

1.1 **Pollution Control Agency**

1.2 **Adopted Permanent Rules Relating to Wastewater and Storm Water Treatment**
1.3 **Financial Assistance**

1.4 **7077.0105 DEFINITIONS.**

1.5 [For text of subps 1 to 8, see M.R.]

1.6 Subp. 8a. [See repealer.]

1.7 Subp. 8b. **Beneficial use of wastewater.** "Beneficial use of wastewater" means
1.8 the use of effluent from a wastewater treatment plant that reduces or replaces the use of
1.9 groundwater, surface water, or potable water.

1.10 Subp. 8c. **Best management practices or BMP's.** "Best management practices" or
1.11 "BMP's" has the meaning given under part 7090.0080, subpart 2.

1.12 [For text of subps 9 to 11a, see M.R.]

1.13 Subp. 11b. **Environmental information worksheet.** "Environmental information
1.14 worksheet" means a form prescribed by the commissioner describing a proposed clean
1.15 water revolving fund project.

1.16 Subp. 11c. **Evaluator/designer.** "Evaluator/designer" means a person approved by
1.17 the commissioner, in accordance with part 7077.0720, who investigates soils and site
1.18 characteristics to determine suitability, limitations, soil type, and sizing requirements
1.19 for individual sewage treatment systems and design treatment systems that conform to
1.20 chapter 7080.

1.21 [For text of subps 12 to 15, see M.R.]

1.22 Subp. 15a. **Impaired waters.** "Impaired waters" means surface waters that the
1.23 agency has placed on an impaired waters inventory list for not meeting applicable water
1.24 quality standards under chapters 7050 and 7052. Impaired waters appear on the inventory
1.25 list under various categories of impairment: pending completion of a TMDL; where

2.1 a TMDL has been approved; or where a TMDL is currently not required. The United
2.2 States Environmental Protection Agency approves the list of waters that require a TMDL
2.3 in accordance with section 303(d) of the Clean Water Act; approves the TMDL's; and
2.4 approves the agency's listing of waters for which a TMDL is currently not required.

2.5 [For text of subps 16 to 27, see M.R.]

2.6 Subp. 28. **Outstanding resource value water or ORVW.** "Outstanding resource
2.7 value water" or "ORVW" means a water defined in part 7050.0180, subpart 2, item A.

2.8 [For text of subps 29 to 43a, see M.R.]

2.9 Subp. 43b. **Trout waters.** "Trout waters" has the meaning given in part 7050.0420.

2.10 [For text of subps 44 to 48, see M.R.]

2.11 Subp. 49. **Water use classification.** "Water use classification" means the
2.12 classifications listed under part 7050.0140.

2.13 [For text of subp 50, see M.R.]

2.14 **7077.0115 PROJECT PRIORITY LIST.**

2.15 [For text of subps 1 and 2, see M.R.]

2.16 Subp. 3. **Request for placement on list.** To be placed on the project priority list, a
2.17 municipality must submit a written request to the commissioner on forms prescribed by the
2.18 commissioner for eligibility review under subpart 4 and for assignment of priority points.
2.19 A municipality that does not submit information necessary for eligibility review under
2.20 subpart 4 shall be placed on the list with total points equal to one until the information is
2.21 provided or until removed under subpart 6.

2.22 Subp. 4. **Eligibility review.** The commissioner shall review each request and take
2.23 the action specified in items A to D.

2.24 [For text of items A and B, see M.R.]

3.1 C. To be placed on the project priority list, storm water treatment system projects
3.2 must meet the following conditions:

3.3 (1) the project addresses water quality needs. Ponds for water quality may
3.4 also include associated flood control benefits;

3.5 (2) the project consists of permanent storm water treatment system
3.6 structures; and

3.7 (3) the project is based on accepted engineering practices that result in
3.8 water quality benefits. Determination as to acceptability will be based on reasonable
3.9 assurance of providing water quality benefits.

3.10 [For text of item D, see M.R.]

3.11 [For text of subps 5 and 6, see M.R.]

3.12 **7077.0117 POINTS FOR PROJECTS WITH EXISTING NPDES OR SDS PERMIT.**

3.13 Subpart 1. **Flow capacity.** Five points shall be assigned to a project if the project
3.14 involves a treatment facility addressed by the project that is operating at or above 85
3.15 percent of its NPDES or SDS permitted hydraulic flow or organic loading capacity, or a
3.16 collection facility that is operating at or above 85 percent of its hydraulic design capacity,
3.17 or both, and if the project would expand capacity or reduce loadings so that the facility
3.18 will operate at less than 85 percent of its capacity.

3.19 [For text of item A, see M.R.]

3.20 B. For collection facilities, actual measured peak flows shall be compared to the
3.21 documented hydraulic design peak instantaneous wet weather flow of the pipe section
3.22 or other component, or written documentation of other physical conditions, such as
3.23 bypassing events occurring at less than design peak instantaneous wet weather flow, shall
3.24 be submitted, which comparison or documentation shows that the facilities are operating
3.25 at or above 85 percent of their hydraulic design capacity.

4.1 [For text of subps 2 to 8, see M.R.]

4.2 Subp. 9. **Discharges to impaired or outstanding resource value waters.**

4.3 A. Five points shall be assigned if the existing facility discharges into an
4.4 outstanding resource value water, or into an impaired water, or into both types of waters.

4.5 [For text of item B, see M.R.]

4.6 [For text of subps 10 to 14, see M.R.]

4.7 Subp. 15. **Project implements corrective measures.** Five points shall be assigned
4.8 to a project if it implements actions that contribute to the correction of a water quality
4.9 problem identified in one or more of the following studies or an equivalent study:

4.10 A. a clean water partnership project pursuant to chapter 7076;

4.11 B. an impaired water; or

4.12 [For text of item C, see M.R.]

4.13 Subp. 16. **Project helps meet total maximum daily load for receiving water.**

4.14 Twenty points shall be assigned to the project if the project contributes to the achievement
4.15 of a total maximum daily load (TMDL). To be considered as contributing to the
4.16 achievement of a TMDL, the project must:

4.17 [For text of items A and B, see M.R.]

4.18 Subp. 17. **New or expanded discharge; points subtracted.** Five points shall be
4.19 subtracted from the project's priority score if the project involves one or more of the
4.20 following:

4.21 A. a facility that will produce a new or expanded discharge to one or more
4.22 of the following types of waters:

4.23 (1) outstanding resource value water;

4.24 (2) impaired water; or

5.1 [For text of subitem (3), see M.R.]

5.2 B. a facility that will produce a new or expanded discharge exceeding 200,000
5.3 gallons per day to one or more of the following waters:

5.4 (1) waters defined as Class 2A waters under part 7050.0222, subpart 2; or

5.5 (2) wetlands as defined in part 7050.0186, subpart 1a.

5.6 For purposes of this subpart, if a reissued permit for a facility incorporates limits on
5.7 pollutant loading which were frozen in a previous permit, a facility operating under the
5.8 same limits in the reissued permit shall not be considered to have an expanded discharge.

5.9 Subp. 18. **Beneficial use of wastewater.** Thirty points shall be assigned if a project
5.10 will result in an agency-approved beneficial use of wastewater that results in reducing or
5.11 replacing the use of groundwater, surface water, or potable water, provided that the project
5.12 component resulting in the beneficial use of wastewater accounts for at least 20 percent of
5.13 the total eligible cost of the project. Projects receiving points under subpart 4 for land
5.14 discharge shall not receive points under this subpart for additional land discharge.

5.15 **7077.0118 PRIORITY POINTS FOR PROJECTS IN UNSEWERED AREAS.**

5.16 Subpart 1. **Discharges posing threat to public health or safety.** Points shall be
5.17 assigned to a project by multiplying 45 times the ratio of the number of existing structures
5.18 with individual sewage treatment systems or other systems that collect and discharge
5.19 wastewater in the proposed project service area that have the potential to immediately
5.20 and adversely affect or threaten public health or safety, including any ground surface or
5.21 surface water discharge or sewage backup into a dwelling or other establishment resulting
5.22 from the system, to the total number of existing structures with wastewater flows to
5.23 individual sewage treatment systems or other systems in the proposed project service area
5.24 as described in part 7080.1500, subpart 4, item A.

6.1 Subp. 2. **Discharges that fail to protect groundwater.** Points shall be assigned to
6.2 a project by multiplying 15 times the ratio of the number of existing structures in the
6.3 proposed project service area not counted in subpart 1 with individual sewage treatment
6.4 systems or similar systems that have one or more sewage tanks which obviously leak
6.5 below the designated operating depth or have less than the required vertical separation
6.6 as described in part 7080.1500, subpart 4, items D and E, to the total number of existing
6.7 structures with individual sewage treatment systems in the proposed project service area.

6.8 Subp. 3. **Noncompliance with setback requirements.** Points shall be assigned to
6.9 a project by multiplying five times the ratio of the number of existing structures with
6.10 individual sewage treatment systems in the proposed project service area that do not
6.11 conform to a setback requirement set forth or cited by reference in part 7080.2150, subpart
6.12 2, item F, and that were not counted under subpart 1 or 2, to the total number of existing
6.13 structures with individual sewage treatment systems in the proposed project service area.

6.14 Subp. 4. **Proximity of individual sewage treatment systems to impaired or**
6.15 **outstanding resource value water.** Five points shall be assigned to a project if one or
6.16 more existing individual sewage treatment systems in the proposed project service area are
6.17 located within 500 feet of an outstanding resource value water, an impaired water, or both.

6.18 Subp. 5. **Proximity of failing individual sewage treatment systems to outstanding**
6.19 **resource value or impaired water.** Five points shall be assigned to a project where one
6.20 or more of the following systems are located within 500 feet of an outstanding resource
6.21 value water or an impaired water:

6.22 A. individual sewage treatment systems or similar systems that have one or
6.23 more tanks which obviously leak below the designated operating depth or have less than
6.24 the required vertical separation as described in part 7080.1500, subpart 4, items D and E; or

6.25 [For text of item B, see M.R.]

6.26 [For text of subps 6 and 7, see M.R.]

7.1 Subp. 8. **Project implements corrective measures.** Five points shall be assigned to
7.2 a project if it implements actions that contribute to correction of a water quality problem
7.3 identified in one or more of the following studies or an equivalent study:

7.4 A. a clean water partnership project pursuant to chapter 7076;

7.5 B. an impaired water; or

7.6 [For text of item C, see M.R.]

7.7 [For text of subp 9, see M.R.]

7.8 Subp. 10. **New or expanded discharge; points subtracted.** Five priority points
7.9 shall be subtracted from the project's priority score if the project involves one or more of
7.10 the following:

7.11 A. a facility which will produce a new or expanded discharge to one or more
7.12 of the following types of water:

7.13 (1) outstanding resource value water;

7.14 (2) an impaired water; or

7.15 (3) a lake; or

7.16 B. a facility that will produce a new or expanded discharge exceeding 200,000
7.17 gallons per day to one or more of the following water:

7.18 (1) waters defined as Class 2A waters under part 7050.0222, subpart 2; or

7.19 (2) wetlands as defined in part 7050.0186, subpart 1a.

7.20 Subp. 11. **Beneficial use of wastewater.** Thirty points shall be assigned if a project
7.21 will result in an agency-approved beneficial use of wastewater that results in reducing or
7.22 replacing the use of groundwater, surface water, or potable water, provided that the project
7.23 component resulting in the beneficial use of wastewater accounts for at least 20 percent of

8.1 the total eligible cost of the project. Projects receiving points under subpart 7 for land
8.2 discharge shall not receive points under this subpart for additional land discharge.

8.3 **7077.0119 POINTS FOR STORM WATER PROJECTS.**

8.4 Subpart 1. **Discharges to impaired waters.**

8.5 A. Four points shall be assigned if:

8.6 (1) the storm water project service area currently discharges into an
8.7 impaired water; and

8.8 (2) the project reduces the level of the pollutant for which the receiving
8.9 water is impaired.

8.10 B. For the purposes of this part, discharge into a subwatershed that flows into
8.11 an impaired water is considered a discharge into that impaired water.

8.12 Subp. 1a. **Discharges to ORVW's or trout waters.**

8.13 A. Five points shall be assigned if:

8.14 (1) the storm water project service area currently discharges into an ORVW
8.15 or a trout water; and

8.16 (2) the storm water project provides treatment that improves the quality of
8.17 storm water discharges.

8.18 B. For the purposes of this part, discharge into a subwatershed that flows into
8.19 ORVW's or trout waters is considered a discharge into that water.

8.20 [For text of subp 2, see M.R.]

8.21 Subp. 3. **Project implements corrective measures.** Five points shall be assigned
8.22 to a storm water project if it implements actions that contribute to correction of a water
8.23 quality problem identified in one or more of the following studies or an equivalent study:

8.24 A. a clean water partnership project pursuant to chapter 7076;

9.1 B. an impaired water; or

9.2 [For text of item C, see M.R.]

9.3 Subp. 4. [See repealer.]

9.4 Subp. 5. **New or expanded diversion of storm water; points subtracted.** Five
9.5 priority points shall be subtracted from the project's priority score if the project involves a
9.6 new or expanded diversion of storm water to one or more of the following types of water
9.7 or to a subwatershed that flows into that water:

9.8 A. outstanding resource value water;

9.9 B. impaired water;

9.10 C. water defined as a Class 2A water under part 7050.0222, subpart 2;

9.11 D. wetlands as defined in part 7050.0186, subpart 1a; or

9.12 E. a lake as defined in part 7077.0105, subpart 19a.

9.13 Subp. 6. **Project helps meet total maximum daily load for receiving water.**

9.14 Eighteen points shall be assigned if the municipality proposing the project holds a NPDES
9.15 permit for a municipal separate storm sewer system and is implementing a storm water
9.16 pollution prevention program according to Code of Federal Regulations, title 40, section
9.17 122.34, that addresses requirements resulting from a total maximum daily load waste
9.18 load allocation.

9.19 Subp. 7. **Impervious surface ratio.** Up to ten points shall be assigned to a
9.20 storm water project that addresses impervious surfaces through BMP's. The points are
9.21 determined by the number resulting from multiplying 20 times the ratio of the project
9.22 service area's impervious surface area to the total project service area to be served by the
9.23 proposed BMP's and rounding up numbers with fractions to the next whole number.

10.1 Subp. 8. **Volume reduction.** Nine points shall be assigned if the proposed project
10.2 will result in a storm water volume reduction from an existing discharge. The proposed
10.3 project must incorporate volume reduction as a major component of the treatment system,
10.4 or volume reduction must comprise a majority of the cost of the overall proposal.

10.5 Qualifying best management practices include:

10.6 A. rain gardens;

10.7 B. bioretention basins;

10.8 C. enhanced swales designed to infiltrate;

10.9 D. tree boxes, if designed to capture a certain volume;

10.10 E. storm water capture and reuse;

10.11 F. porous pavement, if designed to infiltrate;

10.12 G. green roof technology; or

10.13 H. other similar practices that will result in a storm water volume reduction
10.14 from an existing discharge.

10.15 Subp. 9. **New treatment systems.** Additional points shall be assigned if the
10.16 proposed project includes new best management practices that provide treatment to an
10.17 existing discharge, where the discharge is presently untreated. The number of points
10.18 shall be awarded based on whether the applicant holds a municipal separate storm sewer
10.19 system (MS4) NPDES permit that already requires a load reduction based on a total
10.20 maximum daily load (TMDL):

10.21 A. when an applicant holds an MS4 NPDES permit and is assigned a waste load
10.22 allocation based on a TMDL, the applicant shall be awarded one point; and

10.23 B. all other eligible applicants shall be awarded 18 points.

11.1 Subp. 10. **Multiple environmental benefits.** Six points shall be assigned if the
11.2 proposed project will result in one or more of the multiple environmental benefits
11.3 described in items A to F. Eligible projects must include a storm water treatment system
11.4 component or best management practice, and another type of environmental benefit
11.5 that results from the project. Flood control is already a priority goal of storm water
11.6 management, so it does not constitute another type of environmental benefit. Qualifying
11.7 multiple environmental benefits include:

- 11.8 A. storm water capture and reuse;
- 11.9 B. creation of wildlife habitat;
- 11.10 C. creation of a wildlife corridor or preservation of open or connected green
11.11 space;
- 11.12 D. reduced use or need for water, energy, or consumption of other natural
11.13 resources;
- 11.14 E. green roof technology that results in measurable reductions to storm water
11.15 volume; or
- 11.16 F. other similar practices that provide multiple environmental benefits.

11.17 Subp. 11. **Structural improvements to existing storm water ponds.** Ten points
11.18 shall be assigned to a project for structural improvements to an existing storm water pond
11.19 that increase or improve storm water treatment. No points shall be assigned for projects
11.20 that address only maintenance and do not propose structural improvements.

11.21 **7077.0121 RANKING OF PROJECTS WITH EQUAL TOTAL NUMBER OF**
11.22 **POINTS.**

11.23 Subpart 1. **Tie breaker based on environmental and human health threat.** When
11.24 two or more projects on the project priority list have been assigned the same total number
11.25 of priority points under parts 7077.0116 to 7077.0119, the project that has the highest

12.1 number of points assigned based upon environmental and human health threats shall be
12.2 ranked higher. For purposes of this part, points assigned under parts 7077.0117, subparts 6
12.3 to 11; 7077.0118, subparts 1 to 5; and 7077.0119, subparts 1, 1a, and 2, are based upon
12.4 environmental and human health threats.

12.5 [For text of subp 2, see M.R.]

12.6 **7077.0272 FACILITIES PLAN FOR WASTEWATER TREATMENT SYSTEMS.**

12.7 [For text of subps 1 and 1a, see M.R.]

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

12.10 [For text of items A to C, see M.R.]

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

12.16 [For text of subitems (1) to (4), see M.R.]

12.17 [For text of items E and F, see M.R.]

12.18 [For text of subps 2a to 5, see M.R.]

12.19 **7077.0277 STORM WATER PROJECT PLAN.**

12.20 [For text of subps 1 and 1a, see M.R.]

12.21 Subp. 2. **Contents.** A storm water project plan must address items A to F in the
12.22 amount of detail that is appropriate to describe the project accurately.

12.23 A. A complete description of the storm water collection system, storm water
12.24 treatment system if existent, and the identified need in the project service area.

13.1 B. A complete description of the project service area including the number of
13.2 acres served, the estimated flow, and a description of the watershed.

13.3 C. A brief narrative describing project alternatives that were considered and
13.4 a description of how the proposed project was selected.

13.5 D. A complete description of the project including location, best management
13.6 practices to be implemented for the use of storm water treatment, estimated construction
13.7 costs, and equipment replacement costs.

13.8 E. A description of the long-term maintenance plan including annual operation
13.9 and maintenance costs and who will be responsible for performing maintenance activities.
13.10 The maintenance plan must describe the intended life span of any proposed storm water
13.11 treatment system.

13.12 F. An estimate of the reduction in pollutants. When applicable, the estimate
13.13 must include any pollutants causing or contributing to the impairments in receiving waters.

13.14 Subp. 3. **Storm water project plan supplement.** In order to obtain the
13.15 commissioner's approval of a storm water project plan, the municipality must submit the
13.16 following items to the commissioner with the storm water project plan:

13.17 A. a completed environmental information worksheet;

13.18 B. a complete list of addresses the commissioner will use for a 30-day public
13.19 notice of a summary of the environmental information worksheet. The addresses used for
13.20 public notice purposes must be listed on a form prescribed by the commissioner;

13.21 C. a summary of the information presented and public comments received at a
13.22 public hearing, required under subpart 4, and the action taken to address those comments;

13.23 D. a formal resolution of the municipality's governing body adopting the storm
13.24 water project plan;

14.1 E. a list of ordinances and intermunicipal agreements necessary for the
14.2 successful implementation and administration of the project; and

14.3 F. a certification from the appropriate county or watershed management
14.4 organization assuring that the storm water project plan is consistent with the
14.5 comprehensive local water plan.

14.6 [For text of subp 4, see M.R.]

14.7 **7077.0279 PLANS AND SPECIFICATIONS FOR STORM WATER TREATMENT**
14.8 **SYSTEMS.**

14.9 [For text of subp 1, see M.R.]

14.10 Subp. 2. **Contents.** A complete set of plans and specifications must address the
14.11 following items in the amount of detail that is appropriate to describe a project accurately:

14.12 A. plans and specifications signed by a professional engineer registered in
14.13 Minnesota;

14.14 B. a summary of design parameters for the storm water treatment units;

14.15 C. a summary of the storm water treatment system flow conditions for average
14.16 design flow and maximum design flow;

14.17 D. a storm water pollution prevention plan to meet construction storm water
14.18 permit requirements during construction of the storm water treatment systems;

14.19 E. the latest detailed cost estimate, including operation and maintenance costs,
14.20 based on the plans and specifications submitted; and

14.21 F. administrative, bidding, and contract documents according to the applicable
14.22 requirements under Minnesota Statutes, including a 100 percent performance bond from
14.23 the contractors.

14.24 [For text of subp 3, see M.R.]

15.1 **7077.0287 COMPLETION OF CONSTRUCTION AND INITIATION OF**
15.2 **OPERATION; STORM WATER TREATMENT SYSTEMS.**

15.3 Subpart 1. **Notification required.** Within ten days following submission of a notice
15.4 of termination for the construction storm water permit obtained for the project or, when no
15.5 permit is required, within ten days of the completion of construction, the municipality
15.6 must notify the commissioner in writing of the initiation of operation date.

15.7 Subp. 2. **Date of initiation of operation.** The date of initiation of operation is the
15.8 date the notice of termination for the construction storm water permit for the project is
15.9 submitted and is the first day of the one-year performance period. When no permit is
15.10 required, the date of initiation of operation is the date the municipality submitted to the
15.11 agency as the completion date of construction under subpart 1.

15.12 Subp. 3. **Inspection required.** The municipality must notify the commissioner in
15.13 writing when the municipality is ready to initiate operation and request that an inspection
15.14 be scheduled. The purpose of the inspection is to ensure that the construction conforms
15.15 with the approved plans and specifications and any change orders, to identify construction
15.16 deficiencies, and to set target dates for the completion of construction items.

15.17 Subp. 4. **Operation and maintenance manual.** Before completing construction, the
15.18 municipality must submit to the commissioner an operation and maintenance manual for
15.19 the storm water treatment systems implemented by the project.

15.20 **7077.0288 PROJECT PERFORMANCE.**

15.21 Subpart 1. [Repealed, 15 SR 288]

15.22 Subp. 2. **Performance certification for wastewater treatment systems.** One year
15.23 after the initiation of operation of a wastewater treatment project, the municipality shall
15.24 submit to the commissioner the following items, as appropriate for the project:

16.1 A. A certification on a form prescribed by the commissioner and signed by a
16.2 professional engineer registered in the state of Minnesota stating that the project meets the
16.3 following performance standards:

16.4 [For text of subitems (1) to (4), see M.R.]

16.5 (5) nonresidential wastewater discharges to the treatment system do not
16.6 interfere with the operation of the project or with disposal or use of septage or municipal
16.7 sludges and do not degrade groundwater or surface water;

16.8 (6) septage treatment and disposal is accomplished in accordance with
16.9 applicable state, federal, and local standards; and

16.10 (7) the project meets the requirements in the approved plans and
16.11 specifications for the prevention of contamination of underground drinking water sources
16.12 beyond the property boundary.

16.13 The certification shall include one copy of "as-built" plans and specifications in a format
16.14 designated by the commissioner.

16.15 B. A revised operation and maintenance manual or revised maintenance plan
16.16 based on actual operating experience obtained during the one-year performance period,
16.17 or a certificate of completion of a revised operation and maintenance manual on a form
16.18 prescribed by the commissioner.

16.19 [For text of item C, see M.R.]

16.20 Subp. 2a. **Performance certification for storm water treatment systems.** One year
16.21 after the initiation of operation of the storm water treatment project, the municipality shall
16.22 submit to the commissioner the following items, as appropriate for the project:

16.23 A. a certification stating whether the project meets the following performance
16.24 standards:

17.1 (1) the project has been completed according to the approved storm water
17.2 project plan and the project is operating as intended;

17.3 (2) state revolving fund loan money has only been used for work directly
17.4 associated with storm water treatment activities as described in the storm water project plan;

17.5 (3) all pipe outlets have been provided with permanent energy dissipation
17.6 where the pipe's outlet velocity exceeds the permanent cover's erosive velocity;

17.7 (4) an operation and maintenance manual appropriate for the best
17.8 management practices implemented during the project has been provided to the
17.9 municipality by the project engineer; and

17.10 (5) one copy of "as-built" plans and specifications has been submitted to
17.11 the commissioner in a format designated by the commissioner; and

17.12 [For text of item B, see M.R.]

17.13 Subp. 3. **Corrective action report.** If the commissioner or the municipality
17.14 determines that the wastewater treatment project does not meet the project performance
17.15 standards under subpart 2, item A, or that the storm water treatment project does not meet
17.16 the project performance standards under subpart 2a, item A, the municipality shall:

17.17 [For text of item A, see M.R.]

17.18 B. following the completion of corrective action work, submit a performance
17.19 certification as specified under subpart 2 or 2a, as applicable, according to the schedule in
17.20 item A, subitem (3).

17.21 **7077.0290 COMMISSIONER'S NOTIFICATION OF PERFORMANCE.**

17.22 The commissioner shall provide written notification about the satisfactory
17.23 performance of a wastewater treatment project or a storm water treatment project to the
17.24 authority upon receipt and approval by the commissioner of the items listed in part
17.25 7077.0288, subpart 2, item A, or 2a, item A, as applicable.

18.1 **REPEALER.** Minnesota Rules, parts 7077.0105, subpart 8a; and 7077.0119, subpart
18.2 4, are repealed.

18.3 **EFFECTIVE PERIOD.** The amendments to parts 7077.0105 to 7077.0290 are effective
18.4 July 1, 2014.