

7001.1050 CONTENTS OF NPDES PERMIT APPLICATION.

Subpart 1. **Publicly owned treatment works.** If the applicant is requesting the issuance, modification, revocation and reissuance, or reissuance of a national pollutant discharge elimination system permit for a publicly owned treatment works, the applicant shall submit the following information to the commissioner:

- A. the information required by part 7001.0050;
- B. an identification, in terms of character and volume of pollutants, of all significant indirect dischargers into the publicly owned treatment works, which indirect dischargers are subject to pretreatment standards under section 307(b) of the Clean Water Act, United States Code, title 33, section 1317(b), and under Code of Federal Regulations, title 40, part 403; and
- C. a copy of any publicly owned treatment works pretreatment program prepared by the applicant under Code of Federal Regulations, title 40, section 403.8, unless the program has been previously submitted to the commissioner and there have been no changes to the plan.

Subp. 2. **Manufacturing, commercial, mining, and silvicultural discharges.** If the applicant is requesting the issuance, modification, revocation and reissuance, or reissuance of a national pollutant discharge elimination system permit for a manufacturing, commercial, mining, or silvicultural discharge, the applicant shall submit the following information to the commissioner:

- A. The information required by part 7001.0050.
- B. The name of the receiving water of the discharge.
- C. The exact location of the outfall, including the latitude and longitude of the location to the nearest 15 seconds.
- D. A line drawing of the water flow through the facility with a water balance, showing process and treatment operations contributing to the effluent. The water balance must show approximate average flows at intake and discharge points and between units, including treatment units. If a water balance cannot be determined, the applicant shall provide a pictorial description of the nature and amount of the sources of water and the collection and treatment measures.
- E. A narrative identification of each type of process, operation, or production area which contributes or will contribute wastewater to the effluent for each outfall. This identification must include process wastewater, cooling water, and storm water runoff contributions to each outfall; the average flow that each process contributes; a description of the treatment the wastewater receives; a discussion of any disposal, other than by discharge, of solid or fluid wastes generated in the process; and the discharge frequency.

F. A statement as to the product that is or will be manufactured, processed, or produced at the facility and a statement as to the quantity of the product actually manufactured, processed, or produced at the facility. If a technology-based effluent guideline is applicable to the discharge, the applicant shall express the quantity of product in the same measure as that used in the applicable effluent limitation guideline.

G. If the applicant is subject to a requirement or compliance schedule for construction, upgrading, or operation of waste treatment equipment, an identification of the requirement, a description of the project, and a listing of the required and projected final compliance dates.

H. The results of analyses and other information required by part 7001.1060.

I. If the analyses required by part 7001.1060 were performed by a contract laboratory or consulting firm, the name and address of the laboratory or firm, and an identification as to which analyses were performed by the laboratory or firm.

J. A list of any toxic pollutants that the applicant uses or manufactures or expects that it will use or manufacture during the next five years, including manufacturing as an intermediate or final product or by-product.

K. A description of the expected levels of and the reasons for any discharge of pollutants that the applicant knows or has reason to believe will in the next five years exceed two times the values reported under part 7001.1060.

L. An identification of biological toxicity tests that the applicant knows or has reason to believe have been made within the last three years on any of the applicant's discharges or on a receiving water related to the applicant's discharge.

M. If the applicant proposes to construct or operate a new or existing concentrated animal feeding operation or aquatic animal production facility, the information required in Code of Federal Regulations, title 40, section 122.21(h).

N. If the applicant wishes to request that the commissioner, in establishing a technology-based effluent limitation to be included in the conditions of the permit, establish an effluent limitation which is different than the effluent limitation which would result from the normal application of the relevant effluent limitation guideline, then the applicant shall submit in the application the following information:

(1) An identification of the relevant effluent limitation guideline and the effluent limitation requested by the applicant.

(2) If the request is based on the claim that there are factors to be considered which are fundamentally different from the factors on which the Environmental Protection Agency based the applicable effluent limitation guideline, the applicant shall submit an explanation and documentation supporting this claim.

(3) If the request is based on the claim that there is no reasonable relationship between the economic and social costs and the benefits to be obtained from the effluent limitation which would result from the normal application of the effluent limitation guideline, the applicant shall submit an explanation and documentation of this claim.

(4) If the applicant's discharge contains a pollutant subject to the best available technology requirements of section 301(b)(2)(F) of the Clean Water Act, United States Code, title 33, section 1311(b)(2)(F), and if the applicant's request is based on the claim that the technology being requested represents the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants, the applicant shall submit an explanation and documentation supporting this claim. The applicant's right to make this request expires 270 days after the promulgation by the Environmental Protection Agency of an effluent limitation guideline that pertains to the pollutant discharged by the applicant that is subject to the best available technology requirement, or at the close of the public comment period established under part 7001.0100, subpart 4, whichever is earlier.

(5) If the applicant's discharge contains a pollutant that is subject to the best available technology requirements of section 301(b)(2)(F) of the Clean Water Act, United States Code, title 33, section 1311(b)(2)(F), and if the applicant's request is based on the claim that the requested effluent limitation will meet the standards in section 301(g) of the Clean Water Act, United States Code, title 33, section 1311(g), the applicant shall submit an explanation and documentation supporting this claim. The applicant's right to make this request expires 270 days after the promulgation by the Environmental Protection Agency of an effluent limitation guideline that pertains to the pollutant discharged by the applicant that is subject to the best available technology requirement, or at the close of the public comment period established under part 7001.0100, subpart 4, whichever is earlier.

O. If the applicant desires to request an extension from the statutory deadline established in section 301(b)(2)(A) of the Clean Water Act, United States Code, title 33, section 1311(b)(2)(A), on the grounds that the applicant proposes to replace existing production capacity with an innovative production process which will meet the standards in section 301(k) of the Clean Water Act, United States Code, title 33, section 1311(k), the applicant shall submit an explanation and documentation supporting this claim.

Statutory Authority: *MS s 14.386; 115.03*

History: *8 SR 2277; L 1987 c 186 s 15; 36 SR 179*

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