

7077.0272 FACILITIES PLAN FOR WASTEWATER TREATMENT SYSTEMS.

Subpart 1. **In general.** Facilities plans for wastewater treatment systems must be prepared and signed by a professional engineer registered in Minnesota, provided that facilities plans for individual sewage treatment systems designed to treat 5,000 gallons or less of wastewater per day must be prepared and signed by either a professional engineer registered in Minnesota or an individual sewage treatment system designer authorized under agency rules to prepare such plans.

Subp. 1a. **Approval by commissioner.** Facilities plans must be submitted to the commissioner for review and approval. Approval shall be based on the commissioner's determination of the adequacy of the facility plan to address the requirements of this part. If the municipality is proposing to change the selected treatment method or any other major element of a previously approved facilities plan or storm water project plan, the municipality must receive the commissioner's approval of a facilities plan addendum.

Subp. 2. **Facilities plan contents.** A facilities plan must address items A to E in the amount of detail that is appropriate to describe a project accurately.

A. A complete description and evaluation of the existing wastewater treatment system and problems that need correction. This evaluation must consider the age, condition, design capacity, and treatment capabilities of each treatment unit, the system's ability to meet current or proposed permit requirements, and the location, frequency, and quantity of any bypasses. For existing individual sewage treatment systems, a survey must also be prepared which identifies whether or not each individual sewage treatment system in the project service area conforms to the requirements under chapter 7080.

B. Data describing existing residential wastewater flows and loadings, and existing nonresidential wastewater flows and loadings. The existing wastewater flow and loading data must be reported on a form provided by the agency.

C. Data describing future residential and nonresidential wastewater flows and loadings within the next 20-year period based on projected residential growth, projected nonresidential growth, and signed letters of intent from significant industrial users. The future wastewater flow and loading data must be reported on a form provided by the agency.

D. An analysis of all feasible treatment alternatives that are capable of meeting the applicable effluent, water quality, and public health requirements for 20 years. Where the project service area is currently served by individual sewage treatment systems, the analysis of feasible treatment alternatives must be submitted on a form prescribed by the commissioner. The discussion of the considered alternatives must include:

(1) a comparison of the cost-effectiveness of the alternatives considered. The comparison must include a detailed breakdown of the present worth of all capital costs, annual operation and maintenance costs, equipment replacement costs, and salvage values.

If excessive levels of infiltration or inflow exist, the comparison of treatment alternatives must include a comparison of the cost of eliminating excessive infiltration or inflow with the cost of transportation and treatment of the infiltration or inflow;

(2) a site assessment of the existing soil and groundwater conditions conducted and signed by a professional engineer. For individual sewage treatment systems designed to treat less than 5,000 gallons per day of wastewater, a site assessment must be done by either a professional engineer or an individual sewage treatment system designer authorized under agency rules to make the assessment;

(3) an evaluation of the impact of the alternatives on all existing wastewater treatment systems, including sewers and lift stations;

(4) a comparison of the potential environmental impacts.

E. If the project service area is currently served by individual sewage treatment systems, the facilities plan must include:

(1) a determination of the operating condition of each individual sewage treatment system made by an individual authorized by agency rules to determine the compliance status of individual sewage treatment systems;

(2) a determination of whether each lot in the project service area can support a replacement individual sewage treatment system made by an individual authorized by agency rules to make such a determination; and

(3) an assessment of the suitability of an individual sewage treatment system that would serve multiple dwellings.

The assessment in subitem (3) must be conducted by an individual authorized by agency rules to make such an assessment unless the flow volumes or other circumstances of the system would warrant issuance of an SDS permit, in which case the assessment must be conducted by a registered professional soil scientist or professional engineer.

F. A description of the selected treatment alternative and the complete wastewater treatment system of which it is a part, including:

(1) the specific design parameters of all individual treatment units and the complete treatment system;

(2) estimated construction, annual operation and maintenance, and equipment replacement costs;

(3) estimated annual sewer service charges;

(4) a determination of whether pretreatment of any industrial wastes is needed in order to avoid disruption of the proper operation of the proposed system;

(5) an evaluation of how and where sludge or septage resulting from the treatment process will be disposed;

(6) an analysis of the 25- and 100-year flood elevations in relation to the proposed project site or sites, showing that the project will be operable during a 25-year flood and protected during a 100-year flood; and

(7) an analysis of how interim treatment will be accomplished during construction to meet permit requirements.

Subp. 2a. **Facilities plans supplement.** The following items must be submitted to the commissioner with the facilities plans:

A. a complete list of addresses used for public notice purposes and listed on a form prescribed by the commissioner;

B. a summary of the information presented and public comments received at a public hearing, required under subpart 3, and the action taken to address those comments;

C. a formal resolution of the municipality's governing body adopting the facilities plan;

D. a list of ordinances or intermunicipal agreements necessary for the successful implementation and administration of the project;

E. a signed treatment agreement with each significant industrial user;

F. a completed environmental information sheet; and

G. documentation of notification to other governmental units, summaries of comments received, and county certification as required under Minnesota Statutes, section 116.182, subdivision 3a, clause (5).

Subp. 3. **Public hearing.** Before adopting the facilities plan, the municipality must hold at least one public hearing to discuss the proposed project. The facilities plan must be made available for review by interested persons before the date of the hearing. At the public hearing, information must be presented on the various treatment alternatives considered, the reasons for choosing the selected alternative, the location of the proposed project site, and the estimated sewer service charges.

Subp. 4. [Repealed, 17 SR 3097]

Subp. 5. **Consistency with planning requirements.** The selected treatment alternative must be consistent with plans, if any, developed under sections 205(j), water quality management planning; 208, areawide waste treatment management; 303(e), water quality standards and implementation plan; and 319, nonpoint source management programs of the act.

Statutory Authority: *MS s 115.03; 116.07; 116.182; 446A.07*

History: *15 SR 288; 17 SR 3097; 30 SR 923; 38 SR 444*

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