

7050.0210 GENERAL STANDARDS FOR WATERS OF THE STATE.

Subpart 1. [Repealed, 32 SR 1699]

Subp. 2. **Nuisance conditions prohibited.** No sewage, industrial waste, or other wastes shall be discharged from either point or nonpoint sources into any waters of the state so as to cause any nuisance conditions, such as the presence of significant amounts of floating solids, scum, 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, or other offensive or harmful effects.

Subp. 3. [Repealed, 32 SR 1699]

Subp. 4. **Highest levels of water quality.** The highest levels of water quality, including, but not limited to, dissolved oxygen, that are attainable in the waters of the state by continuous operation at the maximum capability of all primary and secondary units of treatment works or their equivalent, discharging effluents into the waters of the state, must be maintained in order to enhance conditions for the specified uses.

Subp. 5. **Mixing zones.** Reasonable allowance will be made for dilution of the effluents, which are in compliance with this chapter and chapter 7053, as applicable, following discharge into waters of the state. The agency, by allowing dilution, will consider the effect on all uses of the waters of the state into which the effluents are discharged. The extent of dilution allowed regarding any specific discharge as specified in part 7053.0205, subpart 7, shall not violate the applicable water quality standards in this chapter and chapter 7052, including the antidegradation requirements contained in those chapters. This subpart also applies in cases where a class 7 water is tributary to a class 2 water.

Mixing zones must be established by the agency on an individual basis, with primary consideration being given to the following guidelines:

- A. mixing zones in rivers shall permit an acceptable passageway for the movement of fish;
- B. the total mixing zone or zones at any transect of the stream should contain no more than 25 percent of the cross sectional area and/or volume of flow of the stream, and should not extend over more than 50 percent of the width;
- C. mixing zone characteristics shall not be lethal to aquatic organisms;
- D. for contaminants other than heat, the FAV, as defined in part 7050.0218, subpart 3, item Y, for toxic pollutants should not be exceeded as a one-day mean concentration at any point in the mixing zone;
- E. mixing zones should be as small as possible, and not intersect spawning or nursery areas, migratory routes, water intakes, nor mouths of rivers; and
- F. overlapping of mixing zones should be minimized and measures taken to prevent adverse synergistic effects.

Subp. 6. [Renumbered 7050.0211, subpart 1]

Subp. 6a. [Renumbered 7050.0211, subpart 2]

Subp. 6b. [Renumbered 7050.0211, subpart 3]

Subp. 6c. **Other requirements preserved.** The requirements of this chapter are in addition to any requirement imposed by the Clean Water Act, United States Code, title 33, sections 1251 et seq., and its implementing regulations. In the case of a conflict between the requirements of this chapter and the requirements of the Clean Water Act or its implementing regulations, the more stringent requirement controls.

Subp. 7. **Minimum stream flow.** Point and nonpoint sources of water pollution shall be controlled so that the water quality standards will be maintained at all stream flows that are equal to or greater than the $7Q_{10}$ for the critical month or months, unless another flow condition is specifically stated as applicable in this chapter or chapter 7053.

Subp. 8. [Renumbered 7050.0213]

Subp. 9. [Repealed, 32 SR 1699]

Subp. 10. [Repealed, 32 SR 1699]

Subp. 11. [Repealed, 12 SR 1810]

Subp. 12. [Repealed, 32 SR 1699]

Subp. 13. **Pollution prohibited.** No sewage, industrial waste, or other wastes shall be discharged from either a point or a nonpoint source into the waters of the state in such quantity or in such manner alone or in combination with other substances as to cause pollution as defined by law. In any case where the waters of the state into which sewage, industrial waste, or other waste effluents discharge are assigned different standards than the waters of the state into which the receiving waters flow, the standards applicable to the waters into which the sewage, industrial waste, or other wastes discharged shall be supplemented by the following:

The quality of any waters of the state receiving sewage, industrial waste, or other waste effluents shall be such that no violation of the standards of any waters of the state in any other class shall occur by reason of the discharge of the sewage, industrial waste, or other waste effluents.

Subp. 13a. [Repealed, 32 SR 1699]

Subp. 14. [Repealed, 15 SR 1057]

Subp. 15. [Repealed, 32 SR 1699]

Subp. 16. [Renumbered 7050.0214]

Subp. 17. [Repealed, 32 SR 1699]

Subp. 18. [Repealed, 32 SR 1699]

Statutory Authority: *MS s 115.03; 115.44*

History: *9 SR 913; 9 SR 2756; L 1987 c 186 s 15; 12 SR 1810; 15 SR 1057; 18 SR 614; 18 SR 2195; 22 SR 1466; 24 SR 1105; 27 SR 1217; 32 SR 1699; 9 SR 913; 9 SR 2756; L 1987 c 186 s 15; 12 SR 1810; 15 SR 1057; 18 SR 614; 18 SR 2195; 22 SR 1466; 24 SR 1105; 27 SR 1217; 32 SR 1699; 41 SR 545; 9 SR 913; 9 SR 2756; L 1987 c 186 s 15; 12 SR 1810; 15 SR 1057; 18 SR 614; 18 SR 2195; 22 SR 1466; 24 SR 1105; 27 SR 1217; 32 SR 1699; 41 SR 545; 46 SR 5*

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