

7049.0470 MODIFICATION OR WITHDRAWAL OF REMOVAL CREDITS.

Subpart 1. **Notice of POTW.** The agency shall notify the POTW if, on the basis of pollutant removal capability reports received pursuant to part 7049.0460 or other relevant information available to it, the agency determines that:

A. one or more of the discharge limit revisions made by the POTW, or the POTW itself, no longer meets the requirements of part 7049.0380; or

B. the discharge limit revisions are causing a violation of any conditions or limits contained in the POTW's national pollutant discharge elimination system permit.

Subp. 2. **Corrective action.** If appropriate corrective action is not taken within a reasonable time, not to exceed 60 days unless the POTW authority or the affected industrial users demonstrate that a longer time is reasonably necessary to undertake the appropriate corrective action, the agency shall either withdraw the discharge limits or require modifications in the revised discharge limits.

Subp. 3. **Public notice of withdrawal or modification.** The agency shall not withdraw or modify revised discharge limits, unless it has:

A. provided prior notification to the POTW and all industrial users to whom revised discharge limits have been applied;

B. publicly published the written rationale for the withdrawal or modification; and

C. provided reasonable notice and opportunity for a public hearing.

Subp. 4. **Compliance with modification.** Following notice and withdrawal or modification, all industrial users to whom revised discharge limits had been applied are subject to the modified discharge limits or the discharge limits prescribed in the applicable categorical pretreatment standards, as appropriate, and shall achieve compliance with the limits within a reasonable time, not to exceed the period of time prescribed in the applicable categorical pretreatment standard, as may be specified by the agency.

Statutory Authority: *MS s 115.03*

History: *33 SR 696*

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