



Minnesota Pollution Control Agency

Municipal Division

Public Notice of Request for Comments on the Permit Application and Stormwater Pollution Prevention Programs (SWPPP) for Coverage Under the General National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit MNR040000 for Municipal Separate Storm Sewer Systems (MS4s)

Public Comment Period Begins: September 8, 2008
Public Comment Period Ends: October 9, 2008

Name of the MS4s subject to this public notice including the location where the MS4s application and SWPPP is available locally:

<p>Haverhill Township MS4 Haverhill Township Hall 4000 55th Avenue NE Rochester, MN 55906 Attn: Ben Hain, Chair - Haverhill Township Board www.co.olmsted.mn.us/links/haverhill.asp</p> <p><i>The SWPPP is also available for review at:</i> Township Cooperative Planning Association Peoples Cooperative Service Building 3935 Hwy 14 East Rochester, MN www.tcpamn.org</p>	<p>Midway Township MS4 Midway Township Hall* 3230 Midway Road Duluth, MN 55810 Attn: Jim Aird, Chair - Midway Township Board jeaird@msn.com www.duluthstreams.org/communities/index.html</p> <p><i>*The SWPPP will be available for public review at the Midway Township Hall at the following times: the first and last Thursday of each month 7-9pm, Wednesday evenings 7-9 pm, Saturdays 8-Noon, or by appointment at: 218-624-7081</i></p>
	<p>Mound City MS4 5341 Maywood Road Mound, MN 55364 Attn: Carlton Moore, Public Works Director CarltonMoore@cityofmound.com</p>

Subject of Notice

The General NPDES/SDS Permit for MS4s requires the permittee to develop, implement, and enforce a Stormwater Pollution Prevention Program or SWPPP that is designed to reduce the discharge of pollutants from their storm sewer system and to protect water quality. The SWPPPs must include best management practices for six minimum control measures that are set forth in the NPDES Program regulations 40 *Code of Federal Regulations* 122.34 (a) and (b), and the state stormwater rules; Minn. R. ch. 7090.

The Minnesota Pollution Control Agency (MPCA) is required, pursuant to the requirements of a Minnesota Court of Appeals ruling, to provide public notice and ability to comment, and opportunity for hearing on each MS4s proposed SWPPP. Approximately 175 MS4s were required to submit a permit application and SWPPP by June 1, 2006, for coverage under the

General MS4 Permit. The MPCA plans to public notice the individual proposed SWPPPs in groups.

Preliminary Determination on Permit Coverage

The MPCA Commissioner has made a preliminary determination based on review of the permit application and SWPPP to extend permit coverage under the General MS4 Permit, which has a permit term of five years, for the MS4s listed below:

Haverhill Township MS4	Midway Township MS4
	Mound City MS4

The permit applications and SWPPPs for all MS4s listed above are available locally for public review, as identified on page one of this notice. The permit applications and SWPPPS are also available for review at the MPCA’s St. Paul office, located at 520 Lafayette Road North, St. Paul, Minnesota 55155, and at the MPCA Regional office closest to the outstate MS4. Information on the public notice process is available on the MPCA Web page at: <http://www.pca.state.mn.us/water/stormwater/ms4-appnotice.html>.

Written Comments

Interested persons are invited to submit written comments on any or all of the permit applications and SWPPPs for the MS4s identified on page one of this notice, or on the Commissioner’s preliminary determination; specifically, whether or not permit coverage should be extended, and if not, the reasons supporting the person’s position. Interested persons should clearly identify which MS4(s) application and SWPPP they are submitting comments on. Written comments must include the following:

1. A statement of the person’s interest in the permit application and SWPPP;
2. A statement of the action the person would like the MPCA to take, including specific references to sections of the application and SWPPP that you believe should be changed; and
3. The reasons supporting the person’s position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of the person’s position.

Request for Public Informational Meeting

Any person may request that the Commissioner hold a public informational meeting. If a person requests a public informational meeting, the comments must include the information in items 1-3 listed above; a statement of the reasons the person desires the MPCA to hold a public informational meeting; and the issues that the person would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing

Any person may also submit a petition for a contested case hearing. A petition for a contested case hearing must include the following information: a statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in Minn. R. 7000.1900; and a statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

MPCA Decision

In the absence of any requests for a public informational meeting or petition for a contested case hearing, the final decision to extend permit coverage will be made by the Commissioner. Any person may request that a permit application and SWPPP be considered by the MPCA Citizens’ Board prior to final permit action in accordance with Minn. Stat. § 116.02, subd. 6, and Minn. R.

7000.0650. The public is entitled, and welcome, to participate in the activities of the MPCA Citizens' Board and MPCA staff.

The written comments, requests, and petitions received before close of business on the end date of the comment period identified on page 1 of this notice will be considered before the Commissioner's final determination on permit coverage. The MPCA's response to comments will be posted on the MPCA Web page at:

<http://www.pca.state.mn.us/water/stormwater/ms4-appnotice.html>.

Comments, requests, and/or petitions must be submitted in writing on or before the end date of the comment period identified on page 1 of this notice. Comments should be submitted to the staff contact identified below for each MS4.

TTY users may call the MPCA teletypewriter at 651-282-5332 or 1-800-657-3864.

Staff Contact: Amy Garcia Municipal Division Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, MN 55155-4194 Phone (651) 297-8604	For Comments Regarding: Mound City MS4
Staff Contact: Donald J. Kyser Municipal Division Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, MN 55155-4194 Phone (651) 215-0191	For Comments Regarding: Haverhill Township MS4 Midway Township MS4