minn. R. 7090]
244.2	If the Permittee uses pressure washing to remove paint, dirt, marine growth, or other materials from vessels, those wastewater discharges may require a separate NPDES/SDS permit and does not have authorization under this permit. [Minn. R. 7090]
245.1	**SWPPP Requirements**. [Minn. R. 7090]
245.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: i. Fueling ii. Engine and vessel maintenance and repair iii. Pressure washing iv. Painting v. Sanding vi. Blasting vii. Welding viii. Metal fabrication ix. Locations used for the treatment, storage, or disposal of wastes x. Liquid storage areas (e.g. paint, solvents, resins)

	b. Potential Pollutant Sources. The Permittee shall describe the following additional sources that have potential pollutants associated with them: i. Outdoor manufacturing or processing activities (e.g. welding, metal fabricating). ii. Significant dust or particulate generating processes (e.g. abrasive blasting, sanding, and painting). [Minn. R. 7090]
246.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
246.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table Q-1 in Appendix B. [Minn. R. 7090]
247.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
247.2	Sector Q industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
248.1	**Sector R. Ship and Boat Building and Repair Yards**. [Minn. R. 7090]
249.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
249.2	These Sector R requirements apply to stormwater discharges occurring from the industrial activity associated with ship and boat building and repair yards., with the industrial activity codes in Appendix A. [Minn. R. 7090]
250.1	**Limitations on Authorization**. [Minn. R. 7090]
250.2	The Permittee cannot discharge the following under this permit: a. Bilge and ballast water. b. Sanitary wastes. c. Pressure wash water. d. Cooling water originating from vessels. [Minn. R. 7090]
251.1	**Stormwater Controls**. [Minn. R. 7090]
252.1	**Employee Training**. [Minn. R. 7090]
252.2	As part of the employee training program, the Permittee shall address the following activities: i. Used oil management. ii. Spent solvent management. iii. Disposal of spent abrasives. iv. Fueling procedures. v. Painting and blasting procedures. vi. Used battery management. [Minn. R. 7090]
253.1	**Good Housekeeping**. [Minn. R. 7090]
253.2	The Permittee shall implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, and packaging from the general yard area. [Minn. R. 7090]
253.3	The Permittee shall describe procedures for routinely maintaining and cleaning the drydock area to prevent or minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding and following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock. [Minn. R. 7090]
254.1	**Inspections**. [Minn. R. 7090]
254.2	The Permittee shall inspect the following areas: a. Pressure washing area. b. Blasting, sanding, and painting areas. c. Engine maintenance and repair areas. d. Drydock area. e. General yard area. [Minn. R. 7090]
254.3	In addition to the inspection requirements outlined in the Stormwater Control Measures Section of this

	permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
255.1	**Preventive Maintenance**. [Minn. R. 7090]
255.2	The Permittee shall implement and describe measures to prevent spent abrasives, paint chips, and overspray from coming into contact with stormwater. The Permittee shall contain all blasting and painting activities, or use other measures to prevent the discharge of the contaminants (e.g. hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). The Permittee shall also regularly clean deposits of abrasive blasting debris and paint chips. [Minn. R. 7090]
255.3	The Permittee shall implement and describe measures to prevent or minimize the contamination of stormwater from all engine maintenance and repair areas. [Minn. R. 7090]
256.1	**SWPPP Requirements**. [Minn. R. 7090]
256.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where the following may come into contact with stormwater: i. Fueling ii. Engine maintenance or repair iii. Vessel maintenance or repair iv. Pressure washing v. Painting vi. Sanding vii. Blasting viii. Welding ix. Metal fabrication. x. Liquid storage areas (e.g. paint, solvents, resins) xi. Blasting media, aluminum, steel, and scrap iron storage areas. [Minn. R. 7090]
257.1	**Potential Pollutant Sources**. [Minn. R. 7090]
257.2	The Permittee shall describe the following additional sources that have potential pollutants associated with them: a. Outdoor manufacturing or processing activities (e.g. welding, metal fabricating). b. Significant dust or particulate generating processes (e.g. abrasive blasting, sanding and painting). [Minn. R. 7090]
258.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
258.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table R-1 in Appendix B. [Minn. R. 7090]
259.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
259.2	Sector R industrial facilities have authorization to use designed infiltration systems industrial stormwater ponds for stormwater management. [Minn. R. 7090]
260.1	**Sector S. Air Transportation**. [Minn. R. 7090]
261.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
261.2	These Sector S requirements apply to stormwater discharges occurring from the industrial activity from air transportation facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
262.1	**Limitations on Authorization**. [Minn. R. 7090]
262.2	Only those portions of the air transportation facility with vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations are industrial activities under this permit, unless other portions of the facility include industrial activities described in 40 CFR 122.26(b)(14)(i-ix and xi), which are also regulated under this

	permit. In this case, these activities are co-located with the air transportation activities and the appropriate sector requirements for these activities also apply. [Minn. R. 7090]
262.3	This permit does not authorize the discharge of aircraft, ground vehicle, runway and equipment wash water, or the dry weather discharge of deicing chemicals. Such discharges may require a separate NPDES/SDS permit. [Minn. R. 7090]
263.1	**Sector-Specific Definitions**. [Minn. R. 7090]
263.2	"Airport Authority" means a single management organization of the airport (usually a public entity). [Minn. R. 7090]
263.3	"Deicing" means both deicing (removing frost, snow, or ice) and anti-icing (preventing accumulation of frost, snow, or ice) activities, unless the Permittee chooses to specifically mention anti-icing or deicing activities. [Minn. R. 7090]
263.4	"Deicing Season" means the average seasonal timeframe (e.g. December- February, October - March, etc.) during which deicing activities occur at the facility. The Permittee shall identify the average deicing season length in the facility's SWPPP. [Minn. R. 7090]
263.5	"Primary Airport" means, as described in 49 USC 47102, a commercial service airport the Secretary determines to have more than 10,000 passenger boardings each year. [Minn. R. 7090]
263.6	"Tenant" means airline carriers, fixed-base operators (e.g. fueling companies and maintenance shops), and others that have leases/agreements to conduct business on airport property. Tenants of the airport that conduct industrial activities as described above, or as described anywhere in 40 CFR 122.26(b)(14), are required to apply for authorization under an NPDES/SDS stormwater permit. [Minn. R. 7090]
264.1	**Stormwater Controls**. [Minn. R. 7090]
265.1	**Employee Training**. [Minn. R. 7090]
265.2	The Permittee shall address the following in the employee training program: i. Proper handling of deicing materials and fuels. ii. Spill and leak prevention. iii. Proper recordkeeping of storage and application of deicing fluids. [Minn. R. 7090]
266.1	**Inspections**. [Minn. R. 7090]
266.2	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall conduct 2 inspections per month with no less than 10 days between inspections during the deicing season, as specified in the Permittee's SWPPP. [Minn. R. 7090]
266.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 of the inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
267.1	**Preventive Maintenance**. [Minn. R. 7090]
267.2	The Permittee shall evaluate whether over-application of deicing chemicals on runways occurs by analyzing and adjusting application rates as necessary, consistent with considerations and requirements of flight safety. The personnel most familiar with the particular aircraft and flight operations in question shall carry out the evaluation. [Minn. R. 7090]
267.3	The Permittee shall describe and implement measures that prevent or minimize the contamination of stormwater runoff from all areas used for aircraft, ground vehicle, and equipment maintenance (including the maintenance the Permittee conducts on the terminal apron and in dedicated hangers). [Minn. R. 7090]
267.4	The Permittee shall describe and implement measures that prevent or minimize the contamination of stormwater with fuels and fuel servicing activities or other operations the Permittee conducts in support of the airport fuel system. [Minn. R. 7090]
267.5	The Permittee shall store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. The Permittee shall implement BMPs in these designated areas to prevent or minimize contact of stormwater with materials exposed from vehicles awaiting maintenance. [Minn. R. 7090]

268.1	**Management of Runoff**. [Minn. R. 7090]
268.2	The Permittee shall describe and implement a program to control or manage contaminated runoff to reduce the amount of pollutants discharging from the facility. Describe the controls the Permittee uses for collecting, containing or disposal of contaminated snow or contaminated snowmelt water. [Minn. R. 7090]
269.1	**SWPPP Requirements**. [Minn. R. 7090]
269.2	In addition to requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall meet the following sector-specific requirements for an air transportation facility. Where applicable, Permittees meeting the definition of tenant, above, shall create a SWPPP specific to the tenant's own operations for stormwater discharges associated with the leased property/space. The individual tenant's SWPPP must reference the airport authority's SWPPP with coordination between the two entities. Conversely, the airport authority's SWPPP must reference the tenant's SWPPP with coordination between the two entities. a. Facility Map. The Permittee shall identify the following areas of the facility and indicate whether activities occurring are or may come into contact with stormwater: i. Aircraft and runway deicing operations. ii. Fueling stations. iii. Aircraft. iv. Ground vehicle and equipment maintenance/cleaning areas. v. Storage areas for aircraft, ground vehicles, and equipment awaiting maintenance. [Minn. R. 7090]
270.1	**Potential Pollutant Sources**. [Minn. R. 7090]
270.2	The Permittee shall identify the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: a. Aircraft. b. Runways. c. Ground vehicle and equipment maintenance and cleaning. d. Aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways, and ramps). [Minn. R. 7090]
270.3	If the Permittee uses deicing chemicals or pesticides, the Permittee shall maintain the records of the types the Permittee uses, including the Safety Data Sheets (SDS) and the monthly quantities. This includes all deicing chemicals, not just glycols and urea (e.g. potassium acetate). All tenants that conduct these activities shall provide the above information in the in their SWPPP. Update and attach information as necessary to maintain current records. [Minn. R. 7090]
271.1	**Description of Stormwater Controls**. [Minn. R. 7090]
271.2	The Permittee shall clean equipment only in the areas the Permittee identifies in the SWPPP and clearly designate these areas using ground signage or other appropriate means. [Minn. R. 7090]
272.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
272.2	In addition to the Benchmark Monitoring Requirements section of this permit, the Permittee shall collect 2 of the facility's 4 required samples for the applicable parameters during periods that are during the airport's deicing season the Permittee specifies. [Minn. R. 7090]
272.3	In accordance with monitoring requirements of the Effluent Monitoring Requirement section of this permit, the Permittee shall monitor the applicable parameters in Table S-1 in Appendix B. [Minn. R. 7090]
273.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
274.1	**Industrial Stormwater Ponds**. [Minn. R. 7090]
274.2	The Permittee of a Sector S industrial facility that does not conduct deicing activities, as defined above, has authorization to use industrial stormwater ponds for stormwater management without additional restrictions. [Minn. R. 7090]
274.3	The Permittee of a Sector S industrial facility that conducts deicing activities, as defined above, has authorization to use industrial stormwater ponds for stormwater management provided that any industrial stormwater pond constructed after April 5, 2010, permit meets the following design criteria. Any

	Permittee required to comply with this part does not have authorization to utilize the benchmark monitoring waiver. a. Line the industrial stormwater pond with a synthetic liner that is chemically compatible with materials expected to enter the pond. Design the pond to restrict infiltration to less than 500 gallons per acre per day. The pond must be Ultra Violet (UV) stable. b. Design the industrial stormwater pond in accordance with accepted engineering practices. See Agency "Recommended Pond Design Criteria" December 2009, Document number: wq-wwtp5-53 and any applicable supporting technical criteria. [Minn. R. 7090]
275.1	**Infiltration Systems**. [Minn. R. 7090]
275.2	The Permittee of a Sector S industrial facility that does not conduct deicing activities, as defined above, has authorization to use a designed infiltration system for industrial stormwater management and is not required to comply with the requirement below. [Minn. R. 7090]
275.3	The Permittee of a Sector S industrial facility that conducts deicing activities, as defined above, has authorization to use a designed infiltration system for stormwater management, implemented prior to April 5, 2010, provided the Permittee complies with the following requirements: a. The Permittee shall conduct benchmark monitoring in accordance with the terms and conditions of this permit for all industrial stormwater prior to infiltration. However, any Permittee required to comply with this part that is using a designed infiltration system to manage industrial stormwater does not have authorization to utilize the benchmark monitoring waiver. b. If the Permittee has a designed infiltration system operating prior to April 5, 2010, the Permittee has authorization to continue using that device. However, on or after April 5, 2010, the Permittee does not have authorization to construct new infiltration systems, expand infiltration activities or practices that result in infiltration, or expand volume of infiltration. [Minn. R. 7090]
276.1	**Sector T. Treatment Works**. [Minn. R. 7090]
277.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
277.2	These Sector T requirements apply to stormwater discharges occurring from the industrial activity treatment works. [Minn. R. 7090]
278.1	**Limitations on Authorization**. [Minn. R. 7090]
278.2	The Permittee cannot discharge the following under this permit: a. Sanitary and industrial wastewater. b. Equipment and vehicle wash water. c. Discharges from farm lands, domestic gardens, or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility, or areas that are in compliance with Section 405 of the CWA. [Minn. R. 7090]
279.1	**Stormwater Controls**. [Minn. R. 7090]
280.1	**Employee Training**. [Minn. R. 7090]
280.2	The Permittee shall address the following during employee training: a. Petroleum product management. b. Process chemical management. c. Fueling procedures. d. Proper procedures for using fertilizer, herbicides, and pesticides. [Minn. R. 7090]
281.1	**Inspections**. [Minn. R. 7090]
281.2	The Permittee shall include the following areas in all inspections: a. Access roads and rail lines. b. Grit, screenings, and other solids handling. c. Sludge drying beds. d. Dried sludge piles. e. Compost piles. f. Septage or hauled waste receiving stations. [Minn. R. 7090]
282.1	**SWPPP Requirements**. [Minn. R. 7090]
282.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the

	Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: a. Handling, storage, or disposal areas for grit, screenings, and other solids. b. Sludge drying beds. c. Dried sludge piles. d. Compost piles. e. Septage or hauled waste receiving station. f. Storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides. [Minn. R. 7090]
283.1	**Potential Pollutant Sources**. [Minn. R. 7090]
283.2	The Permittee shall describe the following additional sources that have potential pollutants associated with them: a. Grit, screenings, and other solids handling. b. Sludge drying beds. c. Dried sludge piles. d. Compost piles. e. Septage or hauled waste receiving station. f. Access roads and rail lines. [Minn. R. 7090]
284.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
284.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table T-1in Appendix B. [Minn. R. 7090]
285.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
285.2	Sector T industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
286.1	**Sector U. Food and Kindred Products**. [Minn. R. 7090]
287.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
287.2	These Sector U requirements apply to stormwater discharges occurring from the industrial activity from food and kindred products facilities., with the industrial activity codes in Appendix A. [Minn. R. 7090]
288.1	**Limitations on Authorization**. [Minn. R. 7090]
288.2	The Permittee cannot discharge the following under this permit: a. Stormwater discharges co-mingled with wastewaters or sources of non-stormwater, including those from industrial plant yards; material handling sites; refuse sites; sites used for application or disposal of process wastewaters; sites used for storage and maintenance of material handling equipment; sites used for residential wastewater treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; and storage areas for raw material and intermediate and finished products. This includes areas where industrial activity took place in the past and significant materials remain. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product, or waste product. b. Discharges subject to operations and process requirements of the Authorization section of this permit, which include discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations. i. The Permittee shall treat wastewater they generate from these areas at the facility's wastewater treatment facility in accordance with the facility's NPDES/SDS permit, or by discharge to a publicly owned treatment works (POTW), with authorization by the POTW. The Permittee has authorization to discharge stormwater from these areas where no mixing of stormwater with wastewater or non-stormwater occurs, and where these areas do not, at any time, generate wastewater or non-stormwater. [Minn. R. 7090]
289.1	**Stormwater Controls**. [Minn. R. 7090]
290.1	**Employee Training**. [Minn. R. 7090]
290.2	The Permittee shall include the following activities as appropriate:

	a. Used oil and spent solvent management. b. Segregation of organic materials, raw materials, and products from contact with stormwater and precipitation. c. Pest control. [Minn. R. 7090]
291.1	**Inspections**. [Minn. R. 7090]
291.2	The Permittee shall inspect the following areas where the potential for exposure to stormwater exists: a. Waste management units. b. Vents and stacks associated with industrial activities. c. Spoiled product and broken product container holding areas. d. Animal holding pens. e. Staging areas. f. Air pollution control equipment. [Minn. R. 7090]
291.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
292.1	**SWPPP Requirements**. [Minn. R. 7090]
292.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify the locations of the following activities if they are exposed to stormwater: i. Vents and stacks from cooking, drying, and similar operations. ii. Dry product vacuum transfer lines. iii. Animal holding pens. iv. Spoiled product and broken product container storage areas. [Minn. R. 7090]
293.1	**Potential Pollutant Sources**. [Minn. R. 7090]
293.2	The Permittee shall describe, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g. rodenticides, insecticides, fungicides) the Permittee uses on plant grounds. [Minn. R. 7090]
294.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
294.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table U-1 in Appendix B. [Minn. R. 7090]
295.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
295.2	Sector U industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
296.1	**Sector V. Textile Mills, Apparel, and Other Fabric Products Manufacturing**. [Minn. R. 7090]
297.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
297.2	These Sector V requirements apply to stormwater discharges occurring from the industrial activity from textile mills, apparel, and other fabric product manufacturing facilities, with the industrial activity codes in listed in Appendix A. [Minn. R. 7090]
298.1	**Limitations on Authorization**. [Minn. R. 7090]
298.2	Under this permit, the Permittee cannot discharge wastewater (e.g. wastewater resulting from wet processing or from any processes relating to the production process), reused or recycled water, and waters the Permittee uses in cooling towers under this permit. [Minn. R. 7090]
299.1	**Stormwater Controls**. [Minn. R. 7090]
300.1	**Employee Training**. [Minn. R. 7090]
300.2	As part of the employee training program, the Permittee shall address the following activities:

	a. Use of reused and recycled waters. b. Solvents management. c. Proper disposal of dyes. d. Proper disposal of petroleum products and spent lubricants. [Minn. R. 7090]
301.1	**Inspections**. [Minn. R. 7090]
301.2	In addition to the inspection requirements outlined in the Stormwater Control Measure section of this permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
302.1	**Preventive Maintenance**. [Minn. R. 7090]
302.2	The Permittee shall describe and implement measures that prevent or minimize contamination of stormwater from material handling operations by using the following: a. Spill and overflow protection. b. Covering or enclosing areas where the transfer of materials occurs. The Permittee shall address the replacement or repair of leaking connections, valves, transfer lines, and pipes that carry chemicals, dyes, or wastewater. [Minn. R. 7090]
303.1	**SWPPP Requirements**. [Minn. R. 7090]
303.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Potential Pollutant Sources. The Permittee shall describe the following additional sources and activities that have potential pollutants associated with them: i. Backwinding ii. Beaming iii. Bleaching iv. Backing bonding v. Carbonizing vi. Carding vii. Cut and sew operations viii. Desizing ix. Drawing x. Dyeing locking xi. Fulling, knitting xii. Mercerizing xiii. Opening xiv. Packing xv. Plying xvi. Scouring xvii. Slashing xviii. Spinning xix. Synthetic-felt processing xx. Textile waste processing xxi. Tufting xxii. Turning xxiii. Weaving xxiv. Web forming xxv. Winging xxvi. Yarn spinning xxvii. Yarn texturing. [Minn. R. 7090]
304.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
304.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall

	monitor the applicable parameters in Table V-1 in Appendix B. [Minn. R. 7090]
305.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
305.2	Sector V industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
306.1	**Sector W. Furniture and Fixtures**. [Minn. R. 7090]
307.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
307.2	These Sector W requirements apply to stormwater discharges occurring from the industrial activity from furniture and fixtures facilities, and other fabric product manufacturing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
308.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
308.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table W-1 in Appendix B. [Minn. R. 7090]
309.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
309.2	Sector W industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. See the Benchmark Monitoring Waiver for Industrial Stormwater Infiltration and Ponding section of this permit for additional for requirements. [Minn. R. 7090]
310.1	**Sector X. Printing and Publishing**. [Minn. R. 7090]
311.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
311.2	These Sector X requirements apply to stormwater discharges occurring from the industrial activity from printing and publishing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
312.1	**Stormwater Controls**. [Minn. R. 7090]
313.1	**Preventive Maintenance**. [Minn. R. 7090]
313.2	The Permittee shall describe and implement measures that prevent or minimize contamination of stormwater runoff from blanket wash areas and mixing solvent areas. The Permittee shall have BMPs that address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater. [Minn. R. 7090]
314.1	**SWPPP Requirements**. [Minn. R. 7090]
314.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Potential Pollutant Sources. The Permittee shall describe the following additional sources that have potential pollutants associated with them: i. Significant dust or particulate generating processes, and on-site waste disposal practices (e.g. blanket wash). ii. The Permittee shall also identify the pollutant parameter (e.g. oil and grease, scrap metal) associated with each pollutant source. [Minn. R. 7090]
315.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
315.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table X-1 in Appendix B. [Minn. R. 7090]
316.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
316.2	Sector X industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
317.1	**Sector Y. Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries**. [Minn. R. 7090]
318.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
318.2	These Sector Y requirements apply to stormwater discharges occurring from the industrial activity from

	rubber, miscellaneous plastic products, and miscellaneous manufacturing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
319.1	**Stormwater Controls**. [Minn. R. 7090]
320.1	**Maintenance Requirements**. [Minn. R. 7090]
320.2	The Permittee shall describe and implement specific controls to minimize contact of zinc with stormwater discharges by: a. Using chemicals purchased in pre-weighed, sealed polyethylene bags. b. Storing in-use materials in sealable containers. c. Ensuring an airspace between the container and the cover to minimize "puffing" losses when the Permittee opens the container. d. Using automatic dispensing and weighing equipment. e. Replacing or repairing improperly operating dust collectors or baghouses. [Minn. R. 7090]
320.3	The Permittee shall describe and implement specific controls to minimize contact of plastic resin pellets with stormwater discharges. [Minn. R. 7090]
321.1	**SWPPP Requirements**. [Minn. R. 7090]
321.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Potential Pollutant Sources. The Permittee shall review the use of zinc at the facility and the possible pathways through which zinc may comingle with stormwater. The Permittee shall list the materials and activities at the facility that are sources of zinc. [Minn. R. 7090]
322.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
322.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table Y-1 in Appendix B. [Minn. R. 7090]
323.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
323.2	Sector Y industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
324.1	**Sector Z. Leather Tanning and Finishing**. [Minn. R. 7090]
325.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
325.2	These Sector Z requirements apply to stormwater discharges occurring from the industrial activity from leather tanning and finishing facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
326.1	**Stormwater Controls**. [Minn. R. 7090]
327.1	**Preventive Maintenance**. [Minn. R. 7090]
327.2	The Permittee shall store pallets and bales of raw, semi-processed, or finished tannery by-products (e.g. splits, trimmings, shavings) indoors or the Permittee shall cover these materials by polyethylene wrapping, tarpaulins, or store under a roof. [Minn. R. 7090]
327.3	The Permittee shall store materials on an impermeable surface and enclose or put berms (or equivalent measures) around these areas, to the extent feasible. [Minn. R. 7090]
327.4	The Permittee shall describe and implement measures that prevent or minimize contamination of stormwater runoff with leather dust from buffing and shaving areas. The Permittee shall use dust collection systems and assure that they are operating properly. [Minn. R. 7090]
328.1	**SWPPP Requirements**. [Minn. R. 7090]
328.2	In addition to the requirements of the Stormwater Pollution Prevention Plan section in this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify on the facility map where any of the following may come into contact with stormwater: i. Processing and storage areas of the beamhouse. ii. Tanyard.

	iii. Re-tan wet finishing and dry finishing operations. iv. Haul roads and access roads. v. Rail spurs. [Minn. R. 7090]
329.1	**Potential Pollutant Sources**. [Minn. R. 7090]
329.2	The Permittee shall describe the following additional sources that have potential pollutants associated with them: a. Temporary or permanent storage of fresh and brine-cured hides. b. Extraneous hide substances and hair. c. Leather dust, scraps, trimmings, and shavings. d. Chemical drums, bags, containers. e. Empty chemical containers and bags. f. Spent solvents. g. Floor sweepings and washings. h. Refuse, waste piles, and sludge. i. Significant dust/particulate generating processes (e.g. buffing). [Minn. R. 7090]
330.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
330.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table Z-1 in Appendix B. [Minn. R. 7090]
331.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
331.2	Sector Z industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
332.1	**Sector AA. Fabricated Metal Products**. [Minn. R. 7090]
333.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
333.2	These Sector AA requirements apply to stormwater discharges occurring from the industrial activity from fabricated metal products facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
334.1	**Stormwater Controls**. [Minn. R. 7090]
335.1	**Good Housekeeping**. [Minn. R. 7090]
335.2	The Permittee shall describe and implement measures for controlling or recovering scrap metals, fines, and metal dust. The Permittee shall include measures for containing materials within storage and handling areas. [Minn. R. 7090]
335.3	The Permittee shall describe and implement measures for storage of metal working fluids. [Minn. R. 7090]
336.1	**Inspections**. [Minn. R. 7090]
336.2	The Permittee shall inspect the following areas where the potential for exposure to stormwater exists: a. Areas associated with spent solvents. b. Chemical storage areas. c. Outdoor paint areas. [Minn. R. 7090]
336.3	In addition to the inspection requirements outlined in the Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
337.1	**Preventive Maintenance**. [Minn. R. 7090]
337.2	The Permittee shall describe and implement measures to prevent or minimize exposure of paint and painting equipment to stormwater. [Minn. R. 7090]
338.1	**Spills and Leaks**. [Minn. R. 7090]
338.2	The Permittee shall describe and implement measures to control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sandblasting operations, and prevent exposure of recyclable wastes including rinse waters. [Minn. R. 7090]

338.3	The Permittee shall use monitoring equipment or other devices to detect and control leaks and overflows of lubricating oil and hydraulic fluid. The Permittee shall install perimeter controls or equivalent measures. [Minn. R. 7090]
339.1	**SWPPP Requirements**. [Minn. R. 7090]
339.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: i. Raw metal storage areas. ii. Finished metal storage areas. iii. Scrap disposal collection sites. iv. Retention and detention basins. v. Temporary and permanent diversion dikes or berms. vi. Right-of-way or perimeter diversion devices. vii. Sediment traps and barriers. viii. Processing areas, including outdoor painting areas. ix. Wood preparation. x. Recycling. xi. Raw material storage. [Minn. R. 7090]
340.1	**Potential Pollutant Sources**. [Minn. R. 7090]
340.2	The Permittee shall describe the following additional sources that have potential pollutants associated with them. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials: a. Operations for paints, chemicals, and scrap metals. b. Outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing. c. On-site waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles. [Minn. R. 7090]
341.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
341.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table AA-1 in Appendix B. [Minn. R. 7090]
342.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
342.2	Sector AA industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
343.1	**Sector AB. Transportation Equipment and Industrial or Commercial Machinery**. [Minn. R. 7090]
344.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
344.2	These Sector AB requirements apply to stormwater discharges occurring from the industrial activity from transportation equipment and industrial or commercial machinery facilities, with the industrial activity codes in Appendix A. [Minn. R. 7090]
345.1	**Stormwater Controls**. [Minn. R. 7090]
346.1	**Inspections**. [Minn. R. 7090]
346.2	In addition to the inspection requirements outlined in Stormwater Control Measures section of this permit, the Permittee shall ensure that a total of 2 inspections occur during runoff events, with at least one inspection occurring during a snowmelt runoff event. Each inspection must include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, implement corrective actions to prevent sheen and document those corrective actions in the SWPPP. [Minn. R. 7090]
347.1	**SWPPP Requirements**. [Minn. R. 7090]
347.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following:

	a. Facility Map. The Permittee shall identify where any vents and stacks from metal processing and similar operations come into contact with stormwater. [Minn. R. 7090]
348.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
348.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table AB-1 in Appendix B. [Minn. R. 7090]
349.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
349.2	Sector AB industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
350.1	**Sector AC. Electronic and Electrical Equipment and Components, Photographic and Optical Goods**. [Minn. R. 7090]
351.1	**Authorized Stormwater Discharges**. [Minn. R. 7090]
351.2	These Sector AC requirements apply to stormwater discharges occurring from facilities that manufacture electronic and electrical equipment and components and photographic and optical goods, with the industrial activity codes in Appendix A. [Minn. R. 7090]
352.1	**SWPPP Requirements**. [Minn. R. 7090]
352.2	In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify where any of the following may come into contact with stormwater: i. Finished metal storage areas. ii. Scrap disposal collection on-site. iii. Retention and detention basins. iv. Temporary and permanent diversion dikes or berms. v. Right-of-way or perimeter diversion devices. vi. Sediment traps and barriers. vii. Processing areas, including outdoor painting areas. viii. Recycling areas. [Minn. R. 7090]
353.1	**Monitoring and Reporting Requirements**. [Minn. R. 7090]
353.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table AC-1 in Appendix B. [Minn. R. 7090]
354.1	**Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal**. [Minn. R. 7090]
354.2	Sector AC industrial facilities have authorization to use designed infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
355.1	**PART VIII. GENERAL PROVISIONS**. [Minn. R. 7090]
356.1	**Incorporation by Reference**. [Minn. R. 7090]
356.2	This permit incorporates by reference the applicable portions of 40 CFR pts. 122, 123, and 124; Minn. R. chs. 7001, 7050, and 7090; and Minn. Stat. chs. 115 and 116, all of which are enforceable parts of this permit. [Minn. R. 7090]
357.1	**Liabilities**. [Minn. R. 7001.0150, Subp. 3(A)]
357.2	The Agency's issuance of this permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. [Minn. R. 7001.0150, Subp. 3(A)]
358.1	**More Stringent Rules**. [Minn. R. 7001.0150, Subp. 3(B)]
358.2	The Agency's issuance of this permit does not prevent the future adoption by the Agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. [Minn. R. 7001.0150, Subp. 3(B)]

359.1	**Property Rights**. [Minn. R. 7001.0150, Subp. 3(C)]
359.2	This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, Subp. 3(C)]
360.1	**Agency Obligation**. [Minn. R. 7001.0150, Subp. 3(D)]
360.2	The Agency's issuance of this permit does not obligate the Agency to enforce local laws, rules, or plans beyond what Minnesota statutes authorizes. [Minn. R. 7001.0150, Subp. 3(D)]
361.1	**Compliance**. [Minn. R. 7001.0150, Subp. 3(E)]
361.2	The Permittee shall perform the actions or conduct the activity this permit authorizes in accordance with the plans and specifications the Agency approves, if required, and in compliance with the conditions of the permit. [Minn. R. 7001.0150, Subp. 3(E)]
362.1	**Toxic Pollutant Discharge**. [Minn. R. 7001.0190, Subp. 1(A)]
362.2	Notwithstanding the absence in this permit of an effluent limitation for any toxic pollutant, the Permittee shall not discharge a toxic pollutant except according to 40 CFR pts. 400 to 460 and Minn. R. 7050.0100 to 7050.0220 and 7055.0010 to 7055.0120, and any other applicable Agency rules. [Minn. R. 7001.0190, Subp. 1(A)]
363.1	**Operation and Maintenance**. [Minn. R. 7001.0150, Subp. 3(F)]
363.2	The Permittee shall at all times properly operate and maintain the facility and systems of treatment and control and the appurtenances related to them that the Permittee uses or installs to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate Operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup of auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible. [Minn. R. 7001.0150, Subp. 3(F)]
364.1	**Criminal Activity**. [Minn. R. 7001.0150, Subp. 3(G)]
364.2	The Permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document the permit requires the Permittee to submit to the Agency. Upon discovery, the Permittee shall immediately report to the Agency an error or omission in these records, reports, plans, or other documents. [Minn. R. 7001.0150, Subp. 3(G)]
365.1	**Noncompliance**. [Minn. R. 7001.0150, Subp. 3(J)]
365.2	If the Permittee discovers an occurrence of noncompliance with a condition of the permit, through any means including notification by the Agency, the Permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance. [Minn. R. 7001.0150, Subp. 3(J)]
366.1	**Subject to Enforcement Action and Penalties**. [Minn. R. 7001.1090, Subp. 3(B)]
366.2	Noncompliance with a term or condition of this permit subjects the Permittee to federal and state law penalties set forth in section 309 of the Clean Water Act, United States Code, Title 33, Section 1319 as amended; and in Minn. Stat. 115.071, including monetary penalties, imprisonment, or both. [Minn. R. 7001.1090, Subp. 3(B)]
367.1	**Records**. [Minn. R. 7001.0150, Subp. 3(H)]
367.2	Upon request from the Agency, the Permittee shall submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility authorized by the permit or regarding the conduct of the activity authorized by the permit. [Minn. R. 7001.0150, Subp. 3(H)]
367.3	The Permittee shall retain copies of the permit application, all data and information gathered to complete the application, and all data and information related to the requirements of this permit or by the Agency's request, for a period of at least three (3) years. This period automatically extends throughout the course of an unresolved enforcement action regarding the facility or upon request by the Agency. [Minn. R. 7090]
367.4	The Permittee shall keep all monitoring records for at least three (3) years, including any calculations, original recordings from automatic monitoring devices, and laboratory sheets. The Permittee shall extend these record retention periods upon request by the Agency. In accordance with Minn. R. 7001.0150, subp.

	2(C), the records must include the following information: a. The exact place, date, and time of sample or measurement. b. The date of analysis. c. The name of the person who performed the sample collection, measurement, analysis, or calculation. d. The analytical techniques, procedures, and methods used. e. The results of the analysis. [Minn. R. 7001.0150, Subp. 2(C)]
367.5	The Permittee shall ensure that a laboratory certified by the Minnesota Department of Health (MDH) and/or registered with the MPCA (or other MPCA-approved accredited lab) conducts all analyses this permit requires. Laboratory certification is not required for the visual observation of the presence of debris. Analysis of pH must comply with manufacturer's specifications for equipment calibration and use. pH analysis must occur on-site within 15 minutes of sample collection. The Permittee shall maintain written records of all calibrations and maintenance with the SWPPP. [Minn. R. 7090]
368.1	**Confidential Information**. [Minn. R. 7000.1300, Subp. 1]
368.2	All reports this permit requires must be available for public inspection, except for any records or other information under Minn. Stat. 116.075, subd. 2 determines to be confidential. In order to maintain data for confidential use of the Agency, (pursuant to Minn. Stat. 116.075, or as nonpublic data not on individuals or private data as it relates to individuals, pursuant to Minn. Stat. 13.37), a person shall affirmatively request such recognition by providing to the Agency a written request setting forth the statutory grounds and the reasons that justify the classification of the records or other information as not public. [Minn. R. 7000.1300, Subp. 1]
369.1	**Inspection and Entry**. [Minn. R. 7001.0150, Subp. 3(l)]
369.2	The Permittee shall allow the Agency, an authorized employee, or agent of the Agency to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility or the facility industrial activities under authorization of this permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility authorized by the permit or pertaining to the activity authorized by the permit with authorization of Minn. Stat. 115.04, 115B.17, subd. 4, and 116.091; and upon presentation of proper credentials. [Minn. R. 7001.0150, Subp. 3(l)]
370.1	**Transfer of Ownership or Control**. [Minn. R. 7001.0150, Subp. 3(N)]
370.2	This permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person receiving the permit shall comply with the conditions of the permit. [Minn. R. 7001.0150, Subp. 3(N)]
371.1	**Liability Exemption**. [Minn. R. 7001.0150, Subp. 3(O)]
371.2	This permit authorizes the Permittee to perform the activities in this permit under the conditions of the permit. In issuing this permit, the State and Agency assume no responsibility for any damage to persons, property or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities this permit authorizes, directs, or undertook. To the extent the State and Agency may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Torts Claim Act, Minn. Stat. 3.736. [Minn. R. 7001.0150, Subp. 3(O)]
372.1	**Civil and Criminal Liability**. [Minn. R. 7001.0150, Subp. 3(A)]
372.2	Nothing in this permit shall relieve the Permittee from civil or criminal penalties for noncompliance with the terms and conditions herein. Nothing in this permit shall preclude the initiation of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 of the Clean Water Act and Minn. Stat. chs. 115 and 116, as amended; and any rules adopted thereunder. [Minn. R. 7090]
373.1	**Severability**. [Minn. R. 7001]
373.2	The provisions of this permit are severable. If any provision in this permit, or application of any provision, is invalid, the remainder of this permit still applies. [Minn. R. 7001]

374.1	**PART IX. ADDITIONAL REQUIREMENTS FOR DISCHARGES TO SPECIAL (PROHIBITED, RESTRICTED, OTHER) AND IMPAIRED WATERS**. [Minn. R. 7050]
375.1	**General Requirements**. [Minn. R. 7050]
375.2	The Permittee shall document and implement all appropriate changes to the SWPPP, including all industrial stormwater BMPs used to comply with this section of the permit in accordance with the documentation, conclusions, and other requirements in this section. [Minn. R. 7050]
375.3	If the Permittee cannot meet the terms and conditions of this section of the permit, the Permittee does not have authorization to discharge industrial stormwater under this permit. The Permittee shall notify the Agency and seek coverage under an individual NPDES/SDS permit in accordance with Minn. R. ch. 7001. [Minn. R. 7050]
375.4	Specific Requirements for Industrial Facility Discharges Regulated Under Minn. R. 7050.0335., Nondegradation For Outstanding Resource Value Waters. [Minn. R. 7050.0335]
375.5	Industrial facilities do not have authorization to discharge industrial stormwater to the Outstanding Resource Value Waters listed below unless the Permittee complies with all terms and conditions of this permit, including the additional required BMP's outlined below. Any industrial facility that has a monitoring location from which a discharge flows to, and is within one mile of, the Outstanding Resource Value Water, if after the effective date the Outstanding Resource Value Water was designated, the industrial facility either: a. Commenced discharging industrial stormwater, or b. Changed industrial stormwater discharges in a manner (location, volume, or any other manner) such that an increase in one or more pollutants has occurred. [Minn. R. 7050]
375.6	Restricted discharges as defined in Minn. R. 7050.0335. [Minn. R. 7050.0335]
375.7	Lake Superior, except those portions identified as a prohibited discharges zone. a. The Permittee shall comply with BMP 1 below. [Minn. R. 7050]
375.8	The Mississippi River, those portions from Lake Itasca to the southerly boundary of Morrison County that are included in the Mississippi Headwaters Board comprehensive plan dated February 12, 1981. a. The Permittee shall comply with BMP 1 below. [Minn. R. 7050]
375.9	Lake trout lakes, identified in Minn. R. 7050.0460 to 7050.0470. a. The Permittee shall comply with BMP 1 and BMP 3 below. [Minn. R. 7050]
375.10	Federal or state designated scenic or recreational river segments: Saint Croix river, entire length; Cannon River from northern city limits of Faribault to its confluence with the Mississippi River; North Fork of the Crow River from Lake Koronis outlet to the Meeker-Wright County line; Kettle River from north Pine County line to the site of the former dam at Sandstone; Minnesota River from Lac qui Parle dam to Redwood County state aid highway 11; Mississippi River from county state aid highway 7 bridge in Saint Cloud to northwestern city limits of Anoka; and Rum River from state aid Highway 27 bridge in Onamia to Madison and Rice streets in Anoka. a. The Permittee shall comply with BMP 1 below. [Minn. R. 7050]
375.11	Calcareous fens as identified in Minn. R. 7050.0335 subp, 1(E). a. The Permittee shall comply with BMP 1, and BMP 5 below. [Minn. R. 7050.0335, subp. (1)E]
375.12	Special requirements for industrial facilities that have a monitoring location from which a discharge flows to, and is within One Mile of, Trout Streams listed in Minn. R. 6264.0050, subp. 4 and Minn. R. 7050.0420. a. The Permittee shall comply with BMP 1, and BMP 2 below. [Minn. R. 7050]
375.13	Special requirements for industrial facilities that have a monitoring location from which a discharge flows to, and is within One Mile of, Trout Lakes listed in Minn. R. 6264.0050, subp. 2 and Minn. R. 7050.0420. a. The Permittee shall comply with BMP 1, and BMP 3 below. [Minn. R. 7050]
375.14	Special requirements for industrial facilities that have a monitoring location from which a discharge flows to, and is within One Mile of, Wetlands as defined in Minn. R. 7050.0186, subp 1a.B. The Permittee shall comply with the requirements of Minn. R. 7050.0186, WETLAND STANDARDS AND MITIGATION. [Minn. R. 7050.0189, Subp. 1(a)B]

375.15	Additional Required BMPs. [Minn. R. 7050]
375.16	If the Permittee cannot certify a condition of No Exposure, as described in this permit, the Permittee shall comply with the appropriate requirements below. [Minn. R. 7050]
375.17	BMP 1. The Permittee shall develop and implement stormwater control measures, including BMPs that restrict the facility industrial stormwater discharges to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the water an Outstanding Resource Value Water. In addition, a benchmark value of 65 mg/L for Solids, Total Suspended (TSS) applies to the discharge at a benchmark monitoring location, instead of 100 mg/L as specified in the sector requirements of Appendix B. If the Permittee has a waiver from the requirements to conduct benchmark monitoring, the benchmark value does not apply. The SWPPP must contain the following components: a. A selection of industrial stormwater volume reduction and/or pollutant concentration reduction BMPs, designed to restrict industrial stormwater discharges to the designated water. The SWPPP must include necessary calculations to demonstrate the effectiveness of the chosen BMPs in reducing volume and/or pollutant concentrations. BMP options the Permittee can include, but are not limited to, removing industrial activities and/or significant materials from contact with rain or snowmelt, re-use of industrial stormwater, stormwater ponding, infiltration, filtration, porous pavement, constructed wetlands, evaporation, evapotranspiration, etc. b. A narrative discussion describing how the Permittee will monitor and maintain the BMPs the Permittee uses long-term, to ensure the industrial facility will sustain restricted industrial stormwater discharges. [Minn. R. 7050]
375.18	BMP 2. The Permittee shall design and implement BMPs specifically protecting the water quality of trout streams from excess temperature increases. The Permittee shall include any associated calculations and design details with the SWPPP, as required by BMP 1. [Minn. R. 7050]
375.19	BMP 3. The Permittee shall design and implement BMPs specifically protecting the water quality of trout lakes from excess phosphorus increases. The Permittee shall include any associated calculations and design details with the SWPPP, as required by BMP 1. [Minn. R. 7050]
375.20	BMP 4. The Permittee shall design and implement BMPs specifically protecting the water quality of calcareous fens. The BMPs must ensure that the Permittee does not impact or otherwise degrade calcareous fens, wholly or partially, unless the Permittee has a management plan the DNR Commissioner approves. The Permittee shall include any associated calculations and design details with the SWPPP, as required by BMP 1. [Minn. R. 7050]
376.1	**PART X. BENCHMARK MONITORING WAIVER FOR INDUSTRIAL STORMWATER INFILTRATION AND PONDING**. [Minn. R. 7090]
376.2	This part addresses requirements for the Benchmark Monitoring Waiver for industrial stormwater infiltration systems, and industrial stormwater ponds. (Note that effluent limit monitoring is not exempt from monitoring.) The Agency will not grant the Benchmark Monitoring Waiver unless the Permittee complies with all applicable requirements of the permit, and specifically this Appendix. Note that the Stormwater Control Measures and the Sector-Specific sections of this permit have specific additional sector or subsector requirements and certain prohibitions as stated in the Stormwater Control Measures section of this permit regarding stormwater infiltration. The Permittee shall comply with the Stormwater Control Measures and the Sector-Specific sections of this permit in order to utilize infiltration or ponding as part of a stormwater treatment system. Violation of any specific requirements that may affect the operation of the industrial stormwater pond or infiltration system may result in revocation of the monitoring waiver. [Minn. R. 7090]
377.1	**Requirements for a Benchmark Monitoring Waiver for Infiltration Systems**. [Minn. R. 7090]
377.2	Unless specifically prohibited from obtaining a Benchmark Monitoring Waiver under the sector or subsector requirements of the Sector-Specific Requirements section of this permit, a Benchmark Monitoring Waiver has authorization for infiltration systems that the Permittee operates in accordance

	with the applicable requirements of the permit. For infiltration systems that meet the requirements of a Benchmark Monitoring Waiver, bypasses or overflow of stormwater from storm events that exceed the Benchmark Monitoring Waiver design capacity, the Permittee does not have to monitor for benchmark parameters. (Note that effluent limit monitoring is not exempt from monitoring.) To obtain a Benchmark Monitoring Waiver, the Permittee shall comply with the following terms and conditions: [Minn. R. 7090]
378.1	**Design Requirements for a Benchmark Monitoring Waiver for Infiltration Systems**. [Minn. R. 7090]
378.2	The Permittee shall design infiltration systems consistent with accepted engineering practices. A professional engineer or other licensed professional shall approve the designs. The Minnesota Stormwater Manual describes accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements for a Benchmark Monitoring Waiver outlined in this section. [Minn. R. 7090]
378.3	The Permittee shall design and operate Infiltration systems to infiltrate at a long-term expected rate of no less than 0.2 inches per hour to no greater than 1.63 inches per hour. See the Minnesota Stormwater Manual for detailed information on soils and long term versus perk test or infiltrometer measurements. [Minn. R. 7090]
378.4	The infiltration system must provide, at minimum, a storage volume that will contain the entire volume of runoff to the infiltration system, up to and including the 2-year, 24-hour storm event. [Minn. R. 7090]
378.5	Infiltration devices must infiltrate the design storage volume (which may be equal to or greater than the runoff from the 2 year event) within 48 hours at the long-term infiltration rate. The Permittee shall base the calculated design volume of runoff from National Oceanic and Atmospheric Administration Atlas 14, Volume 8 (NOAA Atlas 14, Volume 8) and the runoff characteristics of the watershed to the infiltration system. [Minn. R. 7090]
378.6	Infiltration devices must have suitable soils to provide treatment at the design long-term infiltration rate. The Permittee shall conduct testing to ensure that the infiltration system stormwater storage area has at least three feet of suitable soils between the stormwater storage area and either groundwater, the soil elevation leaving evidence of seasonally saturated soils, or fractured bedrock, whichever is least. The Permittee shall test the soil pursuant to the recommendations of the Minnesota Stormwater Manual or equivalent professional sources. [Minn. R. 7090]
379.1	**Operation and Maintenance**. [Minn. R. 7090]
379.2	The Permittee shall maintain and operate the infiltration system to meet the design criteria. In addition, the Permittee shall design, maintain, and modify the outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair. For example, pre-settling of solids, removal of floatable material, and other maintenance actions, which allow the Permittee to provide effective long-term operation of the infiltration system. [Minn. R. 7090]
379.3	The Permittee shall visually inspect all newly constructed or up-graded infiltration systems after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Control Measures of the permit or, if applicable, the Sector-Specific Requirements section of the permit, to ensure that infiltration is occurring at the appropriate rate and the device is operating correctly. [Minn. R. 7090]
379.4	The Permittee shall provide appropriate access, equipment, and training for staff for operation and maintenance of the infiltration systems. [Minn. R. 7090]
379.5	Permit violations regarding the design, operation, and maintenance of an infiltration system, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
380.1	**Documentation**. [Minn. R. 7090]
380.2	The Permittee shall keep the design basis for meeting the criteria for a Benchmark Monitoring Waiver under this part with the SWPPP. The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
381.1	**Requirements for a Benchmark Monitoring Waiver for Industrial Stormwater Ponds**. [Minn. R. 7090]
381.2	Unless specifically prohibited from obtaining a Benchmark Monitoring Waiver under the sector or

	subsector requirements of the Sector-Specific Requirements section of this permit, a Benchmark Monitoring Waiver has authorization for industrial stormwater ponds that the Permittee operates in accordance with the applicable requirements of the permit. For industrial stormwater ponds meeting the requirements of a Benchmark Monitoring Waiver, stormwater bypasses or overflow from storm events exceeding the Benchmark Monitoring Waiver design capacity (specified in this Appendix) are exempt from permit monitoring requirements. Note that effluent limit monitoring is not exempt from monitoring, under this part. To obtain a Benchmark Monitoring Waiver, the Permittee shall comply with the following terms and conditions. [Minn. R. 7090]
382.1	**Design Requirements for an Industrial Stormwater Pond Benchmark Monitoring Waiver**. [Minn. R. 7090]
382.2	The Permittee shall design industrial stormwater ponds qualifying for a Benchmark Monitoring Waiver consistent with accepted engineering practices and a professional engineer or other licensed professional approves. The applicable portions of the Minnesota Stormwater Manual describes generally accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements outlined in this section. [Minn. R. 7090]
382.3	The Permittee shall design the industrial stormwater pond to have a permanent dead storage volume, which is the volume below the normal outlet, that is equal to or exceeds the entire runoff volume to the pond which would result from the 5-year, 24-hour rainfall event based on NOAA Atlas 14, Volume 8. [Minn. R. 7090]
382.4	The industrial stormwater pond must be designed and operated to eliminate scour and re-suspending of sediment at high flows, so that benchmark values will be expected to be met up to the 10-year, 24-hour storm event based on NOAA Atlas 14, Volume 8. [Minn. R. 7090]
382.5	The Permittee shall design the industrial stormwater pond permanent storage (dead storage below the outlet) volume to eliminate scour and re-suspension of settled solids for the expected flow velocities. The Permittee shall adjust the maximum permanent storage (or dead storage) depth for the site conditions to provide enough sediment storage, and to prevent scour. The Permittee shall limit the depth to prevent anaerobic conditions from developing in the pool. The optimum depth in the permanent pool usually varies between 3 feet to 10 feet deep, depending on the site-specific conditions of flow and the nature of the pollutants. [Minn. R. 7090]
382.6	The Permittee shall incorporate skimmers, screens, or equivalent collection devices into the outlets so that the industrial stormwater pond will not discharge floatable materials. The Permittee shall inspect and maintain such devices to prevent clogging or discharge of collected material. The Permittee shall dispose collected materials properly. [Minn. R. 7090]
383.1	**Operation and Maintenance**. [Minn. R. 7090]
383.2	The Permittee shall maintain and operate the industrial stormwater pond to meet design criteria. In addition, the Permittee shall design, maintain and modify outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair, as needed. For example, pre-settling of solids, removal of floatable material, or other maintenance actions which allow the Permittee to provide effective long term operation of the industrial stormwater pond. [Minn. R. 7090]
383.3	The Permittee shall visually inspect newly constructed or up-graded industrial stormwater ponds after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Control Measures of the permit or, if applicable, the Sector-Specific Requirements section of the permit, to ensure that the industrial stormwater pond is operating correctly. [Minn. R. 7090]
383.4	The Permittee shall provide access, equipment, and training for appropriate staff for operation and maintenance of the industrial stormwater pond. [Minn. R. 7090]
383.5	The Permittee shall operate and maintain all industrial stormwater ponds as required by this permit, including all applicable specific requirements of this section and any restrictions in the sector or subsector specific requirements of the Sector-Specific Requirements section of this permit. Permit violations regarding the design, operation, and maintenance of an industrial stormwater pond, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
384.1	**Documentation**. [Minn. R. 7090]
384.2	The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations

	and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
385.1	**PART XI. DEFINITIONS AND ABBREVIATIONS**. [Minn. R. 7090]
385.2	"Active" means that significant materials and/or industrial activities, whether temporary or permanent, are present at the facility, regardless if staff is present at the facility. [Minn. R. 7090]
385.3	"Agency" means the Minnesota Pollution Control Agency or MPCA. [Minn. Stat. 116.36, Subd. 2]
385.4	"Benchmark monitoring location" for purposes of the industrial stormwater permit, means the location(s) within the boundary of the facility where the Permittee will collect stormwater samples for the purpose of compliance with the benchmark monitoring requirements of this permit. The benchmark monitoring location(s) selected by the Permittee shall be in a location that: a. Is below the most down-gradient BMP from the source of industrial activity or significant materials, but prior to discharging from the Permittee's operational control. b. Minimizes or eliminates sampling of stormwater from off-site sources (run-on). c. Yields a sample that best represents the contribution of pollutants the Permittee is required to monitor for in accordance with the Benchmark Monitoring Requirements section of this permit, and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater. [Minn. R. 7090]
385.5	"Best management practices" or "BMPs" means practices to prevent or reduce the pollution of waters of the state, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage. [Minn. R. 7001.1020, Subp. 5]
385.6	"Class V Injection Well" refers to any well or disposal method used to dispose of non-hazardous fluids underground. Examples of Class V Injection Wells include stormwater drainage wells, septic system leach fields, and agricultural drainage wells. [Minn. Stat. 115.03]
385.7	"Co-located industrial activities" means any industrial activities at a facility defined by the stormwater regulations at 40 CFR 122.26(b)(14)(i)-(ix) and (xi), other than the primary SIC Code or narrative activity. [Minn. R. 7090]
385.8	"Commissioner" means the Commissioner of the Minnesota Pollution Control Agency or the Commissioner's designee. [Minn. Stat. 116.36, Subd. 3]
385.9	"Construction activity" for this permit includes construction activity as defined in 40 CFR 122.26(b)(14)(x) and small construction activity as defined in 40 CFR 122.26(b)(15). This includes a disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling, and excavating. Construction activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more. [40 CFR 122.26(b)]
385.10	"Effluent monitoring location" for the purposes of this permit means the location(s) within the boundary of the facility where the Permittee will collect stormwater samples for the purpose of compliance with the Effluent Monitoring Requirements section of this permit. The effluent monitoring location(s) selected by the Permittee shall be in a location that: a. Is immediately below the most down-gradient BMP from the specific industrial activity that has a numeric effluent limit, but prior to where the discharge co-mingles with stormwater from other sources. b. Yields a sample that represents the contribution of the pollutants the Permittee is required to monitor for in accordance with the Sector-Specific Requirements section of this permit, and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater that has a numeric effluent limit. [Minn. R. 7090]
385.11	"Facility" for the purposes of this permit, means land that shares a common border and that has an industrial stormwater discharge as defined by 40 CFR 122.26(b)(14) with the discharge having a common owner or operator. [40 CFR 122.26(b)(14)]

385.12	"Impaired water" means waters identified as impaired by the Agency, and approved by the USEPA, pursuant to section 303(d) of the Clean Water Act (33 U.S.C. 303[d]). [CWA Sect. 303]
385.13	"Impervious surface" means a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads. [Minn. R. 7090]
385.14	"Inactive" means a facility or portion of a facility at which significant materials are not present and at which no industrial activities are conducted and is not an active facility, and where the inactive portion is not covered by any active permit issued by the applicable State or Federal agency. An inactive facility has no staff, no significant materials, and no industrial activities exposed to stormwater. [Minn. R. 7090]
385.15	"Industrial activity" means the eleven categories of industrial activity which are directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, as defined in 40 CFR 122.26(b)(14)(i)-(xi). Not every industrial activity in this definition is eligible for authorization under this permit (e.g. construction activity); see the Authorization section of this permit for eligibility criteria. [Minn. R. 7090.0080, Subp. 6]
385.16	"Industrial stormwater pond" for purposes of the industrial stormwater permit means constructed detention or retention facilities for the treatment of stormwater runoff under the requirements of this permit. This includes permanent ponds, dry ponds, flow equalization ponds (followed by other BMPs), and constructed wetlands. However, natural wetlands (including types 1-8) and other natural surface water bodies are not industrial stormwater ponds, parts of ponds or pond systems, and cannot be used as BMPs for stormwater treatment unless mitigated in accordance with applicable state rules. [Minn. R. 7090]
385.17	"Infiltration system" for purposes of the industrial stormwater permit, means a designed and constructed Best Management Practice to which industrial stormwater runoff is diverted, collected, or conveyed for the purpose of infiltration. An infiltration system does not include the parts of the system that diverts, collects, or conveys industrial stormwater. Incidental infiltration from conveyances such as swales or ditches, including those with erosion prevention devices such as vegetation, silt fence, or fiber bails, is not an infiltration system. However, swales, ditches, or similar devices constructed with stop logs, ditch excavation for storage or other retention devices, which are for the purpose of increased infiltration, are infiltration systems. Wetlands (including types 1 through 8) and other natural surface water bodies are not infiltration systems or parts of infiltration system systems, and cannot be used as infiltration systems, unless mitigated in accordance with applicable state rules. [Minn. R. 7090]
385.18	"Monitoring location" means any Benchmark Monitoring Location (including those locations that are part of a representative location) and/or any Effluent Monitoring Location. [Minn. R. 7090]
385.19	"Municipal separate storm sewer system or MS4" means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man- made channels, or storm drains: a. owned or operated by a state, city, town, county, district, association, or other public body, created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district, or drainage district or similar entity, or an Indian tribe or an authorized Indian tribe organization, or a designated and approved management agency under section 208 of the federal Clean Water Act, United States Code, title 33, section 1288, that discharges into waters of the state; b. designed or used for collecting or conveying storm water; c. that is not a combined sewer; and d. that is not part of a publicly owned treatment works as defined in Code of Federal Regulations, title 40, section 122.2. Municipal separate storm sewer systems do not include separate storm sewers in very discrete areas, such as individual buildings. [Minn. R. 7090.0800, Subp. 8]
385.20	"Narrative activity" means those industrial activities as defined by 40 CFR 122.26(b)(14)(i), (iv), (v), (vii) and (ix). [40 CFR 122.26(b)(14)]
385.21	"No exposure" means that all industrial materials or activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate

	products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, or waste product. [Minn. R. 7090.0080, Subp. 9]
385.22	"Non-stormwater discharge" means any discharge not comprised entirely of stormwater. [Minn. R. 7090]
385.23	"One mile" for purposes of the industrial stormwater permit, means a direct horizontal distance of one mile measured from any monitoring location to the Ordinary High Water Level (Minn. Stat. 103G.005, subd. 14) where the stormwater discharge associated with industrial activity enters either an impaired water, or any water described in the Additional Requirements for Discharges to Special and Impaired Waters section of this permit. [Minn. R. 7090]
385.24	"Operator" is the person responsible for the overall operation of an industrial facility under Minn. R. 7090.3000. [Minn. R. 7090.0080, Subp. 10]
385.25	"Owner" is the person who owns an industrial facility or part of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.0080, Subp. 11]
385.26	"Permittee" means a person or persons, firm, or governmental agency or other institution that signs the permit application submitted to the Agency and is responsible for compliance with the terms and conditions of this permit. [Minn. R. 7090]
385.27	"Person" means any human being, any municipality or other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the MPCA. [Minn. Stat. 116.06, Subd. 17]
385.28	"Primary standard industrial classification (SIC) code" for the purposes of the industrial stormwater permit, is the SIC code associated with the industrial activity that generates the greatest revenue. If revenue data is not available, the owner/operator shall base the determination on the number of employees engaged in the industrial activity. If it is not possible to determine the primary SIC code using either of these two methods, the owner/operator shall base the determination on the SIC code with the greatest production. The industrial activity that generates the greatest revenue, employs the most personnel, or has the greatest production, is the industrial activity assigned the primary SIC code. [Minn. R. 7090]
385.29	"Saturated soil" for the purposes of the industrial stormwater permit, means the highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids being filled with water. Saturated soil is evidenced by the presence of redoximorphic features or other information upon determination by a Minnesota-licensed Professional Geoscientist or Engineer. [Minn. R. 7090]
385.30	"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR 122.26(b)(12)]
385.31	"Storm-resistant shelter" means completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, and the material under the structure is not subjected to any run-on and subsequent runoff of stormwater. [Minn. R. 7090]
385.32	"Stormwater" means stormwater runoff, snowmelt runoff, and surface runoff and drainage. [Minn. R. 7090.0080, Subp. 12]
385.33	"Stormwater discharge associated with industrial activity" or "industrial stormwater discharge" means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR pt. 122. For the categories of industries identified in this section, the term includes, but is not limited to, stormwater discharges from:

	a. Industrial plant yards. b. Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility. c. Material handling sites. d. Refuse sites. e. Sites used for the application or disposal of process wastewater (as defined at part 401 of this chapter). f. Sites used for the storage and maintenance of material handling equipment. g. Sites used for residual treatment, storage, or disposal. h. Shipping and receiving areas. i. Manufacturing buildings. j. Storage areas (including tank farms) for raw materials, and intermediate and final products; and k. Areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by- product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26 (b)(14)(i) through (xi), except (x). The term also includes those facilities designated under the provisions of 40 CFR 122.26 (a)(1)(v). [Minn. R. 7090]
385.34	"Stormwater pollution prevention plan" or "SWPPP" means a plan for stormwater discharge that includes facility-specific activities and actions to, first, identify sources of pollution or contamination at the facility, and second, select and implement BMPs to reduce or eliminate contact of stormwater with significant materials that may result in polluted runoff from the facility. [Minn. R. 7090]
385.35	"Control Measure or Stormwater Control Measure" means any stormwater control or other method (including numeric or narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States. [Minn. R. 7090]
385.36	"Surface water or waters" for purposes of the industrial stormwater permit, means all streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems whether natural or artificial, public, or private. [Minn. R. 7090]
385.37	"Total maximum daily load" or "TMDL" means the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined in Code of Federal Regulations, title 40, section 130.2, paragraph (i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water of the state and still assure attainment and maintenance of water quality standards. [Minn. R. 7052.0010, Subp. 42]
385.38	"Wasteload allocation (WLA)" means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution, as more fully defined in Code of Federal Regulations, title 40, section 130.2, paragraph (h). In the absence of a TMDL approved by USEPA under 40 CFR, 130.7, or an assessment and remediation plan developed and approved according to part 7052.0200, subpart 1, item C, a WLA is the allocation for an individual point source that ensures that the level of water quality to be achieved by the point source is derived from and complies with all applicable water quality standards and criteria. [Minn. R. 7052.0010, Subp. 45]
385.39	"Water quality standards" means those provisions contained in Minn. R. 7050 and 7052. [Minn. R. 7050]
385.40	"Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof. [Minn. Stat. 115.01, Subd. 22]
385.41	"Wetlands" are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands shall have the following attributes:

	a. A predominance of hydric soils. b. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition. c. Under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, Subp. 1(B)]
385.42	ABBREVIATIONS AND ACRONYMS a. BOD 5 - Biochemical Oxygen Demand (5 day test) b. BMP - Best Management Practice c. CERCLA - Comprehensive Environmental Response, Compensation and Liability Act d. CFR - Code of Federal Regulations e. COD- Chemical Oxygen Demand f. CWA - Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq) g. LA - Load Allocations h. MS4 - Municipal Separate Storm Sewer System i. NPDES - National Pollutant Discharge Elimination System j. POTW - Publicly Owned Treatment Works k. SDS - State Disposal System l. SIC - Standard Industrial Classification m. SPCC - Spill Prevention, Control, and Countermeasures n. SWPPP - Stormwater Pollution Prevention Plan o. TMDL - Total Maximum Daily Load p. TSS - Total Suspended Solids q. USEPA means the United States Environmental Protection Agency. r. WLA - Wasteload Allocation. [Minn. R. 7090]

APPENDIX A. SECTORS OF INDUSTRIAL ACTIVITIES AUTHORIZED

Eligibility for this permit is limited to **facilities** with an **industrial activity** (SIC code(s) or **narrative activity**) as defined in 40 CFR § 122.26(b)(14)(i)-(xi). **Industrial activities** have been grouped into 29 sectors as summarized in Table 5 of this Appendix. All references to sectors or subsectors in this permit refer to these groupings. Note: **Narrative activities** are those **industrial activities** that are described by a narrative (rather than an SIC code) and/or having a numeric effluent limit. Examples include, but are not limited to, sectors E, K, L, O, and T.

* Standard Industrial Classification (SIC) codes and **Narrative Activities** (Nar. Act.) are defined by 122.26 (b)(14)(i)-(xi), except (x)

Sector	Sector Description	Subsector	Subsector Description	SIC – Nar. Act. *	SIC – Nar. Act. Description *
A	Timber Products	A1	General Sawmills/Planing Mills	2421	Sawmills and Planing Mills, General
		A2	Wood Preserving	2491	Wood Preserving
		A3	Log Storage and Handling	2411	Logging
		A4	Discharges From Wet Decking Storage Areas	ANEL1	Discharges From Wet Decking Storage Areas
		A5	Hardwood Dimension and Flooring Mills	2426	Hardwood Dimension and Flooring Mills
				2429	Special Product Sawmills, Not Elsewhere Classified
				2431	Millwork
				2435	Hardwood Veneer and Plywood
				2436	Softwood Veneer and Plywood
				2439	Structural Wood Members, Not Elsewhere Classified
				2448	Wood Pallets and Skids
				2449	Wood Containers, Not Elsewhere Classified
				2451	Mobile Homes
				2452	Prefabricated Wood Buildings and Components
				2493	Reconstituted Wood Products
				2499	Wood Products, Not Elsewhere Classified
				2441	Nailed and Lock Corner Wood Boxes and Shook
B	Paper and Allied Products Manufacturing	B1	Pulp, Paper, Cardboard, Converted Paper and Paperboard Products	2611	Pulp Mills
				2621	Paper Mills
				2631	Paperboard Mills
				2652	Setup Paperboard Boxes
				2653	Corrugated and Solid Fiber Boxes
				2655	Fiber Cans, Tubes, Drums, and Similar Products
				2656	Sanitary Food Containers, Except Folding
				2657	Folding Paperboard Boxes, Including Sanitary
				2671	Packaging Paper and Plastics Film, Coated and Laminated
				2672	Coated and Laminated Paper, Not Elsewhere Classified
				2673	Plastics, Foil, and Coated Paper Bags
				2674	Uncoated Paper and Multiwall Bags
				2675	Die-Cut Paper and Paperboard and Cardboard
				2676	Sanitary Paper Products
				2677	Envelopes
				2678	Stationery, Tablets, and Related Products
				2679	Converted Paper and Paperboard Products, Not Elsewhere Classified

* Standard Industrial Classification (SIC) codes and **Narrative Activities** (Nar. Act.) are defined by 122.26 (b)(14)(i)-(xi), except (x)					
Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
C	Chemical and Allied Products Manufacturing	C1	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products	CNEL2	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products
		C2	Agricultural Chemicals	2873	Nitrogenous Fertilizers
				2874	Phosphatic Fertilizers
				2875	Fertilizers, Mixing Only
				2879	Pesticides and Agricultural Chemicals, Not Elsewhere Classified
		C3	Industrial Inorganic Chemicals	2812	Alkalies and Chlorine
				2813	Industrial Gases
				2816	Inorganic Pigments
				2819	Industrial Inorganic Chemicals, Not Elsewhere Classified
		C4	Soaps, Detergents, Cosmetics, Perfumes	2841	Soap and Other Detergents, Except Specialty Cleaners
				2842	Specialty Cleaning, Polishing, and Sanitation Preparations
				2843	Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants
				2844	Perfumes, Cosmetics, and Other Toilet Preparations
		C5	Plastics, Synthetics, Resins	2821	Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers
				2822	Synthetic Rubber (Vulcanizable Elastomers)
				2823	Cellulosic Manmade Fibers
				2824	Manmade Organic Fibers, Except Cellulosic
				3952	Lead Pencils, Crayons, and Artists' Materials
		C6	Medicinal Chemicals and Botanical Products	2833	Medicinal Chemicals and Botanical Products
				2834	Pharmaceutical Preparations
				2835	In Vitro and In Vivo Diagnostic Substances
				2836	Biological Products, Except Diagnostic Substances
				2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
				2861	Gum and Wood Chemicals
				2865	Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments
				2869	Industrial Organic Chemicals, Not Elsewhere Classified
				2891	Adhesives and Sealants
				2892	Explosives
				2893	Printing Ink
				2895	Carbon Black
				2899	Chemicals and Chemical Preparations, Not Elsewhere Classified
		C7	Ethanol Facilities	2869	Industrial Organic Chemicals, Not Elsewhere Classified
D	Asphalt Paving and Roofing Materials and Lubricant Manufacturing	D1	Asphalt Paving and Roofing Materials	2951	Asphalt Paving Mixtures and Blocks
				2952	Asphalt Felts and Coatings

* Standard Industrial Classification (SIC) codes and **Narrative Activities** (Nar. Act.) are defined by 122.26 (b)(14)(i)-(xi), except (x)					
Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
		D2	Discharges from Production of Asphalt Emulsions Areas	DNEL3	Asphalt Paving Mixtures and Blocks
				DNEL3	Asphalt Felts and Coatings
		D3	Miscellaneous Products of Petroleum and Coal	2992	Lubricating Oils and Greases
				2999	Products of Petroleum and Coal, Not Elsewhere Classified
E	Glass, Clay, Cement, Concrete, and Gypsum Products	E1	Clay Products Manufacturers	3251	Brick and Structural Clay Tile
				3253	Ceramic Wall and Floor Tile
				3255	Clay Refractories
				3259	Structural Clay Products, Not Elsewhere Classified
				3261	Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories
				3262	Vitreous China Table and Kitchen Articles
				3263	Fine Earthenware (Whiteware) Table and Kitchen Articles
				3264	Porcelain Electrical Supplies
				3269	Pottery Products, Not Elsewhere Classified
		E2	Concrete and Gypsum Product Manufacturers	3271	Concrete Block and Brick
				3272	Concrete Products, Except Block and Brick
				3273	Ready-Mixed Concrete
				3274	Lime
				3275	Gypsum Products
		E3	Cement Manufacturing Facility, Material Storage Runoff	CMF	Cement Manufacturing Facility, Material Storage Runoff
		E4	Glass, Stone, Abrasive, and Asbestos Manufacturing.	3211	Flat Glass
				3221	Glass Containers
				3229	Pressed and Blown Glass and Glassware, Not Elsewhere Classified
				3231	Glass Products, Made of Purchased Glass
				3241	Cement, Hydraulic
				3281	Cut Stone and Stone Products
				3291	Abrasive Products
				3295	Minerals and Earths, Ground or Otherwise Treated
				3296	Mineral Wool
				3297	Nonclay Refractories
				3299	Nonmetallic Mineral Products, Not Elsewhere Classified
F	Primary Metals	F1	Steel Works, Blast Furnaces, and Rolling and Finishing Mills	3312	Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills
				3313	Electrometallurgical Products, Except Steel
				3315	Steel Wiredrawing and Steel Nails and Spikes
				3316	Cold-Rolled Steel Sheet, Strip, and Bars
				3317	Steel Pipe and Tubes
		F2	Iron and Steel Foundries	3321	Gray and Ductile Iron Foundries
				3322	Malleable Iron Foundries
				3324	Steel Investment Foundries
				3325	Steel Foundries, Not Elsewhere Classified

* Standard Industrial Classification (SIC) codes and **Narrative Activities** (Nar. Act.) are defined by 122.26 (b)(14)(i)-(xi), except (x)					
Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
		F3	Rolling, Drawing, and Extruding of Nonferrous Metals	3351	Rolling, Drawing, and Extruding Of Copper
				3353	Aluminum Sheet, Plate, and Foil
				3354	Aluminum Extruded Products
				3355	Aluminum Rolling and Drawing, Not Elsewhere Classified
				3356	Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum
				3357	Drawing and Insulating of Nonferrous Wire
		F4	Nonferrous Foundries	3363	Aluminum Die-Castings
				3364	Nonferrous Die-Castings, Except Aluminum
				3365	Aluminum Foundries
				3366	Copper Foundries
				3369	Nonferrous Foundries, Except Aluminum and Copper
		F5	Primary & Secondary Smelting and Refining of Nonferrous Metals and Miscellaneous Primary Metal Products	3331	Primary Smelting and Refining of Copper
				3334	Primary Production of Aluminum
				3339	Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum
				3341	Secondary Smelting and Refining of Nonferrous Metals
				3398	Metal Heat Treating
				3399	Primary Metal Products, Not Elsewhere Classified
G	Metal Mining (Ore Mining and Dressing)	G1	Active Copper Ore Mining, Dressing Facilities	1021	Copper Ores
		G2	Active Metal Mining Facilities	1011	Iron Ores
				1021	Copper Ores
				1031	Lead and Zinc Ores
				1041	Gold Ores
				1044	Silver Ores
				1061	Ferroalloy Ores, Except Vanadium
				1081	Metal Mining Services
				1094	Uranium-Radium-Vanadium Ores
				1099	Miscellaneous Metal Ores, Not Elsewhere Classified
H	Coal Mines and Coal Mining-Related Facilities	H1	Coal Mines and Related Areas	1221	Bituminous Coal and Lignite Surface Mining
				1222	Bituminous Coal Underground Mining
				1231	Anthracite Mining
				1241	Coal Mining Services
I	Oil and Gas Extraction and Refining	I1	Oil and Gas Extraction	1311	Crude Petroleum and Natural Gas
				1321	Natural Gas Liquids
				1381	Drilling Oil and Gas Wells
				1382	Oil and Gas Field Exploration Services
				1389	Oil and Gas Field Services, Not Elsewhere Classified
		I2	Oil Refining	2911	Petroleum Refining

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
J	Mineral Mining and Dressing	J1	Sand and Gravel Mining	1442	Construction Sand and Gravel
				1446	Industrial Sand
		J2	Dimension, Crushed Stone, Nonmetallic Minerals	1411	Dimension Stone
				1422	Crushed and Broken Limestone
				1423	Crushed and Broken Granite
				1429	Crushed and Broken Stone, Not Elsewhere Classified
				1481	Nonmetallic Minerals Services, Except Fuels
				1499	Miscellaneous Nonmetallic Minerals, Except Fuels
		J3	Clay, Ceramic, Refractory Materials, Chemical and Fertilizer Mineral Mining	1455	Kaolin and Ball Clay
				1459	Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
				1474	Potash, Soda, and Borate Minerals
				1475	Phosphate Rock
				1479	Chemical and Fertilizer Mineral Mining, Not Elsewhere Classified
K	Hazardous Waste Treatment, Storage, or Disposal Facilities	K1	Industrial Activity Code HZ. Benchmark Parameters Only Applicable To Discharges Not Subject To Effluent Limitations In 40 CFR Part 445 Subpart A	HZ1	Industrial Activity Code HZ. Benchmark Parameters Only Applicable To Discharges Not Subject To Effluent Limitations In 40 CFR Part 445 Subpart A
		K2	Discharges From Hazardous Waste Landfills Subject To Effluent Limitations In 40 CFR Part 445 Subpart A	HZ2	Discharges From Hazardous Waste Landfills Subject To Effluent Limitations In 40 CFR Part 445 Subpart A
L	Landfills and Land Application Sites	L1	Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60	LF1	Municipal Solid Waste Landfill (MSWLF) Areas Closed in Accordance with 40 CFR 258.60
		L2	Any Open Or Closed Non-Hazardous Waste Landfills And Land Application Sites, Which Do Not Discharge To **Surface Water(s)**, **Stormwater** That Has Directly Contacted Solid Waste	LF2	Any Open Or Closed Non-Hazardous Waste Landfills And Land Application Sites, Which Do Not Discharge To **Surface Water(s)**, **Stormwater** That Has Directly Contacted Solid Waste
		L3	Any Landfill That Discharges To **Surface Water**(s), **Stormwater** That Has Directly Contacted Solid Waste (pursuant to 40 CFR pt. 445, subp. B.)	LF3	Any Landfill That Discharges To **Surface Water**(s), **Stormwater** That Has Directly Contacted Solid Waste (pursuant to 40 CFR pt. 445, subp. B.)
M	Automobile Salvage Yards	M1	Automobile Salvage Yards	5015	Motor Vehicle Parts, Used
N	Scrap Recycling and Waste Recycling Facilities	N1	Scrap Recycling Facilities	5093	Scrap and Waste Materials
O	Steam Electric Generating Facilities	O1	Coal Fired and Oil Fired Steam Electric Generating Facilities	SE1	Coal Fired and Oil Fired Steam Electric Generating Facilities
		O2	Nuclear, Natural Gas Fired, And Any Other Fuel Source Used For Steam Electric Generation	SE2	Nuclear, Natural Gas Fired, And Any Other Fuel Source Used For Steam Electric Generation
		O3	Runoff from coal storage piles at steam electric generating facilities	SE3	Runoff from coal storage piles at steam electric generating facilities
P	Land Transportation and Warehousing	P1	Rail Transportation Facilities	4011	Railroads, Line-Haul Operating

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				4013	Railroad Switching and Terminal Establishments
		P2	Petroleum Bulk Oil Stations and Terminals	5171	Petroleum Bulk stations and Terminals
		P3	Motor Vehicle Facilities	4111	Local and Suburban Transit
				4119	Local Passenger Transportation, Not Elsewhere Classified
				4121	Taxicabs
				4131	Intercity and Rural Bus Transportation
				4141	Local Bus Charter Service
				4142	Bus Charter Service, Except Local
				4151	School Buses
				4173	Terminal and Service Facilities for Motor Vehicle Passenger Transportation
				4212	Local Trucking Without Storage
				4213	Trucking, Except Local
				4214	Local Trucking With Storage
				4215	Courier Services, Except by Air
				4226	Special Warehousing and Storage, Not Elsewhere Classified
				4231	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation
				4311	United States Postal Service
		P4	Warehousing and Storage: General Warehousing, Farm Product Warehousing, Refrigerated Warehousing	4221	Farm Product Warehousing and Storage
				4222	Refrigerated Warehousing and Storage
				4225	General Warehousing and Storage
Q	Water Transportation	Q1	Water Transportation Facilities	4412	Deep Sea Foreign Transportation of Freight
				4424	Deep Sea Domestic Transportation of Freight
				4432	Freight Transportation on the Great Lakes-St. Lawrence Seaway
				4449	Water Transportation of Freight, Not Elsewhere Classified
				4481	Deep Sea Transportation of Passengers, Except by Ferry
				4482	Ferries
				4489	Water Transportation of Passengers, Not Elsewhere Classified
				4491	Marine Cargo Handling
				4492	Towing and Tugboat Services
				4493	Marinas
				4499	Water Transportation Services, Not Elsewhere Classified
R	Ship and Boat Building and Repair Yards	R1	Ship and Boat Building and Repairing Yards	3731	Ship Building and Repairing
				3732	Boat Building and Repairing
S	Air Transportation	S1	Airports that use glycol-based deicing/anti-icing chemicals and/or urea.	4512	Air Transportation, Scheduled
				4513	Air Courier Services
				4522	Air Transportation, Nonscheduled
				4581	Airports, Flying Fields, and Airport Terminal Services

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
		S2	Airports that do not use any glycol-based deicing/anti-icing chemicals and/or any urea.	4512	Air Transportation, Scheduled
				4513	Air Courier Services
				4522	Air Transportation, Nonscheduled
				4581	Airports, Flying Fields, and Airport Terminal Services
		S3	Existing and new primary airports with 1,000 or more annual non-propeller aircraft departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with storwmater.	SNEL4	Air Transportation, Scheduled
				SNEL4	Air Courier Services
				SNEL4	Air Transportation, Nonscheduled
				SNEL4	Airports, Flying Fields, and Airport Terminal Services
T	Treatment Works	T1	Treatment Works	TW	Treatment Works
U	Food and Kindred Products	U1	Grain Mill Products	2041	Flour and Other Grain Mill Products
				2043	Cereal Breakfast Foods
				2044	Rice Milling
				2045	Prepared Flour Mixes and Doughs
				2046	Wet Corn Milling
				2047	Dog and Cat Food
				2048	Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats
		U2	Fats and Oils Products	2074	Cottonseed Oil Mills
				2075	Soybean Oil Mills
				2076	Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean
				2077	Animal and Marine Fats and Oils
				2079	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not Elsewhere Classified
		U3	Food and Tobacco Products, Food Preparation Facilities	2011	Meat Packing Plants
				2013	Sausages and Other Prepared Meat Products
				2015	Poultry Slaughtering and Processing
				2021	Creamery Butter
				2022	Natural, Processed, and Imitation Cheese
				2023	Dry, Condensed, and Evaporated Dairy Products
				2024	Ice Cream and Frozen Desserts
				2026	Fluid Milk
				2032	Canned Specialties
				2033	Canned Fruits, Vegetables, Preserves, Jams, and Jellies
				2034	Dried and Dehydrated Fruits, Vegetables, and Soup Mixes
				2035	Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressings
				2037	Frozen Fruits, Fruit Juices, and Vegetables
				2038	Frozen Specialties, Not Elsewhere Classified
				2051	Bread and Other Bakery Products, Except Cookies and Crackers
				2052	Cookies and Crackers
				2053	Frozen Bakery Products, Except Bread
				2061	Cane Sugar, Except Refining

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				2062	Cane Sugar Refining
				2063	Beet Sugar
				2064	Candy and Other Confectionery Products
				2066	Chocolate and Cocoa Products
				2067	Chewing Gum
				2068	Salted and Roasted Nuts and Seeds
				2082	Malt Beverages
				2083	Malt
				2084	Wines, Brandy, and Brandy Spirits
				2085	Distilled and Blended Liquors
				2086	Bottled and Canned Soft Drinks and Carbonated Waters
				2087	Flavoring Extracts and Flavoring Syrups, Not Elsewhere Classified
				2091	Canned and Cured Fish and Seafoods
				2092	Prepared Fresh or Frozen Fish and Seafoods
				2095	Roasted Coffee
				2096	Potato Chips, Corn Chips, and Similar Snacks
				2097	Manufactured Ice
				2098	Macaroni, Spaghetti, Vermicelli, and Noodles
				2099	Food Preparations, Not Elsewhere Classified
				2111	Cigarettes
				2121	Cigars
				2131	Chewing and Smoking Tobacco and Snuff
				2141	Tobacco Stemming and Redrying
V	Textile Mills, Apparel, and Other Fabric Products Manufacturing	V1	Textile, Fabric, & Apparel Manufacturing, Leather & Leather Products	2211	Broadwoven Fabric Mills, Cotton
				2221	Broadwoven Fabric Mills, Manmade Fiber and Silk
				2231	Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing)
				2241	Narrow Fabric and Other Smallware Mills: Cotton, Wool, Silk, and Manmade Fiber
				2251	Women's Full-Length and Knee-Length Hosiery, Except Socks
				2252	Hosiery, Not Elsewhere Classified
				2253	Knit Outerwear Mills
				2254	Knit Underwear and Nightwear Mills
				2257	Weft Knit Fabric Mills
				2258	Lace and Warp Knit Fabric Mills
				2259	Knitting Mills, Not Elsewhere Classified
				2261	Finishers of Broadwoven Fabrics of Cotton
				2262	Finishers of Broadwoven Fabrics of Manmade Fiber and Silk
				2269	Finishers of Textiles, Not elsewhere Classified
				2273	Carpets and Rugs
				2281	Yarn Spinning Mills
				2282	Yarn Texturizing, Throwing, Twisting, and Winding Mills
				2284	Thread Mills
				2295	Coated Fabrics, Not Rubberized

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				2296	Tire Cord and Fabrics
				2297	Non-woven Fabrics
				2298	Cordage and Twine
				2299	Textile goods, Not Elsewhere Classified
				2311	Men's and Boys' Suits, Coats, and Overcoats
				2321	Men's and Boys' Shirts, Except Work Shirts
				2322	Men's and Boys' Underwear and Nightwear
				2323	Men's and Boys' Neckwear
				2325	Men's and Boys' Separate Trousers and Slacks
				2326	Men's and Boys' Work Clothing
				2329	Men's and Boys' Clothing, Not Elsewhere Classified
				2331	Women's, Misses', and Juniors' Blouses and Shirts
				2335	Women's, Misses', and Juniors' Dresses
				2337	Women's, Misses', and Juniors' Suits, Skirts, and Coats
				2339	Women's, Misses', and Juniors' Outerwear, Not Elsewhere Classified
				2341	Women's, Misses', Children's, and Infants' Underwear and Nightwear
				2342	Brassieres, Girdles, and Allied Garments
				2353	Hats, Caps, and Millinery
				2361	Girls', Children's, and Infants' Dresses, Blouses, and Shirts
				2369	Girls', Children's, and Infants' Outerwear, Not Elsewhere Classified
				2371	Fur Goods
				2381	Dress and Work Gloves, Except Knit and All-Leather
				2384	Robes and Dressing Gowns
				2385	Waterproof Outerwear
				2386	Leather and Sheep-Lined Clothing
				2387	Apparel belts
				2389	Apparel and Accessories, Not Elsewhere Classified
				2391	Curtains and Draperies
				2392	House furnishing, Except Curtains and Draperies
				2393	Textile Bags
				2394	Canvas and Related Products
				2395	Pleating, Decorative and Novelty Stitching, and Tucking for the Trade
				2396	Automotive Trimmings, Apparel Findings, and Related Products
				2397	Schiffli Machine Embroideries
				2399	Fabricated Textile Products, Not Elsewhere Classified
				3131	Boot and Shoe Cut Stock and Findings
				3142	House Slippers
				3143	Men's Footwear, Except Athletic
				3144	Women's Footwear, Except Athletic
				3149	Footwear, Except Rubber, Not Elsewhere Classified
				3151	Leather Gloves and Mittens
				3161	Luggage
				3171	Women's Handbags and Purses
				3172	Personal Leather Goods, Except Women's Handbags and Purses

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				3199	Leather Goods, Not Elsewhere Classified
W	Furniture and Fixtures	W1	Furniture and Fixtures	2434	Wood Kitchen Cabinets
				2511	Wood Household Furniture, Except Upholstered
				2512	Wood Household Furniture, Upholstered
				2514	Metal Household Furniture
				2515	Mattresses, Foundations, and Convertible Beds
				2517	Wood Television, Radio, Phonograph, and Sewing Machine Cabinets
				2519	Household Furniture, Not Elsewhere Classified
				2521	Wood Office Furniture
				2522	Office Furniture, Except Wood
				2531	Public Building and Related Furniture
				2541	Wood Office and Store Fixtures, Partitions, Shelving, and Lockers
				2542	Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood
				2591	Drapery Hardware and Window Blinds and Shades
				2599	Furniture and Fixtures, Not Elsewhere Classified
X	Printing and Publishing	X1	Printing and Publishing	2711	Newspapers: Publishing, or Publishing and Printing
				2721	Periodicals: Publishing, or Publishing and Printing
				2731	Books: Publishing, or Publishing and Printing
				2732	Book Printing
				2741	Miscellaneous Publishing
				2752	Commercial Printing, Lithographic
				2754	Commercial Printing, Gravure
				2759	Commercial Printing, Not Elsewhere Classified
				2761	Manifold Business Forms
				2771	Greeting Cards
				2782	Blankbooks, Looseleaf Binders and Devices
				2789	Bookbinding and Related Work
				2791	Typesetting
				2796	Platemaking and Related Services
Y	Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries	Y1	Fabricated Rubber Products	3011	Tires and Inner Tubes
				3021	Rubber and Plastics Footwear
				3052	Rubber and Plastics Hose and Belting
				3053	Gaskets, Packing, and Sealing Devices
				3061	Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods
				3069	Fabricated Rubber Products, Not Elsewhere Classified
		Y2	Plastic Products	3081	Unsupported Plastics Film and Sheet
				3082	Unsupported Plastics Profile Shapes
				3083	Laminated Plastics Plate, Sheet, and Profile Shapes
				3084	Plastics Pipe

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				3085	Plastics Bottles
				3086	Plastics Foam Products
				3087	Custom Compounding of Purchased Plastics Resins
				3088	Plastics Plumbing Fixtures
				3089	Plastics Products, Not Elsewhere Classified
				3931	Musical Instruments
				3942	Dolls and Stuffed Toys
				3944	Games, Toys, and Children's Vehicles, Except Dolls and Bicycles
				3949	Sporting and Athletic Goods, Not Elsewhere Classified
				3951	Pens, Mechanical Pencils, and Parts
				3953	Marking Devices
				3955	Carbon Paper and Inked Ribbons
				3961	Costume Jewelry and Costume Novelties, Except Precious Metal
				3965	Fasteners, Buttons, Needles, and Pins
				3991	Brooms and Brushes
				3993	Signs and Advertising Specialties
				3995	Burial Caskets
				3996	Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, Not Elsewhere Classified
				3999	Manufacturing Industries, Not Elsewhere Classified
Z	Leather Tanning and Finishing	Z1	Leather Tanning and Finishing	3111	Leather Tanning and Finishing
AA	Fabricated Metal Products	AA1	Fabricated Metal Products	3411	Metal Cans
				3412	Metal Shipping Barrels, Drums, Kegs, and Pails
				3421	Cutlery
				3423	Hand and Edge Tools, Except Machine Tools and Handsaws
				3425	Saw Blades and Handsaws
				3429	Hardware, Not Elsewhere Classified
				3431	Enameled Iron and Metal Sanitary Ware
				3432	Plumbing Fixture Fittings and Trim
				3433	Heating Equipment, Except Electric and Warm Air Furnaces
				3441	Fabricated Structural Metal
				3442	Metal Doors, Sash, Frames, Molding, and Trim Manufacturing
				3443	Fabricated Plate Work (Boiler Shops)
				3444	Sheet Metal Work
				3446	Architectural and Ornamental Metal Work
				3448	Prefabricated Metal Buildings and Components
				3449	Miscellaneous Structural Metal Work
				3451	Screw Machine Products
				3452	Bolts, Nuts, Screws, Rivets, and Washers
				3462	Iron and Steel Forgings
				3463	Nonferrous Forgings
				3465	Automotive Stampings
				3466	Crowns and Closures
				3469	Metal Stampings, Not Elsewhere Classified

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
				3482	Small Arms Ammunition
				3483	Ammunition, Except for Small Arms
				3484	Small Arms
				3489	Ordnance and Accessories, Not Elsewhere Classified
				3491	Industrial Valves
				3492	Fluid Power Valves and Hose Fittings
				3493	Steel Springs, Except Wire
				3494	Valves and Pipe Fittings, Not Elsewhere Classified
				3495	Wire Springs
				3496	Miscellaneous Fabricated Wire Products
				3497	Metal Foil and Leaf
				3498	Fabricated Pipe and Pipe Fittings
				3499	Fabricated Metal Products, Not Elsewhere Classified
				3911	Jewelry, Precious Metal
				3914	Silverware, Plated Ware, and Stainless Steel Ware
				3915	Jewelers' Findings and Materials, and Lapidary Work
		AA2	Fabricated Metal Coating and Engraving	3479	Coating, Engraving, and Allied Services, Not Elsewhere Classified
AB	Transportation Equipment and Industrial or Commercial Machinery	AB1	Transportation Equipment and Industrial or Commercial Machinery	3511	Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units
				3519	Internal Combustion Engines, Not Elsewhere Classified
				3523	Farm Machinery and Equipment
				3524	Lawn and Garden Tractors and Home Lawn and Garden Equipment
				3531	Construction Machinery and Equipment
				3532	Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment
				3533	Oil and Gas Field Machinery and Equipment
				3534	Elevators and Moving Stairways
				3535	Conveyors and Conveying Equipment
				3536	Overhead Traveling Cranes, Hoists, and Monorail Systems
				3537	Industrial Trucks, Tractors, Trailers, and Stackers
				3541	Machine Tools, Metal Cutting Types
				3542	Machine Tools, Metal Forming Types
				3543	Industrial Patterns
				3544	Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds
				3545	Cutting Tools, Machine Tool Accessories, and Machinists' Precision Measuring Devices
				3546	Power-Driven Hand Tools
				3547	Rolling Mill Machinery and Equipment
				3548	Electric and Gas Welding and Soldering Equipment
				3549	Metalworking Machinery, Not Elsewhere Classified
				3552	Textile Machinery
				3553	Woodworking Machinery

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Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				3554	Paper Industries Machinery
				3555	Printing Trades Machinery and Equipment
				3556	Food Products Machinery
				3559	Special Industry Machinery, Not Elsewhere Classified
				3561	Pumps and Pumping Equipment
				3562	Ball and Roller Bearings
				3563	Air and Gas Compressors
				3564	Industrial and Commercial Fans and Blowers and Air Purification Equipment
				3565	Packaging Machinery
				3566	Speed Changers, Industrial High-Speed Drives, and Gears
				3567	Industrial Process Furnaces and Ovens
				3568	Mechanical Power Transmission Equipment, Not Elsewhere Classified
				3569	General Industrial Machinery and Equipment, Not Elsewhere
				3581	Automatic Vending Machines
				3582	Commercial Laundry, Dry Cleaning, and Pressing Machines
				3585	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment
				3586	Measuring and Dispensing Pumps
				3589	Service Industry Machinery, Not Elsewhere Classified
				3592	Carburetors, Pistons, Piston Rings, and Valves
				3593	Fluid Power Cylinders and Actuators
				3594	Fluid Power Pumps and Motors
				3596	Scales and Balances, Except Laboratory
				3599	Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified
				3711	Motor Vehicles and Passenger Car Bodies
				3713	Truck and Bus Bodies
				3714	Motor Vehicle Parts and Accessories
				3715	Truck Trailers
				3716	Motor Homes
				3721	Aircraft
				3724	Aircraft Engines and Engine Parts
				3728	Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified
				3743	Railroad Equipment
				3751	Motorcycles, Bicycles, and Parts
				3761	Guided Missiles and Space Vehicles
				3764	Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts
				3769	Guided Missile Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified
				3792	Travel Trailers and Campers
				3795	Tanks and Tank Components
				3799	Transportation Equipment, Not Elsewhere Classified

* Standard Industrial Classification (SIC) codes and **Narrative Activities** (Nar. Act.) are defined by 122.26 (b)(14)(i)-(xi), except (x)					
Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
AC	Electronic and Electrical Equipment and Components, Photographic and Optical Goods	AC1	Electronic, Electrical, Photographic, and Optical Goods	3571	Electronic Computers
				3572	Computer Storage Devices
				3575	Computer Terminals
				3577	Computer Peripheral Equipment, Not Elsewhere Classified
				3578	Calculating and Accounting Machines, Except Electronic Computers
				3579	Office Machines, Not Elsewhere Classified
				3812	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments
				3821	Laboratory Apparatus and Furniture
				3822	Automatic Controls for Regulating Residential and Commercial Environments and Appliances
				3823	Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products
				3824	Totalizing Fluid Meters and Counting Devices
				3825	Instruments for Measuring and Testing of Electricity and Electrical Signals
				3826	Laboratory Analytical Instruments
				3827	Optical Instruments and Lenses
				3829	Measuring and Controlling Devices, Not Elsewhere Classified
				3841	Surgical and Medical Instruments and Apparatus
				3842	Orthopedic, Prosthetic, and Surgical Appliances and Supplies
				3843	Dental Equipment and Supplies
				3844	X-Ray Apparatus and Tubes and Related Irradiation Apparatus
				3845	Electromedical and Electrotherapeutic Apparatus
				3851	Ophthalmic Goods
				3861	Photographic Equipment and Supplies
				3873	Watches, Clocks, Clockwork Operated Devices, and Parts
		AC2	Electronic & Electrical Equipment & Components, except Computers	3612	Power, Distribution, and Specialty Transformers
				3613	Switchgear and Switchboard Apparatus
				3621	Motors and Generators
				3624	Carbon and Graphite Products
				3625	Relays and Industrial Controls
				3629	Electrical Industrial Apparatus, Not Elsewhere Classified
				3631	Household Cooking Equipment
				3632	Household Refrigerators and Home and Farm Freezers
				3633	Household Laundry Equipment
				3634	Electric Housewares and Fans
				3635	Household Vacuum Cleaners
				3639	Household Appliances, Not Elsewhere Classified
				3641	Electric Lamp Bulbs and Tubes
				3643	Current-Carrying Wiring Devices
				3644	Noncurrent-Carrying Wiring Devices

* Standard Industrial Classification (SIC) codes and **Narrative Activities** (Nar. Act.) are defined by 122.26 (b)(14)(i)-(xi), except (x)					
Sector	**Sector Description**	**Subsector**	**Subsector Description**	**SIC – Nar. Act. ***	**SIC – Nar. Act. Description ***
				3645	Residential Electric Lighting Fixtures
				3646	Commercial, Industrial, and Institutional Electric Lighting Fixtures
				3647	Vehicular Lighting Equipment
				3648	Lighting Equipment, Not Elsewhere Classified
				3651	Household Audio and Video Equipment
				3652	Phonograph Records and Prerecorded Audio Tapes and Disks
				3661	Telephone and Telegraph Apparatus
				3663	Radio and Television Broadcasting and Communications Equipment
				3669	Communications Equipment, Not Elsewhere Classified
				3671	Electron Tubes
				3672	Printed Circuit Boards
				3674	Semiconductors and Related Devices
				3675	Electronic Capacitors
				3676	Electronic Resistors
				3677	Electronic Coils, Transformers, and Other Inductors
				3678	Electronic Connectors
				3679	Electronic Components, Not Elsewhere Classified
				3691	Storage Batteries
				3692	Primary Batteries, Dry and Wet
				3694	Electrical Equipment for Internal Combustion Engines
				3695	Magnetic And Optical Recording Media
				3699	Electrical Machinery, Equipment, and Supplies, Not Elsewhere

APPENDIX B: SECTOR-SPECIFIC BENCHMARK VALUES AND EFFLUENT LIMITATIONS

Permittees may be subject to requirements for more than one sector or subsector.
*All footnotes are located on the last page of this Appendix B.

Table A-1

Subsector	Parameter	Benchmark Values	Effluent limits
A1 General Sawmills/Planing Mills	COD (Chemical Oxygen Demand)	120 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
	Zinc, Total (as Zn)	0.234 mg/L [1]	N/A
A2 Wood Preserving	Arsenic, Total (as As)	0.680 mg/L	N/A
	Chromium, Total (as Cr)	3.5 mg/L [1]	N/A
	Copper, Total (as Cu)	0.028 mg/L [1]	N/A
	Pentachlorophenol (PCP)	0.011 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
A3 Log Storage and Handling	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
A4 Discharges From Wet Decking Storage Areas	Debris	N/A	≤2.54cm (1 inch) instantaneous maximum (visual assessment) [3]
	pH[4]	N/A	6.0 SU, instantaneous minimum 9.0 SU, instantaneous maximum
A5 Hardwood Dimension and Flooring Mills	COD (Chemical Oxygen Demand)	120 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A

Table B-1

Subsector	Parameter	Benchmark Values
B1 Pulp, Paper, Cardboard, Converted Paper and Paperboard Products	COD (Chemical Oxygen Demand)	120 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table C-1

Subsector	Parameter	Benchmark Values	Effluent Limits
C1 Phosphate Subcategory of Agricultural Chemicals	Fluoride, Total (as F)	N/A	75 mg/L calendar year maximum
			25 mg/L calendar year average
	Phosphorus, Total (as P)	N/A	105 mg/L calendar year maximum
			35 mg/L calendar year average

Subsector	Parameter	Benchmark Values	Effluent Limits
C2 Agricultural Chemicals	Iron, Total (as Fe)	1.0 mg/L	N/A
	Lead, Total (as Pb)	0.164 mg/L [1]	N/A
	Phosphorus, Total (as P)	1.0 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
	Zinc, Total (as Zn)	0.234 mg/L [1]	N/A
C3 Industrial Inorganic Chemicals	Aluminum, Total (as Al)	1.5 mg/L	N/A
	Iron, Total (as Fe)	1.0 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
	Zinc, Total (as Zn)	0.234 mg/L [1]	N/A
C4 Soaps, Detergents, Cosmetics, Perfumes	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
	Zinc, Total (as Zn)	0.234 mg/L [1]	N/A
C5 Plastics, Synthetics, Resins	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
	Zinc, Total (as Zn)	0.234 mg/L [1]	N/A
C6 Medicinal Chemicals and Botanical Products	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
C7 Ethanol Facilities	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A

Table D-1

Subsector	Parameter	Benchmark Values	Effluent Limits
D1 Asphalt Paving and Roofing Materials	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
D2 Discharges from Production of Asphalt Emulsions Areas	Oil & Grease, Total	N/A	15 mg/L calendar year maximum
			10 mg/L calendar year average
	pH	N/A	6.0 SU, instantaneous minimum 9.0 SU, instantaneous maximum
	Solids, Total Suspended (TSS)	N/A	23 mg/L calendar year maximum
			15 mg/L calendar year average

Subsector	Parameter	Benchmark Values	Effluent Limits
D3 Miscellaneous Products of Petroleum and Coal	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A

Table E-1

Subsector	Parameter	Benchmark Values	Effluent Limits
E1 Clay Products Manufacturers	Aluminum, Total (as Al)	1.5 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
E2 Concrete and Gypsum Product Manufacturers	Iron, Total (as Fe)	1.0 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
E3 Cement Manufacturing Facility, Material Storage Runoff	pH	N/A	6.0 SU, instantaneous minimum 9.0 SU, instantaneous maximum
	Solids, Total Suspended (TSS)	N/A	50 mg/L calendar year maximum
E4 Glass, Stone, Abrasive, and Asbestos Manufacturing	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A

Table F-1

Subsector	Parameter	Benchmark Values
F1 Steel Works, Blast Furnaces, and Rolling and Finishing Mills	Aluminum, Total (as Al)	1.5 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]
F2 Iron and Steel Foundries	Aluminum, Total (as Al)	1.5 mg/L
	Copper, Total (as Cu)	0.028 mg/L [1]
	Iron, Total (as Fe)	1.0 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]
F3 Rolling, Drawing, and Extruding of Nonferrous Metals	Copper, Total (as Cu)	0.028 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]
F4 Nonferrous Foundries	Copper, Total (as Cu)	0.028 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]
F5 Primary & Secondary Smelting and Refining of Nonferrous Metals and Miscellaneous Primary Metal Products	Solids, Total Suspended (TSS)	100 mg/L [2]

Table G-1

Subsector	Parameter	Benchmark Values
G1 Active Copper Ore Mining, Dressing Facilities	COD (Chemical Oxygen Demand)	120 mg/L
	Nitrite Plus Nitrate, Total (as N)	0.68 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table G-2

Sector-Specific Benchmark Monitoring Values from Waste Rock and Overburden Piles at Active Metal Mining Facilities. Discharges may be subject to requirements for more than one sector or subsector.

Subsector	Parameter	Benchmark Values
G2 Active Metal Mining Facilities	Antimony, Total (as Sb)	0.18 mg/L
	Arsenic, Total (as As)	0.680 mg/L
	Cadmium, Total (as Cd) [1]	0.0078 mg/L [5]
	Copper, Total (as Cu) [1]	0.028 mg/L [5]
	Iron, Total (as Fe)	1.0 mg/L
	Lead, Total (as Pb) [1]	0.164 mg/L [5]
	Nickel, Total (as Ni) [1]	0.938 mg/L [5]
	pH [4]	6.0-9.0 SU
	Selenium, Total (as Se)	0.040 mg/L
	Silver, Total (as Ag) [1]	0.0041 mg/L [5]
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn) [1]	0.234 mg/L [5]

Table H-1

Subsector	Parameter	Benchmark Values
H1 Coal Mines and Related Areas	Aluminum, Total (as Al)	1.5 mg/L
	Iron, Total (as Fe)	1.0 mg/L
	pH [4]	6.0-9.0 SU
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table I-1

Subsector	Parameter	Benchmark Values
I1 Oil and Gas Extraction	pH [4]	6.0-9.0 SU
	Solids, Total Suspended (TSS)	100 mg/L [2]
I2 Oil Refining	Nitrogen, Ammonia, Total (as N)	2.8 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]

Table J-1

Subsector	Parameter	Benchmark Values
J1 Sand and Gravel Mining	Solids, Total Suspended (TSS)	100 mg/L [2]
J2 Dimension, Crushed Stone, Nonmetallic Minerals	Solids, Total Suspended (TSS)	100 mg/L [2]
J3 Clay, Ceramic, Refractory Materials, Chemical and Fertilizer Mineral Mining	Solids, Total Suspended (TSS)	100 mg/L [2]

Table K-1

Subsector	Parameter	Benchmark Values	Effluent Limits
K1 Industrial Activity Code HZ. Benchmark Parameters Only Applicable To Discharges Not Subject To Effluent Limitations In 40 CFR Part 445 Subpart A	Arsenic, Total (as As)	0.680 mg/L	N/A
	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L	N/A
	Cadmium, Total (as Cd)	0.0078 mg/L [1]	N/A
	Chromium, Total (as Cr)	3.5 mg/L [1]	N/A
	COD (Chemical Oxygen Demand)	120 mg/L	N/A
	Cyanide, Total (as CN)	0.045 mg/L	N/A
	Lead, Total (as Pb)	0.164 mg/L [1]	N/A
	Nitrogen, Ammonia, Total (as N)	2.8 mg/L	N/A
	pH [4]	6.0-9.0 SU	N/A
	Selenium, Total (as Se)	0.040 mg/L	N/A
	Silver, Total (as Ag)	0.0041 mg/L [1]	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
	Zinc, Total (as Zn)	0.234 mg/L [1]	N/A
K2[6] Discharges From Hazardous Waste Landfills Subject To Effluent Limitations In 40 CFR Part 445 Subpart A	Alpha-Terpineol	N/A	0.042 mg/L calendar year maximum
			0.019 mg/L calendar year average
	Aniline	N/A	0.024 mg/L calendar year maximum
			0.015 mg/L calendar year average
	Arsenic, Total (as As)	N/A	1.1 mg/L calendar year maximum
			0.54 mg/L calendar year average
	Benzoic Acid	N/A	0.119 mg/L calendar year maximum
			0.073 mg/L calendar year average
	BOD, Carbonaceous 05 Day (20 Deg C)	N/A	220 mg/L calendar year maximum
			56 mg/L calendar year average
	Chromium, Total (as Cr)	N/A	1.1 mg/L calendar year maximum
			0.46 mg/L calendar year average
	Naphthalene	N/A	0.059 mg/L calendar year maximum
			0.022 mg/L calendar year average

Subsector	Parameter	Benchmark Values	Effluent Limits
	Nitrogen, Ammonia, Total (as N)	N/A	10 mg/L calendar year maximum
			4.9 mg/L calendar year average
	p-Cresol	N/A	0.024 mg/L calendar year maximum
			0.015 mg/L calendar year average
	pH	N/A	6.0 SU, instantaneous minimum 9.0 SU, instantaneous maximum
	Phenol	N/A	0.048 mg/L calendar year maximum
			0.029 mg/L calendar year average
	Pyridine	N/A	0.072 mg/L calendar year maximum
			0.025 mg/L calendar year average
	Solids, Total Suspended (TSS)	N/A	88 mg/L calendar year maximum
			27 mg/L calendar year average
	Zinc, Total (as Zn)	N/A	0.535 mg/L calendar year maximum
			0.296 mg/L calendar year average

Table L-1

Subsector	Parameter	Benchmark Values	Effluent Limits
L1 Municipal Solid Waste Landfill (MSWLF) Areas Closed In Accordance With 40 CFR § 258.60	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
L2 Any Open Or Closed Non-Hazardous Waste Landfills And Land Application Sites, Which Do Not Discharge To **Surface Water(s)**, **Stormwater** That Has Directly Contacted Solid Waste.	Iron, Total (as Fe)	1.0 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
L3 [6] Any Landfill That Discharges To **Surface Water**(s), **Stormwater** That Has Directly Contacted Solid Waste (pursuant to 40 CFR pt. 445, subp. B.)	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L	140 mg/L calendar year maximum
			37 mg/L calendar year average
	Solids, Total Suspended (TSS)	100 mg/L [2]	88 mg/L calendar year maximum
			27 mg/L calendar year average
	Nitrogen, Ammonia, Total (as N)	2.8 mg/L	10 mg/L calendar year maximum
			4.9 mg/L calendar year average
	Alpha-Terpineol	N/A	0.033 mg/L calendar year maximum
			0.016 mg/L calendar year average
	Benzoic acid	N/A	0.12 mg/L calendar year maximum
			0.071 mg/L calendar year average

Subsector	Parameter	Benchmark Values	Effluent Limits
	P-Cresol	N/A	0.025 mg/L calendar year maximum
			0.014 mg/L calendar year average
	Phenol	N/A	0.026 mg/L calendar year maximum
			0.015 mg/L calendar year average
	Zinc, Total (as Zn)	0.234 mg/L [1]	0.20 mg/L calendar year maximum
			0.11 mg/L calendar year average
	pH [4]	6.0-9.0 SU	6.0 SU, instantaneous minimum 9.0 SU, instantaneous maximum

Table M-1

Subsector	Parameter	Benchmark Values
M1 Automobile Salvage Yards	Aluminum, Total (as Al)	1.5 mg/L
	Benzene	9.0 mg/L
	Ethylbenzene	3.7 mg/L
	Iron, Total (as Fe)	1.0 mg/L
	Lead, Total (as Pb)	0.164 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Toluene	2.7 mg/L
	Xylene	2.8 mg/L

Table N-1

Subsector	Parameter	Benchmark Values
N1 Scrap Recycling Facilities	Aluminum, Total (as Al)	1.5 mg/L
	COD (Chemical Oxygen Demand)	120 mg/L
	Copper, Total (as Cu)	0.028 mg/L [1]
	Iron, Total (as Fe)	1.0 mg/L
	Lead, Total (as Pb)	0.164 mg/L [1]
	pH [4]	6.0-9.0 SU
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]

Table O-1

Subsector	Parameter	Benchmark Values	Effluent Limits
O1 Coal Fired and Oil Fired Steam Electric Generating Facilities	Iron, Total (as Fe)	1.0 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
O2 Nuclear, Natural Gas Fired, And Any Other Fuel Source Used For Steam Electric Generation	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
O3 Runoff From Coal Storage Piles At Steam Electric Generating Facilities	pH	N/A	6.0 SU, instantaneous minimum 9.0 SU, instantaneous maximum
	Solids, Total Suspended (TSS)	N/A	50 mg/L calendar year maximum [7]

Table P-1

Subsectors	Parameter	Benchmark Values
P1 Rail Transportation Facilities	Solids, Total Suspended (TSS)	100 mg/L [2]
P2 Petroleum Bulk Oil Stations and Terminals	Solids, Total Suspended (TSS)	100 mg/L [2]
P3 Motor Vehicle Facilities	Solids, Total Suspended (TSS)	100 mg/L [2]
P4 [8] Warehousing and Storage: General Warehousing, Farm Product Warehousing, Refrigerated Warehousing	Solids, Total Suspended (TSS)	100 mg/L [2]

Table Q-1

Subsector	Parameter	Benchmark Values
Q1 Water Transportation Facilities	Aluminum, Total (as Al)	1.5 mg/L
	Iron, Total (as Fe)	1.0 mg/L
	Lead, Total (as Pb)	0.164 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]

Table R-1

Subsector	Parameter	Benchmark Values
R1 Ship and Boat Building and Repairing Yards	Solids, Total Suspended (TSS)	100 mg/L [2]

Table S-1

Subsector	Parameter	Benchmark Values	Effluent Limits
S1 Airports that use glycol-based deicing/anti-icing chemicals and/or urea.	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L	N/A
	Chemical Oxygen Demand (COD)	120 mg/L	N/A
	Nitrogen, Ammonia, Total (as N)	2.8 mg/L	N/A
	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
S2 Airports that do not use any glycol-based deicing/anti-icing chemicals and/or any urea.	Solids, Total Suspended (TSS)	100 mg/L [2]	N/A
S3 Existing and new primary airports[9] with 1,000 or more annual non-propeller aircraft departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with **stormwater**.	Nitrogen, Ammonia, Total (as N)	N/A	14.7 mg/L, calendar year maximum

Table T-1

Subsector	Parameter	Benchmark Values
T1 Treatment Works	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table U-1

Subsector	Parameter	Benchmark Values
U1 Grain Mill Products	Solids, Total Suspended (TSS)	100 mg/L [2]
U2 Fats and Oils Products	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L
	COD (Chemical Oxygen Demand)	120 mg/L
	Nitrogen, Ammonia, Total (as N)	2.8 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]
U3 Food and Tobacco Products, Food Preparation Facilities	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L
	COD (Chemical Oxygen Demand)	120 mg/L
	Nitrogen, Ammonia, Total (as N)	2.8 mg/L
	Phosphorus, Total (as P)	1.0 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table V-1

Subsector	Parameter	Benchmark Value
V1 Textile, Fabric, & Apparel Manufacturing, Leather & Leather Products	Solids, Total Suspended (TSS)	100 mg/L [2]

Table W-1

Subsector	Parameter	Benchmark Value
W1 Furniture and Fixtures	Solids, Total Suspended (TSS)	100 mg/L [2]

Table X-1

Subsector	Parameter	Benchmark Values
X1 Printing and Publishing	Silver, Total (as Ag)	0.0041 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table Y-1

Subsector	Parameter	Benchmark Values
Y1 Fabricated Rubber Products	Lead, Total (as Pb)	0.164 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]
Y2 Plastic Products	Solids, Total Suspended (TSS)	100 mg/L [2]

Table Z-1

Subsector	Parameter	Benchmark Values
Z1 Leather Tanning and Finishing	BOD, Carbonaceous 05 Day (20 Deg C)	25 mg/L
	Chromium, Total (as Cr)	3.5 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]

Table AA-1

Subsector	Parameter	Benchmark Values
AA1 Fabricated Metal Products	Aluminum, Total (as Al)	1.5 mg/L
	Iron, Total (as Fe)	1.0 mg/L
	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]
AA2 Fabricated Metal Coating and Engraving	Solids, Total Suspended (TSS)	100 mg/L [2]
	Zinc, Total (as Zn)	0.234 mg/L [1]

Table AB-1

Subsector	Parameter	Benchmark Value
AB1 Transportation Equipment and Industrial or Commercial Machinery	Solids, Total Suspended (TSS)	100 mg/L [2]

Table AC-1

Subsector	Parameter	Benchmark Values
AC1 Electronic, Electrical, Photographic, and Optical Goods	Solids, Total Suspended (TSS)	100 mg/L [2]
AC2 Electronic & Electrical Equipment & Components, except Computers	Copper, Total (as Cu)	0.028 mg/L [1]
	Lead, Total (as Pb)	0.164 mg/L [1]
	Solids, Total Suspended (TSS)	100 mg/L [2]

Footnotes – Appendix B:

1. The benchmark values of some metals are influenced by water hardness. For these parameters, the Permittee may determine the hardness of the stormwater discharges to identify the applicable 'hardness range' for determining their benchmark value. See Appendix C for hardness dependent benchmark values in accordance with Minn. R. 7050.0222 and Minn. R. 7052.0100.
2. If the Permittee is required to comply with the additional required BMP's in the Additional Requirements for Discharges to Special (Prohibited, Restricted, Other) and Impaired Waters section of this permit, the benchmark value for Solids, Total Suspended (TSS) is 65 mg/L, instead of 100 mg/L.
3. The Permittee is authorized under this permit to conduct a visual observation sufficient to determine the presence of debris that will not pass through a 2.54 cm (1 inch) round opening and is not required to use a laboratory certified by the MDH or registered by the MPCA for this analysis.
4. For purposes of benchmark pH monitoring, the Permittee is required to report instantaneous results only, and not a calculation of pH averages. pH measurements are logarithmic, and the Agency will be performing a logarithmic average for this parameter using the instantaneous results submitted.
5. Values given are for total hardness of 100 mg/L only.
6. As set forth at 40 CFR pt. 445 Subpart A, these numeric limitations apply to contaminated stormwater discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR pt. 264 (subp. N) and 265 (subp. N) except for any of the following facilities:
    a. landfills operated in conjunction with other industrial or commercial operations when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill;
    b. landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;
    c. landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR pt. 437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or
    d. landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.
7. If the facility is designed, constructed, and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.
8. SIC codes 4221-4225 are not limited by vehicle/equipment maintenance
9. See sector specific definition S.4.d. for primary airport.

APPENDIX C. CALCULATING HARDNESS IN DISCHARGE WATERS FOR HARDNESS DEPENDENT METALS

The Agency allows adjustment of benchmark values for seven hardness-dependent metals (i.e. cadmium, chromium +3, copper, lead, nickel, silver, and zinc) to provide flexibility in compliance with benchmark values in this permit. For any sector required to conduct benchmark monitoring for a hardness-dependent metal, the Agency includes "hardness ranges" from which benchmark values can be determined. The Permittee has the option to use the default value of 100 mg/L total hardness or to use another range if that is appropriate for the industrial stormwater discharge. To determine which hardness range to use, the Permittee must collect data on the hardness of the industrial stormwater discharge. Once the site-specific hardness data have been collected, the corresponding benchmark value for each metal is determined by comparing where the hardness data fall within 25 mg/L ranges, as shown in Table 1.

Table 1

	Benchmark Values (mg/L, total)						
Standard	**Minn. R 7050.0222 Class 2A**	**Minn. R 7050.0222 Class 2A&2B**	**Minn. R 7052.0100**	**Minn. R 7050.0222 Class 2A&2B**	**Minn. R 7052.0100**	**Minn. R 7050.0222 Class 2A&2B**	**Minn. R 7050.0222 Class 2A&2B**
Hardness in mg/L total	**Cadmium Cd**	***Chromium + 3 Cr3**	**Copper Cu**	**Lead Pb**	**Nickel Ni**	**Silver Ag**	**Zinc Zn**
100 or less	0.0078	3.4690	0.0280	0.1637	0.9383	0.0041	0.2341
>100-125	0.0090	3.8204	0.0313	0.1902	1.0366	0.0050	0.2586
>125-150	0.0112	4.5028	0.0479	0.2455	3.7133	0.0070	0.3066
>150-175	0.0136	5.1630	0.0560	0.3037	4.2770	0.0094	0.3532
>175-200	0.0159	5.8049	0.0641	0.3644	4.8275	0.0120	0.3987
>200-225	0.0184	6.4316	0.0722	0.4274	5.3667	0.0148	0.4433
>225-250	0.0208	7.0450	0.0801	0.4924	5.8962	0.0180	0.4871
>250-275	0.0233	7.6467	0.0881	0.5593	6.4172	0.0213	0.5302
>275-300	0.0258	8.2382	0.0959	0.6279	6.9306	0.0250	0.5727
>300-325	0.0284	8.8205	0.1038	0.6983	7.4371	0.0288	0.6146
>325-350	0.0309	9.3943	0.1116	0.7701	7.9374	0.0329	0.6560
>350-375	0.0335	9.9605	0.1194	0.8435	8.4321	0.0372	0.6970
>375-400	0.0361	10.5197	0.1271	0.9182	8.9215	0.0417	0.7375
>400	0.0375	10.7968	0.1310	0.9561	9.1644	0.0440	0.7576

** Measured as Chromium, Total (as Cr)*

Appendix B

SWPPP Training Attendance Record

SWPPP Training Attendance Record
Stormwater Pollution Prevention Plan

Facility: _____

Topics

	Trainer Initials
Spill Response Procedures	_____
Good Housekeeping Practices	_____
Material Management Practices	_____
Stormwater Discharge Monitoring Procedures	_____
BMP Operation and Maintenance	_____
Preventive Maintenance - Equipment	_____
	_____
	_____
	_____
	_____
	_____
Other:	_____
1) _____	_____
2) _____	_____
3) _____	_____
4) _____	_____
5) _____	_____

Notes: _____

Attendees

Printed Name:	Signature:

Training Conducted By:

_____	_____
Print Name/Company	Signature/Date
_____	_____
Print Name/Company	Signature/Date

Appendix C

Site Inspection Forms and Evaluation of Non-Stormwater Discharges

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Industrial Stormwater Site Inspection Form

NPDES/SDS Industrial Stormwater Permit

Doc Type: Self Audit

Instructions: Use this form to document the inspections required in the Minnesota Pollution Control Agency (MPCA) Industrial Stormwater Permit (MNR050000, Part III.G). Conduct inspections once each calendar month for a total of 12 inspections per year. At least one of the 12 inspections must occur when there is runoff from rain or snowmelt.

Facility information

Facility name: _____

Facility address: _____

City: _____ State: _____ Zip code: _____

Inspector information

Inspector name: _____ Date and time: _____

Weather: _____

Inspector has been trained to do inspections: ☐ Yes (required)

Have the following areas been inspected at your facility?

a. Bulk storage areas (tanks, drums, fuels, pallets, etc.) ☐ Yes ☐ No

Describe findings:

_____

_____

Actions needed:

_____

_____

b. Waste storage and disposal areas ☐ Yes ☐ No

Describe findings:

_____

_____

Actions needed:

_____

_____

c. Maintenance areas ☐ Yes ☐ No

Describe findings:

_____

_____

Actions needed:

_____

_____

d. Loading/unloading or shipping/receiving areas ☐ Yes ☐ No

Describe findings:

Actions needed:

e. Raw material, intermediate product, by-product and final product storage areas ☐ Yes ☐ No

Describe findings:

Actions needed:

Evaluate stormwater management methods

Evaluate each of the stormwater management methods (also called Best Management Practices or BMPs) that you developed for your Stormwater Pollution Prevention Plan (SWPPP). If changes or repairs are needed, make them within seven calendar days and record them in your SWPPP. If the work cannot be done in seven calendar days, put backup methods in place.

Management method	Describe changes or repairs needed	Changes and repairs recorded in SWPPP?
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

New materials and activities

Describe any materials or activities that are newly exposed to rain, snow, snowmelt, or other runoff since the last inspection. Either move them indoors, or come up with a way to minimize exposure and add it to the management methods section of your Stormwater Pollution Prevention Plan.

New material or activity exposed to stormwater	Choose one:
	☐ Moved indoors ☐ Added to SWPPP
	☐ Moved indoors ☐ Added to SWPPP
	☐ Moved indoors ☐ Added to SWPPP
	☐ Moved indoors ☐ Added to SWPPP

Runoff Inspection

Each year, at least one of your monthly inspections must be done when there is runoff from rain or snowmelt. Visually inspect the runoff for evidence of pollutants. For example, the runoff may have an oily sheen or be rusty, milky, muddy, etc.

Did you conduct a runoff inspection as part of today's inspection? ☐ Yes ☐ No

Runoff was from: ☐ Snowmelt ☐ Rain

Describe the runoff (color, transparency, amount, etc.)

If evidence of pollutants is found, what changes will you make to clean up the runoff, and when will you make the changes?

Oil and grease runoff inspection (if applicable)

Certain industries must do at least two of their 12 monthly inspections when there is runoff from rain or snowmelt, and inspect the runoff for grease or oil sheens. One runoff inspection must be snowmelt.

Does your industry have to do two oil and grease runoff inspections annually? (See *Part VII, Sector-specific requirements* of the permit)	☐ Yes (continue) ☐ No (done with inspection)
Did you conduct a runoff inspection as part of today's inspection?	☐ Yes (continue) ☐ No (done with inspection)
Runoff was from:	☐ Rain ☐ Snowmelt
Was this the first or second runoff inspection for the calendar year?	☐ 1st ☐ 2nd
Was there an oily sheen?	☐ Yes ☐ No
If yes, have you come up with a management method to prevent the oil or grease from contacting stormwater and added it to the management methods section of your SWPPP?	☐ Yes ☐ No

File this completed inspection with your SWPPP.

EVALUATION OF NON-STORMWATER DISCHARGES
Guemmer Pit and Valley Demo Landfill

Authorized Non-Stormwater Discharges

- Emergency Fire-fighting Services
- Fire Hydrant and Fire Suppression System Flushings
- Potable Water Line Flushings
- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gasses or liquids
- Landscape watering proved all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer's instructions
- Pavement wash waters where no detergents are used and no spills or leaks of potential pollutants such as fertilizers, salts, or toxic and hazardous materials have occurred unless all spilled material has been removed
- Routine external building washdown that does not use detergents, solvents, or degreasers
- Uncontaminated groundwater or spring water
- Foundation or footing drains where flows are not contaminated
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower

Unauthorized Discharges

- Non-contact cooling water
- Domestic and industrial wastewater and process wastewater
- Biosolids
- Spills of any substance that may cause water pollution
- Placement of fill into waters of the state requiring local, state, or federal authorizations
- Commercial equipment/vehicle cleaning
- Piping and drainage systems for process wastewater and floor drains from process areas
- Stormwater mixed with unauthorized non-stormwaters
- Stormwater discharges covered under a separate NPDES permit

Name:_____

Title:_____

Date:_____

Location Observed	Non-stormwater discharge Type	Required Actions

Appendix D

BMP Maintenance Log

BMP Maintenance Log

Date of Maintenance	Maintenance Conducted	Inspector



Responsive partner.
Exceptional outcomes.

Toll Free: 800-472-2232 Email: wenckmp@wenck.com Web: wenck.com

UNITED FIRE GROUP®

United Fire & Casualty Company
Addison Insurance Company
Lafayete Insurance Company
United Fire & Indemnity Company
United Fire Lloyds
Financial Pacific Insurance Company

CONTINUATION CERTIFICATE

BOND NO.: 55201224

PRINCIPAL: M R PAVING & EXCAVATING, INC. 2020 N SPRING ST PO BOX 787 NEW ULM, MN 56073 - 2277

OBLIGEE: NICOLLET COUNTY 501 S MINNESOTA AVE SAINT PETER, MN 56082 - 2507

TYPE OF BOND: CONDITIONAL USE PERMIT BOND

BOND PENALTY: 17,500.00

BOND TERM: From 03/06/2023 To 03/06/2024

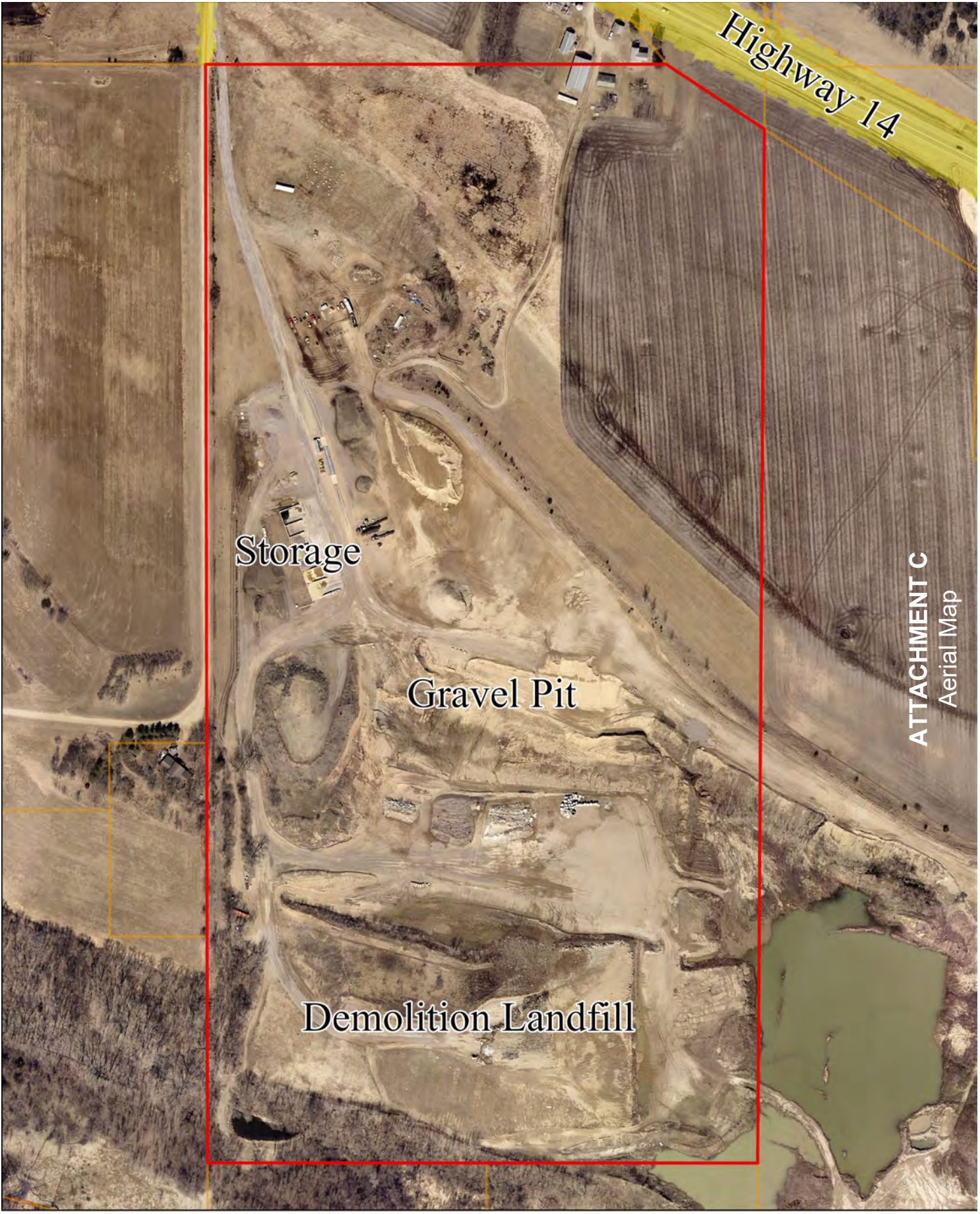
The Company indicated hereby continues in force, for the period described, the Bond designated above, subject to all the agreements, limitations, and conditions thereof and provides that the liability under said bond and all continuations thereof shall not be cumulative and shall not in any event exceed the amount of said Bond herein before set forth.

Signed, Sealed and Dated 12/06/2022.

UNITED FIRE & CASUALTY COMPANY

By _____
Attorney-in-Fact

LICP0003 04 11



ATTACHMENT C
Aerial Map

NICOLLET COUNTY EST. 1853

Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, suitability, or reliability of this data for any purpose. Nicollet County assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. The user accepts the data "as is", and assumes all risks associated with its use. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party.

0 125 250 500 Feet

N



ATTACHMENT D
Location Map





ATTACHMENT E
Site Photographs


11 02 2023


11 02 2023

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
GULDAN TIMOTHY J & BROOKE M GULDAN	46198 561ST AVE	NEW ULM MN 56073
MICHALETZ PROPERTIES LLC	150 ST ANDREWS CT STE 210	MANKATO MN 56001
RAHE BRIAN D & JUDY M RAHE	45691 561ST AVE	NEW ULM MN 56073-9132
REWITZER RUTH ANN	55921 US HIGHWAY 14	NEW ULM MN 56073
SCHUGEL FAMILY TRUST	55299 456TH LN	COURTLAND MN 56021-4229
OSTERMANN JOAD JAMES & LONI M OSTERMANN	55572 US HIGHWAY 14	COURTLAND MN 56021
HEIM IRREVOCABLE TRUST HAZEL A	55712 US HIGHWAY 14 W	COURTLAND MN 56021
KOHN MARK G	46091 551ST AVE	COURTLAND MN 56021
KOHN GARY M & TIMOTHY L KOHN	54650 US HIGHWAY 14 - PO BOX 69	COURTLAND MN 56021
KOHN TIMOTHY L	46266 547TH LN	COURTLAND MN 56021
MN VALLEY LUTH HIGH SCHOOL & ASSN	45638 561ST AVE	NEW ULM MN 56073
GULDAN BRENDA A & JAMES F LIVING TRUST	46194 561ST AVE	NEW ULM MN 56073
KOHN MARK G & MICHELE L KOHN	46091 551ST AVE	COURTLAND MN 56021
Tim Harmening- Courtland Township	43370 541st Ave	Courtland, MN 56021

ATTACHMENT F
Neighbor Notification List

PLANNING COMMISSION
CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant	Adam Hoffmann, M.R. Paving & Excavating Inc.	**Hearing**	November 20, 2023
Property Owner	Ruth Rewitzer	**Continuation**	N/A
File	PLN23-21	**Commission Member**	

Use Request Three (3) year Mineral Extraction CUP renewal

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

YES ☐ NO ☐ REASON: _____

_____

_____

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

YES ☐ NO ☐ REASON: _____

_____

_____

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

ATTACHMENT G
Criteria for Conditional Use Permit

5. The requested use is consistent with the County Zoning Ordinance.

YES ☐ NO ☐ REASON: _____

_____

_____

6. The requested use is not in conflict with the County Comprehensive Plan.

YES ☐ NO ☐ REASON: _____

_____

_____

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

YES ☐ NO ☐ REASON: _____

_____

_____

8. The requested use is reasonably related to the existing land use and environment.

YES ☐ NO ☐ REASON: _____

_____

_____

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

YES ☐ NO ☐ REASON: _____

_____

_____

10. The requested use ____ have adverse effect upon public health, safety and welfare due to the following other factors.

WILL ☐ WILL NOT ☐ REASON: _____

_____

_____

THE NICOLLET COUNTY PLANNING COMMISSION

☐ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

☐ Application
☐ Information received at public hearing
☐ Pictures
☐ Site visit
☐ Staff Report

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE AND IN THE RECORD.

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING COMMISSION.

Date: _____ Commission Member: _____

CONDITIONAL USE PERMIT

THREE-YEAR REVIEW OF MINERAL EXTRACTION PERMIT

M.R. PAVING & EXCAVATING / TIM KOHN

PLN23-22

NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION

SUBJECT:	Conditional Use Permit PLN23-22
APPLICANT:	Adam Hoffmann- M.R. Paving
LANDOWNER:	Tim Kohn
LOCATION:	Northern ½ of the Southwest ¼, Section 6-109-29 in Courtland Township
PARCEL NO:	04.306.0600
EXISTING ZONING:	Conservancy & Agricultural Preservation Zoning Districts
HEARING DATE:	11/20/23
COUNTY BOARD DATE:	11/28/23
60 DAYS FROM REQUEST:	12/24/23

REQUEST

The Applicant has submitted a request for a three-year review of a mineral extraction permit to mine, crush, and stockpile gravel. The site is presently known as the Kohn East Pit.

EXISTING LAND USE

The site is located on the south side of U.S. Highway 14, west of the City of Courtland. The eastern lot line directly abuts the Courtland municipal boundary.

There are four swine barns and an accessory pole shed located on the western side of the property. These structures are part of the Kohn's feedlot operation. The Kohn's dwelling and farm site are located on a separate property, across 547th Lane to the west.

The majority of the property is crop land. The mine is located in the northeast portion of the property. The mine has been idle for some time.

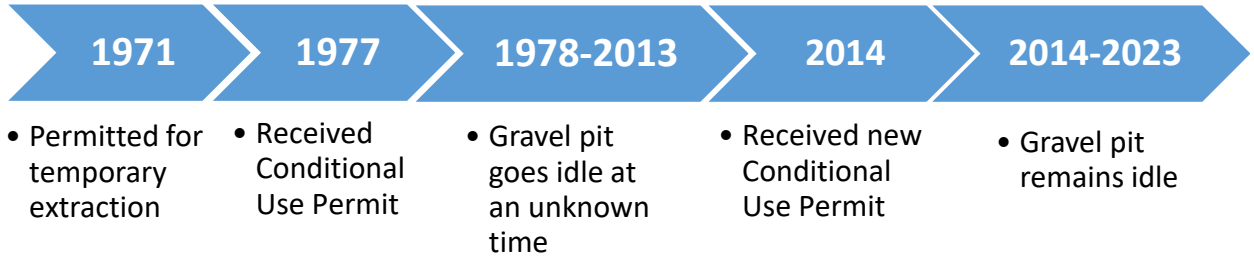
Presently, the mine is surrounded with wooded/brush land. The majority of the property is zoned Agricultural Preservation. There are two small areas along the western edge of the property which are zoned Conservancy. While the pond areas in the in the center of the mining area do constitute wetlands, they are considered incidental as they resulted from past mining activities. Therefore, per Minnesota Statute 8420.0105, they are exempt from the Wetland Conservation Act.

SURROUNDING LAND USE

The surrounding land use is predominately agricultural, natural environment, and municipal. The property is bound by U.S. Highway 14 to the north, 547th Lane to the west, and Courtland city limits to the east. There is bluff land to the southwest of the site. The portion of the City of Courtland nearest the site appears to be zoned for commercial/industrial use.

PROJECT DESCRIPTION

Background:
The gravel pit was originally permitted as a temporary pit in 1971. In 1977, a mineral extraction conditional use permit was issued. It has not been determined when the gravel pit went idle. In September of 2014, applicant M.R. Paving and Excavating, LLC applied for a conditional use permit to renew the mineral extraction permit for the site. The request was approved by the County Board on September 23, 2014. The site has remained idle for the last nine years.



Current Request:
The Applicant has submitted a request for a three-year renewal of a mineral extraction permit to mine, crush, and stockpile gravel in order to furnish aggregate materials to state, county, and city projects in the area. Renewal would extend the permit until November of 2026.

> *NOTE: The mine pre-exists the November 25, 2014 amendments to the mineral extraction section of the Zoning Ordinance. If the original parameters of the project are changed, the operation must conform to current standards.*

Operations:
The proposed operation will be an open pit gravel mine, which will provide Class 5 material to state, county, and city projects in the area. According to the Applicant, a total of 8.7 acres are to be actively mined in two separate locations on the property to a depth of 12 feet.

The area that will be mined first is situated along the southern edge of the previous mined area and currently contains grass and trees. The second area to be mined lies between the Kohn's feedlot facility and the western edge of the previously mined area, comprising grass and cropland.

Mined gravel and equipment will be stored in the mining areas, but the pit will not include storage of hazardous materials. The pit will not undergo blasting and will not have a hot mix plant. Aggregate will be processed with a temporary screener or crusher one to two times per year. Other

equipment may include crushers, screeners, generators, and conveyors. The pit will receive an average of 50 trips per day, with vehicles including pay loaders, dozers, excavators, dump trucks, semis, water trucks, and skid loaders.

The pit has not been mined within the last three years and no material has been removed during this period. The Applicant has stated that mining may not commence within next three-year window, but may begin within five years.

Access:
The site has direct access to 547th Lane 600 feet south of U.S. 14. MnDOT denied approval of direct access onto Highway 14.

Appearance:
The mining area is somewhat visible from U.S. Highway 14 at this time, but partially obscured by the existing brush and wooded vegetation over the previously mined area. Additional screening may be required as mining moves west past existing vegetation north of the mining areas. The Applicant has stated berms will also be erected around the pit for safety reasons, which should further increase screening. Perimeter signs will also assist with site safety.

Blasting:
No blasting will occur at the site.

Bond:
A bond in the amount of at least $2,500 per actively mined and not yet reclaimed acres shall be valid for a period of no less than one year beyond the expiration date of the permit. The Applicant has indicated there will be a total of 8.7 actively mined acres that will need to be bonded. The remaining acreage is not part of the mine.

Dust, Noise, and Odor Control:
Dust on haul roads will be minimal. When necessary, roads will be treated with water or zinc chloride to control dust. No blasting will occur on site and noise should be minimal. The site does not have a hot mix plant nor storage of volatile chemicals, so odor should also be minimal.

Hours of Operation:
The operation will adhere to the standard operating hours of 7AM to 7PM Monday through Friday, and 7AM to 2PM on Saturdays. No work will be done on Sundays. Deviation from this standard is allowed for emergencies and equipment repair. Any such deviation requires notification be made to Nicollet County Property Services Department, and may require amendment of the conditional use permit.

Reclamation Plan:
A reclamation plan has been submitted. Reclamation will occur as the area is mined out. The proposed end use is wildlife habitat. The proposed mining operations will enlarge the existing mined areas, and will be allowed to fill with water. The surrounding area will be brush/wooded land. Vegetation will be established through natural regrowth.

Water:
Storm water will collect in the bottom of the mine and will be allowed to filter naturally into the ground. The Applicant has submitted a Storm Water Pollution Prevention Plan (SWPPP).

Waste Disposal:
No hazardous substances such as engine oil, hydraulic oil, anti-freeze, or other maintenance fluids will be stored onsite. Garbage will be removed on a daily basis. Portable toilets will be rented and available for use.

MINNESOTA POLLUTION CONTROL AGENCY STANDARDS

The Applicant has submitted a National Pollutant Discharge Elimination System (NPDES) Permit from the Minnesota Pollution Control Agency that expires on May 31, 2027.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CONDITIONAL USE PERMIT CRITERIA

1. **Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.**

    - The operation meets the standards for Sections 505, 602, 603, and 724 of the Zoning Ordinance for mineral extraction within the Agricultural Preservation and Conservancy zoning districts.

    - The operation appears to meet the applicable Minnesota Pollution Control Agency standards for mineral extraction operations.

2. **The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**

    - The proposal appears to be typical of mineral extraction operations within the County.

    - The size and function of the facility is not unreasonable for the location.

3. **The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**

    - There are five other mineral extraction operations within two miles of the site.

- The operation is within a predominantly agricultural area and is directly adjacent to a commercial/industrial area of the City of Courtland.

- The mine is not located near many dwellings, with the closest being over 600 feet away.

4. **The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**

   - Within two miles of the site there are five other mineral extraction operations.

   - The operation is adjacent to a commercial/industrial area of the City of Courtland.

   - The operation appears to be typical of other mineral extraction operations within the County.

   - Berms constructed for pit safety should enhance the screening of the site.

5. **The requested use is consistent with the Nicollet County Land Use Ordinances.**

   - The requested use meets the applicable standards and requirements found in Sections 505, 602, 603, and 724 of the Zoning Ordinance for mineral extraction operations in the Agricultural Preservation and Conservancy zoning districts.

6. **The requested use is not in conflict with the Nicollet County Comprehensive Plan.**

   - The Comprehensive Plan states mineral extraction is a justifiable industrial use of the land and provides vital jobs for residents and revenue for local businesses.

7. **The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**

   - The use adheres to the standards of Sections 724.5(7), 724.5(9), and 724.5(13-14) of the Zoning Ordinance for dust control and air quality; hours of operation; noise and vibrations; and road dust and debris.

   - The gravel pit is not visible form the Minnesota River, and is partially obscured from Highway 14.

   - The Applicant applies water or zinc chloride when necessary to control dust.

   - No blasting takes place on site

8. **The requested use is reasonably related to the existing land use and environment.**

   - The request is a renewal and does not change the existing land use.

   - Mineral extraction is a conditionally permitted use in the Agricultural Preservation and Conservancy Zoning District, and there are five other similar operations within two miles of the site.

   - The mine is directly adjacent to a commercial/industrial area of the City of Courtland and is within a predominantly agricultural area.

9. **There are no apparent unreasonable health risks posed to neighbors or the public in general.**

   - The operation appears to be a typical mineral extraction operation within the County.

   - The operation is not located near any residences, with the closest being over 600 feet away.

   - The proposal meets the applicable county and state standards for mineral extraction operations.

   - The site maintains a National Pollutant Discharge Elimination System Permit from the Minnesota Pollution Control Agency, and has a Storm Water Pollution Prevention Plan.

   - The Applicant will construction berms and erect signage to ensure the safety of the site.

10. **The requested use will/will not have an adverse effect upon public health, safety and welfare due to the following other factors:**

    - The request appears to meet all County standards, with no apparent adverse effects to public health, safety, and welfare.

RECOMMENDATIONS

It appears the request meets all ten conditional use permit criteria. The granting of a conditional use permit from Sections 602, 603, and 724 of the Zoning Ordinance would seem to meet the necessary requirements set forth in Section 505.1, Criteria for Granting Conditional Use Permits.

Staff suggests that if the request is recommended for approval, the following conditions be attached:

1. The Applicant shall undertake the project according to the plans and specifications submitted to the County with the application.

2. The permit will be periodically reviewed by the County to ensure compliance with the permit and permit conditions.

3. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions, and all other applicable statutes, rules, and ordinances.

4. The conditional use permit to mine, crush, and stockpile gravel shall be reviewed in November of 2026.

5. The Applicant shall acquire and maintain a bond with Nicollet County Property Services of $21,500 for 8.7 acres that are actively mined and not yet reclaimed. The bond shall be amended as needed to cover the amount of actively mined acres and not yet reclaimed acres. The bond must be kept in force during the time of operation.

6. A Continuation Certificate of the bond shall be sent to the Property Services Department with no lapse in time during the course of the permit.

7. The Applicant shall take the appropriate action to minimize dust on the road from hauling.

8. The Applicant shall maintain existing screening vegetation along the northern edge of mining area, and add additional screening for any mining areas visible to public roads within 500 feet, per Nicollet County ordinance 724.5(16).

9. The Applicant will include berms and signage for safety enhancement.

Applicant: M.R. Paving & Excavating
Landowner: Tim Kohn

PLN23-22

ATTACHMENT A	**Application**
ATTACHMENT B	**Submitted by Applicant**
ATTACHMENT C	**Aerial Map**
ATTACHMENT D	**Location Map**
ATTACHMENT E	**Site Photographs**
ATTACHMENT F	**Neighbor Notification List**
ATTACHMENT G	**Criteria for Conditional Use Permit**

NICOLLET COUNTY EST. 1853

PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: **$496.00**

Map#: 16-06-300-017
Parcel#: 04.306.0600
Permit#: PLN23-22
Date: 10/25/2023

Applicant: Adam Hoffmann- M.R. Paving
Telephone: 507-276-7410
Owner: Tim Kohn
Property Address: 46266 547th Lane Courtland, MN 56021
Abbreviated Legal Description: NESW 06-109-29
Township: Courtland Township
Zoning District(s): AGRICULTURAL

Record Type: Conditional Use Permit
Subtype: Renewal
Category: Other
Description: Mineral Extraction 3 year renewal
G.C. Licence#: L1706
Job Cost: n/a

ATTACHMENT A
Application

PERMIT EXPIRATION DATE: **10/25/2024**

Adam Hoffmann Adam Hoffmann (Oct 25, 2023 14:39 CDT)	Oct 25, 2023		10/25/2023
APPLICANT SIGNATURE	**DATE**	**PROPERTY SERVICES**	**DATE**

PLN23-22 Permit

Final Audit Report 2023-10-25

Created:	2023-10-25
By:	John Zehnder (John.Zehnder@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAiq-MqTrtuEBats1SgKG_8P1gOvUmoVJ-

"PLN23-22 Permit" History

Document created by John Zehnder (John.Zehnder@co.nicollet.mn.us)
2023-10-25 - 7:34:17 PM GMT

Document emailed to Adam Hoffmann (adamh@mrpaving.com) for signature
2023-10-25 - 7:34:43 PM GMT

Email viewed by Adam Hoffmann (adamh@mrpaving.com)
2023-10-25 - 7:37:13 PM GMT

Document e-signed by Adam Hoffmann (adamh@mrpaving.com)
Signature Date: 2023-10-25 - 7:39:02 PM GMT - Time Source: server

Agreement completed.
2023-10-25 - 7:39:02 PM GMT

Adobe Acrobat Sign

MINERAL EXTRACTION CHECKLIST

The following information is required to be provided for a conditional use permit application. Additional information may be required, as determined necessary by the Zoning Administrator and per Section 724 of the Zoning Ordinance.

NUMBER OF ACRES AS FOLLOWS:

-0- Acres being mined or used for mining purposes (stockpiles, equipment storage, haul roads, etc).

8.7 Acres permitted and remaining to be mined in future phases. Have not opened up pit yet!

0 Acres where land reclamation has occurred.

516.3 Acres not permitted to be mined (non-mining related acres).

165 Total acreage of property.

TONNAGE OF MATERIAL REMOVED:

0 Tons Tons of material removed from site over the past three (3) years, or since last permit renewal date.

Include a copy of the renewed **BOND** or **LETTER OF CREDIT** for the site. Continuation letters must to be sent to the Property Services Office on years when the permit is not scheduled for renewal.

PLEASE PRINT:

Property Owner: Tim Kohn

Owner's Address: 46266 547th Lane Courtland, MN

Contractor working the site: M.R. Paving & Excavating, Inc.

Contractor's address: 2020 North Spring St.

Contractor's phone number: 507-354-4171 New Ulm, MN 56073

Date: 9-13-23

Applicant (Landowner or Contractor) Signature: Adam Hoffmann for M.R. Paving & Excavating

Parcel No. 04.306.0600 Map No. _____

Revised 11-29-18 JH

ATTACHMENT B
Submitted by Applicant

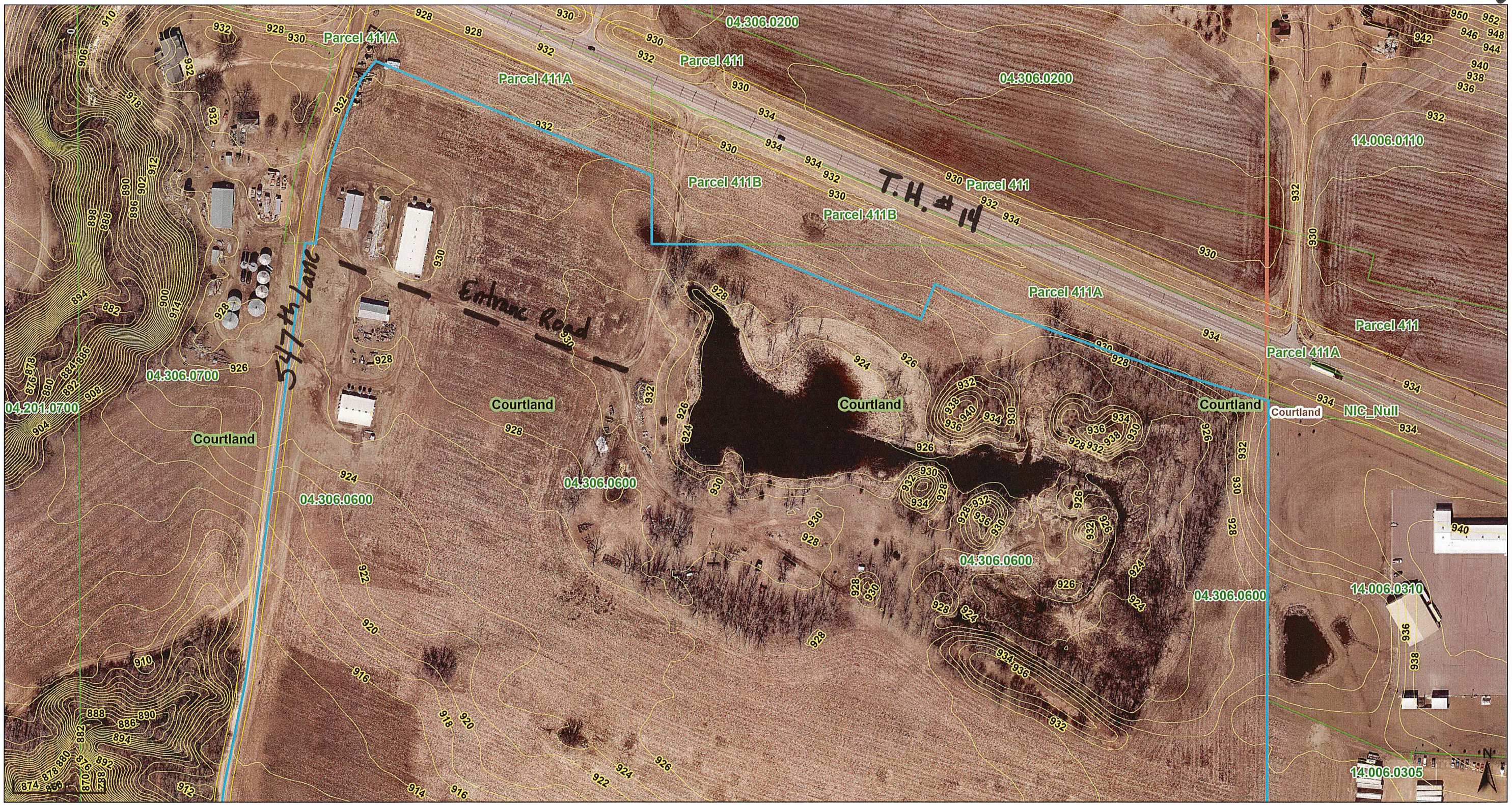
M.R.
PAVING & EXCAVATING, INC.
1000 North Front
P.O. Box 787
Phone (507) 354-4171 New Ulm, MN. 56073 Fax (507) 359-4156

Kohn Pit East
Sec 6-109-29
Parcel # 04.306.0600

We would like to renew our Kohn East Pit's mineral extraction Conditional Use Permit. This gravel pit is located west of Courtland off T.H. 14 and 547 th Lane. The entrance would be located south of the intersection of T.H. 14 and 547th Lane about 600 feet. The gravel pit will be used to furnish aggregate materials to state, county, and city projects in the area. The hours of operation will be from 7:00am to 7:00pm Monday through Friday and 7:00am to 2:00pm on Saturdays. No work will be done on Sundays. We will have berms and signs located around the pit for safety precautions. We will use water and or zinc chloride for dust control on the pit roads. There is no blasting or hot mix plant in this pit. There would be no hazardous materials stored within this pit. We would process aggregates with a screener or crusher 1-2 times a year in this pit. Pit vehicles include payloaders, dozers, excavators, dump trucks, semis, water trucks, crusher, screener, generator, conveyors, and skid loaders. The average number of trips per day in this pit is 50. We will continue to reclaim the pit as material is mined out.

Complaint management procedures –
Please Call: Manager: Adam Hoffmann @ 507-276-7410 or
Owner: Matt Mathiowetz @ 507-276-376

Map A= Existing



Parcel ID	043060600	**Alternate ID**	1606300017	**Owner Address**	TIMOTHY L KOHN
Sec/Twp/Rng	06/109/029	**Class**	2AREM-Agricultural Homestead - Remainder		46266 547TH LN
Property Address	46314 547TH LN	**Acreage**	65.43		COURTLAND MN 56021
	COURTLAND				

District 0088 COURTLAND TWP

Brief Tax Description Pt of SW1/4 of NW 1/4; Pt of N 1/2 of SW 1/4; Pt of SE 1/4 of NW 1/4; Pt of SE 1/4 of SW 1/4 "Ex Part Parcel 411A of MNDOT ROW 52-87 = 6.53 ac" = 65.43 ac

(Note: Not to be used on legal documents)

Sec. 6-109-29

Parcel #04.306.0600

Map B = Proposed Mine Area's



400 x 500 = 200,000 sf
or
4.6 acres

150 x 600 = 90,000 sf
or
2.1 acres

Total Acres to Mine
= 6.7 acres

Stockpile Area
= 2 Acres

RECEIVED
AUG 21 2014
NICOLLET COUNTY
ENVIRONMENTAL SERVICES

Google earth

feet 2000
meters 700


Kohn Pit East
Areas to be mined
Kohn Farms
TG 156
TG 156
TG 156
14
Laura Ingalls Wilder Histo
Mining Area
Mining Area
N
500 ft
Google Earth

End use Conditions



Parcel ID	043060600	**Alternate ID**	1606300017	**Owner Address**	TIMOTHY L KOHN
Sec/Twp/Rng	06/109/029	**Class**	2AREM-Agricultural Homestead - Remainder		46266 547TH LN
Property Address	46314 547TH LN	**Acreage**	65.43		COURTLAND MN 56021
	COURTLAND				

District 0088 COURTLAND TWP

Brief Tax Description Pt of SW1/4 of NW 1/4; Pt of N 1/2 of SW 1/4; Pt of SE 1/4 of NW 1/4; Pt of SE 1/4 of SW 1/4 "Ex Part Parcel 411A of MNDOT ROW 52-87 = 6.53 ac" = 65.43 ac

(Note: Not to be used on legal documents)

* Areas to be mined out 12 feet deep; the end result will be to leave them fill up with water for wildlife.

WENCK File #0466-29
December 2017

Stormwater Pollution Prevention Plan

M.R. Paving & Excavating, Inc.
Kohn Pit East
46314 547th Lane
Courtland, MN 56021

Prepared for:

M.R. Paving & Excavating

2020 North Spring Street
PO Box 787
New Ulm, MN 56073

WENCK
Responsive partner.
Exceptional outcomes.

Prepared by:

WENCK Associates, Inc.
1802 Wooddale Drive
Suite 100
Woodbury, MN 55125
Phone: 651-294-4580

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APPENDICES

Appendix A: National Pollutant Elimination System/State Disposal System General Permit for Nonmetallic Mining and Associated Activities (MNG490000)
Appendix B: Best Management Practices Implementation Worksheet
Appendix C: MPCA Site Inspection Form
Appendix D: Emergency Contacts
Appendix E: SWPPP Training Form

1.0 Introduction

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the M.R. Paving & Excavating (M.R. Paving) Facility located at 46314 547th Lane in Courtland, Nicollet County, Minnesota (Kohn Pit East). The Facility is considered to be within the J1 Subsector which includes Standard Industrial Classification (SIC) Code of 1442 (Construction Gravel and Sand), and is required to obtain and operate in accordance with the State of Minnesota National Pollutant Elimination System (NPDES)/State Disposal System (SDS) General Permit MNG490000 for Non-Metallic Mining and Associated Activities (the Permit).

This SWPPP satisfies the requirements of the Minnesota Pollution Control Agency's (MPCA) Non-Metallic Mining and Associated Activities General Permit effective June 15, 2017 Section 2.6.114 - Pollution Prevention Plan. A copy of the Permit, including specific requirements for the industrial activities covered in this SWPPP, is included in Appendix A. It is important that the appropriate M.R. Paving staff read and understand all sections and details contained within the Permit. The Permit is an authorization to discharge stormwater associated with non-metallic mining and associated activities under the NPDES/SDS Permit Program. The Permit, satisfies the stormwater discharge provisions of the Federal Clean Water Act, as amended, (33 U.S.C. § 1251 et seq.), 40 CFR 122, 123, and 124, as amended, et.seq.; Minn. Stat. chs. 115 and 116, as amended, and Minn. Rules ch. 7001 and 7090.

Because M.R. Paving engages in industrial activity and meets the terms and conditions of the Permit, they are permitted to discharge stormwater to the waters of the state as authorized by the State of Minnesota, on behalf of its citizens through the MPCA. The goal of the MPCA's Non-Metallic Mining Stormwater Program is to protect water quality in accordance with state and federal statutes and rules by eliminating or minimizing contact of stormwater with significant materials. If contact cannot be eliminated or reduced, stormwater that has contacted significant materials should be treated/managed before it is discharged from the site.

M.R. Paving must review this SWPPP annually and revise it, if necessary, to maintain consistency with the current site conditions. The existing permit expires on May 31, 2022. Upon permit reissuance, the SWPPP will be amended to comply with the current Permit within the timeframe specified therein. A copy of this SWPPP is to be kept in the environmental files. Stormwater records should be maintained a minimum of three (3) years.

2.0 Stormwater Pollution Prevention Team

The Stormwater Pollution Prevention Team is responsible for overseeing development of the SWPPP, any modifications to the SWPPP, and for compliance with the requirements in the Permit. Each Stormwater Pollution Prevention Team member will have ready access to a copy of the Permit, the current version of this SWPPP, and any other relevant documents and information that must be retained as required by the Permit.

Team Leader: Timothy C. Rahe - CEO

Responsibilities:

- Coordinate Facility spill response,
- Develop and implement the SWPPP,
- Submit and retain all pertinent stormwater documents,
- Ensure recordkeeping requirements are met,
- Ensure inspections and sampling requirements are met as required by the Permit,
- Arrange for implementation of Best Management Practices (BMPs),
- Make revisions to this SWPPP, as needed, and
- Coordinate all training requirements associated with the SWPPP.

Stormwater Pollution Prevention Team

- Matt Mathiowetz – Pit Manager
- Jeff Carlson – Pit Supervisor

Responsibilities:

- Assist Team Leader in developing and implementing the conditions of the SWPPP,
- Implement preventive and BMP maintenance activities,
- Submit and retain all pertinent stormwater documents,
- Conduct and document inspections, as needed, and participate in making revisions to the SWPPP, as needed.

3.0 Site Description

3.1 GENERAL SITE CONDITIONS

The Facility is located at 46314 547th Lane in Courtland, Minnesota. The approximately 20-acre facility is in Nicollet County, Minnesota; specific facility coordinates are: Lat. 44º16′50″ N Long. 94º22′10″ W. The area within one mile surrounding the Kohn Pit East consists of a mix of agricultural, commercial and residential properties. The town of Courtland, MN is just over one mile southeast from the facility.

A Site Location Map is provided as Figure 1.

Kohn Pit East currently consists of agricultural land. The Facility intends to be developed for use as a sand and gravel mine. Once the Facility has been developed, this SWPPP will be updated.

The Facility is located south of US Highway 14 and south and east of the city of New Ulm. There are no permanent structures at the facility, no storage, and no operations currently occurring at the Facility.

3.2 GENERAL STORMWATER CONDITIONS

The drainage area of the property is approximately 20-acres. The entirety of the property is made up of pervious surfaces. Additionally, the entirety of the property drains internally. Both the north half and south half of the property drain to a low point where water infiltrates located in the center of the property. When mining begins at the Facility, grading will be maintained to ensure all drainage from the operational areas is directed to the interior of the property for infiltration.

Figure 2 shows both the direction of stormwater flow across the Facility.

The following table summarizes the representative stormwater drainage areas and potential significant sources of pollutants at the Facility. The estimated Facility stormwater drainage patterns are shown on Figure 2.

Area – Description	Significant Source	Representative Outfall
Site – Agricultural land	Total suspended solids (TSS)	No Outfall. Infiltration via low point.

3.3 IMPAIRED WATERS/TOTAL MAXIMUM DAILY LOADS (TMDLS)

There is one 303d listed waters within one mile of the Facility. The Minnesota River, located south of the Facility, is impaired for mercury and PCBs in fish tissue. The Kohn Pit East does not discharge to this surface water, as all stormwater infiltrates onsite.

M.R. Paving will review the list of impaired waters annually and amend this SWPPP as necessary. Figure 3 shows the waterbodies located within one mile of the Facility.

3.4 WETLANDS AND SURFACE WATER BODIES

Stormwater runoff from the Facility does not discharge directly to any of the wetlands or rivers located within one mile of the Facility. There are no trout streams or Outstanding Resource Value Waters located within one mile of the Facility. All stormwater drains to the interior of the property for infiltration.

A freshwater pond and wetland are located just east of the property boundary. Once developed, a berm will ensure all drainage is directed away from the wetland and grading will be maintained to ensure all drainage from the operational areas is directed to the interior of the property for infiltration. National Wetlands Inventory areas within 1 mile of the Facility are shown on Figure 3.

4.0 Assessment of Activities and Significant Materials

4.1 SIGNIFICANT MATERIALS INVENTORY AND STORAGE PRACTICES

There are currently no industrial activities taking place at the Facility. Significant materials potentially exposed to stormwater and corresponding potential pollutants at the property are limited to TSS from the use of the land for agriculture prior to MR Paving acquiring the Facility, fertilizers and pesticides are not currently used on the Facility.

A significant material, as defined in the Permit, includes, but is not limited to: Raw materials; Fuels; Materials such as solvents, detergents, and plastic pellets; Finished materials such as metallic products; Raw materials used in food processing or production; Hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Any chemical the Facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); Fertilizers; Pesticides, and Waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges.

Once the Facility has been developed, this SWPPP will be updated to contain an inventory of significant materials which will include a brief description of the significant materials and associated storage practices present at the Facility. Presently, there are no significant materials at the Facility however, prior use of the Facility for agricultural purposes makes TSS a potential pollutant at the property.

4.2 POTENTIAL POLLUTANT SUMMARY TABLE

Industrial Activity	Significant Material (Potential Pollutant)	Location / Area
N/A	TSS	Entire Site

5.0 Stormwater Control Measures Implementation

5.1 BEST MANAGEMENT PRACTICES

Best Management Practices (BMPs) are preventive actions used to minimize or eliminate potential pollutants from contacting stormwater. BMPs apply to the potential pollutant sources identified in Section 4.0 of this Plan and are designed to minimize pollution of stormwater at the Facility. A Best Management Practice Implementation Worksheet is included in Appendix B. The worksheet identifies potential pollutant sources, lists BMPs, and includes scheduled completion dates. The worksheet should be used to assure BMPs are implemented and maintained.

The Permit requires all structural stormwater controls and other protective measures to be maintained in effective operating condition, and any necessary corrective actions for ineffective structural controls and BMPs to be completed as soon as practicable. M.R. Paving will document any deficient structural controls and BMPs during periodic inspections as detailed in Section 6.0. All corrective actions will be documented, and all documentation will be maintained with the SWPPP.

5.2 STRUCTURAL STORMWATER CONTROLS

The list below contains the major structural controls used at this Facility. Appendix B includes a complete list of BMPs for the Facility.

- Grading at the Facility will be maintained to minimize any off-site drainage. Soil is graded in perimeter areas, where necessary, in a manner as to minimize migration of stormwater onto and from the Facility.
- As the site is developed, a berm will be created to prevent water from draining to the adjacent wetland.

5.3 NONSTRUCTURAL STORMWATER CONTROLS

Non-Structural BMPs will be added once the site is developed.

5.4 BMP MAINTENANCE

If M.R. Paving identifies BMPs that are not functioning properly, they will replace, maintain, or repair the BMP within seven (7) calendar days of discovery. If BMP replacement, maintenance, or repair cannot be completed within seven (7) calendar days, M.R. Paving will implement effective temporary BMPs until effectiveness of the original BMPs can be restored or another permanent BMP is instituted. M.R. Paving will document the justification for an extended replacement, maintenance, or repair schedule of the failed BMPs, and keep records with the SWPPP. M.R. Paving will record dates of maintenance and repairs activities and store these records with the SWPPP.

6.0 Facility Inspections

As required by Sections 2.6.132 – 2.6.140 of the Permit, M.R. Paving will develop and implement an inspection schedule that:

- Includes a minimum of one (1) facility inspection per calendar month that the Facility is active and staffed.
- Requires at least one (1) of those inspections per calendar year be conducted during a runoff event.
- Requires that at least one (1) of those inspections per calendar year be conducted during a snow melt event.

M.R. Paving employees on the Stormwater Pollution Prevention Team are responsible for performing the monthly site inspections to evaluate the effectiveness and adequacy of the requirements contained within the SWPPP.

Each inspection shall include the following:

- An evaluation of the Facility to determine that the SWPPP accurately reflects site conditions. M.R. Paving will inspect the entire property.
- An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function.
- An evaluation of the Facility to determine whether new exposed industrial materials or activities have been added to the Facility since completion of this SWPPP.
- A visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in stormwater discharges, corrective actions shall be implemented and documented in the SWPPP. M.R. Paving is only required to conduct visual inspections of runoff originating from, or passing through, areas of industrial activity and/or significant materials. Any runoff that does not contact industrial activity and/or significant materials (e.g., parking lots, natural areas, etc.) is not required to be inspected.
- Recommendations for corrective actions, and corrective actions taken (including dates, times, and party completing maintenance activities).

Information reported shall include the date and time of inspection, inspection personnel, scope of the inspection, major observations, and revisions needed in the SWPPP. If the evaluation identifies potential areas of concern, the SWPPP will be modified to correct the deficiencies. Appendix C contains a copy of the State of Minnesota Inspection Form.

Subsequent to the inspections, appropriate actions will be taken as necessary to remedy observed deficiencies and may include implementation of additional BMPs. Maintain inspection records and summary reports on-site for a period of three (3) years following the duration of the Permit. Completed inspection forms will be maintained in the Facility's environmental files.

7.0 Non-Stormwater Discharge Certification

In accordance with Permit Section 2.6.5, certain non-stormwater discharges are authorized by the Permit provided that appropriate BMPs are utilized to minimize erosion and the discharges of sediment where necessary. The following non-stormwater discharges are authorized:

a. Emergency fire-fighting activities.
b. Fire hydrant and fire suppression system flushing.
c. Potable water line flushing.
d. Uncontaminated condensate from air conditioners, coolers, other compressors, and from the outside storage of refrigerated gases or liquids.
e. Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer's instructions.
f. Pavement wash waters where no detergents are used and no spills or leaks of potential pollutants such as fertilizers, salts, or toxic and hazardous materials have occurred unless all spilled material has been removed.
g. Routine external building wash down that does not use detergents, solvents, or degreasers.
h. Uncontaminated groundwater or spring water.
i. Foundation or footing drains where flows are not contaminated
j. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g. "piped" cooling tower blowdown or drains)

In accordance with the Permit Section 2.6.8, certain discharges or activities are not authorized by the Permit. For operations at this M.R. Paving facility, items of significance include the following:

- Dewatering of mine or quarry areas other than those under Subsector J1 and J2.
- Surface water discharges of scrubber or other air emissions control wastewater, cooling or boiler wastewater, floor drains from process areas, equipment/vehicle washing, cleaning and maintenance wastewaters, and sewage.
- Contaminated ground water discharges.
- Dredging or filling of wetlands or other surface waters of the state.
- Discharges of hazardous substances, lubricants, fuel leaks, or fuel spills.
- Sites for which Environmental Assessment Worksheets or Environmental Impact Statements are required by Minn. R. ch. 116D and/or 42 U.S.C. Sec 4321 - 4370f, until that environmental review is completed.

The Permit authorizes certain non-stormwater discharges that do not discharge to a surface water of the state provided these discharges are not already authorized in a separate NPDES/SDS permit. Non-stormwater that co-mingles with stormwater is considered a non-stormwater discharge (wastewater) and must be disposed of in compliance with this Permit. To be authorized under this Permit, the following discharges must be collected, contained or infiltrate to the ground and Best Management Practices must be implemented to prevent contamination of groundwater:

- Aggregate wash water from Subsector J1 and J2 facilities.
- Dredging operations from J1 and J2 facilities.

- Washing trucks, mixers, transport buckets, forms and/or other equipment at concrete block and brick, concrete products other than block and brick, and ready-mix concrete facilities (Subsector E2).
- Uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers.
- Stormwater and deck wash water collected in holding tanks under scales.
- Wash water associated with cleaning of mobile equipment that does not use detergents, solvents, or degreasers.
- Waters used for dust control on crushers, conveyors, associated equipment, and site roadways.
- Boiler blowdown and reverse osmosis reject.
- Low or high pressure steam curing.
- Noncontact cooling water used for dryer, pump and air compressor cooling.

8.0 Spill Prevention and Response

If a spill of petroleum or hazardous material occurs at the property, it is important to immediately notify a member of the *Spill Response Team* responsible for implementing the emergency response procedures. The *Spill Response Team* will be comprised of the same personnel that are on the *Stormwater Pollution Prevention Committee* and are listed on the emergency response contact list included in Appendix D.

8.1 SPILL PREVENTION AND RESPONSE PROCEDURES

The Spill Response Team, or persons designated by them, shall stop or plug any leaks, if possible, and if proper safety protocol permits, absorbent materials shall be used to contain and/or isolate the spilled material. An effort shall be made, if possible, to prevent the spilled material from impacting surface water. Spill response materials will be made available at the site once it is operational.

Spill materials may include the following items:

- Sorbent pads
- Sorbent booms
- Material handling equipment (i.e., shovels, rakes, push-brooms, etc.)
- Floor dry or equivalent
- Sealable open-top steel or poly drums

The location of the spill response materials is included on Figure 2 of this Plan.

Specific spill response steps include:

1. Identify spilled material and severity.
2. Leave the immediate vicinity of the spill and inform other employees or non-employees who may be in the immediate vicinity.
3. Contact the supervisor and perform the appropriate procedures as directed.
4. Consult the appropriate Safety Data Sheet (SDS) regarding the prescribed use of the personal protective equipment (PPE), containment methods, collection practices, and approved disposal methods.
5. Once properly prepared and a course of action has been determined, perform the following steps:

5.1 Assemble, as needed, an adequate and qualified group of employees to assist in the task.

5.2 Don the correct PPE and obtain the appropriate clean up materials, neutralizing agents, and collection containers.

6. Control the discharge.
7. Neutralize the material, if necessary.
8. Apply the absorbents in either a granular form or by use of absorbent pads or booms.
9. Place the contaminated material (in either a liquid, solid, or saturated absorbent form) in appropriate containers, seal, and label.
10. Replace the damaged original container with an approved unit and store in a secure area.

11. Properly dispose of the contaminated materials and absorbents along with the damaged container as per regulations.
12. Perform an Incident Investigation in order to determine the cause of the spill, evaluate the cleanup process, and take action to prevent the incident from occurring in the future.
13. Report if necessary*.

*In the State of Minnesota, a petroleum spill of five gallons or greater must be immediately reported to the Minnesota Duty Officer (800-422-7298). A spill of all other chemicals or hazardous materials in any quantity is reportable.

Contact Wenck Response Services for spill response support. The 24 hours a day, 365 day a year contact number is 1-800-368-8831.

Following any spill, the prevention procedures shall be evaluated to determine if they were successful in responding to the spill, and shall be revised and improved if necessary.

9.0 Employee Information and Training

9.1 GENERAL

M.R. Paving will provide select personnel information and training on preventing stormwater pollution in their work area at the time of their initial assignment and upon subsequent transfer to other areas. The Stormwater Pollution Prevention Team is responsible for identifying individuals requiring training. Training will cover but not be limited to the following:

- The requirements of the SWPPP;
- The location and availability of the SWPPP;
- Spill response procedures;
- Good housekeeping procedures;
- Material management practices;
- Preventative maintenance;
- Sediment control practices;
- Stormwater discharge monitoring procedures (for Stormwater Pollution Prevention Team members); and
- Stormwater control measure implementation procedures and BMP operation and maintenance.

9.2 TEAM MEMBER STORMWATER EDUCATION PROGRAM

Specific team members that should receive stormwater training include all members of the Stormwater Pollution Prevention Team, any individuals who will be included in coordinating emergency response, and lead department or facility personnel. General awareness training should be provided for all other personnel. The training should be performed during initial job training with annual refresher sessions, and all trained personnel should be made aware of any new stormwater management practices that are implemented.

A SWPPP training documentation form is included as Appendix E.

10.0 General Monitoring Requirements

10.1 GENERAL

M.R. Paving is not required to conduct semi-annual sampling in accordance with the Permit Section 4. Sampling requirements in the permit are ongoing on a quarterly/annual basis, as outlined in Table 10-1, below.

Table 10-1: Sector-Specific Intervention Limits – Subsector J1

Sector	Parameter	Intervention limit Value
J1	Total Suspended Solids (TSS)	100 mg/l

M.R. Paving the site is not currently active and does not discharge to surface waters. In accordance with Permit section 2.6.152; therefore, **monitoring is not required for the parameters listed in Table 10-1**.

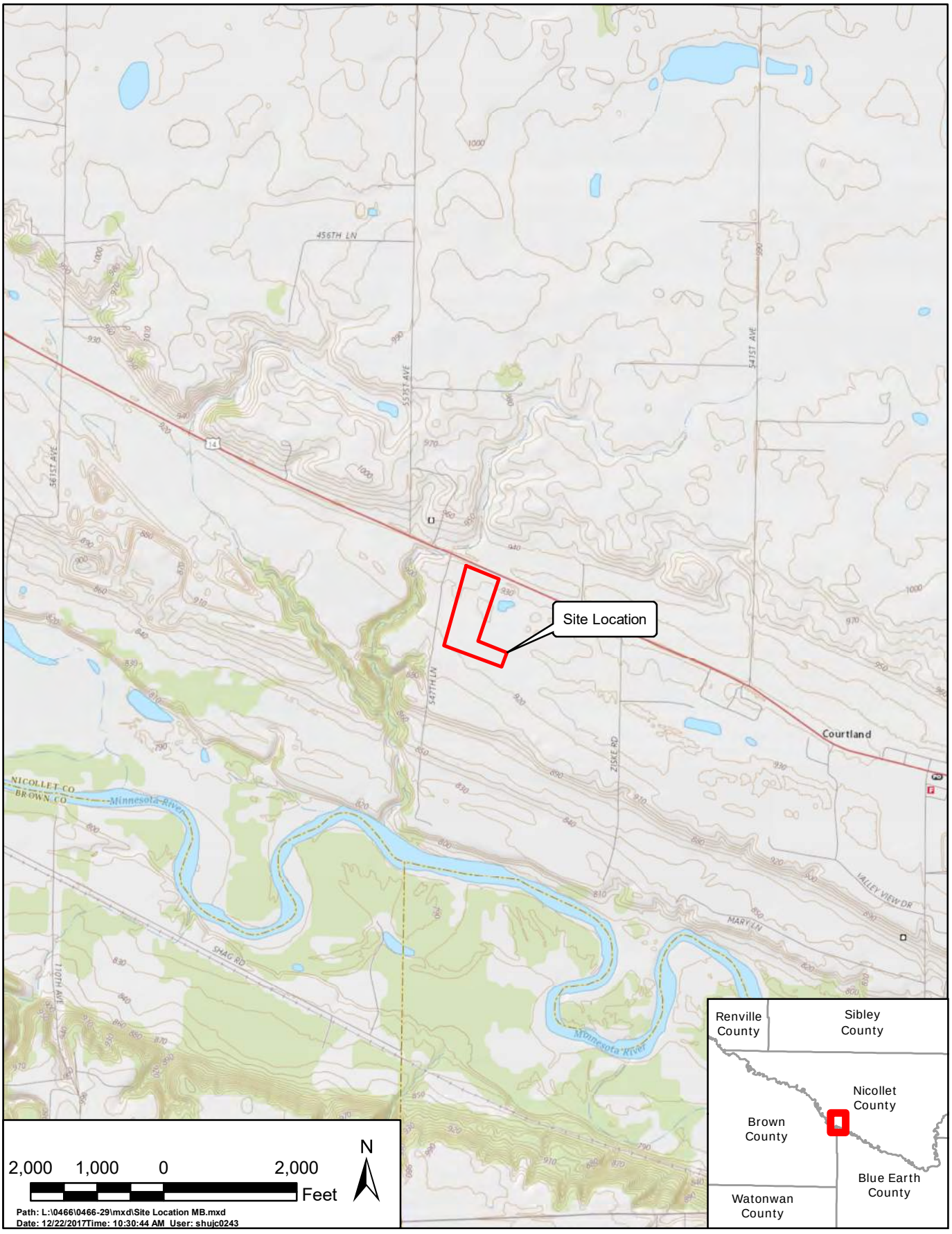
11.0 SWPPP Review Log

The SWPPP is a "living" document and must be reviewed at least annually and updated making sure everything is current and updated, and modifying if it is not. Any modification is to be recorded in the SWPPP Review Log. Modifications could include but are not limited to change in personnel, design, operation, and maintenance, but could also include newly listed TMDLs and BMP deficiencies identified through inspections or benchmark monitoring.

Date	Reviewer(s) Name	Revision Made to Plan
December 2017	Wenck Associates	Created plan to meet requirements of the Non-Metallic Mining and Associated Activities General Permit issued June 15, 2017.

Figures

1. Site Location Map
2. Site Detail Map
3. 303d Impaired Waters and Wetlands



MR PAVING - KOHN EAST PIT

Site Location Map

WENCK

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DEC 2017

Figure 1



2015 Aerial Photograph (Source: MN GEO)

200 100 0 200 Feet

N

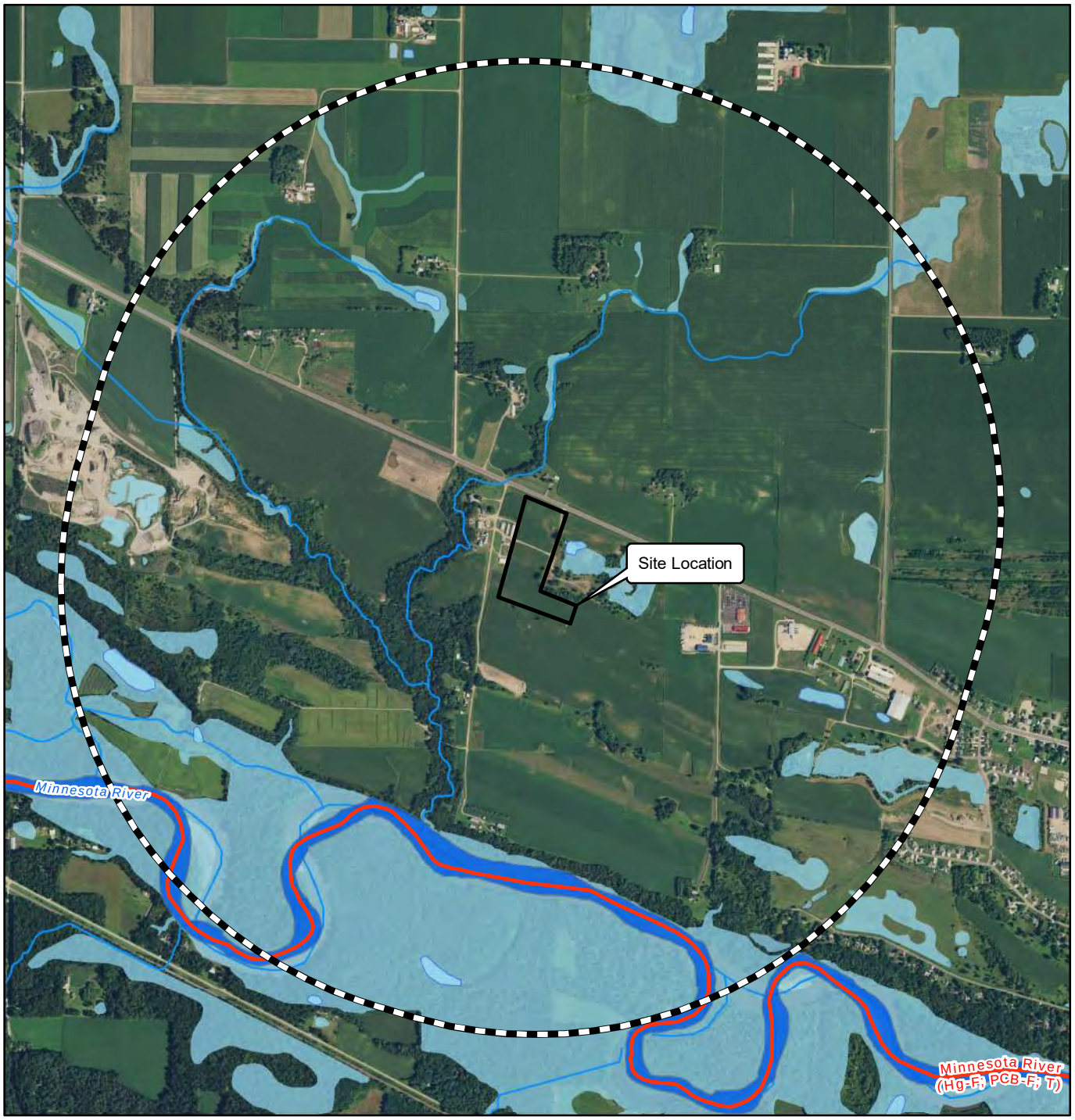
Path: L:\0466\0466-29\mxd\Site Detail Map - Kohn East.mxd
Date: 12/22/2017Time: 10:29:16 AM User: shujc0243

Legend

Property Boundary

Flow Direction

MR PAVING - KOHN EAST PIT	WENCK Responsive partner. Exceptional outcomes.	DEC 2017
Site Detail Map		Figure 2



2015 Aerial Photograph (Source: NAIP)

N

1,800 900 0 1,800

Feet

Legend

- Property Location
- 1 Mile Radius
- 2016 MPCA Impaired Streams (Draft)
- 2016 MPCA Impaired Lakes (Draft)
- Lake, Pond or Reservoir
- River or Stream
- Trout Lakes
- Trout Stream
- Rivers and Streams
- National Wetland Inventory

Path: L:\0466\0466-29\mxd\Impaired Waters and Wetlands MB.mxd
Date: 12/22/2017 Time: 10:31:01 AM User: shujc0243

MR PAVING - KOHN EAST PIT

303(d) Impaired Waters and Wetlands

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Figure 3

Appendix A

MNG 490000 NPDES/SDS General Permit for Nonmetallic Mining and Associated Activities

Minnesota Pollution Control Agency

National Pollutant Discharge Elimination System/State Disposal System

MNG490000

Permittee: Multiple
Facility name: Nonmetallic Mining/Associated Activities General Permit
Issuance date: June 15, 2017
Expiration date: May 31, 2022

The Permittee is an owner or operator of facilities within the boundary of the state of Minnesota that:

a. Discharge stormwater to waters of the state, including groundwater, from the construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, crushed and broken stone (not elsewhere classified) mining and quarrying areas, asphalt production areas, (including portable asphalt plants), concrete block and brick, concrete products (other than block and brick), and ready- mix concrete, as well as aggregate dredging operations and uncontaminated asphalt and concrete rubble recycling at sites already listed.
b. Discharge mine site dewatering to waters of the state, including groundwater, from construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, and crushed and broken stone (not elsewhere classified) mining and quarrying areas.
c. Non-stormwater discharges that meet the requirements of this permit and occur at the above-mentioned facilities.

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to construct, install and operate a disposal system at the facilities named above and to discharge to a receiving water of the state of Minnesota in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: Jeff Udd

This document has been electronically signed

Jeff Udd, P.E.
Supervisor, Water Quality Permits Unit
Water Section
Industrial Division

for The Minnesota Pollution Control Agency

Submit eDMRs
Submit via the MPCA Online Services Portal at
https://netweb.pca.state.mn.us/private/

Submit other WQ reports to:
Attention: WQ Submittals Center
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Questions on this permit?
For eDMR and other permit reporting issues, contact:
Sheri Woitalewicz, 507-476-4271

For specific permit requirements please refer to:
Contact the appropriate MPCA regional office below.

Wastewater Permit Program general questions, contact:
MPCA, 651-282-6143 or 1-800-657-3938.

MPCA Offices

Toll Free Number: 800-657-3864
To report emergencies, call the Minnesota State Duty Officer at 651-649-5451
or toll free at 800-422-0798
24-hour emergency number: 651-297-5353 or 800-627-3529

Brainerd/Baxter Office 7678 College Road, Suite 105 Baxter, Minnesota 56425 Phone: 218-828-2492 Fax: 218-828-2594	**Mankato Office** 12 Civic Center Plaza, Suite 2165 Mankato, Minnesota 56001 Phone: 507-389-5977 Fax: 507-389-5422
Detroit Lakes Office 714 Lake Avenue, Suite 220 Detroit Lakes, Minnesota 56501 Phone: 218-847-1519 Fax: 218-846-0719	**Marshall Office** 504 Fairgrounds Road, Suite 200 Marshall, Minnesota 56258 Phone: 507-537-7146 Fax: 507-537-6001
Duluth Office 525 Lake Avenue South, Suite 400 Duluth, Minnesota 55802 Phone: 218-723-4660 Fax: 218-723-4727	**Rochester Office** 18 Wood Lake Drive SE Rochester, Minnesota 55904 Phone: 507-285-7343 Fax: 507-280-5513
St. Paul Office 520 Lafayette Road North St. Paul, Minnesota 55155-4194 Phone: 651-296-6300 Fax: 651-297-8676	**Willmar Office** 1601 Highway 12 East, Suite 1 Willmar, Minnesota 56201-5817 Phone: 320-214-3786 Fax: 320-214-3787

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1. Summary of stations and station locations

Station	Type of station	Local name	PLS location
SD 001	MNG49 Stormwater, Non-specific	ISW D1, J1 and J2	T29N, R22W, S32
SD 002	MNG49 Stormwater, Non-specific	ISW E2	T29N, R22W, S32
SD 003	MNG49 Dewatering	SIC 1442	T29N, R22W, S32
SD 004	MNG49 Dewatering	SIC 1446	T29N, R22W, S32
SD 005	MNG49 Dewatering	SUBSECTOR J2	T29N, R22W, S32

2. Permit requirements

SD 001	**MNG49 Stormwater, Non-specific**	
		Surface Discharge: MNG49 Subsectors D1, J1, J2
	2.1.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 002	**MNG49 Stormwater, Non-specific**	
		Surface Discharge: MNG49 Subsector E2
	2.2.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 003	**MNG49 Stormwater, Non-specific**	
		Surface Discharge: MNG49 Dewatering from Construction Sand and Gravel (1442)
	2.3.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	2.3.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 004	**MNG49 Dewatering**	
		Surface Discharge: MNG49 Dewatering from Industrial Sand Mining (1446)
	2.4.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	2.4.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 005	**MNG49 Dewatering**	
		Surface Discharge: MNG49 Dewatering from Subsector J2 (1411, 1422, 1423, 1429)
	2.5.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	2.5.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
MNG490000	**Nonmetallic Mining/Associated Activities General Permit**	
		Non-Metallic Mining and Associated Activities General Permit Requirements
	2.6.1	**Applicability**. [Minn. R. 7001]
	2.6.2	This permit authorizes stormwater discharges associated with the following industrial activities: a. Construction sand and gravel (Standard Industrial Classification [SIC] Code 1442) and industrial sand mining areas (SIC Code 1446) - hereinafter Subsector J1. b. Dimension stone (SIC Code 1411), crushed and broken limestone (SIC Code 1422), crushed and broken granite (SIC Code 1423), crushed and broken stone (not elsewhere classified, SIC Code 1429) mining and quarrying areas - Subsector J2.

		c. Asphalt production areas, also known as asphalt paving mixtures and blocks (SIC Code 2951), including portable asphalt plants - Subsector D1. d. Concrete block and brick (SIC Code 3271), concrete products other than block and brick (SIC Code 3272), and ready-mix concrete (SIC Code 3273), including portable concrete plants - Subsector E2. e. Recycling and storage of materials approved in Minn. R. 7035.2860 (Beneficial Use of Solid Waste) at sites engaged in facility activities associated with all SIC Codes listed in a. through d. above. f. Activities associated with the above facilities noted, including maintenance activities and facilities, unless otherwise prohibited in this permit. This Permit authorizes stormwater discharges associated with construction activity and small construction activity, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15), respectively. The Permittee shall comply with the "Stormwater Discharge Design Requirements" chapter and the "Construction Activity Requirements" chapter of the MPCA Construction Stormwater (CSW) NPDES general permit (https://www.pca.state.mn.us/sites/default/files/wq-strm2-68a.pdf) when conducting construction activity and small construction activity. Earth disturbing activities conducted as a normal part of post-construction use of the permitted facility do not trigger the need for CSW permit coverage. The earth disturbing activity has to be part of a project to build, demolish, or replace a structure (e.g., building, road, pad, pipeline, transmission line) to trigger the need to comply with the CSW permit. Earth disturbance that is a normal part of the long-term use or maintenance of the property is not "active construction" and does not trigger the need for CSW permit coverage. [Minn. R. 7001]
	2.6.3	This permit authorizes non-stormwater discharges to surface waters of the state from dewatering of mine or quarry areas at J1 and J2 Subsectors that meet the effluent limits and requirements in this permit. [Minn. R. 7001]
	2.6.4	This permit authorizes non-stormwater discharges that do not discharge to a surface water of the state provided these discharges are not already authorized in a separate NPDES/SDS permit. Non-stormwater that co-mingles with stormwater is considered a non-stormwater discharge (wastewater) and must be managed compliant with this Permit. To be authorized under this permit, the following discharges must be collected, contained or infiltrate into the ground and Best Management Practices must be implemented to prevent contamination of groundwater: a. Aggregate wash water from Subsector J1 and J2 facilities. b. Dredging operations from Subsector J1 and J2 facilities. c. Installation, construction, and operation of wet scrubbers at asphalt production areas, including portable asphalt plants (Subsector D1). d. Washing trucks, mixers, transport buckets, forms and/or other equipment at concrete block and brick, concrete products other than block and brick, and ready-mix concrete facilities (Subsector E2). e. Uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers. f. Stormwater and deck wash water collected in holding tanks under scales. g. Wash water associated with cleaning of mobile equipment that does not use detergents, solvents, or degreasers. h. Waters used for sawing stone or dust control on crushers, conveyors, associated equipment, stockpiles, and site roadways. i. Boiler blowdown and reverse osmosis reject. j. Low or high pressure steam curing. k. Noncontact cooling water used for dryer, pump and air compressor cooling.

		For wastewater discharges listed above, see the Technology Based Effluent Limits - Non-Stormwater Discharges section of this permit for Wastewater Basin Design and Construction Requirements for newly constructed basins as of the issuance date of this permit. [Minn. R. 7001]
	2.6.5	This permit authorizes non-stormwater discharges provided these discharges are not already authorized in a separate NPDES/SDS permit and that appropriate Best Management Practices are utilized to minimize erosion and the discharges of sediment when necessary: a. Emergency fire-fighting activities. b. Fire hydrant and fire suppression system flushing. c. Potable water line flushing. d. Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids. e. Landscape watering provided all pesticides, herbicides and fertilizers have been applied in accordance with manufacturer's instructions. f. Pavement wash waters where no detergents are used and no spills or leaks of potential pollutants such as fertilizers, salts, or toxic and hazardous materials have occurred unless all spilled material has been removed. g. Routine external building wash down that does not use detergents, solvents, or degreasers. h. Uncontaminated groundwater or spring water. i. Foundation or footing drains where flows are not contaminated. j. Incident windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but not intentional discharges from the cooling tower (e.g. 'piped' cooling tower blowdown or drains). [Minn. R. 7001]
	2.6.6	Not all activities covered by this permit will be conducted at each site covered under this permit. Therefore, only those provisions of this permit that address activities occurring at a particular site are applicable to that site. [Minn. R. 7001]
	2.6.7	**Activities Not Covered/Limitations on Coverage**. [Minn. R. 7001]
	2.6.8	This permit does not authorize the discharge from the following activities except as authorized in the Applicability Section of this permit: a. Dewatering of mine or quarry areas other than those under Subsector J1 and J2. b. Surface water discharges of scrubber or other air emissions control wastewater, cooling or boiler wastewater, floor drains from process areas, equipment/vehicle washing, cleaning and maintenance wastewaters, and sewage. c. Contaminated groundwater discharges. d. Petroleum refinement. e. Manufacturing of asphalt or asphalt emulsions. f. Industrial sand mines (SIC 1446) that utilize HF flotation. g. Dredging or filling of wetlands or other surface waters of the state. h. Discharges of hazardous substances, lubricants, fuel leaks, or fuel spills. i. Sites for which Environmental Assessment Worksheets or Environmental Impact Statements are required by Minn. R. ch. 116D and/or 42 U.S.C. Sec 4321 - 4370f, until that environmental review is completed. [Minn. R. 7001]
	2.6.9	This permit does not authorize new or expanded discharges that may cause or contribute to a violation of water quality standards unless it meets the requirements of 40 CFR 122.4(i). [40 CFR 122.4(i)]
	2.6.10	This permit does not authorize existing discharges that the MPCA determines will cause or contribute to a violation of water quality standards unless it meets the requirements of 40 CFR 122.44. [40 CFR 122.44]
	2.6.11	This permit does not authorize discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a

		designated critical habitat. This permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species or adversely modify a designed critical habitat. The owner must conduct any required review and coordinate with appropriate agencies for any project with the potential of affecting endangered or threatened species, or their critical habitat. [Minn. R. 7001]
	2.6.12	This permit does not authorize discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. This permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. The owner must be in compliance with the National Historic Preservation Act and conduct all required review and coordination related to historic preservation, including significant anthropological sites and any burial sites, with the Minnesota Historic Preservation Officer. [Minn. R. 7001]
	2.6.13	This permit does not authorize discharges to calcareous fens listed in Minn. R. 7050.0335. [Minn. R. 7050.0335]
	2.6.14	Mine site dewatering discharges from Subsectors J1 and J2 to the following receiving waters are not authorized by this permit: a. Outstanding Resource Value Waters (ORVWs) as defined by Minnesota Rules 7050.0335 and as listed in Minnesota Rules 7050.0470; b. Department of Natural Resources (DNR)-designated trout waters (trout waters are designated in Minn. R. 6264.0050, subp. 2 and 4); and c. DNR-posted fish-spawning areas. [Minn. R. 6264.0125]
	2.6.15	**Authorization**. [Minn. R. 7001]
	2.6.16	Permit Application. Owners and operators of a site or sites with covered facility activities identified in this permit, and who provide a complete and approvable application for a permit, are eligible for coverage under this permit for those activities. [Minn. R. 7001]
	2.6.17	**Notice of Coverage**. [Minn. R. 7001]
	2.6.18	Permittees requesting initial coverage are covered under this permit when the MPCA notifies them in writing of this coverage. [Minn. R. 7001]
	2.6.19	Additional sites may be covered under this permit provided that the new site(s) meet all applicability criteria in of this permit and that all information required by the Site Inventory Report Form is submitted to the MPCA at least 10 days prior to initiation of land-disturbing activities at the new site(s) or initiation of operation at a previously developed site. [Minn. R. 7001]
	2.6.20	**Requiring an Individual Permit**. [Minn. R. 7001]
	2.6.21	If the MPCA finds that the facility site of a permit applicant or a Permittee covered under this permit would be more appropriately covered under an individual permit, the MPCA may require an individual permit for the applicant or the Permittee, in accordance with Minn. R. 7001.0210, subp. 6. In considering whether it is appropriate to issue an individual permit for a site, the MPCA will consider whether the site is contributing, or may contribute, to a water quality standard violation. [Minn. R. 7001]
	2.6.22	This general permit does not cover activities or discharges covered under a pre-existing individual permit unless the MPCA has specifically revoked or terminated that individual permit. [Minn. R. 7001]
	2.6.23	This general permit does not cover industrial sand mining activities (SIC Code 1446) that: a. Meet or exceed the thresholds for mandatory environmental review and the agency

		determines the operations, emissions, activities, discharges, or facilities of the permit applicant or permittee have characteristics creating the potential for significant environmental effects; or b. The agency determines the need for site-specific permit requirements including, but not limited to, groundwater monitoring, additional surface discharge monitoring, hydrogeological study, etc. which are beyond those contained in this permit in order to protect waters of the state. If the agency determines that a or b apply, a permit applicant or Permittee shall obtain coverage under an individual permit for the facility site. Sites that are required to obtain individual permit coverage, at the Permittee's request, may be reviewed for general permit eligibility following the first full term of individual permit coverage. [Minn. R. 7001]
	2.6.24	**Notice of Temporarily Inactive Site(s)**. [Minn. R. 7001]
	2.6.25	The Permittee(s) must ensure that permanent stormwater BMPs are in place if the site is temporarily inactive. [Minn. R. 7001]
	2.6.26	During the temporarily inactive period, intervention limit monitoring is not required, but the Permittee must indicate on the Comments field of the Discharge Monitoring Report the inactivity. Should the site become active, the Permittee is required to sample in accordance with the Monitoring Requirements section of the permit for the calendar year the site becomes active. [Minn. R. 7001]
	2.6.27	**Notice of Inactive Site(s)**. [Minn. R. 7001]
	2.6.28	The Permittee(s) must ensure stabilization of the site upon cessation of mining activities. Stabilization shall be initiated immediately after the termination of the mining operation and upon completion the area shall be restored to its intended state. [Minn. R. 7001]
	2.6.29	The Permittee(s) must complete the following to achieve final stabilization: a. The drainage ways that leave the site must be stabilized to prevent erosion with riprap or other protective material. b. All soils must be stabilized by a uniform perennial vegetative cover with a density of 70 percent over the entire pervious surface area, or other equivalent means necessary to prevent soil failure under erosive conditions. c. Temporary BMPs for erosion prevention, such as synthetic liners and silt fences, must be removed. BMPs designed to decompose on site (such as some compost logs) may be left in place. d. All sediment must be removed from conveyances and from temporary sedimentation basins that are to be used as permanent water quality management basins in order to sufficiently return the basin to design capacity. Sediment must be stabilized to prevent it from being washed back into the basin, conveyances or drainage-ways discharging off-site or to surface waters. e. Other BMPs as necessary must be implemented so as to prevent erosion from the site excavation areas and stockpiles that have been used by the Permittee. [Minn. R. 7001]
	2.6.30	In order to have permit coverage terminated and have the Permittee released from inspection, recording and reporting requirements, the Permittee shall ensure and certify on the Site Inventory Form for site(s) where the Permittee no longer conducts the activities authorized by this permit that: a. The site closure achieves final stabilization requirements, or b. There is no longer a discharge of pollutants to waters of the state, including groundwater, from activities covered by this permit; or c. The Permittee supplies the name and contact information for the new owner or operator that is responsible for the site. [Minn. R. 7001]

	2.6.31	**Water Quality Based Effluent Limits**. [Minn. R. 7001]
	2.6.32	A wastewater discharge shall not cause or contribute to a violation of water quality standards unless the discharge meets all requirements of 40 CFR 122.44. [40 CFR 122.44]
	2.6.33	The Permittee shall operate and maintain the facility and shall control runoff, including stormwater, from the facility to prevent the exceedance of water quality standards specified in Minnesota Rules, chs. 7050 and 7060. [Minn. R. 7050, Minn. R. 7060]
	2.6.34	The Permittee shall limit and control the use of materials at the facility that may cause exceedances of surface water and groundwater standards specified in Minnesota Rules, chs. 7050 and 7060. These materials include, but are not limited to, detergents and cleaning agents, solvents, chemical dust suppressants, lubricants, fuels, drilling fluids, oils, fertilizers, explosives and blasting agents. [Minn. R. 7050, Minn. R. 7060]
	2.6.35	The MPCA may modify this permit, require corrective actions or take other actions if it determines that a discharge authorized by this permit is causing or contributing to a violation of water quality standards. [Minn. R. 7001]
	2.6.36	Floating solids or visible foam shall not be discharged in other than trace amounts. [Minn. R. 7001]
	2.6.37	Oil or other substances shall not be discharged in amounts that create a visible color film. [Minn. R. 7001]
	2.6.38	Any outlet pipe, culvert or hose outlets for the discharge shall be located on the ground. The Permittee shall install and maintain outlet protection measures, such as properly sized riprap, splash pads or gabions at the discharge stations (outlets) to prevent erosion. [Minn. R. 7001]
	2.6.39	All water from dewatering or basin draining activities must be discharged in a manner that does not cause nuisance conditions, flooding on nearby properties, erosion in receiving channels or on downslope properties, or inundation in a wetland causing adverse impact to the wetland. [Minn. R. 7001]
	2.6.40	**Special Requirements**. [Minn. R. 7001]
	2.6.41	For stormwater discharges with a discharge location that flows to and is within one mile of Outstanding Resource Value Waters (ORVWs) as defined in Minn. R. 7050.0335, subp. 1, 2, 3, and 4 (not including calcareous fens listed in Minn. R. 7050.0335 & Minn. R. 7050.0470) and trout waters as listed in Minn. R. 6264.0050, subp. 2 and 4: a. the Permittee shall develop and implement stormwater control measures, including BMPs that restrict the facility industrial stormwater discharges to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the water an Outstanding Resource Value Water. In addition, a stormwater intervention limit value of 65 mg/L for Solids, Total Suspended (TSS) applies to the discharge at a stormwater monitoring location, instead of 100 mg/L as specified in the 'Stormwater Limits and Monitoring Intervention Limits' section of this Permit. If the Permittee has a waiver from the requirements to conduct benchmark monitoring in accordance with the Technology Based Effluent Limits - Stormwater Discharges section of this permit, the benchmark value does not apply. b. if the discharge is to a trout stream, BMPs shall also be designed and implemented to protect the water quality from excess temperature increases. c. if the discharge is to a trout lake, BMPs shall also be designed and implemented to protect the water quality from excess phosphorus increases. d. if the discharge is to a wetland, the Permittee shall also comply with the requirements of Minn. R. 7050.0186 WETLAND STANDARDS AND MITIGATION. [Minn. R. 7050]

	2.6.42	If the site has any stormwater discharges with the potential for significant adverse impacts to a wetland (e.g., conversion of a natural wetland to a stormwater pond), the Permittee must demonstrate that the wetland mitigative sequence has been followed. [Minn. R. 7001]
	2.6.43	If the potential adverse impacts to a wetland on a specific site have been addressed by permits or other approvals from an official statewide program (U.S. Army Corps of Engineers 404 program, Minnesota Department of Natural Resources, or the State of Minnesota Wetland Conservation Act) specifically for the site, the Permittee may use that permit or other determination issued by these agencies to show that the potential adverse impacts have been addressed. For the purposes of this permit, de minimis actions are determinations by the permitting agency that address the site impacts, whereas a non-jurisdictional determination does not address site impacts. [Minn. R. 7001]
	2.6.44	If there are impacts from the site that are not addressed in one of the permits addressed in the Special Requirements section of this permit or other determinations (e.g., permanent inundation or flooding of the wetland, significant degradation of water quality, excavation, filling, draining), the Permittee must minimize all adverse impacts to wetlands by utilizing appropriate measures. Measures used must be based on the nature of the wetland, its vegetative community types and the established hydrology. These measures include in order of preference: a. Avoid all significant adverse impacts to wetlands from site discharges. b. Minimize any unavoidable impacts to wetlands from site discharges. c. Provide compensatory mitigation when the Permittee determines that there is no reasonable and practicable alternative to having a significant adverse impact on a wetland. For compensatory mitigation, wetland restoration or creation shall be of the same type, size and whenever reasonable and practicable in the same watershed as the impacted wetland. [Minn. R. 7001]
	2.6.45	If a site discharges to a water of the state that appears on the current U.S. Environmental Protection Agency (USEPA) approved list of impaired waters under Section 303 (d) of the Clean Water Act (33 U.S.C. Sec 303 (d)), the Permittee must review whether changes may be warranted in the site's Pollution Prevention Plan (Plan) to reduce the impact of the discharge. If an USEPA approved Total Maximum Daily Load (TMDL) has been developed, the Permittee must review the adequacy of the Plan to meet the TMDLs Waste Load Allocation. [Minn. R. 7001]
	2.6.46	**Technology Based Effluent Limits - Stormwater Discharges**. [Minn. R. 7001]
	2.6.47	**Stormwater Management Devices**. [Minn. R. 7001]
	2.6.48	The Permittee is authorized to use industrial stormwater ponds, sedimentation basins and/or infiltration devices for stormwater management. [Minn. R. 7001]
	2.6.49	Industrial stormwater ponds, sedimentation basins and/or infiltration devices shall not be located in areas that receive direct discharges from permanent or stationary vehicle fueling tanks (aboveground or underground storage tanks) and maintenance activity areas (shops), except where adequate secondary containment is provided as required under the SPCC Rule, and/or the basin is designed specifically to satisfy the federal SPCC Rule. Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. [Minn. R. 7001]
	2.6.50	When wastewater from authorized activities is co-mingled with stormwater, it is considered wastewater, and a surface water discharge is not authorized under this permit. This does not include stormwater co-mingling with mine dewatering from Subsector J1 and J2 facilities, which is approved for a surface water discharge under this permit. [Minn. R. 7001]
	2.6.51	If the Permittee provides documentation to MPCA that the stormwater management device was designed by a registered professional engineer to control a 10-year, 24-hour storm event (based on National Oceanic and Atmospheric Administration Atlas

		14, Volume 8 (NOAA Atlas 14, Volume 8)), then no sampling of a discharge is required upon MPCA approval. If the stormwater management device is already in place at an existing facility, the sizing of the device shall be confirmed by a registered professional engineer before the sampling requirement is waived. This does not include unauthorized non-stormwater discharges to surface waters. This waiver is for monitoring only; effluent limits still apply to the discharge and Permittees must maintain compliance with the limits. This waiver is only effective for the term of the permit. Permittees must reapply for the waiver every permit term. [Minn. R. 7001]
	2.6.52	**Erosion and Sediment Control Practices**. [Minn. R. 7001]
	2.6.53	Sediment control practices must be established on all down-gradient perimeters and be located up-gradient of any buffer zones. The perimeter sediment control practice must be in place before any up-gradient land disturbing activities begin. Use a range of erosion controls within the broad categories of flow diversion (e.g. swales, berms) and structural controls (e.g. sediment traps, dikes, silt fences). These practices shall remain in place until the site has been stabilized. [Minn. R. 7001]
	2.6.54	The Permittee shall re-install all sediment control practices that have been adjusted or removed to accommodate short-term activities such as clearing or grubbing, or passage of vehicles, immediately after the short-term activity has been completed. Short-term activities shall be completed as quickly as possible. Re-installation of sediment control practices shall be completed no later than the next precipitation event, even if the short-term activity is not complete. [Minn. R. 7001]
	2.6.55	The Permittee(s) shall plan for and implement appropriate BMPs such as construction phasing, vegetative buffer strips, horizontal slope grading, and other construction practices that minimize erosion. The location of areas not to be disturbed shall be delineated (e.g. with flags, stakes, signs, silt fence etc.) on the project site before work begins. [Minn. R. 7001]
	2.6.56	Temporary stockpiles or stripping/overburden stored outside the pit shall have sediment control mechanisms in place until the material is completely removed. Materials shall not be placed in any natural buffers, surface water, or stormwater conveyances such as curb and gutter systems, or conduits and ditches. [Minn. R. 7001]
	2.6.57	Vehicle Tracking. Vehicle tracking of sediment onto paved surfaces from the site or operation must be minimized by BMPs such as stone pads, concrete or steel wash racks, or equivalent systems. Street sweeping must be used if such BMPs are not adequate to prevent sediment from being tracked onto the street. The MPCA Vehicle Tracking factsheet may be used as guidance in BMP development: http://www.pca.state.mn.us/index.php/view-document.html?gid=7419. [Minn. R. 7001]
	2.6.58	Good Housekeeping. Permittees conducting the industrial activities described in this permit shall keep exposed areas that may contribute pollutants to stormwater sufficiently clean to reduce or eliminate contaminated stormwater runoff. [Minn. R. 7001]
	2.6.59	**BMP Maintenance**. [Minn. R. 7001]
	2.6.60	The Permittee shall maintain all BMPs identified in the Pollution Prevention Plan (Plan) and implemented at the facility, to ensure BMP effectiveness. [Minn. R. 7001]
	2.6.61	The Permittee shall develop a schedule for preventive maintenance of all BMPs. The schedule shall be stored with the Plan. [Minn. R. 7001]
	2.6.62	If the Permittee identifies BMPs that are not functioning properly, the Permittee shall replace, maintain, or repair the BMPs within seven (7) calendar days of discovery. If BMP replacement, maintenance, or repair cannot be completed within seven (7) calendar days, the Permittee shall implement effective backup BMPs (temporary or permanent) until effectiveness of the original BMPs can be restored. The Permittee shall document the justification for an extended replacement, maintenance, or repair schedule of the failed BMPs, and store it with the Plan. [Minn. R. 7001]

	2.6.63	The Permittee shall record dates of all maintenance and repairs. The Permittee shall store these records with the Plan. [Minn. R. 7001]
	2.6.64	All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/2 of the height of the device. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. [Minn. R. 7001]
	2.6.65	If sediment escapes the facility, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts (e.g., fugitive sediment in streets could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets). [Minn. R. 7001]
	2.6.66	Temporary and permanent sedimentation basins must have the sediment removed once the depth of sediment collected in the basin reaches 1/2 the storage volume. Removal must be completed within 72 hours of discovery, or as soon as field conditions allow access. [Minn. R. 7001]
	2.6.67	**Spills and Leaks**. [Minn. R. 7001]
	2.6.68	The Permittee shall develop and implement a spill prevention and response procedure. If the site already has a separate plan (e.g. Prevention and Response Plan as required by Minn. Stat. 115E, or Spill Prevention Control and Countermeasure Plan as required by Federal Law), that plan can be incorporated by reference into the Pollution Prevention Plan (Plan). In either case, a minimum of the following components shall be included with the Plan, or in a separate document: a. The Permittee shall report and document spills or leaks (as defined in Minn. Stat. Section 115.061) that occur in exposed areas, or that drain to a monitoring location. b. Material handling procedures, storage requirements, and cleanup equipment/materials and procedures necessary to recover as rapidly and thoroughly as possible spills or leaks pursuant to Minn. Stat. Section 115.061. All methods and procedures must be made available to appropriate site personnel. c. Contact information for individuals and emergency and regulatory agencies that must be notified in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (metro area) per Minn. Stat. Section 115.061. [Minn. Stat. ch. 115]
	2.6.69	**Subsector D1 - Asphalt Production - Additional Spills and Leaks Requirements**. [Minn. R. 7001]
	2.6.70	In addition to the requirements in this Section, the Permittee shall use drip pans and splash guards where spills frequently occur at Subsector D1 facilities. [Minn. R. 7001]
	2.6.71	**Subsector E2 - Ready-Mix and Other Concrete Operations - Additional Spills and Leaks Requirements**. [Minn. R. 7001]
	2.6.72	In addition to the requirements in this Section, the Permittee shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, or settled dust from paved portions of the facility that are exposed to stormwater at Subsector E2 facilities. [Minn. R. 7001]
	2.6.73	The Permittee shall determine the frequency of sweeping or equivalent by the amount of industrial activity occurring at Subsector E2 facilities and the frequency of exposure to stormwater, but it shall be performed at least once per week if cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed and materials are present on paved surfaces. [Minn. R. 7001]
	2.6.74	The Permittee shall also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to stormwater, where practicable, by storing these materials in enclosed silos, hoppers, buildings, and under other coverings. [Minn. R. 7001]
	2.6.75	The Permittee shall include measures in the Plan to ensure that process wastewater resulting from washing trucks, mixers, transport buckets, forms, or other equipment

		are discharged in accordance with applicable parts of this permit for Subsector E2 facilities. [Minn. R. 7001]
	2.6.76	**Technology Based Effluent Limits - Non-Stormwater Discharges**. [Minn. R. 7001]
	2.6.77	**Wastewater Basin Design and Construction Requirements**. [Minn. R. 7001]
	2.6.78	When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges, not including uncontaminated scale deck wash water that does not use detergents, solvents, or degreasers, wash water associated with cleaning of mobile equipment that does not use detergents, solvents, or degreasers and/or waters used for sawing stone or dust control on crushers, conveyors, associated equipment, stockpiles, and site roadways, of this permit from Subsector J1 and J2 activities, it shall: a. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. b. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24 hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system. c. Not be constructed in areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. [Minn. R. 7001]
	2.6.79	When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges from Subsector E2 activities, it shall: a. Be designed consistent with accepted engineering practices. Designs shall be approved by a professional engineer or other licensed professional. b. Be constructed and maintained to allow for infiltration of wastewater. Long term soil infiltration rates for new infiltration devices shall not be greater than 1.63 inches per hour unless pretreatment practices are implemented prior to infiltration. c. Be constructed to allow for maximum separation distance from groundwater with a minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. d. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. e. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24 hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system. f. Not be constructed in areas with standing water or areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. The Permittee shall maintain design documentation to demonstrate containment basins meet the requirements of a-f. [Minn. R. 7001]
	2.6.80	When constructing new (as of the issuance date of this permit) containment basins to infiltrate authorized non-stormwater discharges from Subsector E2 activities, it shall: a. Be designed consistent with accepted engineering practices. Designs shall be approved by a professional engineer or other licensed professional. b. Be constructed and maintained to allow for infiltration of wastewater. Long term soil infiltration rates for new infiltration devices shall not be greater than 1.63 inches per hour unless pretreatment practices are implemented prior to infiltration. c. Be constructed to allow for maximum separation distance from groundwater with a

		minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. d. Have at least sufficient capacity to contain all wastewater discharges so as to prevent overflow. e. Be constructed to contain the bounce from precipitation and stormwater runoff resulting from a 10-year, 24 hour storm event. Any overflow of the basin shall not discharge to surface water or any storm sewer system. f. Not be constructed in areas with standing water or areas that receive direct discharges from permanent or stationary vehicle fueling tanks (underground or aboveground storage tanks) and maintenance activity areas (shops). Spill prevention and response BMPs shall be implemented in areas where mobile refuelers transfer product. The Permittee shall maintain design documentation to demonstrate containment basins meet the requirements of a-f. [Minn. R. 7001]
	2.6.81	**Karst Topography**. [Minn. R. 7001]
	2.6.82	New Basins. New infiltration devices for authorized non-stormwater discharges are prohibited within 1000 feet up-gradient or 100 feet downgradient of active karst features. [Minn. R. 7001]
	2.6.83	Existing Basins. The design and construction of containment basins shall include additional or different measures as necessary (e.g. impervious liner in pond bottom) to assure compliance with surface and groundwater standards in Minn. R. chs. 7050 and 7060 and to ensure protection of drinking water supply management areas (see Minn. R. 4720.5100, subp. 13). These measures shall be identified in the Pollution Prevention Plan. [Minn. R. 7001]
	2.6.84	**Subsector J1 and J2 - Mine Pit Dewatering to Surface Waters**. [Minn. R. 7001]
	2.6.85	Permittees are authorized to discharge mine site dewatering flow to surface waters if the following conditions are met: a. Discharges only from Subsector J1 and J2 facilities. b. Discharges meet the effluent limits applied in this permit. c. The dewatering discharges do not co-mingle with other process wastewater. d. The dewatering discharges are not to ORVWs, DNR-designated trout waters, and/or DNR-posted fish-spawning areas. e. The Permittee has documented in their Pollution Prevention Plan location and initial flow estimates for surface discharge stations. [Minn. R. 7001]
	2.6.86	Dewatering or basin draining must be discharged to a control device on the project site whenever possible, such as a temporary or permanent sedimentation basin or infiltration device. Discharge from the control device must be visually checked to ensure adequate treatment is obtained and that nuisance conditions (see Minn. R. 7050.0210, subp. 2) will not result from the discharge. [Minn. R. 7001]
	2.6.87	If the Permittee provides documentation to MPCA that the control device was designed by a registered professional engineer to control a 10-year, 24-hour storm event, then no sampling of a discharge is required upon MPCA approval. If the control device is already in place at an existing facility, the sizing of the control device shall be confirmed by a registered professional engineer before the sampling requirement is waived. This includes overflows caused solely by direct rainfall and groundwater seepage. This does not include unauthorized non-stormwater discharges to surface waters. This waiver is for monitoring only; effluent limits still apply to the discharge and Permittees must maintain compliance with the limits. This waiver is only effective for the term of the permit. Permittees must reapply for the waiver every permit term. [Minn. R. 7001]

	2.6.88	If the water cannot be discharged to a control device prior to entering the surface water, it must be treated with the appropriate BMPs, such that the discharge does not adversely affect the receiving water or downstream landowners. [Minn. R. 7001]
	2.6.89	The Permittee(s) must ensure that discharge points are adequately protected from erosion and scour. The discharge must be dispersed over natural riprap, sand bags, plastic sheeting, or other accepted energy dissipation measures. Adequate sedimentation control measures are required for discharge water that contains suspended solids. [Minn. R. 7001]
	2.6.90	Any inlet pipe, culvert or hose for the discharge shall be raised above the ground so that the discharge flow does not draw in and transport solids from the sump area. [Minn. R. 7001]
	2.6.91	**Subsector D1 -Asphalt - BMPs for Wet Scrubber Wastewater**. [Minn. R. 7001]
	2.6.92	This permit authorizes stormwater discharges from asphalt production areas (SIC Code 2951) and/or stormwater discharges from the installation, construction, and/or operation of wet scrubbers at asphalt production plants. This permit does not authorize the discharge of asphalt production wet scrubber wastewater to surface waters or to groundwater. Any discharge to surface water will require an individual NPDES permit. [Minn. R. 7001]
	2.6.93	Wastewater from asphalt production wet scrubbers shall be held within pipes, aboveground tanks or lined impoundments. Pipes and tanks shall be operated and maintained to prevent leaks. Cracks or other failures in pipes or tanks shall be repaired immediately. If pipes are buried, or pipes or tanks are in contact with the land surface, they shall be inspected at least once before each operating year to locate and repair cracks or other failures. [Minn. R. 7001]
	2.6.94	An impoundment for containment of wet scrubber wastewater shall meet the design criteria specified in this section. Impoundments that do not meet the criteria in this part may be authorized if requested in writing by the Permittee, and approved in writing by the MPCA, at least 90 days before construction of the impoundment begins. [Minn. R. 7001]
	2.6.95	Construction of impoundments in close proximity to drinking water supplies and other areas subject to contamination should be avoided. A minimum separation of four feet between the top of the impoundment seal and the seasonal high water table shall be maintained. Drain tile under the impoundment shall not be used to permanently lower the water table. A minimum separation of ten feet between the top of the impoundment seal and bedrock formations shall be maintained. Impoundments shall not be constructed on locations with karst topography. [Minn. R. 7001]
	2.6.96	Impoundments shall be constructed utilizing at least a 30-mil-thick continuous Polyvinyl Chloride (PVC) or High Density Polyethylene (HDPE) liner, or a reinforced Portland cement concrete liner. A PVC or HDPE liner, not replaced on an annual basis, shall be covered with at least one-foot depth of finely textured soil. Liquid depths for impoundments shall be designed for a maximum of six feet. [Minn. R. 7001]
	2.6.97	PVC and HDPE liner systems shall be designed and installed in general accordance with the most recent version of MPCA guidance documents High Density Polyethylene Liner Guidance (June 2011) or Polyvinyl Chloride Liner Guidelines (May 2011). [Minn. R. 7001]
	2.6.98	No PVC or HDPE liner panels shall be used at more than one site without the prior written approval of the MPCA. The Permittee shall remove and properly dispose of used PVC and HDPE liner materials in accordance with applicable solid waste statutes and rules. [Minn. R. 7001]
	2.6.99	The subsoil bed for a PVC or HDPE liner shall be sufficiently prepared to ensure that all holes, rocks, stumps and other debris are eliminated. The subsoil shall be sieved or the area raked after grading to provide a smooth, flat surface free of stones and other sharp objects. The subsoil bed shall be sloped at least 1% upward toward the dike, so

		as to reduce gas and hydrostatic pressures, and to facilitate pumping of the impoundment. [Minn. R. 7001]
	2.6.100	PVC and HDPE liner panels shall be laid out to minimize seams, with an overlap of four to size inches. The PVC or HDPE liner anchor trench shall have a minimum six inch depth and be placed at least nine to twelve inches beyond the slope break at the dike. PVC and HDPE liners shall be installed under the direct supervision of a person experienced in the proper installation of such liners. This person shall inspect all seams on-site for their acceptability prior to the construction certification. [Minn. R. 7001]
	2.6.101	The design of a reinforced Portland cement concrete liner shall be in accordance with the American Concrete Institute (ACI) Manual of Concrete Practice. [Minn. R. 7001]
	2.6.102	The Permittee shall inspect each impoundment for cracks or other failures, at least once each operating year. This inspection shall be conducted after the spring thaw and before the start of the asphalt plant operating season. In addition: a. PVC and HDPE lined impoundments shall complete a water balance test annually after the spring thaw and before the start of the asphalt plant operating season. The water balance test shall be completed in accordance with the MPCA "Prefill and Water Balance Criteria" (December 2010). b. Concrete lined impoundments shall complete water tightness testing at least once per 5 years (once per permit cycle). Water tightness testing for concrete impoundments shall be completed in accordance with the most recent version of ACI 350.1 "Specification for Tightness Testing of Environmental Engineering Concrete Containment Structures." Impoundments that do not pass the water balance or tightness testing may not be placed into service until a passing result is achieved; this may require identifying and repairing problem areas of the impoundment and repeating the testing. The inspector shall prepare a written report of each water balance and inspection. Any cracks or other failures shall be repaired immediately, and certified by an engineer registered in Minnesota. [Minn. R. 7001]
	2.6.103	The Permittee shall keep signed copies of the impoundment design plans and specifications, construction certifications, water balance and inspection reports, and repair certifications with the asphalt plant at all times. [Minn. R. 7001]
	2.6.104	The Permittee shall divert surface water runoff around impoundments, prevent erosion, and protect the structural integrity of exterior embankments from failure. [Minn. R. 7001]
	2.6.105	The Permittee shall maintain impoundments during the winter so that ice layers and frost action do not damage the liner effectiveness and integrity. [Minn. R. 7001]
	2.6.106	Sediments that accumulate in asphalt production wet scrubber wastewater containment structures shall be removed in a manner so as to not damage the integrity and effectiveness of the containment structure. The Permittee may dispose of these sediments at a permitted sanitary landfill, through use as road base or subgrade, or through blending into the paving asphalt mixture. The Permittee may use one of the following options for sediment disposal if the MPCA authorizes this specific in writing: a. Leave in-place, b. Use as clean fill, or c. Land spread. The Permittee shall record in writing the volume of sediments removed from asphalt production scrubber disposal systems, and the method and location of the disposal of such materials. [Minn. R. 7001]

	2.6.107	The Permittee may dispose of asphalt production wet scrubber wastewater for the purposes of roadbed preparation or dust control, and in accordance with the following requirements: a. Wastewater may be applied to the surface of unpaved roads or roadbeds only if the asphalt plant is in the process of relocating, has ceased operation for the remainder of the year, or if alterations to the impoundment are needed. b. Wastewater may be applied to the surface of unpaved roads or roadbeds only if that road or roadbed is dry. c. Application to haul roads shall be conducted in such a manner to prevent runoff or prolonged ponding. d. Only the amount of water needed to control or prevent a dust problem may be applied. e. Wastewater used for dust control shall not enter any road ditch, surface water, or wetland. f. Wastewater shall not be applied at a rate greater than one gallon per square yard per year. [Minn. R. 7001]
	2.6.108	Asphalt Ingredients, Burner Fuels and Chemical Additives. If the Permittee proposes to use asphalt ingredients, burner fuels and/or chemical additives other than those designated below, at an asphalt production plant with a wet scrubber, the Permittee shall apply in writing to the MPCA for such approval, no later than 60 days before the planned date of utilization of the non-designated material. The Permittee may use these non-designated materials only with the written approval of the MPCA. The designated materials are: a. Clay, silt, sand, gravel and crushed stone produced from naturally occurring geologic formations, and without chemical additives. b. Recycled asphalt. c. Recycled asphalt saturated felt materials. d. Natural gas, butane, propane and methane. e. Gasoline, kerosene, diesel fuel, jet fuel and fuel oils (No. 1, No. 2, No. 3, No. 4, No. 5, No. 6). f. Petroleum derived waste oil as defined in Minn. R. 7045.0020. g. On-specification used oil fuel, as defined in Minn. R. pt. 7045.0020, except that total halogens shall not exceed 1,000 parts per million in the used oil fuel. h. Asphalt cement (AC). i. Hydrated lime. j. Anti-stripping agents approved by the MPCA under this permit. k. Aluminum chloride flocculants. l. Freemont 8201 and anionic polyacrylamide flocculants of similar chemical composition. m. Any mixture of the materials listed in subitems (a) through (l). n. Portland cement concrete. o. Recycled sediments from asphalt plant scrubber operations. p. Fines from asphalt fabric filter operations. q. Silicone. [Minn. R. 7001]
	2.6.109	**Subsector E2 - Ready-Mix and Other Concrete Operations Discharges to Groundwater**. [Minn. R. 7001]
	2.6.110	This permit section is intended to cover process wastewater discharges from concrete product operations. Authorized discharges to groundwater specified in the Applicability Section of this permit are covered under this permit. Any discharge to surface water will require an individual NPDES permit. Wastewater discharges from facilities described by the following Standard Industrial Classification (SIC) codes are authorized:

		a. Concrete Block and Brick (SIC 3271) b. Concrete Products, N.E.C. (Not Elsewhere Covered) (SIC 3272) c. Ready-Mix Concrete (SIC 3273). [Minn. R. 7001]
	2.6.111	Containment basins shall be constructed in compliance with this permit. [Minn. R. 7001]
	2.6.112	Authorized E2 activity discharge to new containment basins (as of the issuance date of this permit) must meet the following conditions: a. be constructed to allow for maximum separation distance from groundwater with a minimum of 3 feet between the bottom of the impoundment and the seasonal high water table. b. If the wastewater pH of authorized discharges from E2 activities is outside the range of 6.0-9.0 Standard Units (SU), the wastewater must also be passed through an extra soil zone, mixed with other authorized process waters or rinse waters, or held in a lined or sealed basin to prevent infiltration in order to bring the pH within the range of 6.0-9.0 SU before the wastewater mixes with groundwater. [Minn. R. 7001]
	2.6.113	Authorized E2 activity discharge to existing containment basins must meet the following conditions: a. If the wastewater pH of authorized discharges from E2 activities is outside the range of 6.0-9.0 Standard Units (SU), the wastewater must also be passed through a soil zone, mixed with other authorized process waters or rinse waters, or held in a lined or sealed basin to prevent infiltration in order to bring the pH within the range of 6.0-9.0 SU before the wastewater mixes with groundwater. [Minn. R. 7001]
	2.6.114	**Pollution Prevention Plan (Plan)**. [Minn. R. 7001]
	2.6.115	The Permittee shall develop and implement a Pollution Prevention Plan (Plan) to address the specific conditions at the site. The goal of the Plan is to eliminate or minimize contact of stormwater with significant materials that may result in pollution of the runoff, as well as identify and correctly manage non-stormwater discharges. [Minn. R. 7001]
	2.6.116	A Plan shall be developed, implemented, and maintained for each site authorized by this permit. A Plan shall be prepared and maintained in an appropriate and functional manner in accordance with relevant manufacturer specifications and accepted engineering practices. [Minn. R. 7001]
	2.6.117	A Plan shall be completed prior to submitting the permit application for authorization of activities by this permit. Permittees authorized under the previous version of this permit shall modify the Plan to comply with the requirements of this permit prior to submitting the permit application. [Minn. R. 7001]
	2.6.118	A Plan shall be used by the Permittee to document all BMPs used to comply with all control measures required in the Technology Based Effluent Limits sections of this permit. BMPs shall be designed and implemented to address the potential pollutants associated with the activities and materials identified by the Permittee. The documentation shall include a list of all structural and non-structural BMPs designed and implementation at the site. [Minn. R. 7001]
	2.6.119	The Plan shall include documentation of an assessment and inventory/list of materials handled and activities conducted at the site that can potentially be a source of pollutants to stormwater discharges. The assessment shall include but is not limited to the materials and activities identified below: a. Excavation. b. Crushing/Screening. c. Overburden, waste and products stockpiles. d. Raw material and final product storage.

		e. Waste products. f. Sediment washing. g. Material loading/unloading. h. Areas where spills and leaks may potentially contribute pollutants to stormwater. i. Vehicle and equipment maintenance, washing, and fueling. j. Chemical additives/dust suppressant use. [Minn. R. 7001]
	2.6.120	The Plan for each site shall include an inventory of all chemical additives currently used to treat wastewater and/or stormwater including chemical dust suppressants. This inventory shall include: a. The name of the additive. b. The process for which the additive will be used. c. The proposed method of application, application frequency, and daily average and maximum rates of use. d. The date of MPCA approval. MPCA approval is required for any additives that are new, increasing in usage, or not previously approved. See the Total Facilities Requirements section of this permit and go to the chemical additive webpage at http://www.pca.state.mn.us/index.php/water/water-types-and-programs/wastewater/wastewater-technical-assistance/chemical-additive-approvals.html to find the documents necessary to complete the approval process. [Minn. R. 7001]
	2.6.121	The Plan for each site shall include a site map, which does not need to be a surveyed map, at least to the level of detail indicated on a 7.5-minute U. S. Geological Survey quadrangle map, which identifies: a. Location of the site in relation to surface waters (including the name of the surface water; if the name is not known, indicate that on the map). b. Location of all impaired waters within one mile. The Permittee shall include the name of the impaired water and the impairment (e.g. impaired for biota fish, turbidity, nutrients, etc.). c. Location of all ORVWS, designated trout waters, and wetlands within one mile of the site (Minn. R. 7050.0335, 6264.0050, and 7050.0420). d. Directions of stormwater flow indicated by arrows (including stormwater that is contained/infiltrated on site). e. Location of all discharge points. f. Location of all overflow points from control devices. g. Topography of the area. h. Location of all activities and materials. i. Location of all structural BMPs. j. Location and description of any non-stormwater discharges. k. Dewatering points. l. Water supply wells. m. Surface water supply intakes. Portable sites can meet the requirements of g. through m. above by developing general plant configuration maps. [Minn. R. 7001]
	2.6.122	The Plan for each site shall include a site map, which does not need to be a surveyed map, at least to the level of detail indicated on a 7.5-minute U.S. Geological Survey quadrangle map, which identifies: a. Location of the site in relation to surface waters (including the name of the surface water; if the name is not known, indicate that on the map).

		b. Location of all impaired waters within one mile. The Permittee shall include the name of the impaired water and the impairment (e.g. impaired for biota fish, turbidity, nutrients, etc.). c. Location of all ORVWs, designated trout waters, and wetlands within one mile of the site (Minn. R. 7050.0335, 6264.0050, and 7050.0420). d. Directions of stormwater flow indicated by arrows (including stormwater that is contained/infiltrated on site). e. Location of all discharge points. f. Location of all overflow points from control devices. g. Topography of the area. h. Location of all activities and materials. i. Location of all structural BMPs. j. Location and description of any non-stormwater discharges. k. Dewatering points. l. Water supply wells. m. Surface water supply intakes. Portable sites can meet the requirements of g. through m. above by developing general plant configuration maps. [Minn. R. 7001]
	2.6.123	The Permittee shall review the Plan at least annually and modify the Plan, if: a. There is construction or a change in design, operation, or maintenance at the facility that affects stormwater and wastewater management or compliance with this permit. b. The Permittee has identified a monitoring location from which the discharge flows to, and is within one mile of, an impaired water. c. A routine inspection, compliance evaluation, or visual inspection identified deficiencies in the Plan and/or BMP. d. Additional stormwater and/or wastewater control measures and BMPs are necessary to meet applicable water quality standards or to address exceedances of intervention limits. e. There is an unauthorized discharge from the facility. If the Plan modification is based on a release or unauthorized discharge, include in the modified Plan a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements in the Total Facilities Requirements section of this permit. [Minn. R. 7001]
	2.6.124	The Plan must be kept at the site when the site is Active. If there is no office located on-site, electronic access of the Plan is acceptable. The Plan must be available to the Agency within 72 hours of a request for review. [Minn. R. 7001]
	2.6.125	The Plan shall identify the individual(s) responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the site's Plan, as well as personnel responsible for managing and implementing the Plan. [Minn. R. 7001]
	2.6.126	The Permittee must develop and implement an employee training program to inform appropriate personnel of the components and goals of the Plan. The Plan must also identify periodic dates for such training. [Minn. R. 7001]
	2.6.127	Records of all inspections conducted in accordance with permit requirements shall be maintained within the Plan. [Minn. R. 7001]
	2.6.128	**Subsector D1 - Asphalt - Additional Plan Requirements**. [Minn. R. 7001]
	2.6.129	Asphalt facilities (Subsector D1) must also identify: a. Petroleum storage. b. Fuel Storage. c. Recycled Asphalt Pavement Storage.

		d. Aggregate Storage. e. Recycled concrete, concrete block and brick crushing and storage. f. Cold Patch Storage. g. Release agent storage and application. [Minn. R. 7001]
	2.6.130	**Subsector E2 - Ready-Mix Operations - Additional Plan Requirements**. [Minn. R. 7001]
	2.6.131	Ready-Mix Operations (Subsector E2) must also identify: a. Bag house or other dust control device. b. Recycle/sediment pond, clarifier, or other device used for the treatment of process wastewater. c. The areas that drain to the treatment device. d. Description of multiple locations of ready-mix and other concrete operations, if applicable. [Minn. R. 7001]
	2.6.132	**Inspection Reports**. [Minn. R. 7001]
	2.6.133	The Permittee shall develop and implement an inspection schedule that includes a minimum of one site inspection per calendar month that the site is an Active Site and staffed. A minimum of one inspection per calendar year shall be conducted during a runoff event. [Minn. R. 7001]
	2.6.134	If the site is Inactive and unstaffed, Temporarily Inactive and unstaffed as defined, or is a site undergoing final stabilization, the Permittee is waived from the requirement to conduct monthly site inspections, but BMPs must be maintained. [Minn. R. 7001]
	2.6.135	All inspections and resulting maintenance must be recorded and retained within the Plan. Records of each inspection and maintenance activity shall include: a. Date and time of inspections. b. Name of person(s) conducting inspections. c. An evaluation of the facility to determine that the Plan accurately reflects conditions as described in the Pollution Prevention Plan. At a minimum, the Permittee shall inspect storage tank areas, waste disposal areas, maintenance areas, loading/unloading areas, and raw material, intermediate product, by-product and final product storage areas. d. An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function. e. An evaluation of the facility to determine whether new exposed significant materials or activities have been added to the site since completion of the Plan. f. Findings of inspections, including recommendations for corrective actions. g. Corrective actions taken (including dates, times, and party completing maintenance activities). [Minn. R. 7001]
	2.6.136	In addition to the inspection requirements of this Section, separately from the required annual runoff event inspection, the Permittee shall ensure that one of the required monthly inspections occurs during a snow melt event. The inspection shall include a visual assessment of the runoff to identify any visible sheens or films that indicate the presence of oil or grease in the discharge. If sheens are present in surface discharges, corrective actions to prevent sheen shall be implemented and documented in the Plan. [Minn. R. 7001]
	2.6.137	**Subsector D1 - Asphalt - Additional Inspection Reports Requirements**. [Minn. R. 7001]
	2.6.138	The operator of an Asphalt Facility shall also inspect the following areas: a. Material storage and handling areas; b. Liquid storage tanks; c. Hoppers and silos; d. Vehicle and equipment maintenance, cleaning, and fueling areas; and

		e. Material handling vehicles, equipment, and processing areas. Ensure that appropriate action is taken in response to the inspection by using follow-up procedures. Document in the Plan the inspections and follow up actions. [Minn. R. 7001]
	2.6.139	**Subsector E2 - Ready-Mix and Other Concrete Operations - Additional Inspection Reports Requirements**. [Minn. R. 7001]
	2.6.140	Dust collection and containment systems shall be included in the site inspections. [Minn. R. 7001]
	2.6.141	**Monitoring Requirements**. [Minn. R. 7001]
	2.6.142	**Stormwater Monitoring**. [Minn. R. 7001]
	2.6.143	Stormwater Monitoring. [Minn. R. 7001]
	2.6.144	The Permittee shall monitor each outfall for all parameters specified in the Limits and Monitoring Section of this permit during stormwater runoff from active site operations. The Permittee shall submit the results of intervention limit monitoring required by this permit on the Discharge Monitoring Report form provided by the Agency. The information must be recorded in the specified areas on the form and in the unit specified. [Minn. R. 7001]
	2.6.145	Two samples shall be collected at each monitoring outfall and analyzed for each intervention limit parameter in a calendar year in order to determine an annual average concentration for each intervention limit parameter. The two samples shall be collected on two separate runoff events, one in the spring and one in the fall, if possible, each calendar year the Permittee is authorized to discharge under this permit. At the Permittee's discretion, more than two samples may be taken during separate runoff events and used to determine the annual average intervention limit(s). For averaging purposes, use a value of zero for any individual sample parameter which is determined to be less than the method detection limit. [Minn. R. 7001]
	2.6.146	If the Permittee is unable to obtain a minimum of two samples, less than two samples may be used to determine the annual average intervention limit(s) for the discharges during the year. However, for each sample that could not be obtained due to weather conditions and/or soil characteristics, the Permittee shall provide an explanation in the Comments section of the Discharge Monitoring Report and submit it to the Agency. [Minn. R. 7001]
	2.6.147	Samples shall be collected during the first 30 minutes of a measurable runoff event at a monitoring outfall and sampling events shall be at least 72 hours apart, to the extent feasible. [Minn. R. 7001]
	2.6.148	The intervention limit monitoring location(s) selected by the Permittee shall be in a location that: a. Is below the most down-gradient BMP from the source of industrial activity or significant materials, but prior to discharging from the Permittee's operational control. b. Minimizes or eliminates sampling of stormwater from off-site sources (run-on). c. Yields a sample that best represents the contribution of pollutants the Permittee is required to monitor for in accordance with this permit and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater. [Minn. R. 7001]
	2.6.149	If the Permittee has identified multiple, but separate, stormwater discharges and each area of discharge is substantially similar in terms of exposure, BMPs, and pollutants discharged, the Permittee may choose one intervention limit monitoring location that is most representative and best allows for obtaining a sample. This is applicable to a single site only. Multiple sites may only choose a substantially similar outfall at a single site. [Minn. R. 7001]

	2.6.150	An exceedance of an applicable annual average intervention limit does not constitute a violation under this permit. However, the Permittee is required to perform any necessary corrective action(s) to address stormwater control measures, including the maintenance or implementation of BMPs, when an exceedance of an applicable intervention limit occurs as described below. Failure to respond to an intervention limit exceedance is a violation of the permit. If an exceedance of an intervention limit occurs, modify the Plan and document all corrective actions, including improvements to BMPs, necessary to meet the applicable intervention limits. Modifications and upgrades of the Plan and BMPs shall be initiated immediately, but no later than 14 days beyond discovery of an intervention limit exceedance. The Permittee must install a new or modified control and make it operational as soon as possible. If it is infeasible to complete the installation of a new or modified BMP within 14 calendar days, the Permittee must document why it is infeasible to complete the installation or repair within the 14-day timeframe. The Permittee must also outline a schedule for completing the work, and documentation must be completed as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If 45 days is infeasible, the Permittee must complete the installation or repair as soon as practicable and document the reason for delay. All documentation shall be contained within or as an attachment to the Plan. [Minn. R. 7001]
	2.6.151	If the site is Temporarily Inactive during a monitoring permit, intervention limit monitoring is not required, but the Permittee shall indicate on their DMR the inactivity and indicate that permanent stormwater BMPs remain in place. Should the site become active, the Permittee is required to sample in accordance with this Section of the permit for the year the site became active. [Minn. R. 7001]
	2.6.152	If stormwater does not discharge to surface waters, no monitoring is required. If there is no discharge during the sampling period, the Permittee shall check the "No Flow" box and note the conditions on the Discharge Monitoring Report Form. [Minn. R. 7001]
	2.6.153	If the Permittee submits documentation in compliance with this permit and receives approval from MPCA, discharges from the mine dewatering control devices are not required to be sampled. This shall include overflows caused solely by direct rainfall and groundwater seepage. [Minn. R. 7001]
	2.6.154	Stormwater Limits and Monitoring Intervention Limits a. Subsectors J1, J2, D1, and E2: Total Suspended Solids, 100 mg/L. b. Subsector E2: Iron, 1.0 mg/L. [Minn. R. 7001]
	2.6.155	**Mine Dewatering to Surface Waters - Effluent Limit Monitoring**. [Minn. R. 7001]
	2.6.156	If dewatering flows do not discharge to surface waters, no monitoring will be required. If there is no discharge during the sampling period, the Permittee shall check the "No Flow" box and note the conditions on the Discharge Monitoring Report Form. [Minn. R. 7001]
	2.6.157	If the Permittee submits documentation in compliance with this permit and receives approval from MPCA, overflows from the mine pit dewatering control devices are not required to be sampled. This shall include overflows caused solely by direct rainfall and groundwater seepage. [Minn. R. 7001]
	2.6.158	One sample shall be collected quarterly from each monitoring outfall identified and analyzed for each required effluent limit parameters specified in the Limits and Monitoring Section of this permit. The sample(s) shall be collected each calendar quarter the Permittee is authorized to discharge under this permit. [Minn. R. 7001]

	2.6.159	For active mine dewatering, samples shall be representative of the discharge and collected during any measurable event at an outfall. Flow monitoring shall be monitored using a continuous flow monitor or pump-run times. [Minn. R. 7001]
	2.6.160	If the discharge event is an overflow caused by a rainfall event, the sample(s) shall be collected within the first 30 minutes of the measurable runoff event. If it is not possible to collect the sample(s) within the first 30 minutes, the sample(s) shall be collected as soon as practicable after the first 30 minutes and documentation must be included with the Comments field of the Discharge Monitoring Report Form that explains why it was not possible to collect the sample(s) within the first 30 minutes. [Minn. R. 7001]
	2.6.161	Mine Dewatering to Surface Waters - Monitoring for Permit Reissuance. The following parameters shall be sampled and analyzed prior to permit expiration and submitted with the application for permit re-issuance. Samples shall be representative of mine dewatering discharge activity, and must comply with the Total Facilities Requirements section of this permit: a. Total Dissolved Solids. b. Hardness. c. Oil & Grease and surfactants. d. Antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, and zinc. e. Aluminum, barium, boron, cobalt, iron, magnesium, manganese, molybdenum, total tin, and total aluminum. [Minn. R. 7001]
	2.6.162	**Total Facilities Requirements**. [Minn. R. 7001]
	2.6.163	Definitions. Refer to the 'Permit Users Manual' found on the MPCA website (www.pca.state.mn.us) for standard definitions. [Minn. R. 7001]
	2.6.164	Incorporation by Reference. The following applicable federal and state laws are incorporated by reference in this permit, are applicable to the Permittee, and are enforceable parts of this permit: 40 CFR pts. 122.41, 122.42, 136, 403 and 503; Minn. R. pts. 7001, 7041, 7045, 7050, 7052, 7053, 7060, and 7080; and Minn. Stat. ch. 115 and 116. [Minn. R. 7001]
	2.6.165	Permittee Responsibility. The Permittee shall perform the actions or conduct the activity authorized by the permit in compliance with the conditions of the permit and, if required, in accordance with the plans and specifications approved by the Agency. [Minn. R. 7001]
	2.6.166	Toxic Discharges Prohibited. Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to Code of Federal Regulations, Title 40, sections 400 to 460 and Minnesota Rules 7050, 7052, 7053 and any other applicable MPCA rules. [Minn. R. 7001]
	2.6.167	Nuisance Conditions Prohibited. The Permittee's discharge shall not cause any nuisance conditions including, but not limited to: floating solids, scum and visible oil film, acutely toxic conditions to aquatic life, or other adverse impact on the receiving water. [Minn. R. 7050.0210, Subp. 2]
	2.6.168	Property Rights. This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001]
	2.6.169	Liability Exemption. In issuing this permit, the state and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under this permit. To the extent the state and the MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act. [Minn. R. 7001]
	2.6.170	The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules, or plans beyond what is authorized by Minnesota Statutes. [Minn. R. 7001]

	2.6.171	Liabilities. The MPCA's issuance of this permit does not release the Permittee from any liability, penalty or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. [Minn. R. 7001]
	2.6.172	The issuance of this permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. [Minn. R. 7001]
	2.6.173	Severability. The provisions of this permit are severable and, if any provisions of this permit or the application of any provision of this permit to any circumstance are held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. [Minn. R. 7001]
	2.6.174	Compliance with Other Rules and Statutes. The Permittee shall comply with all applicable air quality, solid waste, and hazardous waste statutes and rules in the operation and maintenance of the facility. [Minn. R. 7001]
	2.6.175	Inspection and Entry. When authorized by Minn. Stat. ch. 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. [Minn. R. 7001]
	2.6.176	Control Users. The Permittee shall regulate the users of its wastewater treatment facility so as to prevent the introduction of pollutants or materials that may result in the inhibition or disruption of the conveyance system, treatment facility or processes, or disposal system that would contribute to the violation of the conditions of this permit or any federal, state or local law or regulation. [Minn. R. 7001]
	2.6.177	**Sampling**. [Minn. R. 7001]
	2.6.178	Representative Sampling. Samples and measurements required by this permit shall be conducted as specified in this permit and shall be representative of the discharge or monitored activity. [40 CFR 122.41(j)(1)]
	2.6.179	Additional Sampling. If the Permittee monitors more frequently than required, the results and the frequency of monitoring shall be reported on the Discharge Monitoring Report (DMR) or another MPCA-approved form for that reporting period. [Minn. R. 7001]
	2.6.180	Certified Laboratory. A laboratory certified by the Minnesota Department of Health and/or registered by the MPCA shall conduct analyses required by this permit. Analyses of dissolved oxygen, pH, temperature, specific conductance, and total residual oxidants (chlorine, bromine) do not need to be completed by a certified laboratory but shall comply with manufacturers specifications for equipment calibration and use. [Minn. R. 4740.2010, Minn. R. 4740.2050 through 2120]
	2.6.181	Sample Preservation and Procedure. Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200. [40 CFR 136, Minn. R. 7041.3200]
	2.6.182	Equipment Calibration: Flow meters, pumps, flumes, lift stations or other flow monitoring equipment used for purposes of determining compliance with permit shall be checked and/or calibrated for accuracy at least twice annually. [Minn. R. 7001]
	2.6.183	Maintain Records. The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA. The Permittee shall maintain records for each sample and measurement. The records shall include the following

		information: a. the exact place, date, and time of the sample or measurement; b. the date of analysis; c. the name of the person who performed the sample collection, measurement, analysis, or calculation; d. the analytical techniques, procedures and methods used; and e. the results of the analysis. [Minn. R. 7001]
	2.6.184	Completing Reports. The Permittee shall submit the results of the required sampling and monitoring activities on the forms provided, specified, or approved by the MPCA. The information shall be recorded in the specified areas on those forms and in the units specified. Required forms may include DMR Supplemental/Sample Value Form Individual values for each sample and measurement shall be recorded on the DMR Supplemental/Sample Value Form which, if required, will be provided by the MPCA. DMR Supplemental/Sample Value Forms shall be submitted with the appropriate DMRs. You may design and use your own supplemental form; however it shall be approved by the MPCA. Note: Required summary information shall also be recorded on the DMR. Summary information that is submitted ONLY on the DMR Supplemental/Sample Value Form does not comply with the reporting requirements. [Minn. R. 7001]
	2.6.185	Submitting Reports. DMRs, DMR supplemental forms and related attachments must be electronically submitted via the MPCA Online Services Portal after authorization is approved. DMRs and DMR Supplemental Forms shall be electronically submitted by the 21st day of the month following the sampling period or as otherwise specified in this permit. Electronic DMR submittal shall be complete on or before 11:59 PM of the 21st day of the month following the sampling period or as otherwise specified in this permit. A DMR shall be submitted for each required station even if no discharge occurred during the reporting period. Other reports required by this permit shall be postmarked by the date specified in the permit to: MPCA, Attn: WQ Submittals Center, 520 Lafayette Road North, St Paul Minnesota 551554194. [Minn. R. 7001]
	2.6.186	Incomplete or Incorrect Reports. The Permittee shall immediately submit an electronically amended report or DMR to the MPCA upon discovery by the Permittee or notification by the MPCA that it has submitted an incomplete or incorrect report or DMR. The amended report or DMR shall contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. If it is impossible to electronically amend the report or DMR, the Permittee shall immediately notify the MPCA and the MPCA will provide direction for the amendment submittals. [Minn. R. 7001]
	2.6.187	Required Signatures. All DMRs, forms, reports, and other documents submitted to the MPCA shall be signed by the Permittee or the duly authorized representative of the Permittee. Minn. R. 7001.0150, subp. 2, item D. The person or persons that sign the DMRs, forms, reports or other documents shall certify that he or she understands and complies with the certification requirements of Minn. R. 7001.0070 and 7001.0540, including the penalties for submitting false information. Technical documents, such as design drawings and specifications and engineering studies required to be submitted as part of a permit application or by permit conditions, shall be certified by a registered professional engineer. [Minn. R. 7001]

	2.6.188	Detection Level. The Permittee shall report monitoring results below the reporting limit (RL) of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the concentration shall be reported as "<0.1 mg/L." "Non-detected," "undetected," "below detection limit," and "zero" are unacceptable reporting results, and are permit reporting violations. Where sample values are less than the level of detection and the permit requires reporting of an average, the Permittee shall calculate the average as follows: a. If one or more values are greater than the level of detection, substitute zero for all nondetectable values to use in the average calculation. b. If all values are below the level of detection, report the averages as "<" the corresponding level of detection. c. Where one or more sample values are less than the level of detection, and the permit requires reporting of a mass, usually expressed as kg/day, the Permittee shall substitute zero for all nondetectable values. [Minn. R. 7001]
	2.6.189	Records. The Permittee shall, when requested by the Agency, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. [Minn. R. 7001]
	2.6.190	Confidential Information. Except for data determined to be confidential according to Minn. Stat. ch. 116.075, subd. 2, all reports required by this permit shall be available for public inspection. Effluent data shall not be considered confidential. To request the Agency maintain data as confidential, the Permittee shall follow Minn. R. 7000.1300. [Minn. R. 7000.1300]
	2.6.191	**Noncompliance and Enforcement**. [Minn. R. 7001]
	2.6.192	Subject to Enforcement Action and Penalties. Noncompliance with a term or condition of this permit subjects the Permittee to penalties provided by federal and state law set forth in section 309 of the Clean Water Act; United States Code, title 33, section 1319, as amended; and in Minn. Stat. ch. 115.071 and 116.072, including monetary penalties, imprisonment, or both. [Minn. R. 7001]
	2.6.193	Criminal Activity. The Permittee may not knowingly make a false statement, representation, or certification in a record or other document submitted to the Agency. A person who falsifies a report or document submitted to the Agency, or tampers with, or knowingly renders inaccurate a monitoring device or method required to be maintained under this permit is subject to criminal and civil penalties provided by federal and state law. [Minn. R. 7001.0150, Subp. 3(G), Minn. R. 7001.1090, Subp. 1(G and H), Minn. Stat. ch. 609.671, Subp. 1]
	2.6.194	Noncompliance Defense. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [40 CFR 122.41(c)]
	2.6.195	Effluent Violations. If sampling by the Permittee indicates a violation of any discharge limitation specified in this permit, the Permittee shall immediately make every effort to verify the violation by collecting additional samples, if appropriate, investigate the cause of the violation, and take action to prevent future violations. If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee shall within 24 hours of the discovery of the noncompliance, orally notify the commissioner and submit a written description of the noncompliance within 5 days of the discovery. The written description shall include items a. through e., as listed below. If the Permittee discovers other non-compliance that does not explicitly endanger human health, public drinking water supplies, or the environment, the non-

		compliance shall be reported during the next reporting period to the MPCA with its Discharge Monitoring Report (DMR). If no DMR is required within 30 days, the Permittee shall submit a written report within 30 days of the discovery of the noncompliance. This description shall include the following information: a. a description of the event including volume, duration, monitoring results and receiving waters; b. the cause of the event; c. the steps taken to reduce, eliminate and prevent reoccurrence of the event; d. the exact dates and times of the event; and e. steps taken to reduce any adverse impact resulting from the event. [Minn. R. 7001]
	2.6.196	Upset Defense. In the event of temporary noncompliance by the Permittee with an applicable effluent limitation resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the Agency as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence: a. the specific cause of the upset; b. that the upset was unintentional; c. that the upset resulted from factors beyond the reasonable control of the Permittee and did not result from operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or increases in production which are beyond the design capability of the treatment facilities; d. that at the time of the upset the facility was being properly operated; e. that the Permittee properly notified the Commissioner of the upset in accordance with Minn. R. 7001.1090, subp. 1, item I; and f. that the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J. [Minn. R. 7001]
	2.6.197	**Release**. [Minn. R. 7001]
	2.6.198	Unauthorized Releases of Wastewater Prohibited. Except for discharges from outfalls specifically authorized by this permit, overflows, discharges, spills, or other releases of wastewater or materials to the environment, whether intentional or not, are prohibited. However, the MPCA will consider the Permittee's compliance with permit requirements, frequency of release, quantity, type, location, and other relevant factors when determining appropriate action. [40 CFR 122.41, Minn. Stat. ch. 115.061]
	2.6.199	Discovery of a release. Upon discovery of a release, the Permittee shall: a. Take all reasonable steps to immediately end the release. b. Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 (metro area) immediately upon discovery of the release. You may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area). c. Recover as rapidly and as thoroughly as possible all substances and materials released or immediately take other action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If the released materials or substances cannot be immediately or completely recovered, the Permittee shall contact the MPCA. If directed by the MPCA, the Permittee shall consult with other local, state or federal agencies (such as the Minnesota Department of Natural Resources and/or the Wetland Conservation Act authority) for implementation of additional clean-up or remediation activities in wetland or other sensitive areas. [Minn. R. 7001]
	2.6.200	Sampling of a release. Upon discovery of a release, the Permittee shall: a. Collect representative samples of the release. The Permittee shall sample the

		release for parameters of concern immediately following discovery of the release. The Permittee may contact the MPCA during business hours to discuss the sampling parameters and protocol. In addition, Fecal Coliform Bacteria samples shall be collected where it is determined by the Permittee that the release contains or may contain sewage. If the release cannot be immediately stopped, the Permittee shall consult with MPCA regarding additional sampling requirements. Samples shall be collected at least, but not limited to, two times per week for as long as the release continues. b. Submit the sampling results on the Release Sampling Form (http://www.pca.state.mn.us/index.php/view-document.html?gid=18867). The Release Sampling Form shall be submitted to the MPCA with the next DMR or within 30 days whichever is sooner. [Minn. R. 7001]
	2.6.201	**Bypass**. [Minn. R. 7001]
	2.6.202	Anticipated bypass. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if the bypass is for essential maintenance to assure efficient operation of the facility. The permittee shall submit prior notice, if possible at least ten days before the date of the bypass to the MPCA. The notice of the need for an anticipated bypass shall include the following information: a. the proposed date and estimated duration of the bypass; b. the alternatives to bypassing; and c. a proposal for effluent sampling during the bypass. Any bypass wastewater shall enter waters of the state from outfalls specifically authorized by this permit. Therefore, samples shall be collected at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. [40 CFR 122.41(m)(2 and 3), Minn. R. 7001.1090, 1(J)]
	2.6.203	All other bypasses are prohibited. The MPCA may take enforcement action against the Permittee for a bypass, unless the specific conditions described in Minn. R. Ch. 7001.1090 subp. 1, K and 122.41(m)(4)(i) are met. In the event of an unanticipated bypass, the permittee shall: a. Take all reasonable steps to immediately end the bypass. b. Notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 (metro area) immediately upon commencement of the bypass. You may contact the MPCA during business hours at 1(800)657-3864 or (651)296-6300 (metro area). c. Immediately take action as may be reasonably possible to minimize or abate pollution to waters of the state or potential impacts to human health caused thereby. If directed by the MPCA, the Permittee shall consult with other local, state or federal agencies for implementation of abatement, clean-up, or remediation activities. d. Only allow bypass wastewater as specified in this section to enter waters of the state from outfalls specifically authorized by this permit. Samples shall be collected at the frequency and location identified in this permit or two times per week for as long as the bypass continues, whichever is more frequent. The permittee shall also follow the reporting requirements for effluent violations as specified in this permit. [40 CFR 122.41(m)(4)i, Minn. R. 7001.1090, 1(K), Minn. Stat. ch. 115.061]
	2.6.204	**Operation and Maintenance**. [Minn. R. 7001]
	2.6.205	The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control, and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate

		funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible Minn. R. 7001.0150. subp. 3, item F. [Minn. R. 7001]
	2.6.206	In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail its discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until the wastewater treatment facility has been restored or until an alternative method of treatment is provided. [Minn. R. 7001]
	2.6.207	Solids Management. The Permittee shall properly store, transport, and dispose of biosolids, septage, sediments, residual solids, filter backwash, screenings, oil, grease, and other substances so that pollutants do not enter surface waters or ground waters of the state. Solids should be disposed of in accordance with local, state and federal requirements. [40 CFR 503, Minn. R. 7041]
	2.6.208	Scheduled Maintenance. The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality, except where emergency maintenance is required to prevent a condition that would be detrimental to water quality or human health. [Minn. R. 7001]
	2.6.209	Control Tests. In-plant control tests shall be conducted at a frequency adequate to ensure compliance with the conditions of this permit. [Minn. R. 7001]
	2.6.210	**Changes to the Facility or Permit**. [Minn. R. 7001]
	2.6.211	Permit Modifications. Except as provided under Minnesota Statutes, section 115.07, subdivisions 1 and 3, no person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the agency has issued a written permit for the facility or activity. Permittees that propose to make a change to the facility or discharge that requires a permit modification shall follow Minn. R. 7001.0190. If the Permittee cannot determine whether a permit modification is needed, the Permittee shall contact the MPCA prior to any action. It is recommended that the application for permit modification be submitted to the MPCA at least 180 days prior to the planned change. [Minn. R. 7001]
	2.6.212	Plans, specifications and MPCA approval are not necessary when maintenance dictates the need for installation of new equipment, provided the equipment is the same design size and has the same design intent. For instance, a broken pipe, lift station pump, aerator, or blower can be replaced with the same design-sized equipment without MPCA approval. If the proposed construction is not expressly authorized by this permit, it may require a permit modification. If the construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until a negative declaration is issued and all approvals are received or implemented. [Minn. R. 7001]
	2.6.213	Report Changes. The Permittee shall give advance notice as soon as possible to the MPCA of any substantial changes in operational procedures, activities that may alter the nature or frequency of the discharge, and/or material factors that may affect compliance with the conditions of this permit. [Minn. R. 7001]
	2.6.214	Chemical Additives. The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit, in quantities or concentrations that

		have the potential to change the characteristics, nature and/or quality of the discharge. The Permittee shall request approval for an increased or new use of a chemical additive at least 60 days, or as soon as possible, before the proposed increased or new use. This written request shall include at least the following information for the proposed additive: a. The process for which the additive will be used; b. Safety Data Sheet (SDS) which shall include aquatic toxicity, human health, and environmental fate information for the proposed additive. The aquatic toxicity information shall include at minimum the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean; c. a complete product use and instruction label; d. the commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive (If the MSDS does not include information on chemical composition, including percentages for each ingredient totaling to 100%, the Permittee shall contact the supplier to have this information provided); and e. The proposed method of application, application frequency, concentration, and daily average and maximum rates of use. Upon review of the information submitted regarding the proposed chemical additive, the MPCA may require additional information be submitted for consideration. This permit may be modified to restrict the use or discharge of a chemical additive and include additional influent and effluent monitoring requirements. Approval for the use of an additive shall not justify the exceedance of any effluent limitation nor shall it be used as a defense against pollutant levels in the discharge causing or contributing to the violation of a water quality standard. [Minn. R. 7001]
	2.6.215	MPCA Initiated Permit Modification, Suspension, or Revocation. The MPCA may modify or revoke and reissue this permit pursuant to Minn. R. 7001.0170. The MPCA may revoke without reissuance this permit pursuant to Minn. R. 7001.0180. [Minn. R. 7001]
	2.6.216	TMDL Impacts. Facilities that discharge to an impaired surface water, watershed or drainage basin may be required to comply with additional permits or permit requirements, including additional restriction or relaxation of limits and monitoring as authorized by the CWA 303(d)(4)(A) and 40 CFR 122.44.l.2.i., necessary to ensure consistency with the assumptions and requirements of any applicable US EPA approved wasteload allocations resulting from Total Maximum Daily Load (TMDL) studies. [40 CFR 122.44(l)(2)i]
	2.6.217	Permit Transfer. The permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit. [Minn. R. 7001]
	2.6.218	Facility Closure. The Permittee is responsible for closure and post-closure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of the activities described in this permit at least 180 days before the reduction or cessation. The MPCA may require the Permittee to provide to the MPCA a facility Closure Plan for approval. Facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or ground water, may require a

		permit modification or reissuance. The MPCA may require the Permittee to establish and maintain financial assurance to ensure performance of certain obligations under this permit, including closure, post-closure care and remedial action at the facility. If financial assurance is required, the amount and type of financial assurance, and proposed modifications to previously MPCA-approved financial assurance, shall be approved by the MPCA. [Minn. Stat. ch. 116.07, Subp. 4]
	2.6.219	Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration. If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160): a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit; b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit; c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies. [Minn. R. 7001]
	2.6.220	**Permit Specific Definitions**. [Minn. R. 7001]
	2.6.221	"Active Facility" means a place where work or other activity related to the production of asphalt and ready-mix / concrete products and extraction, removal, or recovery of nonmetallic minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to desired contour and stabilization has begun. This definition is derived from the definition of 'active mining area' found at 40 CFR pt. 440.132(a). [40 CFR 440.132(a), State Definitions]
	2.6.222	"Asphalt cement" means fluxed or unfluxed asphalt specially prepared for direct use in the manufacture of asphalt pavements. [State Definitions]
	2.6.223	"Asphalt Emulsion" means a mixture of asphalt cement, chemical, and water solution. Asphalt emulsions are produced by adding an emulsifying agent to asphalt and water. [State Definitions]
	2.6.224	"Asphalt pavement" means a mixture of asphalt cement (asphalt binder), aggregate, and other additives; may also be referred to as asphalt concrete (AC), bituminous mix (BM), and sometimes asphaltic concrete (HMAC). [State Definitions]
	2.6.225	"Effluent Monitoring Location" for the purposes of this permit means the location(s) within the boundary of the facility where the Permittee will collect mine dewatering and/or authorized non-stormwater discharges. The effluent monitoring location(s) selected by the Permittee shall be in a location that: a. Is immediately below the most down-gradient BMP from the specific industrial activity that has a numeric effluent limit, but prior to where the discharge co-mingles with stormwater from other sources. b. Yields a sample that represents the contribution of the pollutants for which the Permittee is required to monitor. [State Definitions]
	2.6.226	"Energy Dissipation" means methods employed at pipe outlets to prevent erosion. Examples include, but are not limited to: concrete aprons, riprap, splash pads, and gabions that are designed to prevent erosion. [State Definitions]

	2.6.227	"Facility" for the purposes of this permit, means land that shares a common border and that has a stormwater discharge associated with industrial activity as defined by 40 CFR Part 122.26(b)(14) with the discharge having a common owner/operator. [40 CFR 122.26(b)(14), State Definitions]
	2.6.228	"Impaired Water" means waters identified as impaired by the Agency, and approved by the USEPA, pursuant to section 303(d) of the Clean Water Act (33 U.S.C. Section 303(d)). [CWA Sect. 303.d, State Definitions]
	2.6.229	"Impoundments" mean topographic depressions designed to hold liquid. [State Definitions]
	2.6.230	"Inactive Facility" means a site or portion of a site where nonmetallic mineral mining and/or milling, asphalt reduction and ready-mix concrete production occurred in the past but is not an Active Facility. The Permittee does not anticipate mining and/or associated activities to occur in the foreseeable future, has requested the permit coverage at this inactive portion be terminated, and the inactive portion is no longer covered by an active mining permit. [State Definitions]
	2.6.231	"Infeasible" means not technologically possible or not economically practicable and achievable in light of the best industry practices. [State Definitions]
	2.6.232	"Infiltration Device" for purposes of this permit, means a device to which industrial stormwater runoff is diverted, collected, or conveyed for the purpose of infiltration. This includes all man-made and natural infiltration areas to which runoff are diverted. An infiltration device does not include the parts of the system that diverts, collects, or conveys stormwater. Incidental infiltration from conveyances such as swales or ditches, including those with erosion prevention devices such as vegetation, silt fence, or fiber bails, is not an infiltration device. However, swales, ditches, or similar devices constructed with stop logs, ditch excavation for storage or other retention devices, which are for the purpose of increased infiltration, are infiltration devices. Wetlands (including types 1 through 8) and other natural surface water bodies are not infiltration devices or parts of infiltration device systems, and cannot be used as infiltration devices, unless mitigated in accordance with applicable state rules. [State Definitions]
	2.6.233	"Karst topography" means an area underlain by fractured carbonate bedrock in which erosion has produced geological characteristics such as: sinkholes; springs, subsurface drainage; caves; sinking streams; dissolutionally enlarged joints (grikes) or bedding planes, and bedrock surface channels (karren). Counties known for karst features include parts of Dakota, Rice, Dodge, and Mower, and most of Goodhue, Olmsted, Winona, Wabasha, Houston and Fillmore. [State Definitions]
	2.6.234	"Mine Pit Dewatering" means any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. Uncontaminated groundwater and stormwater collecting in a low area in which there is already an existing stormwater outlet for stormwater/seepage by gravity overflow shall not be considered mine pit dewatering. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities shall be deemed discharge of process generated wastewater. [State Definitions]
	2.6.235	"Non-Stormwater Discharge" means any discharge not comprised entirely of stormwater. [State Definitions]
	2.6.236	"Operator" is the person responsible for the overall operation of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.3000, State Definitions]
	2.6.237	"Owner" is the person who owns an industrial facility or part of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.3000, State Definitions]
	2.6.238	"Person" means any human being, any municipality or other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal

		representative of any of the foregoing, or any other legal entity, but does not include the MPCA. [State Definitions]
	2.6.239	"Pipes" mean hollow cylinders or tubes constructed of non-earthen materials. [State Definitions]
	2.6.240	"Pollution Prevention Plan" (Plan) means a plan for stormwater and non-stormwater discharges that include facility-specific activities and actions to, first, identify sources of pollution or contamination at the facility, and second, select and implement BMPs to eliminate or reduce contact of stormwater with significant materials and non-stormwater discharges that may result in polluted runoff from the facility. [State Definitions]
	2.6.241	"Primary Standard Industrial Classification (SIC) Code" for the purposes of this permit, is the SIC code associated with the industrial activity that generates the greatest revenue. If revenue data is not available, the owner/operator shall base the determination on the number of employees engaged in the industrial activity. If it is not possible to determine the primary SIC code using either of these two methods, the owner/operator shall base the determination on the SIC code with the greatest production. The industrial activity that generates the greatest revenue, employs the most personnel, or has the greatest production, is the industrial activity assigned the primary SIC code. [State Definitions]
	2.6.242	"Reclamation" means activities undertaken in compliance with applicable mined land reclamation requirements following the cessation of activities associated with extraction, removal and recovery of nonmetallic minerals, intended to return the land to an appropriate post-mining land use. [State Definitions]
	2.6.243	"Seasonal High Water Table" means the highest level the water table reaches during a given year. Methods of determining the seasonal high water table are given in part 7041.3400, subpart 3. [Minn. R. 7041.0100, Subp. 48]
	2.6.244	"Sediment Control" means methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins. [Minn. R. 7041.0100, Subp. 48, Minn. R. 7041.3400, Subp. 3, State Definitions]
	2.6.245	"Significant Materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR 122.26(b)(12)]
	2.6.246	"Small Construction Activity" means small construction activity as defined in 40 C.F.R. part 122.26(b)(15). Small construction activities include clearing, grading and excavating that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. [State Definitions]
	2.6.247	"Stormwater Pond" for purposes of this permit means constructed detention or retention facilities for the treatment of stormwater runoff under the requirements of this permit. This includes permanent ponds, dry ponds, flow equalization ponds (followed by other BMPs), and constructed wetlands. However, natural wetlands

		(including types 1-8) and other natural surface water bodies are not industrial stormwater ponds, parts of ponds or pond systems, and cannot be used as BMPs for stormwater treatment unless mitigated in accordance with applicable state rules. [State Definitions]
	2.6.248	"Structural BMPs" refers to the installation of devices that will reduce or eliminate pollutants to stormwater through installation of permanent structural devices to treat or control runoff. Examples of structural BMPs include but are not limited to installation of stormwater diversion berms or channels; sedimentation basins (retention or detention basins); oil/water separators; grit chambers; roofs, awnings, or buildings to cover significant material. [State Definitions]
	2.6.249	"Tanks" means a container, vessel, or enclosure designed to contain substances and is constructed of materials such as concrete, steel, plastic, or fiberglass reinforced plastic, and provides structural support. [State Definitions]
	2.6.250	"Temporarily Inactive Facility" means a site or portion of a site where nonmetallic mineral mining and/or milling, asphalt production and ready-mix concrete production occurred in the past but currently are not being actively undertaken and permit coverage is being maintained for the possibility of mining and/or associated activities in the foreseeable future. [State Definitions]
	2.6.251	"Treatment Works" means any plant, disposal field, lagoon, dam, pumping station, constructed drainage ditch or surface water intercepting ditch, or other works not specifically mentioned herein, installed for the purpose of treating, stabilizing or disposing of sewage, industrial waste, or other wastes. For the purposes of this permit, this includes stormwater ponds, sedimentation basins and/or infiltration devices for stormwater management. [Minn. Stat. ch. 115.01, Subd. 21, State Definitions]
	2.6.252	"Water Quality Standards" means those provisions contained in Minn. R Chapters 7050 and 7052. [Minn. R. 7050, Minn. R. 7052, State Definitions]
	2.6.253	"Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes: a. a predominance of hydric soils; b. inundated or saturated by surface water or groundwater at a frequency and duration to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and, c. under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, Subp. 1(a)B, State Definitions]

3. Submittal action summary

SD 001	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Subsectors D1, J1, J2
	3.1.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 002	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Subsector E2
	3.2.1	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 003	MNG49 Stormwater, Non-specific	
		Surface Discharge: MNG49 Dewatering from Construction Sand and Gravel (1442)
	3.3.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	3.3.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 004	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Industrial Sand Mining (1446)
	3.4.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	3.4.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
SD 005	MNG49 Dewatering	
		Surface Discharge: MNG49 Dewatering from Subsector J2 (1411, 1422, 1423, 1429)

	3.5.1	The Permittee shall submit a quarterly DMR : Due by 21 days after the end of each calendar quarter following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
	3.5.2	The Permittee shall submit an annual DMR : Due by 21 days after the end of each calendar year following permit issuance. [Minn. R. 7001.0150, Subp. 2(B)]
MNG490000	Nonmetallic Mining/Associated Activities General Permit	
		Non-Metallic Mining and Associated Activities General Permit Requirements
	3.6.1	Permit Reissuance. If the Permittee desires to continue permit coverage beyond the date of permit expiration, the Permittee shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA in writing at least 180 days before permit expiration. If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines any of the following (Minn. R. 7001.0040 and 7001.0160): a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit; b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit; c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies. [Minn. R. 7001]

4. Limits and monitoring

		Discharge limitations							Monitoring requirements			
Subject item	**Parameter**	**Quantity /Loading avg.**	**Quantity /Loading max.**	**Quantity /Loading units**	**Quality /Conc. min.**	**Quality /Conc. avg.**	**Quality /Conc. max.**	**Quality/ Conc. units**	**Frequency**	**Sample type**	**Effective period**	**Notes**
SD 001 ISW D1, J1 and J2	Solids, Total Suspended (TSS)					Monitor only. calendar year average intervention		milligrams per liter	twice per year	Grab	Jan-Dec	Any reported value >100 mg/L exceeds the intervention limit. If the discharge is within 1 mile of an ORVW, trout stream, or trout lake, the intervention limit is 65 mg/L.
SD 002 ISW E2	Iron, Total (as Fe)					Monitor only. calendar year average intervention		milligrams per liter	twice per year	Grab	Jan-Dec	Any reported value >1.0 mg/L exceeds the intervention limit.
SD 002 ISW E2	Solids, Total Suspended (TSS)					Monitor only. calendar year average intervention		milligrams per liter	twice per year	Grab	Jan-Dec	Any reported value >100 mg/L exceeds the intervention limit. If the discharge is within 1 mile of an ORVW, trout stream, or trout lake, the intervention limit is 65 mg/L.
SD 003 SIC 1442	Flow		Monitor only. calendar quarter total	million gallons		Monitor only. calendar quarter average		million gallons per day	once per quarter	Measurement, Continuous	Jan-Dec	
SD 003 SIC 1442	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 003 SIC 1442	Nitrogen, Kjeldahl, Total					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	

		Discharge limitations						Monitoring requirements				
Subject item	**Parameter**	**Quantity /Loading avg.**	**Quantity /Loading max.**	**Quantity /Loading units**	**Quality /Conc. min.**	**Quality /Conc. avg.**	**Quality /Conc. max.**	**Quality/ Conc. units**	**Frequency**	**Sample type**	**Effective period**	**Notes**
SD 003 SIC 1442	pH				6.5 calendar quarter minimum		8.5 calendar quarter maximum	standard units	once per quarter	Grab	Jan-Dec	
SD 003 SIC 1442	Phosphorus, Total (as P)					Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 003 SIC 1442	Solids, Total Suspended (TSS)						30 daily maximum	milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 004 SIC 1446	Flow		Monitor only. calendar quarter total	million gallons		Monitor only. calendar quarter average		million gallons per day	once per quarter	Measurement, Continuous	Jan-Dec	
SD 004 SIC 1446	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 004 SIC 1446	Nitrogen, Kjeldahl, Total					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 004 SIC 1446	pH				6.5 calendar quarter minimum		8.5 calendar quarter maximum	standard units	once per quarter	Grab	Jan-Dec	
SD 004 SIC 1446	Phosphorus, Total (as P)					Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 004 SIC 1446	Solids, Total Suspended (TSS)					25 calendar quarter average	45 daily maximum	milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 005 SUBSECTOR j2	Flow		Monitor only. calendar quarter total	million gallons		Monitor only. calendar quarter average		million gallons per day	once per quarter	Measurement, Continuous	Jan-Dec	

		Discharge limitations						Monitoring requirements				
Subject item	**Parameter**	**Quantity /Loading avg.**	**Quantity /Loading max.**	**Quantity /Loading units**	**Quality /Conc. min.**	**Quality /Conc. avg.**	**Quality /Conc. max.**	**Quality/ Conc. units**	**Frequency**	**Sample type**	**Effective period**	**Notes**
SD 005 SUBSECTOR j2	Nitrite Plus Nitrate, Total (as N)					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 005 SUBSECTOR j2	Nitrogen, Kjeldahl, Total					Monitor only. calendar year average		milligrams per liter	once per year	Grab	Jan-Dec	
SD 005 SUBSECTOR j2	pH				6.5 calendar quarter minimum		8.5 calendar quarter maximum	standard units	once per quarter	Grab	Jan-Dec	
SD 005 SUBSECTOR j2	Phosphorus, Total (as P)					Monitor only. calendar quarter average		milligrams per liter	once per quarter	Grab	Jan-Dec	
SD 005 SUBSECTOR j2	Solids, Total Suspended (TSS)						30 daily maximum	milligrams per liter	once per quarter	Grab	Jan-Dec	

Appendix B

BMP Implementation Worksheet

STORMWATER POLLUTION PREVENTION PLAN BEST MANAGEMENT PRACTICES (BMPs) IMPLEMENTATION WORKSHEET		Completed By: Wenck Associates, Inc. Title: M.R. Paving - Kohn East Pit Revision: 1 December 2017		
Area/Activity	**Best Management Practice**	**Stormwater Control Category**	**Potential Pollutant**	**Inspection Schedule**
Former Agricultural Area				
Throughout Site	1. Site grading directs all stormwater to low areas or onsite ponds. 2. Monthly inspections are conducted to check for erosion or drainage issues. 3. Berms are constructed, as necessary, to direct drainage away from Facility boundaries.	Housekeeping Elimination and Reduction of Exposure Inspections Recordkeeping	TSS	Monthly
Training and Inspections				
Team member training program	1. Provide training as required by Permit and provided in SWPPP Section 9.	Employee Training Program Recordkeeping	NA	Upon employment and annually thereafter
Monthly inspections and discharge monitoring	1. Complete monthly inspections and maintain records as specified by Permit. 2. Document issues observed and corrective actions taken. 3. Collect discharge sampling and submit to MPCA as required by Permit.	Inspections Recordkeeping	NA	Monthly

Appendix C

MPCA Site Inspection Form

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Industrial Stormwater Site Inspection Form

NPDES/SDS Industrial Stormwater Permit

Doc Type: Self Audit

Instructions: Use this form to document the inspections required in the Minnesota Pollution Control Agency (MPCA) Industrial Stormwater Permit (MNR050000, Part III.G). Conduct inspections once each calendar month for a total of 12 inspections per year. At least one of the 12 inspections must occur when there is runoff from rain or snowmelt.

Facility information

Facility name: M.R. Paving - Kohn Pit East

Facility address: 46314 547th Lane

City: Courtland State: MN Zip code: 56073

Inspector information

Inspector name: _____ Date and time: _____

Weather: _____

Inspector has been trained to do inspections: ☐ Yes (required)

Have the following areas been inspected at your facility?

a. Bulk storage areas (tanks, drums, fuels, pallets, etc.) ☐ Yes ☐ No

Describe findings:

Actions needed:

b. Waste storage and disposal areas ☐ Yes ☐ No

Describe findings:

Actions needed:

c. Maintenance areas ☐ Yes ☐ No

Describe findings:

Actions needed:

d. Loading/unloading or shipping/receiving areas ☐ Yes ☐ No

Describe findings:

Actions needed:

e. Raw material, intermediate product, by-product and final product storage areas ☐ Yes ☐ No

Describe findings:

Actions needed:

Evaluate stormwater management methods

Evaluate each of the stormwater management methods (also called Best Management Practices or BMPs) that you developed for your Stormwater Pollution Prevention Plan (SWPPP). If changes or repairs are needed, make them within seven calendar days and record them in your SWPPP. If the work cannot be done in seven calendar days, put backup methods in place.

Management method	Describe changes or repairs needed	Changes and repairs recorded in SWPPP?
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

New materials and activities

Describe any materials or activities that are newly exposed to rain, snow, snowmelt, or other runoff since the last inspection. Either move them indoors, or come up with a way to minimize exposure and add it to the management methods section of your Stormwater Pollution Prevention Plan.

New material or activity exposed to stormwater	Choose one:
	☐ Moved indoors ☐ Added to SWPPP
	☐ Moved indoors ☐ Added to SWPPP
	☐ Moved indoors ☐ Added to SWPPP
	☐ Moved indoors ☐ Added to SWPPP

Runoff Inspection

Each year, at least one of your monthly inspections must be done when there is runoff from rain or snowmelt. Visually inspect the runoff for evidence of pollutants. For example, the runoff may have an oily sheen or be rusty, milky, muddy, etc.

Did you conduct a runoff inspection as part of today's inspection? ☐ Yes ☐ No

Runoff was from: ☐ Snowmelt ☐ Rain

Describe the runoff (color, transparency, amount, etc.)

If evidence of pollutants is found, what changes will you make to clean up the runoff, and when will you make the changes?

Oil and grease runoff inspection (if applicable)

Certain industries must do at least two of their 12 monthly inspections when there is runoff from rain or snowmelt, and inspect the runoff for grease or oil sheens. One runoff inspection must be snowmelt.

Does your industry have to do two oil and grease runoff inspections annually? (See *Part VII, Sector-specific requirements* of the permit)	☐ Yes (continue) ☐ No (done with inspection)
Did you conduct a runoff inspection as part of today's inspection?	☐ Yes (continue) ☐ No (done with inspection)
Runoff was from:	☐ Rain ☐ Snowmelt
Was this the first or second runoff inspection for the calendar year?	☐ 1st ☐ 2nd
Was there an oily sheen?	☐ Yes ☐ No
If yes, have you come up with a management method to prevent the oil or grease from contacting stormwater and added it to the management methods section of your SWPPP?	☐ Yes ☐ No

File this completed inspection with your SWPPP.

Appendix D

Emergency Contacts

EMERGENCY CONTACTS

M.R. Paving & Excavating, Inc.
Kohn East Pit
46314 547th Lane
Courtland, MN 56073

Facility Emergency Contacts

- Timothy Rahe - CEO
  Office: 507-354-4171
  Cell: 507-276-7400
- Matt Mathiowetz – Pit Manager
  Office: 507-354-4171
  Cell: 507-276-3763
- Jeff Carlson – Pit Supervisor
  Office: 507-354-4171
  Cell: 507-276-7405

Reporting Contacts:

a.	Emergency (fire, police, hospital):	**911**
b.	Minnesota State Duty Officer:	800-422-0798
c.	Minnesota Pollution Control Agency:	800-657-3864
d.	National Emergency Response Center:	800-424-8802

Other Important Numbers

New Ulm Medical Center:	507-217-5000
New Ulm Fire Department (non-emergency)	507-359-8225
New Ulm Police Department (non-emergency)	507-233-6750
Wenck Response Services (24-hour Response contractor)	**800-368-8831**

Appendix E

SWPPP Training Form

Record of Annual SWPPP Briefing & Training Form
M.R. Paving & Excavating, Inc. – Kohn Pit East
46314 547th Lane
Courtland, MN 56073

Instructions: Facility employees and contractor personnel using the facility will be trained in and informed of preventative measures in place at the facility. Employee training shall be conducted once a year. A copy of this Record will be completed during the training and kept with other SWPPP records at the facility. Add additional pages as needed.

Date:_____

Attendees: _____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Items to review during annual training:

1. Ensure operation personnel have adequate understanding of the SWPPP.
2. Personnel shall be instructed in operation and maintenance of equipment to prevent the discharge of oil and other vehicle maintenance chemicals used and stored on-site.
3. Review the Spill Response Actions & Emergency Contacts and ensure that it has been publicized and posted at the facility.
4. Highlight any past spill events or failures and recently developed precautionary measures, spill prevention, containment, and retrieval methods.
5. Ensure spill kits are in place and properly stocked (may conduct exercises with simulated spills to prepare for possible spill response).
6. Review inspection records and annual comprehensive review/report(s).
7. Other subjects and issues (use this as an opportunity for personnel to share recommendations concerning spill prevention and response at the facility).

_____

_____

_____

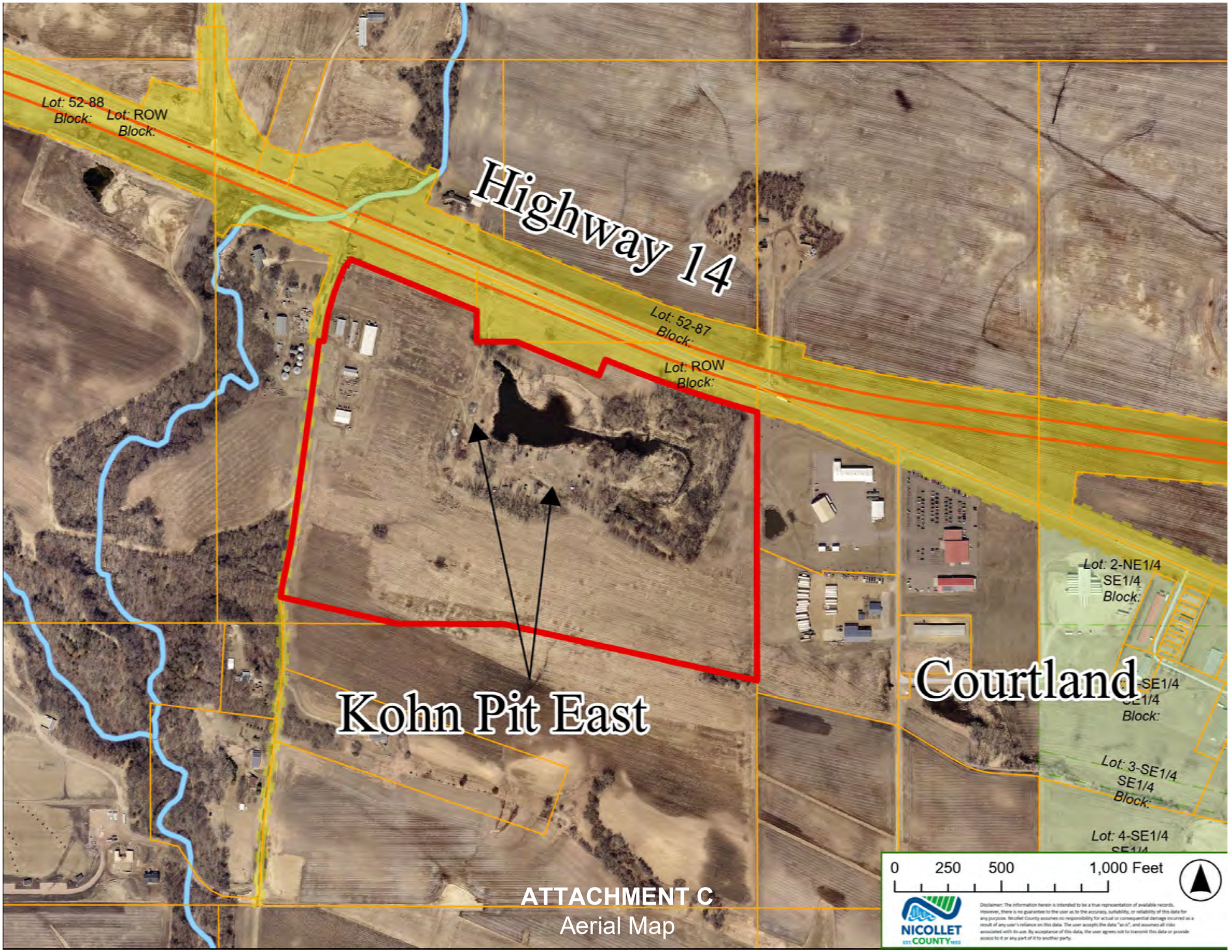
Updates or changes to the SWPPP based on this training:_____

_____

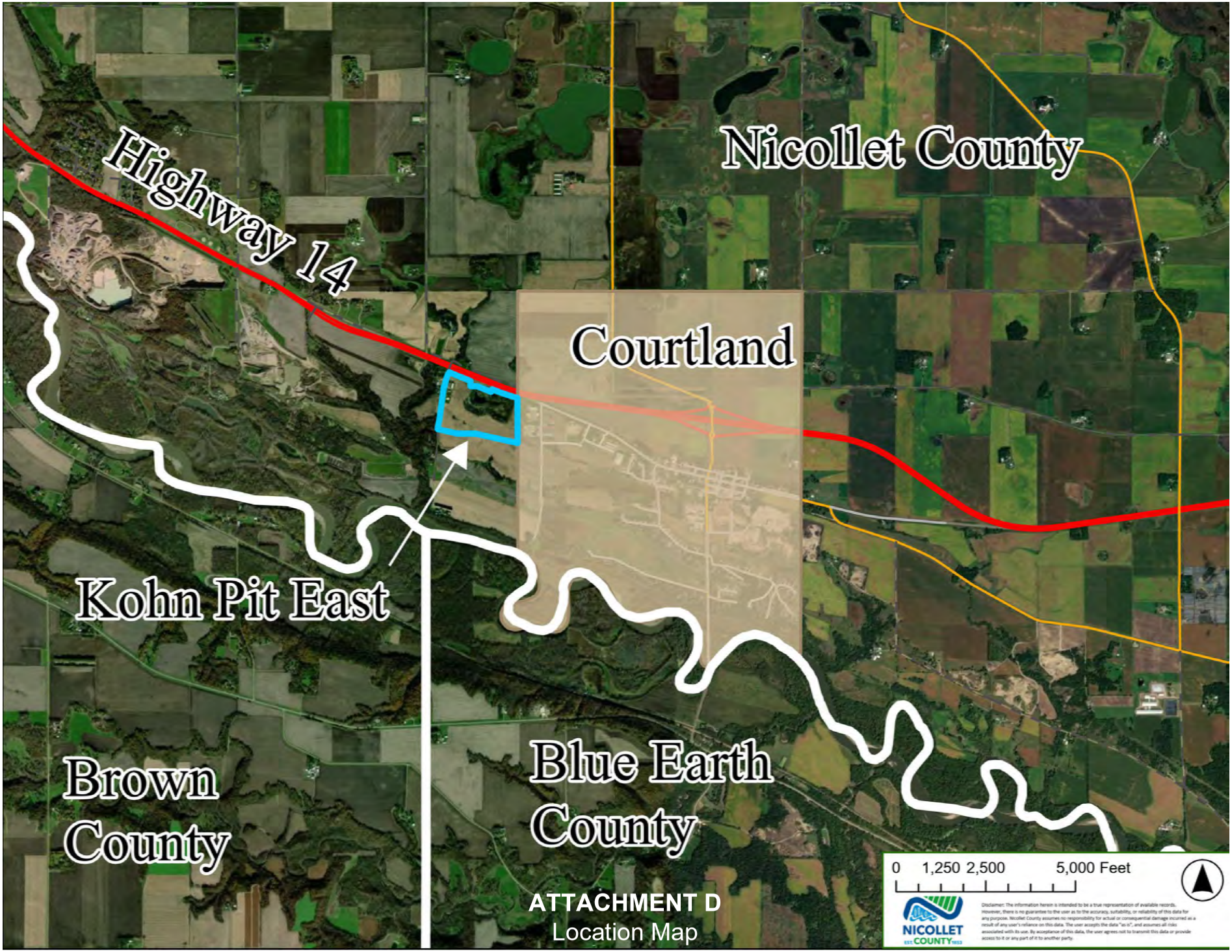
_____

_____


WENCK
Responsive partner.
Exceptional outcomes.



ATTACHMENT C
Aerial Map



ATTACHMENT D
Location Map





ATTACHMENT E
Site Photographs


11 02 2023


11 02 2023


11 02 2023


11 02 2023

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
BRITZ TIMOTHY J & DOREEN M HILLESHEIM BRITZ	307 ZIESKE RD	COURTLAND MN 56021
COURTLAND CITY OF	300 RAILROAD ST	COURTLAND MN 56021
KOHN BRANDON	46775 547TH LN	COURTLAND MN 56021
KOHN GARY M	54650 US HIGHWAY 14 - PO BOX 69	COURTLAND MN 56021
KOHN GARY M & KAREN M KOHN	54650 US HWY 14 - PO BOX 69	COURTLAND MN 56021
KOHN GARY M & TIM L KOHN	54650 U S HIGHWAY 14 PO BOX 69	COURTLAND MN 56021
KOHN MARK G & MICHELE L KOHN	46091 551ST AVE	COURTLAND MN 56021
MARK BARRY & ASSOCIATES LLC	148 ZIESKE RD PO BOX 997	NEW ULM MN 56073
ME CHURCH (CEMETERY)	123 UNKNOWN	UNKNOWN MN 00000
MICHALETZ PROPERTIES LLC	150 ST ANDREWS CT STE 210	MANKATO MN 56001
RODEWALD MEGAN	724 SUMMIT AVE	NEW ULM MN 56073
SMK HOLDINGS LLC	PO BOX 118	COURTLAND MN 56021
STATE OF MINNESOTA	2151 BASSETT DR	MANKATO MN 56001-6888
STOERING DAVID E & GRACE R STOERING TRUST	430 ZIESKE RD	COURTLAND MN 56021
THE LIVING QUARTERS LLC	1023 N BROADWAY	NEW ULM MN 56073
ZIMANSKI GARY R & ROXANNE R ZIMANSKI	46772 547TH LN	COURTLAND MN 56021
Time Harmening - Courtland Township	43370 541st Ave	Courtland MN 56021
KOHN TIMOTHY L	46266 547TH LN	COURTLAND MN 56021

ATTACHMENT F
Neighbor Notification List

PLANNING COMMISSION
CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant	Adam Hoffmann, M.R. Paving & Excavating Inc.	**Hearing**	November 20, 2023
Property Owner	Timothy L. Kohn	**Continuation**	N/A
File	PLN23-22	**Commission Member**	

Use Request Three (3) year Mineral Extraction CUP renewal

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

YES ☐ NO ☐ REASON: _____

_____

_____

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

YES ☐ NO ☐ REASON: _____

_____

_____

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

ATTACHMENT G
Criteria for Conditional Use Permit

5. The requested use is consistent with the County Zoning Ordinance.

YES ☐ NO ☐ REASON: _____

_____

_____

6. The requested use is not in conflict with the County Comprehensive Plan.

YES ☐ NO ☐ REASON: _____

_____

_____

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

YES ☐ NO ☐ REASON: _____

_____

_____

8. The requested use is reasonably related to the existing land use and environment.

YES ☐ NO ☐ REASON: _____

_____

_____

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

YES ☐ NO ☐ REASON: _____

_____

_____

10. The requested use ____ have adverse effect upon public health, safety and welfare due to the following other factors.

WILL ☐ WILL NOT ☐ REASON: _____

_____

_____

THE NICOLLET COUNTY PLANNING COMMISSION

☐ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

☐ Application
☐ Information received at public hearing
☐ Pictures
☐ Site visit
☐ Staff Report

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE AND IN THE RECORD.

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING COMMISSION.

Date: _____ Commission Member: _____

CONDITIONAL USE PERMIT

MINERAL EXTRACTION PERMIT RENEWAL

Valley Asphalt Products, Inc.

PLN23-23

NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION

SUBJECT:	Conditional Use Permit PLN23-23
APPLICANT:	Adam Hoffmann - Valley Asphalt Products / M.R. Paving
LANDOWNER:	New Ulm Quartzite Quarries
LOCATION:	Northwest ¼ of the Southwest ¼, Section 35-110-30 in Courtland Township
PARCEL NO:	04.035.1705
EXISTING ZONING:	Conservancy & Limited Industry Zoning Districts
HEARING DATE:	11/20/23
COUNTY BOARD DATE:	11/28/23
60 DAYS FROM REQUEST:	12/24/23

REQUEST:

The Applicant is requesting a three (3) year review of their Conditional Use Permit for a hot mix plant.

ORDINANCE:

Mineral extraction operations are required to renew their conditional use permit every three (3) years per Nicollet County Zoning Ordinance 724.2 (3). Standalone hot mix plants are included within the definition of mineral extraction per Nicollet County Zoning Ordinance 302 (165).

PROJECT DESCRIPTION:

Timeline:



1976	1988	1994	2014
New Ulm Quartzite Quarries (NUQQ) establishes the hot mix plant.	Wallner Construction leases and operates the facility. NUQQ retains land ownership.	Valley Asphalt Products leases and operates the facility. NUQQ retains land ownership.	A Conditional Use Permit is issued to Valley Asphalt Products for the existing hot mix plant.

Operations:

The facility consists of a hot mix plant and its associated storage, which produces and hauls up to 1,000 tons of asphalt per day and up to 85,000 tons per year. The plant is located within the New Ulm Quartzite Quarries facility and is leased to Valley Asphalt Products, who are a branch of M.R. Paving & Excavating. This Conditional Use Permit only authorizes the plant and its associated features; the remainder of the New Ulm Quartzite Quarries facility, including the mining pit, is permitted separately.

The plant combines aggregate and recycled pavement stored on site with a binder to create asphalt, which is used in various road and paving projects. The equipment utilized includes payloaders, dozers, excavators, dump trucks, semis, water trucks, bins, asphalt drums, silos, oil tanks, conveyors, and skid loaders. The site generates about 75 trips per day for loading and unloading of material.

The production process varies depending on the product desired, but generally goes as such:

- Materials are transferred by loader from the stockpiles into the feed bins.
- The feed bins supply the dryer via a conveyor system.
- The material is fed from the dryer to a mixer, which combines it with oil.
- The product is stored in a silo until loaded into a haul truck.

Access:

The site has direct access to 571st Lane via a path leading to the facility. The entrance is located about 1,500 feet south of the 571st Lane & Highway 14 intersection.

Appearance:

The facility is screened from the Minnesota River and Highway 14 by trees to the north and west. It is generally screened from other properties by the berms and stockpiles of New Ulm Quartzite Quarries.

Bond Requirements:

The Applicant has submitted an updated bond in the amount of $7,500 to cover the actively used and not yet reclaimed acres. The bond amount is $2,500 per acre due to the pit preexisting the 2014 Mineral Extraction Zoning Ordinance amendment requiring $5,000 per acre.

Hours of Operation:

The hours of operation are from 7 am to 7 pm Monday through Friday, and 7 am to 2 pm on Saturday. No work is done on Sundays.

Dust, Noise, & Odor Control:

Water and/or zinc chloride is used to control dust on the haul road. Noise and odor do not appear to be outside of what is typical for a permanent hot mix facility. The Applicant has two individuals designated to handle complaints for this location.

Reclamation Plan:

Reclamation of the facility is covered by New Ulm Quartzite Quarries end use plan, which shows the property being turned into a subdivision with a lake.

SURROUNDING LAND USE

The surrounding land use beyond the adjacent quarry is varied, with a subdivision to the north; the Minnesota River to the south and west; and other gravel pits to the east. The City of New Ulm is located a little under a mile to the west.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

1. **Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.**

    - Mineral extraction, which includes hot mix plants, is a conditionally permitted use in the Conservancy and Limited Industry Zoning Districts.

    - The facility must follow all state and federal standards, including those from the Minnesota Pollution Control Agency.

    - The facility generally meets the Zoning Ordinance standards outlined in Sections 505, 603, 608, and 724.

2. **The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**

    - The facility has access to Highway 14, which can accommodate larger trucks and typical traffic generated form this location.

- The utility usage for this location does not appear to be unreasonable.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

- The facility is generally screened from the surrounding uses.
- The facility must follow all federal, state, and local standards, including from the Minnesota Pollution Control Agency.
- The Applicant has a procedure in place to handle and resolve complaints.
- An end use plan is on file, and the Applicant will be required to restore the property when extraction operations cease.

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

- The facility is generally screened from the surrounding uses.
- The use adheres to the applicable standards of Sections 724.5(3) and 724.5(16) of the Zoning Ordinance for the appearance and screening of mineral extraction facilities

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

- The request meets the applicable standards and requirements found in Sections 505, 603, 608, and generally 724 of the Zoning Ordinance for mineral extraction conditional use permits.

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

- The Comprehensive Plan states that the aggregate industry provides vital jobs for residents and revenue for local businesses.
- The Comprehensive Plan states that Nicollet County will continue to work with aggregate businesses, such as this one, to ensure that these operations can continue in a sustainable and environmentally friendly manner.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

- The facility must follow all federal, state, and local standards, including from the Minnesota Pollution Control Agency.

- The use appears to comply with the standards of Sections 724.5(7), 724.5(9), and 724.5(13-14) of the Zoning Ordinance for dust control and air quality; hours of operation; noise and vibrations; and road dust and debris.

8. The requested use is reasonably related to the existing land use and environment.

- The request is a renewal and does not change the existing land use.

- Mineral extraction is a conditionally permitted use in the Conservancy and Limited Industry Zoning Districts.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The proposal currently meets the applicable county and state standards for hot mix plants.

- The facility must continually comply with all federal, state, and local standards, including from the Minnesota Pollution Control Agency.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The request is proposed to meet county standards, with no apparent adverse effects to the public health, safety, and welfare.

STAFF RECOMMENDATIONS

1. The Applicant undertakes the project according to the plans and specifications submitted to the county with the application.

2. The permit will be periodically reviewed by the county to ensure compliance with the permit and permit conditions.

3. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

4. The hours of operation shall conform with Nicollet County Zoning Ordinance 724.5 (9).

5. The Applicant shall comply with Minnesota Rules 7030, as amended, governing noise.

6. The Applicant shall be required to maintain an Air Emission Permit from the Minnesota Pollution Control Agency.

7. Any change involving enlargement, intensification of use, or similar change not specifically permitted by this conditional use permit shall require an amended conditional use permit.

8. The Applicant shall use dust reducing techniques along 571st Lane during times of heavy traffic and dry conditions. This may include the watering of sections of the road in which trucks will travel or some other method that will minimize the dust generated from the increased truck traffic.

9. The Applicant shall maintain a bond for the area actively connected with the asphalt hot mix plant. Any increase in the number of acres actively connected with the asphalt hot mix plant will require an amended bond.

10. The conditional use permit for the asphalt hot mix plant must be reviewed on a three (3) year basis (renewal required in November 2026).

Applicant: Valley Asphalt Products / M.R. Paving
Landowner: New Ulm Quartzite Quarries

PLN23-23

ATTACHMENT A	**Application**
ATTACHMENT B	**Submitted by Applicant**
ATTACHMENT C	**Location Map**
ATTACHMENT D	**Site Photographs**
ATTACHMENT E	**Neighbor Notification List**
ATTACHMENT F	**Criteria for Conditional Use Permit**

NICOLLET COUNTY EST. 1853

PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: **$496.00**

Map#: 10-35-400-029
Parcel#: 04.035.1705
Permit#: PLN23-23
Date: 10/25/2023

Applicant: Adam Hoffmann- M.R. Paving
Telephone: 507-276-7410
Owner: New Ulm Quartzite Quarries
Property Address: 45755 571st Ave, New Ulm, MN 56073
Abbreviated Legal Description: NWSW 35-110-30
Township: Courtland Township
Zoning District(s): CONSERVANCY

Record Type: Conditional Use Permit
Subtype: Renewal
Category: Other
Description: Mineral Extraction 3 year renewal
G.C. Licence#: n/a
Job Cost: n/a

ATTACHMENT A
Application

PERMIT EXPIRATION DATE: **10/25/2024**

Adam Hoffmann Adam Hoffmann (Oct 25, 2023 14:03 CDT)	Oct 25, 2023		10/25/23
APPLICANT SIGNATURE	**DATE**	**PROPERTY SERVICES**	**DATE**

PLN23-23 App

Final Audit Report 2023-10-25

Created:	2023-10-25
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAFvy39pQkJzQJvPyMAV__P32Y_JFK3Ryv

"PLN23-23 App" History

Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
2023-10-25 - 6:59:40 PM GMT

Document emailed to Adam Hoffmann (adamh@mrpaving.com) for signature
2023-10-25 - 7:00:06 PM GMT

Email viewed by Adam Hoffmann (adamh@mrpaving.com)
2023-10-25 - 7:00:33 PM GMT

Document e-signed by Adam Hoffmann (adamh@mrpaving.com)
Signature Date: 2023-10-25 - 7:03:20 PM GMT - Time Source: server

Agreement completed.
2023-10-25 - 7:03:20 PM GMT

M.R.
PAVING & EXCAVATING, INC.
1000 North Front
P.O. Box 787
Phone (507) 354-4171 New Ulm, MN. 56073 Fax (507) 359-4156

Valley Asphalt Products
Sec 35-110-030
Parcel # 04.035.1705

We propose to continue operations at Valley Asphalt Products located east of New Ulm off T.H. 14 and 571st Lane. The entrance would be located south of the intersection of T.H. 14 and 571st Lane about 1500 feet. Valley Asphalt Products produces asphalt materials to be used on state, county, and city projects in the area. On average, this plant produces and hauls out 1,000 tons of asphalt per day, 85,000 ton per year, and 255,000 ton in the last 3 years. The estimated number of trips per day to this facility is 75. The asphalt plant has a baghouse that collects dust during the hot mix operation. We use water and or zinc chloride for dust control on the plant roads. Operations at this plant begin in March and conclude in December. The hours of operation will be from 6:00am to 7:00pm Monday through Friday and 7:00am to 2:00pm on Saturdays. No work will be done on Sundays. We have signs located around the plant for safety precautions. Plant vehicles & equipment include payloaders, dozers, excavators, dump trucks, semis, water trucks, bins, asphalt drums, silos, oil tanks, baghouse, conveyors, and skid loaders. This plant sits on property owned by New Ulm Quartzite Quarries. There is no mining done on this property.

Any questions can be directed to Adam Hoffmann at 507-276-7410.

ATTACHMENT B
Submitted by Applicant


Valley Asphalt Products
Google Earth
N
300 ft

U.S. HWY. 14

MATURE WOODLAND, PLANTED 1998

PUBLIC PARK PROPERTY

SNOWMOBILE/ HIKING TRAIL

LIEDER LAKE

PUBLIC PARK PROPERTY

PROPERTY LINE

HIKING TRAIL

QUARTZITE LAKE

REGIONAL TRAIL

FISHING PIER

QUARRY RUINS PARK

PARKING

2.5 AC. LOTS

REDSTONE PARKWAY

MINNESOTA RIVER

COTTONWOOD RIVER

FLOODPLAIN/NATURAL AREA

NEW ULM QUARTZITE QUARRIES

NEW ULM, MINNESOTA

RECLAMATION PLAN PROPOSED BEYOND YEAR 2075

The proposed expansion & development the N.U.Q.Q. properties, as illustrated on this drawing sheet, is tentative and subject to revision in whole or in part.

100 0 200 300

close landscape architecture
275 E 4TH ST.
ST. PAUL, MN 55101
PHONE: 612-222-5754
FAX: 612-222-1017

UNITED FIRE GROUP®

United Fire & Casualty Company
Addison Insurance Company
Lafayete Insurance Company
United Fire & Indemnity Company
United Fire Lloyds
Financial Pacific Insurance Company

CONTINUATION CERTIFICATE

BOND NO.: 55204665

PRINCIPAL: VALLEY ASPHALT PRODUCTS, INC. 2020 N SPRING ST PO BOX 787 NEW ULM, MN 56073 - 2277

OBLIGEE: NICOLLET COUNTY 501 S MINNESOTA AVE SAINT PETER, MN 56082 - 2507

TYPE OF BOND: CONDITIONAL USE PERMIT - PRODUCTION OF HOT MIX ASPHALT IN NICOLLET COUNTY

BOND PENALTY: 7,500.00

BOND TERM: From 04/09/2023 To 04/09/2024

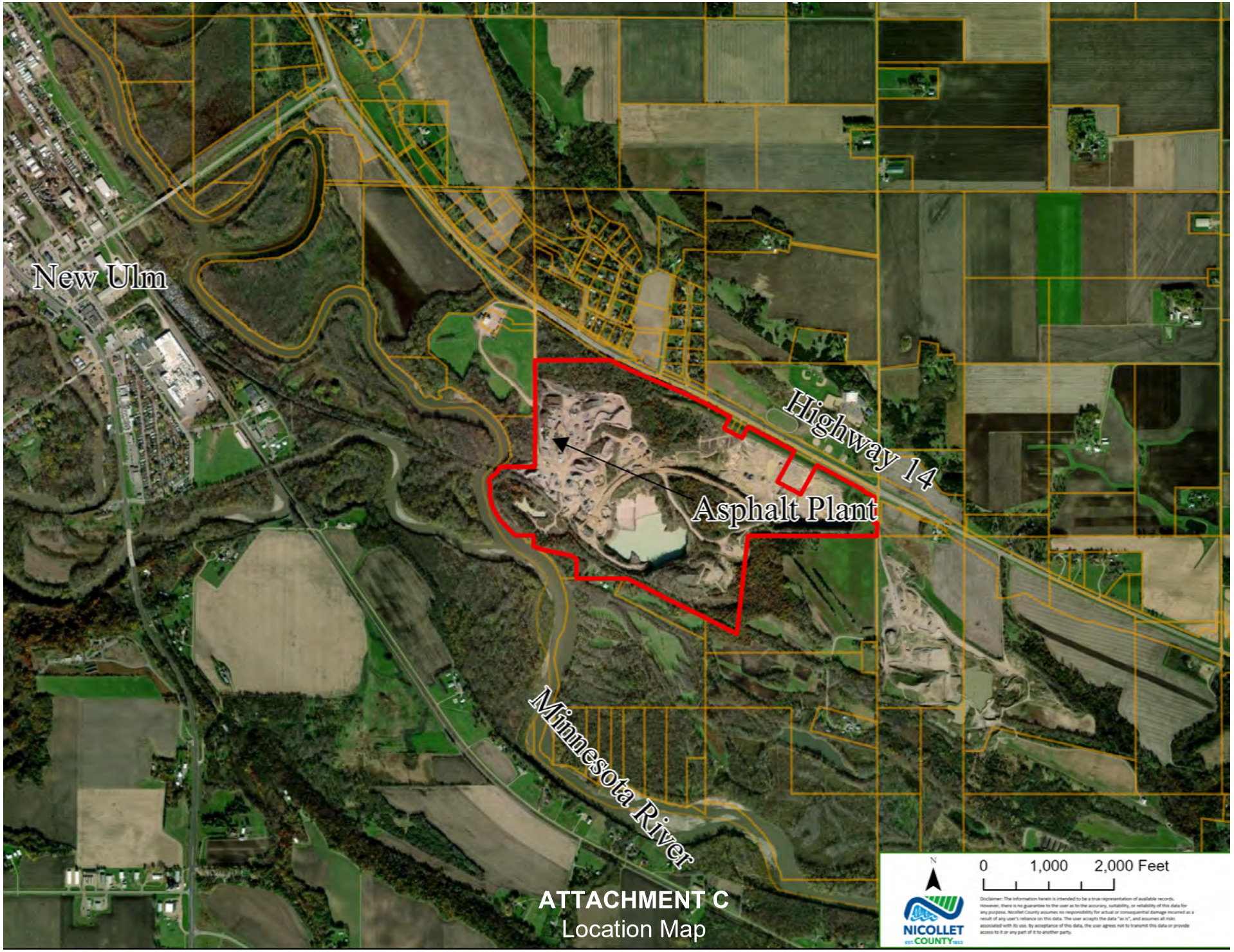
The Company indicated hereby continues in force, for the period described, the Bond designated above, subject to all the agreements, limitations, and conditions thereof and provides that the liability under said bond and all continuations thereof shall not be cumulative and shall not in any event exceed the amount of said Bond herein before set forth.

Signed, Sealed and Dated 01/09/2023.

UNITED FIRE & CASUALTY COMPANY

By _____
Attorney-in-Fact

LICP0003 04 11



ATTACHMENT C
Location Map

ATTACHMENT D
Site Photographs


11 02 2023


11 02 2023

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
LEGARE DENNIS	46126 571ST LN	NEW ULM MN 56073
BRADLEY SHANE M & KERI R BRADLEY	45233 SUNRISE DR	NEW ULM MN 56073
LADE MARY D	56933 BROOKVIEW LN	NEW ULM MN 56073
BORTH RONALD J & SANDRA M BORTH	45184 EDGEWOOD DR	NEW ULM MN 56073
RAHE BRIAN D & JUDY M RAHE	45691 561ST AVE	NEW ULM MN 56073-9132
BODE MARCELLA J	45479 561ST AVE	NEW ULM MN 56073
BLUME HOWARD	305 W RIDGE RD	COURTLAND MN 56021
ESSER DANIEL M & SHEILA ESSER	56932 HILLCREST LN	NEW ULM MN 56073
CORDES WADE & VELEDA CORDES	56936 BROOKVIEW LN	NEW ULM MN 56073
HULKE SCOTT R & KATHY J HULKE	45274 SUNRISE DR	NEW ULM MN 56073
BRUNS GARY J SHIRLEY A BRUNS	57012 HILLCREST LN	NEW ULM MN 56073
LESKEY DELORES B	45165 EDGEWOOD DR	NEW ULM MN 56073
BERTRANG JEFFREY ERNEST & WENDY JANE BERTRANG	45493 JEREMY DR	NEW ULM MN 56073
FORBROOK CURTIS L & KRISTIN R FORBROOK	45261 JEREMY DR	NEW ULM MN 56073
LUDEWIG LEON M & MARY A LUDEWIG	45196 SUNRISE DR	NEW ULM MN 56073
GRATHWOHL NORMAN & LISA GRATHWOHL	56998 HILLCREST LN	NEW ULM MN 56073
ENTER JASON P & JODY M ENTER	57108 422ND ST	NEW ULM MN 56073-4321
DITTRICH DAVID A & PATRICE A DITTRICH	45508 JEREMY DR	NEW ULM MN 56073
ALBRECHT GLEN R & LAUREN G ALBRECHT	56929 HILLCREST LN	NEW ULM MN 56073
AREVALO JUAN P & SAN JUANA AREVALO	56963 HILLCREST LN	NEW ULM MN 56073
OHM RONALD C OHM & CARLOTTA L OHM	56947 HILLCREST LN	NEW ULM MN 56073
REWITZER RUTH ANN	55921 US HIGHWAY 14	NEW ULM MN 56073
GULDAN TIMOTHY J & BROOKE M GULDAN	46198 561ST AVE	NEW ULM MN 56073
MN DNR & REAL ESTATE MANAGEMENT	500 LAFAYETTE RD	SAINT PAUL MN 55155-4030
HIPSTER LLC	1220 SOUTH VALLEY ST	NEW ULM MN 56073
WAIBEL MARY J	45438 541ST ST	COURTLAND MN 56021
HEYMANN JOHN H	106 MONUMENT STREET	NEW ULM MN 56073
KLOECKL BRYCE A & TAYLOR C KLOECKL	45318 JEREMY DR	NEW ULM MN 56073
AREVALO JOSE G	45323 KOHN DR	NEW ULM MN 56073
STEVENSEN NICHOLAS J & CHELSEY N BODE	45402 JEREMY DR	NEW ULM MN 56073
MEHLHOP PATRICK	45272 JEREMY DR	NEW ULM MN 56073
HOFMANN MICHELLE R & MARCEL U HOFMANN	45228 SUNRISE DR	NEW ULM MN 56073
WATSON GARY C & LINDA C WATSON	56944 HILLCREST LN	NEW ULM MN 56073
NORDBY DENNIS & SHARON NORDBY	45201 SUNRISE DR	NEW ULM MN 56073
BERG JAMIE & GINA M BERG	45304 KOHN DR	NEW ULM MN 56073
WIDMARK AARON R & LEAH C	45309 JEREMY DR	NEW ULM MN 56073
ESSER DANIEL & SHEILA ESSER	56932 HILLCREST LN	NEW ULM MN 56073
MN VALLEY LUTH HIGH SCHOOL & ASSN	45638 561ST AVE	NEW ULM MN 56073
GREJTAK JOHN F & DIANE K GREJTAK	56923 HILLCREST LN	NEW ULM MN 56073
LUND DOUGLAS R & KATHLEEN K LUND	45541 JEREMY DR	NEW ULM MN 56073
ROLLOFF DAVID & CHRISTENE ROLLOFF	45452 JEREMY DR	NEW ULM MN 56073
NELSON STEVEN A & BETH J NELSON	45210 JEREMY DR	NEW ULM MN 56073
KALK JOSHUA B	45205 JEREMY DR	NEW ULM MN 56073
CITY OF NEW ULM	100 BROADWAY ST	NEW ULM, MN 56073
THOMAS & NANCY HAALA	722 GARDEN ST	NEW ULM, 56073
RAYMOND KUEHN	12142 SHAG RD	NEW ULM, MN 56073
Tim Harmening- Courtland Township	43370 541st Ave	Courtland, MN 56021

ATTACHMENT E
Neighbor Notification List

PLANNING COMMISSION
CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant	Adam Hoffmann for Valley Asphalt Products	**Hearing**	November 20, 2023
Property Owner	New Ulm Quartzite Quarries	**Continuation**	N/A
File	PLN23-23	**Commission Member**	Choose an item.
Use Request	3-year Mineral Extraction CUP renewal		

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

YES ☐ NO ☐ REASON: _____

_____

_____

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

YES ☐ NO ☐ REASON: _____

_____

_____

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

YES ☐ NO ☐ REASON: _____

_____

_____

ATTACHMENT F
Criteria for Conditional Use Permit

5. The requested use is consistent with the County Zoning Ordinance.

YES ☐ NO ☐ REASON: _____

_____

_____

6. The requested use is not in conflict with the County Comprehensive Plan.

YES ☐ NO ☐ REASON: _____

_____

_____

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

YES ☐ NO ☐ REASON: _____

_____

_____

8. The requested use is reasonably related to the existing land use and environment.

YES ☐ NO ☐ REASON: _____

_____

_____

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

YES ☐ NO ☐ REASON: _____

_____

_____

10. The requested use ____ have adverse effect upon public health, safety and welfare due to the following other factors.

WILL ☐ WILL NOT ☐ REASON: _____

_____

_____

THE NICOLLET COUNTY PLANNING COMMISSION

☐ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

☐ Application
☐ Information received at public hearing
☐ Pictures
☐ Site visit
☐ Staff Report

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE AND IN THE RECORD.

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING COMMISSION.

Date: _____ Commission Member: _____

NICOLLET COUNTY EST. 1853

10/01/2023 - 10/31/2023 Permit Form

RECORD ID	RECORD TYPE	DESCRIPTION	ADDRESS	OWNER NAME
BLD23-139	STRUCTURE PERMIT	48' X 60' ACCESSORY STRUCTURE	47686 391ST LN, ST PETER, MN 56082	RYAN & LESLIE GROMMERSCH
BLD23-163	SSTS PERMIT	REPLACEMENT SEPTIC FOR A 4 BEDROOM HOUSE	40467 521ST AVE, NEW ULM, MN 56073	LORRAINE OLSON REVOCABLE TRUST
BLD23-164	SSTS PERMIT	REPLACEMENT SEPTIC SYSTEM FOR A 3 BEDROOM HOUSE	46225 551ST AVE, COURTLAND, MN 56021	GARY KOHN
BLD23-166	SSTS PERMIT	TANK REPLACEMENT FOR A 4 BEDROOM HOUSE	37143 651ST AVE, NEW ULM, MN 56073	SHELDON RIEKE
BLD23-167	SSTS PERMIT	HOLDING TANK FOR SHOP BATHROOM	39991 460TH ST, ST. PETER, MN 56082	MARCUS & MINDY WESLEY
BLD22-144	SSTS PERMIT	REPLACEMENT SEPTIC SYSTEM FOR A 4 BEDROOM HOUSE (NOT ZONED FOR RESIDENTIAL)	42862 US HIGHWAY 14, NORTH MANKATO, MN 56003	NELSON FARMS LLC
BLD23-169	WETLAND DECISION - NO LOSS	SOLAR PROJECT	15.001.1400	BRIAN MARTENS
BLD23-170	SSTS PERMIT	NEW SYSTEM FOR NEW SHOP BUILDING	45438 541ST AVE, COURTLAND, MN 56021	TIMOTHY WAIBEL
BLD23-171	SSTS PERMIT	REPLACEMENT SEPTIC FOR A 3 BEDROOM HOUSE	61238 CTY ROAD 21, NEW ULM, MN 56073	KEVIN PETERSON
BLD22-220	SSTS PERMIT	REPLACEMENT SEPTIC FOR A 4 BEDROOM HOUSE	36774 667TH AVE, NEW ULM, MN 56073	DUMMER FAMILY REVOCABLE LIVING TRUST
PLN23-19	CONDITIONAL USE PERMIT	MINERAL EXTRACTION CUP RENEWAL	39962 US HIGHWAY 169, SAINT PETER, MN 56082	GELDNER BROTHERS SAND & GRAVEL LLC
BLD23-173	STRUCTURE PERMIT	21.5' X 19.5' HOME ADDITION	57184 446TH ST, NEW ULM, MN 56073	EDWARD & ETHANIE SCHMIDT
PLN23-21	CONDITIONAL USE PERMIT	MINERAL EXTRACTION 3 YEAR RENEWAL	55921 US HIGHWAY 14, NEW ULM, MN 56073	RUTH ANN REWITZER
PLN23-23	CONDITIONAL USE PERMIT	MINERAL EXTRACTION 3 YEAR RENEWAL	45755 571ST AVE, NEW ULM, MN 56073	NEW ULM QUARTZITE QUARRIES
PLN23-22	CONDITIONAL USE PERMIT	MINERAL EXTRACTION 3 YEAR RENEWAL	46266 547TH LANE COURTLAND, MN 56021	TIM KOHN
PLN23-24	CONDITIONAL USE PERMIT	FEEDLOT CUP AMENDMENT	42373 STATE HIGHWAY 111	DAIRY WISE BUILDERS MN III LLC