

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1153

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 4-29-85
DATE FOR REVIEW 5-8-85
DATE DUE 5-13-85

Adopted w/a hearing ____
Adopted w/o hearing ✓
Temporary rule ____

Approved 5/13/85 (CDS) Disapproved ____ Returned to Agency ____

Resubmitted ____ Due ____
Approved ____ Disapproved ____ Returned to Agency ____

Date filed w/Secretary of State 5-15-85 Revisor approved 4/29/85 disapproved ____

✓ Rule as Adopted

✓ Rule as Proposed see SR.

✓ Order Adopting 4.23.85 Date

✓ Notice of Intent to Solicit Outside Opinion SR. 10.22.84 + comments

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
? Sufficiency 115A.44, subd 4 appears to require a hearing. No small biz statement.

✓ Affidavit of Mailing Notice or rulemaking
2.21 + 2.22.85 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
2.25.85 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
____ Approving H.E.'s Report
____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

? Statement of Need and Reasonableness no small biz statement

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

✓ Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

Briefing Notes

5-14-'85
(CDS)

① Small Bus. : ① Nothing in Notice
② Stmt. of No Burden — Benefit - in SNR
③ FF indicate that nearly all Notified Directly.

② Hearing req'd? : ① 115.44 subd. 4 — Public Hearing req'd for "water quality standards"; Agency may estab. stds. for effluent of disposal systems "wherever practicable and advisable

" 5C — Stds. contemplate level of coliform bacteria are permitted in water.

② 115.03 Subd. 1(e)(8) — Prior to estab's an "effluent limitation," agency shall hold a public hearing.

Tel. Conf. w/ A Mitchell

(CDS)
5-14-85

115.03 – Water Quality Effluent limit.
- quality of water
- effluent limits

Arg. Not req'd

Where EL's don't meet DT's must specifically match effluent level to body of water (i.e. stretch of Miss.) – waste load allocation study.
⊗ Doesn't apply here. Only effluent limit controlled here, not w/ consid.n w/ body of water.

115.44 – OLD – req.'s Water Quality not effluent limit.
Subd. 4. – specifically deals w/ effluent limits w/o req.'s

(#76 – N/Avail.)

1981 – We approved (JSA) classif.n of waters –
Memo. 12/31/81 re 115.44.

Small Bus. ! – SNR states will help.
– Notice was sent to every discharger in state that ~~that~~ use chlorine
– Intent of Small Bus. gives small bus. change to be heard.
[i.e. small bus. selling chlorine.]
– Eliminating every req't ..

Doesn't Notify that may be affected

To: Larry.
Date: 5.6.85.
Re: PCA - Water Quality, Fecal Coliform Effluent Limitations

Compliance with § 14.115 - Notice to Small Business

It is not clear from the documents if small businesses are ever in the business of discharging substances into water in such as way as to be affected by this rule. If small businesses are affected, there is a problem: neither the rulemaking notice nor the SONR contain small business statements. OK. SNR reveals that any impact will be to lessen the burden on small bus.'s (p.2)
-LDS

Notice of Rulemaking

The statutes cited as authority, Minn Stat. § 115.44, subd 4. and 5.e (also, see subd. 7) appear to contemplate a hearing being held on water quality rules. Presumably, when the existing language was promulgated a hearing was held. The question is, is a hearing necessary when a water quality rule is amended, especially when the amendment appears to be relaxing the provisions of the existing rule?

O.K. - 1) if any hearing req'd, it's a public hearing, not a rules hearing;

2) No hearing is required because agency is regulating level of coliform bacteria in effluent pursuant to M.S. § 115.44 subd. 4, not level of effluent released (115.44 subd. 4 & 4(c), or water quality (115.44 sub 4(c) + 115.03 ...

-LDS.

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

ST. PAUL 55155

ADDRESS REPLY TO:
ATTORNEY GENERAL'S OFFICE
POLLUTION CONTROL DIVISION
1935 WEST COUNTY ROAD B-2
ROSEVILLE, MN 55113
TELEPHONE: (612) 296-7342

April 26, 1985

RECEIVED
APR 29 1985
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Ms. Judith Wehrwein
Attorney General's Office
204 Administration Building
50 Sherburne Ave.
St. Paul, Minnesota 55155

Re: Noncontroversial Amendment of Minnesota Rules Part 7050.0210 Subpart 6

Dear Ms. Wehrwein:

The Minnesota Pollution Control Agency, on April 23, 1985, adopted an amendment to Minn. Rules Part 7050.0210 subp. 6. This amendment was adopted without a public hearing pursuant to the provisions of the Administrative Procedure Act, Minn. Stats. §§ 14.22-14.28 (1984) allowing for the adoption of noncontroversial rule amendments without first holding a public hearing. The amendment is now being submitted to the Attorney General's office for review.

Pursuant to the rules of the Attorney General's Office, specifically Minn. Rules Part 2000.0400, the following documents are enclosed:

1. Notice of Intent to Solicit Outside Opinion published in October 22, 1984, State Register and comment from Metropolitan Waste Control Commission dated November 21, 1984

2. Certificate of Board's Authorizing Resolution (dated December 20, 1984)

3. Order for Notice of Intent to Adopt Rules without a Public Hearing (dated December 20, 1984)

4. February 25, 1985 State Register pages containing Notice of Intent to Adopt Rules without a Public Hearing and the Rule Amendments as Proposed

5. Mailing list Certificate (dated February 21, 1985)

6. Affidavit of Mailing (dated February 26, 1985)

7. Statement of Need and Reasonableness

8. Written comments received in response to Notice (one from the Metropolitan Waste Control Commission dated March 20, 1985; one from the Minnesota Association of Commerce and Industry dated March 18, 1985; and one from 3M Company dated March 25, 1985)

9. Findings of Fact and Conclusions (dated April 23, 1985)

10. Order Adopting Rule Amendments (dated April 23, 1985)

11. Rule Amendment as Adopted (same as proposed) (original and three copies)

12. Certificate of Board's Resolution Adopting Rule Amendments (dated April 26, 1985)

13. Affidavit of Mailing Notice of Submission to Attorney General (dated April 26, 1985)

14. Notice of Submission to Attorney General (dated April 26, 1985)

15. Certificate of Compliance with Rulemaking Procedures.

If there is anything further you need to complete your review, please let me know.

Thank you.

Very truly yours,

Alan Mitchell

ALAN R. MITCHELL
Special Assistant
Attorney General

ARM:sc

Enclosure

SF-00006-03

DEPARTMENT REVISOR OF STATUTES

STATE OF MINNESOTA

Office Memorandum

TO: David Maschwitz
Minnesota Pollution Control Agency

DATE: February 28, 1985

FROM: Corrine Staeheli
Rules Supervisor

PHONE: 297-2955

RECEIVED
MAR 01 1985
M.P.C.A.
Water Quality Div.

SUBJECT: Proposed Rules, stripped copy

Enclosed is a stripped copy of your proposed rules as published in the State Register. The copy shows the text of the rules as you proposed them with the stricken text deleted and the underscoring removed.

Please use this copy to indicate any modifications you wish to make. Our office will input the changes on our computer, certify the document as to form, and turn out copies for you to submit for final approval to the Attorney General or the Office of Administrative Hearings, as appropriate.

If your proposed emergency rules or proposed rules adopted without public hearing are adopted without modification, please submit the required number of copies of this document to the Attorney General for final approval.

If your proposed rules are adopted without modification after public hearing, please submit one copy of this document to our office for final approval as to form.

CRS/kh
Enclosure
ARO 720

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: THOMAS J. KALITOWSKI, Executive Director
MN Pollution Control Agency

DATE: 5-15-85

ATTN: ALAN R. MITCHELL
Special Assistant Attorney General

FROM: LARRY D. STARNS LDS

PHONE: 297-3493
Special Assistant Attorney General

SUBJECT: In the Matter of the Proposed Revision of Minn. Rules Part 7050.0210, Subpart 6 Relating to the Fecal Coliform Effluent Limitation

The above-referenced rule has been approved as to its legality by the Attorney General on May 13, 1985.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

LDS:sz

Enclosures

cc: Executive Director
Legislative Commission to Review
Administrative Rules

Chief Administrative Law Judge
Office of Administrative Hearings

AG copy

Pollution Control Agency

Adopted Rule Relating to Water Quality, Fecal Coliform Effluent Limitations

Rule as Adopted

7050.0210 STANDARDS FOR DISCHARGERS TO WATERS OF THE STATE.

Subpart 1. to 5. [Unchanged.]

Subp. 6. **Minimum secondary treatment.** It is herein established that the agency shall require secondary treatment as a minimum for all municipal sewage and biodegradable industrial or other wastes to meet the adopted water quality standards. A comparable high degree of treatment or its equivalent also shall be required of all nonbiodegradable industrial or other wastes unless the discharger can demonstrate to the agency that a lesser degree of treatment or control will provide for water quality enhancement commensurate with present and proposed future water uses and a variance is granted under the provisions of the variance clause. Secondary treatment facilities are defined as works which will provide effective sedimentation, biochemical oxidation, and disinfection, or the equivalent, including effluents conforming to the following:

Substance or Characteristic	Limiting Concentration or Range*
5-Day carbonaceous biochemical oxygen demand*	25 milligrams per liter
Fecal coliform group organisms ***	200 organisms per 100 milliliters
Total suspended solids*	30 milligrams per liter
Oil	Essentially free of visible oil
Phosphorus**	1 milligram per liter
Turbidity	25
pH range	6.0 - 9.0
Unspecified toxic or corrosive substances	None at levels acutely toxic to humans or other animals or plant life, or directly damaging to real property.

*The arithmetic mean for concentrations of five-day carbonaceous biochemical oxygen demand and total suspended solids shall not exceed the stated values in any calendar month and 45 milligrams per liter in any calendar week.

**Where the discharge of effluent is directly to or affects a lake or reservoir, removal of nutrients from all wastes shall

be provided to the fullest practicable extent wherever sources of nutrients are considered to be actually or potentially detrimental to preservation or enhancement of the designated water uses.

***Disinfection of wastewater effluents to reduce the levels of fecal coliform organisms to the stated value is required from March 1 through October 31 (Class 2 waters) and May 1 through October 31 (Class 7 waters) except that where the effluent is discharged 25 miles or less upstream of a water intake supplying a potable water system, the reduction to the stated value is required year around. The stated value is not to be exceeded in any calendar month as determined by the logarithmic mean of all the samples collected in a given calendar month. The application of the fecal coliform group organism standards shall be limited to sewage or other effluents containing admixtures of sewage and shall not apply to industrial wastes except where the presence of sewage, fecal coliform organisms, or viable pathogenic organisms in such wastes is known or reasonably certain. Analysis of samples for fecal coliform group organisms by either the multiple tube fermentation or the membrane filter techniques is acceptable.

Subp. 6a. to 18. [Unchanged.]

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 15 1985
Joan Anderson Growe
Secretary of State
10:15 AM

APPROVED AS TO LEGALITY

May 13, 1985

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
COUNTY OF RAMSEY

MINNESOTA POLLUTION
CONTROL AGENCY

In the Matter of the Proposed
Amendment of Minnesota Rules
Part 7050.2010 Subpart 6
Relating to the Fecal Coliform
Effluent Limitation

ORDER ADOPTING
RULE AMENDMENTS

Notice of the Minnesota Pollution Control Agency's intent to adopt the above-entitled rule without a public hearing was published in the State Register on February 25, 1985 (9 S.R. 1945), and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minnesota Statutes § 14.14 (1984) on February 21 and 22, 1985. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, reviewing and considering the comments, and after determining the need for and reasonableness of the above-captioned rule,

NOW, THEREFORE, IT IS ORDERED, that the attached amendment to Minnesota Rules Part 7050.0210 subpart 6, fecal coliform effluent limitation applicable to all discharges containing treated sewage, is adopted pursuant to the authority vested in the Agency by Minnesota Statutes §§ 115.03 and 115.44 (1984).

Dated this 23rd day of April, 1985.

DUANE DAHLBERG
Chairperson

THOMAS J. KALITOWSKI
Executive Director

Dakota County Library—Burnsville Branch
1101 W. County Rd. 42
Burnsville, Minnesota 55337

Hennepin County Library—Southdale Branch
7001 York Avenue
Edina, Minnesota 55435

Ramsey County Library—Roseville Branch
2180 N. Hamline Avenue
Roseville, Minnesota 55113

Scott County Library—Shakopee Branch
235 S. Lewis Street
Shakopee, Minnesota 55379

Washington County Library—Park Grove Branch
7520-80th Street S.
Cottage Grove, Minnesota 55106

Copies of the amendments may be obtained free of charge from the Council's Public Information Office at the above address, telephone 291-6464.

Chair
Metropolitan Council

Pollution Control Agency

Outside Opinion Sought Regarding Amendment of State Water Quality Rules (Minn. Rule Part 7050.0210)

Notice is hereby given that the Minnesota Pollution Control Agency (agency) is seeking information and opinions from sources outside the agency on the proposed modification of the fecal coliform effluent limitation found in Minn. Rule Part 7050.0210 Subpart 6.

The fecal coliform effluent limitation includes (1) a monthly logarithmic mean limitation of 200 organisms per 100 milliliters, (2) a requirement that no more than ten percent of the monthly samples individually can exceed 400 organisms per 100 milliliters, and (3) a requirement that at least five samples be taken per month. The agency is considering deleting parts (2) and (3) from the fecal coliform effluent limitation to minimize the amount of chlorine dischargers must use to maintain the fecal coliform water quality standard.

Any person may submit data or views on this proposal. Comments may be submitted in writing or orally. Any written material received in response to this notice will become a part of the rulemaking record generated in this matter.

Written comments and data may be submitted to Mr. David Maschwitz at the address listed below:

Minnesota Pollution Control Agency
Division of Water Quality
1935 West County Road B-2
Roseville, Minnesota 55113

Oral comments and inquiries may be directed to Mr. Maschwitz during normal business hours at the agency office or over the telephone at (612)296-7252.

Written and oral comments will be accepted until November 9, 1984.

October 15, 1984

Thomas J. Kalitowski
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA POLLUTION

CONTROL AGENCY

In the Matter of the Proposed
Revision of Minn. Rules
Part 7050.0210 Subpart 6
Relating to the Fecal Coliform
Effluent Limitation

ORDER FOR NOTICE
OF INTENT TO
ADOPT RULES
WITHOUT A PUBLIC
HEARING

IT IS ORDERED THIS 20th day of December, 1984, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Pollution Control Agency for that purpose and be published in the State Register.

Thomas Kalitowski

THOMAS J. KALITOWSKI
Executive Director

Dated: December 20, 1984

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Thomas J. Kalitowski, do hereby certify that I am the Executive Director of the Minnesota Pollution Control Agency, an agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Minnesota Pollution Control Agency, duly and properly called and held on the 18th day of December, 1984, that a quorum was present at said meeting, that a majority of the Board voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

BE IT RESOLVED, that Thomas J. Kalitowski, Executive Director of the Minnesota Pollution Control Agency is hereby granted the authority to sign an Order of the Agency directing that Notice be given of the Agency's intent to adopt, without a public hearing, amendments to the Agency's rules governing the fecal coliform effluent limitation for all dischargers, Minn. Rules Part 7050.0210 Subpart 6, as shown below, to sign the Notice thereof, and to perform any acts incidental thereto, including making any form changes in the rules that the Revisor of Statutes requires the Agency to make in order to obtain the Revisor's certification as required in Minn. Stat. § 14.07, subd. 2 (1984).

Fecal Coliform Group Organisms***	200 organisms per 100 milliliters

***Disinfection of wastewater effluents to reduce the levels of fecal coliform organisms to the stated value is required from March 1 through October 31 (Class 2 waters) and May 1 through October 31 (Class 7 waters) except that where the effluent is discharged 25 miles or less upstream of a water intake supplying a potable water system, the reduction to the stated value is required year around. The stated value is not to be exceeded in any calendar month as determined by the logarithmic mean of ~~a minimum of five samples, nor shall more than ten percent of all samples taken during any calendar month individually exceed 400 organisms per 100 milliliters~~ all the samples collected in a given calendar month. The application of the fecal coliform group organism standards shall be limited to sewage or other effluents containing admixtures of sewage and shall not apply to industrial wastes except where the presence of sewage, fecal coliform organisms, or viable pathogenic organisms in such wastes is known or reasonably certain. Analysis of samples for fecal coliform group organisms by either the multiple tube fermentation or the membrane filter techniques is acceptable.

In the event a public hearing becomes necessary, the Executive Director is hereby granted the authority to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but not limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Agency's representative at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20th day of December, 1984.

Thomas Kalitowski

THOMAS J. KALITOWSKI
Executive Director

Subscribed and sworn to before me
this 20th day of December, 1984

Maryanne Gibbons

NOTARY PUBLIC

MARYANNE GIBBONS
NOTARY PUBLIC MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept 28 1985

Pollution Control Agency

Proposed Rule Relating to Water Quality, Fecal Coliform Effluent Limitations

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (hereinafter "Agency") intends to adopt the above-entitled rule amendment without a public hearing. The Agency has determined that the proposed adoption of this rule amendment will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes Sections 14.22-14.28 (1984).

If adopted, the proposed amendment would delete two requirements from the fecal coliform effluent limitation that are overly restrictive and inconsistent with current Agency permitting and enforcement policy. The current fecal coliform effluent limitation includes 1) a monthly logarithmic mean limitation of 200 organisms per 100 milliliters, 2) a requirement that no more than ten percent of the monthly samples individually can exceed 400 organisms per 100 milliliters, and 3) a requirement that at least five samples be taken per month. The Agency proposes to delete parts 2 and 3 from the limitation. The Agency is not proposing to change part 1 of the effluent limitation, nor is the Agency proposing any changes to the fecal coliform water quality standards.

Fecal coliform effluent limitations are placed on all discharges that contain domestic sewage. Dischargers must disinfect (usually with chlorine) their treated wastewater during the warm weather months to meet this limitation in order to maintain water quality standards applicable to surface waters. Full enforcement of the current fecal coliform effluent limitation would probably force dischargers to use more chlorine than is necessary to maintain the fecal coliform water quality standard. The Agency prefers to minimize the use of chlorine by dischargers because chlorine is toxic to aquatic life, and it can combine with organics in natural waters to form chloro-organic compounds, some of which are carcinogens.

All dischargers must monitor the quality of their effluent and report these results to the Agency every month. While the rule presently requires five samples per month, for many small dischargers, one or two samples per month has been considered adequate by the Agency to determine compliance.

Thus, the purpose of the proposed change is to avoid excessive use of chlorine by dischargers in the future and to make the rule consistent with established Agency policy on monitoring frequencies for small dischargers. The Agency has prepared a Statement of Need and Reasonableness in support of the proposed change. Copies of this statement may be obtained by contacting: David Maschwitz, Minnesota Pollution Control Agency, 1935 West County Road B-2, Roseville, Minnesota 55113. (612) 296-7252.

The Agency is authorized to adopt this rule amendment under Minnesota Statutes Section 115.03 subdivision 1(e) and Section 115.44 subdivision 4 and 5(e).

Persons interested in this rule change are encouraged to submit comments in support of or in opposition to the proposed amendment. Comments on the proposed rule must be submitted no later than March 27, 1985 to David Maschwitz at the address given above. Also, persons submitting written comments should identify their suggested modifications to the proposed fecal coliform effluent limitation, and the reasons and data relied on to support the suggested modifications. The proposed rule may be modified if the modifications are supported by the data and the views submitted to the Agency, and the modifications do not result in a substantial change in the proposed language.

If 25 or more persons submit a written request for a public hearing on this proposed amendment within the comment period, a public hearing will be held. Requests for a public hearing should be submitted to David Maschwitz before the close of the comment period on March 27, 1985. Any person requesting a public hearing should state his or her name and address, the reason for the request and any change proposed. In the event a public hearing is required, the Agency will proceed according to the provisions of Minnesota Statutes Sections 14.131-14.20 (1984).

In the case where the final rule can be adopted without a public hearing, the proposed rule, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rule as adopted will be delivered to the Attorney General for review as to the legality of the final rule, and its form to the extent the form relates to legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rule as proposed for adoption, should submit a written statement of such request to David Maschwitz at the address noted above.

Please be advised that Minnesota Statutes Chapter 10A requires each lobbyist to register with the State Ethical Practices Board

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

within five days after he or she commences lobbying. Lobbyist is defined in Minnesota Statutes Section 10A.01, subd. 11 (1982) as an individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

February 5, 1985

Michael Robertson
for
Thomas J. Kalitowski
Executive Director
Minnesota Pollution Control Agency

Rule as Proposed

7050.0210 STANDARDS FOR DISCHARGERS TO WATERS OF THE STATE.

Subpart 1. to 5. [Unchanged.]

Subp. 6. Minimum secondary treatment. It is herein established that the agency shall require secondary treatment as a minimum for all municipal sewage and biodegradable industrial or other wastes to meet the adopted water quality standards. A comparable high degree of treatment or its equivalent also shall be required of all nonbiodegradable industrial or other wastes unless the discharger can demonstrate to the agency that a lesser degree of treatment or control will provide for water quality enhancement commensurate with present and proposed future water uses and a variance is granted under the provisions of the variance clause. Secondary treatment facilities are defined as works which will provide effective sedimentation, biochemical oxidation, and disinfection, or the equivalent, including effluents conforming to the following:

Substances or Characteristic	Limiting Concentration or Range*
5-Day carbonaceous biochemical oxygen demand*	25 milligrams per liter
Fecal coliform group organisms***	200 organisms per 100 milliliters
Total suspended solids*	30 milligrams per liter
Oil	Essentially free of visible oil
Phosphorus**	1 milligram per liter
Turbidity	25
pH range	6.0-9.0
Unspecified toxic or corrosive substances	None at levels acutely toxic to humans or other animals or plant life, or directly damaging to real property.

*The arithmetic mean for concentrations of five-day carbonaceous biochemical oxygen demand and total suspended solids shall not exceed the stated values in any calendar month and 45 milligrams per liter in any calendar week.

**Where the discharge of effluent is directly to or affects a lake or reservoir, removal of nutrients from all wastes shall be provided to the fullest practicable extent wherever sources of nutrients are considered to be actually or potentially detrimental to preservation or enhancement of the designated water uses.

***Disinfection of wastewater effluents to reduce the levels of fecal coliform organisms to the stated value is required from March 1 through October 31 (Class 2 waters) and May 1 through October 31 (Class 7 waters) except that where the effluent is discharged 25 miles or less upstream of a water intake supplying a potable water system, the reduction to the stated value is required year around. The stated value is not to be exceeded in any calendar month as determined by the logarithmic mean of ~~a minimum of five samples, nor shall more than ten percent of all samples taken during any calendar month individually exceed 400 organisms per 100 milliliters~~ all the samples collected in a given calendar month. The application of the fecal coliform group organism standards shall be limited to sewage or other effluents containing admixtures of sewage and shall not apply to industrial wastes except where the presence of sewage, fecal coliform organisms, or viable pathogenic organisms in such wastes is known or reasonably certain. Analysis of samples for fecal coliform group organisms by either the multiple tube fermentation or the membrane filter techniques is acceptable.

Subp. 6a. to 18. [Unchanged.]

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA POLLUTION

CONTROL AGENCY

In the Matter of the Proposed
Amendment of Minnesota Rules,
Part 7050.0210 Subpart 6.

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)

Gerald T. Blaha, being first duly sworn, deposes and says: That on the 21st and 22nd days of February, 1985, at the City of Roseville, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing by depositing in the State of Minnesota Central Mail System for first class mailing at said City of Roseville, a copy thereof on all persons and associations named on the attached mailing list.

Gerald T. Blaha

Subscribed and
sworn to before me
this 26th day of February 1985.

Maryanne Gibbons
Notary Public

MARYANNE GIBBONS
NOTARY PUBLIC MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept. 25 1985

MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed

Amendment of Minnesota Rules,

Part 7050.0210 Subpart 6

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (hereinafter "Agency") intends to adopt the above-entitled rule amendment without a public hearing. The Agency has determined that the proposed adoption of this rule amendment will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes Sections 14.22 - 14.28 (1984).

If adopted, the proposed amendment would delete two requirements from the fecal coliform effluent limitation that are overly restrictive and inconsistent with current Agency permitting and enforcement policy. The current fecal coliform effluent limitation includes 1) a monthly logarithmic mean limitation of 200 organisms per 100 milliliters, 2) a requirement that no more than ten percent of the monthly samples individually can exceed 400 organisms per 100 milliliters, and 3) a requirement that at least five samples be taken per month. The Agency proposes to delete parts 2 and 3 from the limitation. The Agency is not proposing to change part 1 of the effluent limitation, nor is the Agency proposing any changes to the fecal coliform water quality standards.

Fecal coliform effluent limitations are placed on all discharges that contain domestic sewage. Dischargers must disinfect (usually with chlorine) their treated wastewater during the warm weather months to meet this limitation in order to maintain water quality standards applicable to surface waters for swimming. Full enforcement of the current fecal coliform effluent limitation would probably force dischargers to use more chlorine than is necessary to maintain the fecal coliform water quality standard. The Agency prefers to minimize the use of chlorine by dischargers because chlorine is toxic to aquatic life, and it can combine with organics in natural waters to form chloro-organic compounds, some of which are carcinogens.

All dischargers must monitor the quality of their effluent and report these results to the Agency every month. While the rule presently requires five samples per month, for many small dischargers, one or two samples per month has been considered adequate by the Agency to determine compliance.

Thus, the purpose of the proposed change is to avoid excessive use of chlorine by dischargers in the future and to make the rule consistent with established Agency policy on monitoring frequencies for small dischargers. The Agency has prepared a Statement of Need and Reasonableness in support of the proposed change. Copies of this statement may be obtained by contacting: David Maschwitz, Minnesota Pollution Control Agency, 1935 West County Road B-2, Roseville, Minnesota 55113. (612) 296-7252. A copy of the amended rule as proposed is attached to this Notice.

The Agency is authorized to adopt this rule amendment under Minnesota Statutes Section 115.03 subdivision 1(e) and Section 115.44 subdivision 4 and 5(e).

Persons interested in this rule change are encouraged to submit comments in support of or in opposition to the proposed amendment. Comments on the proposed rule must be submitted no later than March 27, 1985 to David Maschwitz at the address given above. Also, persons submitting written comments should identify their suggested modifications to the proposed fecal coliform effluent limitation, and the reasons and data relied on to support the suggested modifications. The proposed rule may be modified if the modifications are supported by the data and the views submitted to the Agency, and the modifications do not result in a substantial change in the proposed language.

If 25 or more persons submit a written request for a public hearing on this proposed amendment within the comment period, a public hearing will be held. Requests for a public hearing should be submitted to David Maschwitz before the close of the comment period on March 27, 1985. Any person requesting a public hearing should state his or her name and address, the reason for the request and any change proposed. In the event a public hearing is required, the Agency will proceed according to the provisions of Minnesota Statutes Sections 14.131-14.20 (1984).

In the case where the final rule can be adopted without a public hearing, the proposed rule, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final rule as adopted will be delivered to the Attorney General for review as to the legality of the final rule, and its form to the extent the form relates to legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rule as proposed for adoption, should submit a written statement of such request to David Maschwitz at the address noted above.

Please be advised that Minnesota Statutes Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Lobbyist is defined in Minnesota Statutes Section 10A.01, subd. 11 (1982) as an individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

Dated: 2-5-85

for Thomas J. Kalitowski
Executive Director
Minnesota Pollution Control Agency

Rule as Proposed

Minnesota Rule Part 7050.0210. Standards for Dischargers to Waters of the State.

Subpart 6. Minimum Secondary Treatment.

Fecal Coliform Group Organisms***	200 organisms per 100 milliliters

***Disinfection of wastewater effluent to reduce the levels of fecal coliform organisms to the stated value is required from March 1 through October 31 (Class 2 waters) and May 1 through October 31 (Class 7 waters) except that where the effluent is discharger 25 miles or less upstream of a water intake supplying a potable water system, the reduction to the stated value is required year around. The stated value is not to be exceeded in any calendar month as determined by the logarithmic mean of ~~a-minimum-of-five-samples,-nor-shall-more-than-ten percent-of-all-samples-taken-during-any-calendar-month-individually-exceed-400 organisms-per-100-milliliters~~ all the samples collected in a given calendar month. The application of the fecal coliform group organism standards shall be limited to sewage or other effluents containing admixtures of sewage and shall not apply to industrial wastes except where the presence of sewage, fecal coliform organisms, or viable pathogenic organisms ~~in~~ such wastes is known or reasonably certain. Analysis of samples for fecal coliform group organisms by either the multiple tube fermentation or the membrane filter techniques is acceptable.

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SAN FRANCISCO CA 94105
7

C.W. BERGSTROM
DIV. CHIEF ENGINEER
AMOCO PIPELINE CO.
2200 S. MAIN ST.
LOMBARD IL 60148
7

PI INC
TTN TERRY WOLD
366 ROSE PLACE
T PAUL MN 55113
7

HE HEALTH CENTRAL SYSTEM
TTN DONALD G ROBIDA
01 BROOKDALE TOWERS
810 FIFTY SEVENTH AVE N
PLS MN 55430
7

CENEX
ATTN RALPH SCHLETTY
BOX 43089
ST PAUL MN 55164
7

OISE CASCADE CORPORATION
TTN MR RUSS SUMMER
NVIRONMENTAL ENGINEER
NTERNATIONAL FALLS MN
56649
7

PA REGION V
TTN DAVE ULLRICH
30 S DEARBORN ST
HICAGO IL 60604
7

AMES & MOORE
TTN LARRY ANNEN
550 NW HWY
ARK RIDGE IL 60068
7

OULD INC
ORTABLE BATTERY DIVISION
TTN DOUGLAS ROBAHM
31 VANDALIA ST
T PAUL MN 55114
7

STEVE CHAPMAN
BOX 8597
WHITE BEAR LAKE, MN 55110

RICHARD L BUTLER
12600 PARKWOOD DR APT 218
BURNSVILLE MN 55337
7

PICKANDS MATHER & CO
ATTN THOMAS W HAYES
SUITE 811-200 W SUPERIOR ST
DULUTH MN 55802
7

BENDIX
ENVIR & PROCESS INST DIV
P O DRAWER 831
LEWISBURG W VA 24901
7

PAUL WEIR CO
ATTN MARY VACULA
20 NORTH WACKER DR
CHICAGO IL 60606
7

ST PAUL PUBLIC HEALTH
ATTN DR PAUL J COX
555 CEDAR ST
ST PAUL MN 55101
7

FEDERAL-STATE REPORTS INC
ATTN LOU O'BOYLE
5203 LEESBURG PIKE #1201
BAILEYS CROSSROADS
FALLS CHURCH VA 22041
7

OFFICE OF ADMIN HEARINGS
ATTN SAM RUHLE
400 SUMMIT BANK BLDG
310 S FOURTH AVE
MPLS MN 55415
7

MICHAEL HENNEN
4608 ALDRICH AVE S
MPLS MN 55409
7

SHELL ENGINEERING & ASSOC
1804 VANDIVER DRIVE
PO BOX 548
COLUMBIA MO 65205
7

E I DU PONT DE NEMOURS CO
ATTN MARILYN MOONEY
LEGAL DEPT (D7082)
1007 MARKET STREET
WILMINGTON DE 19898
7

UNION CARBIDE CORP
ATTN C E VAN DYK
OLD RIDGEBURY RD
DANBURY CT 06810
7

LEAGUE OF MINNESOTA CITIES
ATTN DON SLATER
183 UNIVERSITY AVE EAST
ST PAUL MN 55101
7

CITIZENS FOR BETTER ENVIR
ATTN CAROLE BARTH
127 7TH ST N
SUITE 204
MPLS MN 55403
7

ERN-NORTH CENTRAL, INC
ATTN SUSAN HOGLUND
SUITE 200
835 STERLING AVE.
PALATINE, IL 60067
7

ENVIR RESEARCH GROUP
ATTN SALES & MARKETING
PO BOX 70006
135 STATE ST
ST PAUL MN 55107
7

M & M PROTECT CONSULTANTS
ATTN WM R HOYT
1500 NORTH STAR CENTER
MPLS MN 55402
7

MINNESOTA FARMERS UNION
ATTN MARK McAFEE
1717 UNIVERSITY
ST PAUL MN 55104
7

MN CONSERVATION FED
DIANE KELLY
4354 HARRIET AVE SO
MPLS MN 55409
7

SECURE OUR SOCIETY INC
ATTN LESLIE DAVIS
2124 LOWER ST DENNIS RD
ST PAUL MN 55116
7

VAN HOVEN CO INC
ATTN ED VAN HOVEN JR
BOX 56
SO ST PAUL MN 55075
7

NATL RENDERERS ASSO INC
ATTN WILLIAM H PROKOP
2250 EAST DEVON AVE
DES PLAINES IL 60018
7

DAVID N. FASS
HEMATOLOGY RESEARCH
MAYO CLINIC FOUNDATION
ROCHESTER MN 55901
7

MPCA HEARING NOTIFICATION
MAILING LIST
WATER QUALITY REQUESTS

STEVEN BUCHANAN
MPLS AUDUBON
1552 ALDRICH AVE S
MPLS MN 55409 WQ

METRO AIRPORTS COMM
ATTN DIR OF OPERATIONS
5040 28TH AVE S
MPLS MN 55450
WQ

ECRDC
119 SOUTH LAKE STREET
MORA MN 55051 WQ

WINONA DAILY NEWS
ATTN DON STUART
101 N FRANKLIN
WINONA MN 55987
OLMSTED
WINONA
COUNTIES

JOHN NORDENSON
5 JEWEL LANE
PLYMOUTH MN 55447
WQ

CHEMFIX INC
ATTN H HUDSON BUZBEE
1675 AIRLINE HWY
PO BOX 1572
KENNER LA 70063 WQ

INFORMATION NEWS SERVICE
354 NATIONAL PRESS BLDG
WASHINGTON DC 20045 WQ

UNIVERSITY OF MN
ATTN LASZLO FULOP
DIR OF PHYSICAL PLANNING
503 MORRILL HALL
MPLS MN 55455 WQ

UNION OIL COMPANY OF CA
ATTN DIANE DUNCAN
PO BOX 7600
LOS ANGELES CA 90051 WQ

BARBARA KNAPP
1508 BRUNSWICK CIRCLE
BLOOMINGTON MN 55438
ACID RAIN

DAVID MARQUETTE
MARSH & McLENNAN
1500 NORTHSTAR CENTER
MPLS MN 55402 WQ

ADHESIVE & SEALANT COUNCIL
SUITE 910
1600 NORTH WILSON BLVD
ARLINGTON VA 22209
WQ

ENV HYDROLOGY & ENG.
3416 UNIVERSITY AVE. S.E.
MPLS MN 55414
W&HZ

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AILING LIST
NTER OFFICE

EPT OF EDUCATION
TTN FREDRIK M CHRISTIANSEN
M 911 CAPITOL SQ BLDG
T PAUL MN 55101

METROPOLITAN COUNCIL
ATTN JOHN T HOEFT
300 METRO SQ BLDG
7TH ST & ROBERT ST
ST PAUL MN 55101

DEPT OF ENERGY & ECONOMIC
DVLPMT.
ATTN: MARK DAYTON
480 CEDAR ST
ST PAUL MN 55101

LEGISLATIVE COMM ON
WASTE MANAGEMENT
ATTN SUE ROBERTSON
B-46
STATE CAPITOL

PRESS/MN GOVT REPORT
ATTN JEAN DAWSON
RM B12 CAPITOL BLDG
ST PAUL MN 55155

ATTORNEY GENERAL'S OFFICE
ANTITRUST DIVISION
2ND FLOOR FORD BLDG
117 UNIVERSITY AVE

EPT OF ECONOMIC DVLPMT
TTN CHARLES SCHAFFER
30 CEDAR ST
T PAUL MN 55101

DEPT OF AGRICULTURE
AGRONOMY SERVICES
ATTN GARY BRAUN
90 W PLATO BLVD
ST PAUL MN 55107

MEEB CENTRAL OFFICE
ATTN RAY QUINN
BOX 5 CENTENNIAL BLDG
ST PAUL MN

SENATE COUNCIL OFFICE
ATTN MARK J. HANSON
RM 480
STATE OFFICE BLDG
ST PAUL MN 55155

WATER RESOURCES BOARD
555 WABASHA RM 206
ST. PAUL MN 55102

BRD OF ARCH ENG LAND SURV
AND LANDSCAPE ARCHITECTURE
ATTN LOWELL E TORSETH
500 METRO SQUARE
ST PAUL MN 55101

EGISLATIVE COMM TO
REVIEW ADMIN RULES
TTN KATHLEEN BUREK
OOM B-46
APITOL

MN DEPT OF HEALTH
ATTN JAMES WITKOWSKI
717 Delaware St. SE
MPLS MN 55440

IN DEPT ECONOMIC SECURITY
ATTN F JAMES RYBAK PHD
90 AM CE 150 E KELLOGG
T PAUL MN 55101

~~SCIENCE & TECH OFFICE~~
~~ATTN JOHN MALINKA~~
~~RM 49 STATE OFFICE BLDG~~
~~ST PAUL MN 55155~~

Jack Ditmore
State Planning Agency
Environmental Division
100 Capitol Square Bldg.
550 Cedar Street
St. Paul, Minnesota 55101

The Honorable Mayor
City of Jasper
City Hall
Jasper, MN 56144

The Honorable Mayor
City of Lakefield
City Hall
Lakefield, MN 56150

The Honorable Mayor
City of Sherburn
City Hall
Sherburn, MN 56171

The Honorable Mayor
City of Pipestone
City Hall
Pipestone, MN 56164

The Honorable Mayor
City of Hatfield
City Hall
Hatfield, MN 56135

The Honorable Mayor
City of Grand Marais
City Hall
Grand Marais, MN 55604

The Honorable Mayor
City of Iona
City Hall
Iona, MN 56141

The Honorable Mayor
City of Jackson
City Hall
Jackson, Minnesota 56143

The Honorable Mayor
City of Le Roy
City Hall
Le Roy, Minnesota 55951

The Honorable Mayor
City of Hayfield
City Hall
Hayfield, MN 55940

The Honorable Mayor
City of Jordan
City Hall
Jordan, Minnesota 55352

The Honorable Mayor
City of Ostrander
City Hall
Ostrander, MN 55961

The Honorable Mayor
City of Preston
City Hall
Preston, MN 55965

The Honorable Mayor
City of Mazeppa
City Hall
Mazeppa, MN 55956

The Honorable Mayor
City of Mabel
City Hall
Mabel, MN 55954

The Honorable Mayor
City of Chatfield
City Hall
Chatfield, Minnesota 55923

The Honorable Mayor
City of La Crescent
City Hall
La Crescent, MN 55947

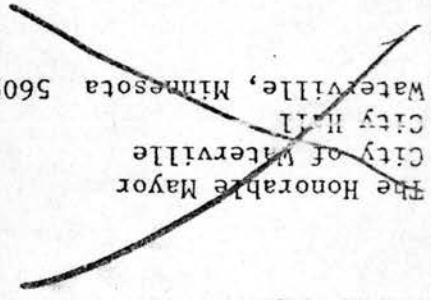
The Honorable Mayor
City of Owatonna
City Hall
Owatonna, MN 55060

The Honorable Mayor
City of Rollingstone
City Hall
Rollingstone, Minnesota 55969

The Honorable Mayor
City of Kasson
City Hall
Kasson, MN 55944

The Honorable Mayor
City of Mantorville
City Hall
Mantorville, MN 55955

The Honorable Mayor
City of Waterville
City Hall
Waterville, MN 56096



The Honorable Mayor
City of Waterville
City Hall
Waterville, Minnesota 56096

The Honorable Mayor
City of Kettle River
City Hall
Kettle River, MN 55757

The Honorable Mayor
City of Milroy
City Hall
Milroy, Minnesota 56263

The Honorable Mayor
City of Willow River
City Hall
Willow River, MN 55795

The Honorable Mayor
City of Red Wing
City Hall
Red Wing, MN 55066

The Honorable Mayor
City of Appleton
City Hall
Appleton, MN 56208

The Honorable Mayor
City of Cleveland
City Hall
Cleveland, Minnesota 56017

The Honorable Mayor
City of Echo
City Hall
Echo, MN 56237

The Honorable Mayor
City of Maynard
City Hall
Maynard, MN 56260

The Honorable Mayor
City of Henderson
City Hall
Henderson, Minnesota 56044

The Honorable Mayor
City of Hanska
City Hall
Hanska, MN 56041

The Honorable Mayor
City of Bock
City Hall
Bock, Minnesota 56313

The Honorable Mayor
City of Willmar
City Hall
Willmar, MN 56201

The Honorable Mayor
City of Winsted
City Hall
Winsted, MN 55395

The Honorable Mayor
City of Ortonville
City Hall
Ortonville, MN 56278

The Honorable Mayor
City of Odessa
City Hall
Odessa, MN 56276

The Honorable Mayor
City of Milaca
City Hall
Milaca, MN 56353

The Honorable Mayor
City of New London
City Hall
New London, Minnesota 56273

The Honorable Mayor
City of Spicer
City Hall
Spicer, MN 56288

The Honorable Mayor
City of Waverly
City Hall
Waverly, MN 55390

The Honorable Mayor
City of Mayer
City Hall
Mayer, Minnesota 55360

The Honorable Mayor
City of Maple Lake
City Hall
Maple Lake, MN 55358

The Honorable Mayor
City of Hutchinson
City Hall
Hutchinson, MN 55350

The Honorable Mayor
City of Belgrade
City Hall
Belgrade, Minnesota 56312

The Honorable Mayor
City of Cokato
City Hall
Cokato, MN 55321

The Honorable Mayor
City of Cosmos
City Hall
Cosmos, Minnesota 56228

The Honorable Mayor
City of Howard Lake
City Hall
Howard Lake, MN 55349

The Honorable Mayor
City of Glencoe
City Hall
Glencoe, MN 55336

The Honorable Mayor
City of Darwin
City Hall
Darwin, Minnesota 55324

The Honorable Mayor
City of Mora
City Hall
Mora, Minnesota 55051

The Honorable Mayor
City of Shafer
City Hall
Shafer, MN 55074

The Honorable Mayor
City of Verndale
City Hall
Verndale, MN 56481

The Honorable Mayor
City of Wadena
City Hall
Wadena, MN 56482

The Honorable Mayor
City of Richmond
City Hall
Richmond, MN 56368

The Honorable Mayor
City of Eden Valley
City Hall
Eden Valley, MN 55329

The Honorable Mayor
City of North Branch
City Hall
North Branch, Minnesota 55056

The Honorable Mayor
City of Rush City
City Hall
Rush City, Minnesota 55069

The Honorable Mayor
City of Waldorf
City Hall
Waldorf, MN 56091

The Honorable Mayor
City of Janesville
City Hall
Janesville, MN 56048

The Honorable Mayor
City of Isle
City Hall
Isle, Minnesota 56342

The Honorable Mayor
City of Good Thunder
City Hall
Good Thunder, Minnesota 56037

The Honorable Mayor
City of Wanda
City Hall
Wanda, MN 56294

The Honorable Mayor
City of Westbrook
City Hall
Westbrook, Minnesota 56183

The Honorable Mayor
City of Watson
City Hall
Watson, MN 56295

The Honorable Mayor
City of Murdock
City Hall
Murdock, MN 56271

The Honorable Mayor
City of Clements
City Hall
Clements, Minnesota 56224

The Honorable Mayor
City of Evansville
City Hall
Evansville, MN 56326

The Honorable Mayor
City of Hancock
City Hall
Hancock, MN 56244

The Honorable Mayor
City of Kensington
City Hall
Kensington, MN 56343

The Honorable Mayor
City of Winnebago
City Hall
Winnebago, MN 56098

The Honorable Mayor
City of Welcome
City Hall
Welcome, Minnesota 56181

The Honorable Mayor
City of Northrop
City Hall
Northrop, Minnesota 56075

The Honorable Mayor
City of Blue Earth
City Hall
Blue Earth, Minnesota 56013

The Honorable Mayor
City of Porter
City Hall
Porter, Minnesota 56280

The Honorable Mayor
City of Winthrop
City Hall
Winthrop, MN 55396

The Honorable Mayor
City of Olivia
City Hall
Olivia, MN 56277

The Honorable Mayor
City of Norwood
City Hall
Norwood, Minnesota 55368

The Honorable Mayor
City of Motley
City Hall
Motley, MN 56466

The Honorable Mayor
City of Sartell
City Hall
Sartell, MN 56377

The Honorable Mayor
City of Upsala
City Hall
Upsala, Minnesota 56384

The Honorable Mayor
City of Watkins
City Hall
Watkins, MN 55389

The Honorable Mayor
City of Garfield
City Hall
Garfield, MN 56332

The Honorable Mayor
City of Carlos
City Hall
Carlos, Minnesota 56319

The Honorable Mayor
City of Browerville
City Hall
Browerville, Minnesota 56438

The Honorable Mayor
City of Longville
City Hall
Longville, MN 56655

The Honorable Mayor
City of Palisade
City Hall
Palisade, MN 56469

The Honorable Mayor
City of Royalton
City Hall
Royalton, MN 56373

The Honorable Mayor
City of Pierz
City Hall
Pierz, Minnesota 56364

The Honorable Mayor
City of Grey Eagle
City Hall
Grey Eagle, Minnesota 56336

The Honorable Mayor
City of Deer River
City Hall
Deer River, MN 56636

The Honorable Mayor
City of Deerwood
City Hall
Deerwood, Minnesota 56444

The Honorable Mayor
City of Crowell
City Hall
Crowell, MN 55726

The Honorable Mayor
City of Cass Lake
City Hall
Cass Lake, Minnesota 56633

The Honorable Mayor
City of Bowlus
City Hall
Bowlus, Minnesota 56314

The Honorable Mayor
City of Big Lake
City Hall
Big Lake, Minnesota 55309

The Honorable Mayor
City of Big Lake
City Hall
Big Lake, Minnesota 55309

The Honorable Mayor
City of International Falls
City Hall
Int'l Falls, MN 56649

The Honorable Mayor
City of Tower
City Hall
Tower, MN. 55790

The Honorable Mayor
City of Cook
City Hall
Cook, MN 55723

The Honorable Mayor
City of Avon
City Hall
Avon, Minnesota 56310

The Honorable Mayor
City of Annandale
City Hall
Annandale, MN 55302

The Honorable Mayor
City of Elizabeth
City Hall
Elizabeth, MN 56533

The Honorable Mayor
City of Shelly
City Hall
Shelly, Minnesota 56581

The Honorable Mayor
City of Waubun
City Hall
Waubun, Minnesota 56589

The Honorable Mayor
City of Winton
City Hall
Winton, MN 55796

The Honorable Mayor
City of New York Mills
City Hall
New York Mills, MN 56567

The Honorable Mayor
City of Frazee
City Hall
Frazee, MN 56544

The Honorable Mayor
City of Blackduck
City Hall
Blackduck, Minnesota 56630

The Honorable Mayor
City of Campbell
City Hall
Campbell, Minnesota 56522

The Honorable Mayor
City of Elbow Lake
City Hall
Elbow Lake, Minnesota 56531

The Honorable Mayor
City of Mahnomen
City Hall
Mahnomen, MN 56557

The Honorable Mayor
City of Fosston
City Hall
Fosston, MN 56542

The Honorable Mayor
City of Fisher
City Hall
Fisher, Minnesota 56723

The Honorable Mayor
City of Buffalo Lake
City Hall
Buffalo Lake, Minnesota 55314

The Honorable Mayor
City of Princeton
City Hall
Princeton, MN 55371

The Honorable Mayor
City of Wanamingo
City Hall
Wanamingo, MN 55983

The Honorable Mayor
City of Truman
City Hall
Truman, MN 56088

The Honorable Mayor
City of Red Lake Falls
City Hall
Red Lake Falls, MN 56750

The Honorable Mayor
City of McKinley
City Hall
McKinley, Minnesota 55761

The Honorable Mayor
City of Glencoe
City Hall
Glencoe, MN 55336

The Honorable Mayor
City of Meire Grove
c/o Post Office
Melrose, Minnesota 56352

The Honorable Mayor
City of Melrose
City Hall
Melrose, Minnesota 56352

The Honorable Mayor
City of Spring Hill
c/o Post Office
Melrose, Minnesota 56352

The Honorable Mayor
City of St. Michael
City Hall
St. Michael, MN 55376

The Honorable Mayor
City of Urbank
c/o Post Office
Parkers Prairie, MN 56361

The Honorable Mayor
City of Millerville
P.O., Rt. 1
Brandon, MN 56315

The Honorable Mayor
City of Mizpah
City Hall
Mizpah, Minnesota 56660

The Honorable Mayor
City of Storden
City Hall
Storden, MN 56174

The Honorable Mayor
City of Zumbro Falls
City Hall
Zumbro Falls, MN 55991

The Honorable Mayor
City of Wolverton
City Hall
Wolverton, Minnesota 56594

The Honorable Mayor
City of Easton
City Hall
Easton, MN 56025

The Honorable Mayor
City of Garvin
City Hall
Garvin, MN 56132

The Honorable Mayor
City of Lewisville
City Hall
Lewisville, MN 56060

The Honorable Mayor
City of McGregor
City Hall
McGregor, MN 55760

The Honorable Mayor
City of Lindstrom
City Hall
Lindstrom, MN 55045

The Honorable Mayor
City of Coleraine
City Hall
Coleraine, MN 55722

The Honorable Mayor
City of Conger
City Hall
Conger, MN 56020

The Honorable Mayor
City of Danvers
City Hall
Danvers, MN 56231

The Honorable Mayor
City of Dundas
City Hall
Dundas, MN 55019

The Honorable Mayor
City of Duluth
City Hall
Duluth, Minnesota 55802

The Honorable Mayor
City of Dartur
City Hall
Dartur, Minnesota 56022

The Honorable Mayor
City of Carlton
City Hall
Carlton, Minnesota 55718

The Honorable Mayor
City of Thomson
c/o Post Office
Carlton, Minnesota 55718

The Honorable Mayor
City of Cedar Mills
City Hall
Cedar Mills, Minnesota 55351

The Honorable Mayor
City of Minneota
City Hall
Minneota, MN 56264

The Honorable Mayor
City of Lowry
City Hall
Lowry, MN 56349

The Honorable Mayor
City of Rothsay
City Hall
Rothsay, MN 56579

The Honorable Mayor
City of Windom
City Hall
Windom, Minnesota 56101

The Honorable Mayor
City of Leonidas
c/o Post Office
Eveleth, Minnesota 55734

The Honorable Mayor
City of Hampton
City Hall
Hampton, Minnesota 55031

The Honorable Mayor
City of Kinney
City Hall
Kinney, Minnesota 55758

The Honorable Mayor
City of Hibbing
City Hall
Hibbing, MN 55746

The Honorable Mayor
City of Gilbert
City Hall
Gilbert, MN 55741

The Honorable Mayor
City of Buhl
City Hall
Buhl, Minnesota 55713

Department of Health
Environmental Health Division
Water Supply & General Engineering
429 Health Building
717 Delaware Street SE
ATTN: Gary Englund
(INTEROFFICE)

Metro Waste Control Commission
350 Metro Square Building
7th and Robert Streets
ATTN: Louis Breimhurst
Chief Administrator
(INTEROFFICE)

Metropolitan Council
300 Metro Square Building
7th and Robert Streets
ATTN: Karen Schaffer
(INTEROFFICE)

Ms. Janet L. Keyes
Citizens for A Better Environment
127 North 7th Street
Minneapolis, MN 55403

Mr. Michael MacMullen
Water Quality Branch
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

Mr. Dennis Martenson, P.E.
Toltz, King, Duvall, Anderson and
Associates, Inc.
2500 American National Bank Building
St. Paul, MN 55101

Mr. Russell C. McCandless
Hillstrom, Bale and Martinson, Ltd.
10 Minnesota Federal Building
603 Marquette Avenue
Minneapolis, MN 55402

Mr. Nelson French
Sierra Club
2929 4th Avenue South
Minneapolis, MN 55408

The Honorable Don Anderson
Mayor, City of Ada
City Hall
Ada, Minnesota 56510

The Honorable O.H. Hagen
Mayor, City of Albert Lea
City Hall
Albert Lea, Minnesota 56007

The Honorable Kevin Bartholmey
Mayor, City of Adams
City Hall
Adams, Minnesota 55909

The Honorable O.H. Hagen
Mayor, City of Albert Lea
City Hall
Albert Lea, Minnesota 56007

The Honorable David Edwards
Mayor, City of Adrian
City Hall
Adrian, Minnesota 56110

The Honorable Francis Genereaux
Mayor, City of Alberta
City Hall
Alberta, Minnesota 56207

The Honorable Robley Evans
Mayor, City of Albany
City Hall
Albany, Minnesota 56307

The Honorable Loretta Roden
Mayor, City of Albertville
City Hall
Albertville, Minnesota 55301

The Honorable O.H. Hagen
Mayor, City of Albert Lea
City Hall
Albert Lea, Minnesota 56007

The Honorable Ted Hitchcock
Mayor, City of Alden
City Hall
Alden, Minnesota 56009

The Honorable L.H. Hassing
Mayor, City of Alpha
City Hall
Alpha, Minnesota 56111

The Honorable H. Willard Johnson
Mayor, City of Argyle
City Hall
Argyle, Minnesota 56713

The Honorable Elmer Simon
Mayor, City of Altura
City Hall
Altura, Minnesota 55910

The Honorable Arden Kreft
Mayor, City of Arlington
City Hall
Arlington, Minnesota 55307

The Honorable Mervin Urban
Mayor, City of Amboy
City Hall
Amboy, Minnesota 56010

The Honorable Arden Kreft
Mayor, City of Arlington
City Hall
Arlington, Minnesota 55307

The Honorable Lorraine Hostetler
Mayor, City of Anoka
City Hall
Anoka, Minnesota 55303

The Honorable Orville Jacobson
Mayor, City of Ashby
City Hall
Ashby, Minnesota 56309

The Honorable Lorraine Hostetler
Mayor, City of Anoka
City Hall
Anoka, Minnesota 55303

The Honorable Harold Fisher
Mayor, City of Askov
City Hall
Askov, Minnesota 55704

The Honorable John D. Rouser
Mayor, City of Atwater
City Hall
Atwater, Minnesota 56209

The Honorable Donald Cole
Mayor, City of Babbitt
City Hall
Babbitt, Minnesota 55706

The Honorable Robert Nelson
Mayor, City of Audubon
City Hall
Audubon, Minnesota 56511

The Honorable Loren Ballard
Mayor, City of Badger
City Hall
Badger, Minnesota 56714

The Honorable John Niemi
Mayor, City of Aurora
City Hall
Aurora, Minnesota 55705

The Honorable L.J. Lee
Mayor, City of Bagley
City Hall
Bagley, Minnesota 56621

The Honorable John Niemi
Mayor, City of Aurora
City Hall
Aurora, Minnesota 55705

The Honorable Daryl Swan
Mayor, City of Balaton
City Hall
Balaton, Minnesota 56115

The Honorable Tom H. Kough
Mayor, City of Austin
City Hall
Austin, Minnesota 55912

The Honorable Terrance Collins
Mayor, City of Barnesville
City Hall
Barnesville, Minnesota 56514

The Honorable Robert Noland
Mayor, City of Barnum
City Hall
Barnum, Minnesota 55707

The Honorable Clyde Tyler
Mayor, City of Baudette
City Hall
Baudette, Minnesota 56623

The Honorable Robert Noland
Mayor, City of Barnum
City Hall
Barnum, Minnesota 55707

The Honorable Grace Kemper
Mayor, City of Beaver Bay
City Hall
Beaver Bay, Minnesota 55601

The Honorable Dayle Ray
Mayor, City of Barrett
City Hall
Barrett, Minnesota 56311

The Honorable Mike Bender
Mayor, City of Beaver Creek
City Hall
Beaver Creek, Minnesota 56116

The Honorable Edward Taffe
Mayor, City of Barry
City Hall
Barry, Minnesota 56210

The Honorable Leonard Stumvoll
Mayor, City of Becker
City Hall
Becker, Minnesota 55308

The Honorable Ronald Stabnow
Mayor, City of Battle Lake
City Hall
Battle Lake, Minnesota 56515

The Honorable Frances Schuman
Mayor, City of Belle Plaine
City Hall
Belle Plaine, Minnesota 56011

The Honorable Gary Wollschlager
Mayor, City of Bellingham
City Hall
Bellingham, Minnesota 56212

The Honorable James Graham
Mayor, City of Big Falls
City Hall
Big Falls, Minnesota 56627

The Honorable Howard Pelz
Mayor, City of Belview
City Hall
Belview, Minnesota 56214

The Honorable Fred Hinsch
Mayor, City of Bigelow
City Hall
Bigelow, Minnesota 56117

The Honorable Douglas Peterson
Mayor, City of Bemidji
City Hall
Bemidji, Minnesota 56601

The Honorable Darrel Powell
Mayor, City of Bigfork
City Hall
Bigfork, Minnesota 56628

The Honorable Duaine Flanders
Mayor, City of Benson
City Hall
Benson, Minnesota 56215

The Honorable Gary Billmeier
Mayor, City of Bird Island
City Hall
Bird Island, Minnesota 55310

The Honorable Ronald Bastian
Mayor, City of Bertha
City Hall
Bertha, Minnesota 56437

The Honorable Robert G. Woods
Mayor, City of Biwabik
City Hall
Biwabik, Minnesota 55708

The Honorable Robert G. Woods
Mayor, City of Biwabik
City Hall
Biwabik, Minnesota 55708

The Honorable Myron Severson
Mayor, City of Brandon
City Hall
Brandon, Minnesota 56315

The Honorable Ronald Anderson
Mayor, City of Blooming Prairie
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The Honorable Marvin Anderson
Mayor, City of Breckenridge
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The Honorable Allan Olich
Mayor, City of Borup
City Hall
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The Honorable Richard Cotter
Mayor, City of Brewster
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The Honorable Donald Larson
Mayor, City of Braham
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The Honorable Vernon Jahnke
Mayor, City of Bricelyn
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The Honorable C. Elmer Anderson
Mayor, City of Brainerd
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The Honorable Russell Gardiepy
Mayor, City of Brook Park
City Hall
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The Honorable Kay Mohr
Mayor, City of Brooten
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The Honorable Gerald Melgaard
Mayor, City of Buffalo
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The Honorable Roger Goodhart
Mayor, City of Browns Valley
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The Honorable Ed Wentzlaff
Mayor, City of Butterfield
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The Honorable Marvin Foster
Mayor, City of Brownsdale
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The Honorable Wilbert Dean
Mayor, City of Byron
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The Honorable John Hickey
Mayor, City of Brownsville
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The Honorable H.A. Beth
Mayor, City of Caledonia
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The Honorable Carl Wachter
Mayor, City of Brownton
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The Honorable Kenneth Pearson
Mayor, City of Callaway
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The Honorable James N. Furlong
Mayor, City of Calumet
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The Honorable Robert Jordan
Mayor, City of Carver
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The Honorable Lynn Becklin
Mayor, City of Cambridge
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Cambridge, Minnesota 55008

The Honorable Elmer Dahlke
Mayor, City of Ceylon
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The Honorable Darold Snortum
Mayor, City of Canby
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The Honorable Henry De Kruif
Mayor, City of Chandler
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The Honorable Robert Carnel
Mayor, City of Cannon Falls
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The Honorable Tracy Swanson
Mayor, City of Chaska
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The Honorable Donald Helgeson
Mayor, City of Canton
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The Honorable Frank K. Furlan
Mayor, City of Chisholm
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The Honorable Joseph McNally
Mayor, City of Chokio
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The Honorable Leo Flattum
Mayor, City of Clarkfield
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The Honorable Joseph McNally
Mayor, City of Chokio
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Chokio, Minnesota 56221

The Honorable Paul Hanson
Mayor, City of Clarks Grove
City Hall
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The Honorable Orville Meints
Mayor, City of Clara City
City Hall
Clara City, Minnesota 56222

The Honorable Theo B. Olson
Mayor, City of Clearbrook
City Hall
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The Honorable William Kinsey
Mayor, City of Claremont
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The Honorable Cameron Gray, Jr.
Mayor, City of Climax
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The Honorable Ellis McKindley
Mayor, City of Clarissa
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The Honorable Dave Torgerson
Mayor, City of Clinton
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The Honorable Forrest Amundsen
Mayor, City of Cokato
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The Honorable Jim Duncan
Mayor, City of Cottonwood
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The Honorable Joseph Binsfeld
Mayor, City of Cold Spring
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The Honorable Douglas Oman
Mayor, City of Crookston
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The Honorable Grover Knorr
Mayor, City of Cologne
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The Honorable T.J. Butorac
Mayor, City of Crosby
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The Honorable Harold Pidde
Mayor, City of Comfrey
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The Honorable Kayo Silvernale
Mayor, City of Currie
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The Honorable Scott Shellito
Mayor, City of Comstock
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The Honorable Larry Anderson
Mayor, City of Cyrus
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The Honorable Melvin Goldhammer
Mayor, City of Danube
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The Honorable Richard Kunz
Mayor, City of Deerwood
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The Honorable Gerald Bollman
Mayor, City of Dassel
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The Honorable Chuck Theis
Mayor, City of Delano
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The Honorable James Carlson
Mayor, City of Dawson
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The Honorable Chuck Theis
Mayor, City of Delano
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The Honorable Douglas King
Mayor, City of Deer Creek
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The Honorable Fred Revier
Mayor, City of Dennison
City Hall
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The Honorable Marilyn Holmvig
Mayor, City of Deerwood
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The Honorable Loren Nelson
Mayor, City of Detroit Lakes
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The Honorable Norman Mathews
Mayor, City of Dexter
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The Honorable Louis Murray
Mayor, City of East Grand Forks
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The Honorable Leonard Talcott
Mayor, City of Dodge Center
City Hall
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The Honorable Oscar Van Essen
Mayor, City of Edgerton
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The Honorable Edward Dummer
Mayor, City of Donnelly
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The Honorable C. Wayne Courtney
Mayor, City of Edina
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The Honorable Alan Lenz
Mayor, City of Eagle Bend
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The Honorable C. Wayne Courtney
Mayor, City of Edina
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The Honorable Adlor Olsen
Mayor, City of Eagle Lake
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The Honorable C. Wayne Courtney
Mayor, City of Edina
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The Honorable Byron J. Bunge
Mayor, City of Eitzen
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The Honorable Myrl Chapa
Mayor, City of Ellsworth
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The Honorable Dale Himmer
Mayor, City of Elgin
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The Honorable Roger Garmann
Mayor, City of Elmore
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The Honorable Richard Hinkle
Mayor, City of Elk River
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The Honorable Gerard Bibeau
Mayor, City of Ely
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The Honorable Larry Hilton
Mayor, City of Elkton
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The Honorable LeRoy Roberts
Mayor, City of Emmons
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The Honorable Mark Skroch
Mayor, City of Ellendale
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The Honorable Ingel Moen
Mayor, City of Erskine
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The Honorable Vernon Beck
Mayor, City of Finlayson
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The Honorable Michael Riley
Mayor, City of Franklin
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The Honorable Ben Lapos
Mayor, City of Flensburg
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The Honorable Cleone Dulas
Mayor, City of Freeborn
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The Honorable Ric Roy
Mayor, City of Floodwood
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The Honorable Daniel Meyer
Mayor, City of Freeport
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The Honorable Karl Berlin
Mayor, City of Foley
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The Honorable Craig Shea
Mayor, City of Fulda
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The Honorable Phyllis Christianson
Mayor, City of Foreston
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The Honorable Harold Natwick
Mayor, City of Gary
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The Honorable Wilbur Nelson
Mayor, City of Evansville
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The Honorable Tim Rehder
Mayor, City of Felton
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The Honorable Patrick Bastianelli
Mayor, City of Eveleth
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The Honorable Kelly Ferber
Mayor, City of Fergus Falls
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The Honorable Kenneth Havemeier
Mayor, City of Fairfax
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The Honorable Kelly Ferber
Mayor, City of Fergus Falls
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The Honorable Robert Malliet
Mayor, City of Fairmont
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The Honorable Kelly Ferber
Mayor, City of Fergus Falls
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The Honorable Robert Heine
Mayor, City of Faribault
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The Honorable Duane Knutson
Mayor, City of Fertile
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The Honorable Leo Lick
Mayor, City of Gaylord
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The Honorable Steven Chmielewski
Mayor, City of Gilman
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The Honorable Elwood Jensen
Mayor, City of Geneva
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The Honorable Donald Williamson, Jr.
Mayor, City of Glenville
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The Honorable Charles Asplin
Mayor, City of Georgetown
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The Honorable Donovan Schaub
Mayor, City of Glenwood
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The Honorable Ted DeRoode, Jr.
Mayor, City of Ghent
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The Honorable Dennis Wahl
Mayor, City of Glyndon
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The Honorable E.J. Kading
Mayor, City of Gibbon
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The Honorable Richard Helland
Mayor, City of Gonvick
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The Honorable Quentin Majerus
Mayor, City of Goodhue
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The Honorable John Craig
Mayor, City of Grand Rapids
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The Honorable Vaughn D. Bien
Mayor, City of Goodhue
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The Honorable Eugene Sannerud
Mayor, City of Granite Falls
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The Honorable Dennis Menge
Mayor, City of Graceville
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The Honorable Wilbert Strelow
Mayor, City of Grasston
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The Honorable Bryan H. Schultz
Mayor, City of Granada
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The Honorable Roland F. Krueger
Mayor, City of Green Isle
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The Honorable Robert Werner
Mayor, City of Grand Meadow
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The Honorable Adrian J. Pulczinski
Mayor, City of Greenbush
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The Honorable Jerome Reckdahl
Mayor, City of Grove City
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The Honorable Cleighton J. Hastad
Mayor, City of Halstad
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The Honorable Ralph J. Klein
Mayor, City of Grygla
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The Honorable Leroy Glander
Mayor, City of Hamburg
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The Honorable Carl Mostrom
Mayor, City of Hackensack
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The Honorable Virginia Halvorson
Mayor, City of Hanley Falls
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The Honorable Carl Mostrom
Mayor, City of Hackensack
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The Honorable D.W. Bryan
Mayor, City of Hardwick
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The Honorable Joseph E. Bouvette
Mayor, City of Hallock
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The Honorable Marv Wilt
Mayor, City of Harmony
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The Honorable Warron Johnson
Mayor, City of Harris
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The Honorable Robert Nygaard
Mayor, City of Hendrum
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The Honorable Lloyd Blowers
Mayor, City of Hartland
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The Honorable Linden Churchill
Mayor, City of Herman
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The Honorable Burton W. Johnson
Mayor, City of Hawley
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The Honorable Roland Wray
Mayor, City of Heron Lake
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The Honorable Albert Nicolai
Mayor, City of Hector
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The Honorable Mary Lou Kimball
Mayor, City of Hill City
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The Honorable Harvey Buchholz
Mayor, City of Hendricks
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The Honorable Burdell Bush
Mayor, City of Hills
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The Honorable Bruce Quiggle
Mayor, City of Hinckley
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The Honorable Ronald E. McDaniel
Mayor, City of Holland
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The Honorable Leslie Anderson
Mayor, City of Hitterdahl
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The Honorable Allan Kleinpaste
Mayor, City of Hollandale
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The Honorable Clarence Krusemark
Mayor, City of Hoffman
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The Honorable Richard Dittman
Mayor, City of Houston
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The Honorable Martin Scholze
Mayor, City of Hokah
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The Honorable Harry Helmer
Mayor, City of Hoyt Lakes
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The Honorable Boniface Stoermann
Mayor, City of Holdingford
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The Honorable Clifford Fortman
Mayor, City of Iron
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Iron, Minnesota 55751

The Honorable Carol Bartels
Mayor, City of Ironton
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The Honorable George Wikstrom, Jr.
Mayor, City of Karlstad
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The Honorable Randy Polzin
Mayor, City of Isanti
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The Honorable Roger Lehrman
Mayor, City of Kelliher
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The Honorable Ida Kabot
Mayor, City of Ivanhoe
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The Honorable Leroy Hoekstra
Mayor, City of Kennedy
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The Honorable Alton Miller
Mayor, City of Jeffers
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The Honorable Mildred Clark
Mayor, City of Kenneth
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The Honorable Harvey Lindstrand
Mayor, City of Kandiyohi
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The Honorable Mildred Lair
Mayor, City of Kenyon
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The Honorable Bill Doering, Jr.
Mayor, City of Kerkhoven
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The Honorable Marlin Thompson
Mayor, City of Lake Benton
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The Honorable Roger Oldfather
Mayor, City of Kiester
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The Honorable Victor Johnson
Mayor, City of Lake Bronson
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The Honorable Oscar Theis
Mayor, City of Kimball
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The Honorable Mary Lou Beckman
Mayor, City of Lake City
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The Honorable Earl Lund
Mayor, City of Lafayette
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The Honorable Richard Frieler
Mayor, City of Lake Henry
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The Honorable Earl Lund
Mayor, City of Lafayette
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The Honorable Darald Peart
Mayor, City of Lake Lillian
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The Honorable Theron Vigen, Jr.
Mayor, City of Lake Park
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The Honorable Lynn Iverson
Mayor, City of Lanesboro
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The Honorable Mark Barry
Mayor, City of Lake Wilson
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The Honorable Miles Bowler
Mayor, City of LeCenter
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The Honorable Kathryn Costello
Mayor, City of Lakefield
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The Honorable Joe Miller
Mayor, City of Lester Prairie
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The Honorable Ron Kelsey
Mayor, City of Lamberton
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The Honorable Gerald Manion
Mayor, City of Lewiston
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The Honorable Warren Glad
Mayor, City of Lancaster
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The Honorable Vida Hendrickson
Mayor, City of Litchfield
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The Honorable Vida Hendrickson
Mayor, City of Litchfield
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The Honorable Pat Spence
Mayor, City of Little Falls
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The Honorable Vida Hendrickson
Mayor, City of Litchfield
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The Honorable Leo Frank
Mayor, City of Little Falls
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The Honorable Vida Hendrickson
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The Honorable Roger Bloomquist
Mayor, City of Littlefork
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The Honorable Vida Hendrickson
Mayor, City of Litchfield
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The Honorable Donald Moore
Mayor, City of Long Prairie
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The Honorable Vida Hendrickson
Mayor, City of Litchfield
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The Honorable Francis Turek
Mayor, City of Lonsdale
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The Honorable A.A. Elsen
Mayor, City of Loretto
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The Honorable Dale Williams
Mayor, City of Madelia
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The Honorable Roger Schemmel
Mayor, City of Lucan
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The Honorable R. Paul Jette
Mayor, City of Madison
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The Honorable Harold Deuschle
Mayor, City of Luverne
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The Honorable Carl J. Genz
Mayor, City of Madison Lake
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The Honorable Wayne Helgeson
Mayor, City of Lyle
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The Honorable Robert Erickson
Mayor, City of Magnolia
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The Honorable William Binnebose
Mayor, City of Lynd
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The Honorable Herbert Mocol
Mayor, City of Mankato
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The Honorable Marvin Johnson
Mayor, City of Maple Plain
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The Honorable Russel Horacek
Mayor, City of McIntosh
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The Honorable Arno Proehl
Mayor, City of Mapleton
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The Honorable William Olson, Jr.
Mayor, City of Meadowlands
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The Honorable Elmer Sundquist
Mayor, City of Marble
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The Honorable Loyal Merritt
Mayor, City of Medford
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The Honorable Mark Schuelke
Mayor, City of Marietta
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The Honorable Vernon Koskela
Mayor, City of Menahga
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The Honorable Robert J. Schlagel
Mayor, City of Marshall
City Hall
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The Honorable Sally Gentry
Mayor, City of Middle River
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The Honorable Arden Jerve
Mayor, City of Milan
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The Honorable George Dvorak
Mayor, City of Montgomery
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The Honorable Paul McWhorter
Mayor, City of Miltona
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The Honorable William Babatz
Mayor, City of Montrose
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The Honorable Paul McWhorter
Mayor, City of Miltona
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The Honorable Morris L. Lanning
Mayor, City of Moorhead
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The Honorable Victor Thiesse
Mayor, City of Minnesota Lake
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The Honorable Clayton Hartman
Mayor, City of Moose Lake
City Hall
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The Honorable L. Steve Boehlke
Mayor, City of Montevideo
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The Honorable Richard R. Quast
Mayor, City of Morgan
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The Honorable Merlin Beyer
Mayor, City of Morris
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The Honorable Ed Quiring
Mayor, City of Mountain Lake
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The Honorable Jack O'Rourke
Mayor, City of Morristown
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The Honorable Robert S. Williams
Mayor, City of Nashwauk
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The Honorable John Seehausen
Mayor, City of Morton
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The Honorable Gregory Harcus
Mayor, City of New Brighton
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The Honorable John Seehausen
Mayor, City of Morton
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The Honorable Gregory Harcus
Mayor, City of New Brighton
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The Honorable Frank P. Cerkvenik
Mayor, City of Mountain Iron
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The Honorable Gordon Miller
Mayor, City of New Germany
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The Honorable Dave Kluempke
Mayor, City of New Munich
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The Honorable Paul A. Zins
Mayor, City of Nicollet
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The Honorable Paul Flick
Mayor, City of New Prague
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The Honorable Virgil Sistad
Mayor, City of Nielsville
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The Honorable Gerald Hullopeter
Mayor, City of New Richland
City Hall
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The Honorable William Gill
Mayor, City of Northfield
City Hall
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The Honorable Carl Wyczawski
Mayor, City of New Ulm
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The Honorable Earl Skoe
Mayor, City of Northome
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The Honorable Vernon Gunderson
Mayor, City of Newfolden
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The Honorable Eugene Clark, Jr.
Mayor, City of Ogema
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The Honorable Gene Stritesky
Mayor, City of Ogilvie
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The Honorable Bert Rothnem
Mayor, City of Orr
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The Honorable Lloyd Ruthenbeck
Mayor, City of Okabena
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The Honorable Ed Pollard
Mayor, City of Osakis
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The Honorable Earl Swenson
Mayor, City of Oklee
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The Honorable Cyril Mondry
Mayor, City of Oslo
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The Honorable Harold Willis
Mayor, City of Onamia
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Onamia, Minnesota 56359

The Honorable Gene Kinkel
Mayor, City of Park Rapids
City Hall
Park Rapids, Minnesota 56470

~~The Honorable Harold Willis~~
~~Mayor, City of Onamia~~
~~City Hall~~
~~Onamia, Minnesota 56359~~

The Honorable George Knox, Jr.
Mayor, City of Parkers Prairie
City Hall
Parkers Prairie, Minnesota 56361

The Honorable Richard Morelan
Mayor, City of Paynesville
City Hall
Paynesville, Minnesota 56362

The Honorable Robert Fox
Mayor, City of Pine Island
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The Honorable Don Schroeder
Mayor, City of Pelican Rapids
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The Honorable Shirley Houston
Mayor, City of Pine River
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Pine River, Minnesota 56474

The Honorable Clayton Jacobson
Mayor, City of Perley
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The Honorable Michael F. Burns
Mayor, City of Plainview
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Plainview, Minnesota 55964

The Honorable Chris Brennan
Mayor, City of Peterson
City Hall
Peterson, Minnesota 55962

The Honorable R.H. Pahlen
Mayor, City of Plummer
City Hall
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The Honorable Robert Anderson
Mayor, City of Pine City
City Hall
Pine City, Minnesota 55063

The Honorable Raymond Thompson
Mayor, City of Racine
City Hall
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The Honorable Erwin Wise
Mayor, City of Randall
City Hall
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The Honorable Ronald Ulferts
Mayor, City of Raymond
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The Honorable Richard Anderson
Mayor, City of Redwood Falls
City Hall
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The Honorable Stanley Clark
Mayor, City of Remer
City Hall
Remer, Minnesota 56672

The Honorable Nick Kleinhuizen
Mayor, City of Renville
City Hall
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The Honorable Chuck Hazama
Mayor, City of Rochester
City Hall
Rochester, Minnesota 55901

The Honorable William Jones, Jr.
Mayor, City of Rockford
City Hall
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The Honorable Judith Volkers
Mayor, City of Rogers
City Hall
Rogers, Minnesota 55374

The Honorable Fred Lickteig
Mayor, City of Rose Creek
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The Honorable Milton Arneson
Mayor, City of Roseau
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The Honorable Stanley Krueger
Mayor, City of Round Lake
City Hall
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The Honorable LeRoy Burch
Mayor, City of Ruthton
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The Honorable Stanley Krueger
Mayor, City of Round Lake
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The Honorable Harry Buth
Mayor, City of Sabin
City Hall
Sabin, Minnesota 56580

The Honorable Elmer A. Meyer
Mayor, City of Rushford
City Hall
Rushford, Minnesota 55971

The Honorable Donald Erickson
Mayor, City of Sacred Heart
City Hall
Sacred Heart, Minnesota 56285

The Honorable Gary Wagley
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STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed
Amendment of Minnesota Rules,
Part 7050.0210 Subpart 6.

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 14.14, subd. 1, that their names be placed on file with and maintained by the Minnesota Pollution Control Agency for the purpose of receiving notice of the proposed adoption of rules by the Agency was accurate and complete as of 9:00 a.m. on the 21st day of February 1985.

LaRaine Bengtson

February 21, 1985

STATE OF MINNESOTA
COUNTY OF RAMSEY

MINNESOTA POLLUTION
CONTROL AGENCY

In the Matter of the Proposed
Amendment of Minnesota Rules
Part 7050.0210 Subpart 6
Relating to the Fecal Coliform
Effluent Limitation

FINDINGS OF FACT
AND CONCLUSIONS

The above-entitled matter came on for decision before the Minnesota Pollution Control Agency (Agency) on the 23rd day of April, 1985. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Agency, in accordance with statutory requirements regarding the adoption of rules without a public hearing, after considering the Statement of Need and Reasonableness and the written comments submitted to the Agency, after considering all of the evidence adduced upon the records, files and proceedings herein, the Agency, being fully advised in the premises, hereby adopts the following Findings of Fact and Conclusions.

FINDINGS OF FACT

1. The Agency published its notice of intent to adopt the above-captioned rule, together with the proposed amendment, in the State Register on February 25, 1985 (9 S.R. 1945).

2. On February 21 and 22, 1985, the Agency gave the same notice by United States Mail to all persons who have registered their names with the Agency pursuant to Minnesota Statutes § 14.14, (1984) and to nearly all dischargers with NPDES Permits.

3. The notice of the Agency's intent to amend the rule afforded all interested persons 30 days to submit data and views on the proposed amendment. The notice was in all respects in compliance with the requirements of Minnesota Statutes § 14.22.

4. The Agency prepared a Statement of Need and Reasonableness and made it available to the public on December 18, 1984.

5. The 30 day comment period, as set out in the notice, expired on March 27, 1985.

6. During the comment period, the Agency received three written comments in support of the proposed amendment.

7. The Agency finds that no modifications to the proposed amendment is supported by the data and views submitted to the Agency within the comment period.

8. The Agency received no request for a hearing on the proposed amendment and therefore, no hearing is required to be held prior to the adoption of the amendment.

9. The Agency adopts the Statement of Need and Reasonableness, in its entirety, as the factual basis for the amendment to the rule. The Agency hereby incorporates the Statement of Need and Reasonableness into these findings.

CONCLUSIONS

1. The Agency duly acquired and has jurisdiction over this proceeding.

2. The Agency published and served due, timely and adequate notice of its intent to adopt an amendment to Minnesota Rules Part 7050.0210 subpart 6 without a public hearing.

3. The Agency has statutory authority to promulgate and adopt the proposed amendment.

4. All relevant legal and procedural requirements of statute and rule have been complied with.

5. The Agency has documented the need for and reasonableness of the proposed amendment with an affirmative presentation of facts in the record.

Dated: April 23, 1985

MINNESOTA POLLUTION CONTROL AGENCY

Duane Dahlberg
Chairperson

Thomas J. Kalitowski
Executive Director

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING

RULE AMENDMENT

I, Thomas J. Kalitowski, do hereby certify that I am the Executive Director of the Minnesota Pollution Control Agency, an agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Minnesota Pollution Control Agency, duly and properly called and held on the 23rd day of April, 1985, that a quorum was present at said meeting, that a majority of the Board voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

BE IT RESOLVED, that the Minnesota Pollution Control Agency adopts the attached Findings of Fact and Conclusions and the Order Adopting Amendment to Minnesota Rules Part 7050.0210 subpart 6, a rule establishing a fecal coliform effluent limitation for dischargers of treated sewage to waters of the state, and that the Chairman and the Executive Director of the Agency be and hereby are authorized to sign these documents.

BE IT FURTHER RESOLVED, that the amendment to Minnesota Rules Part 7050.0210 subpart 6 is approved and adopted, pursuant to authority vested in the Agency by Minnesota Statutes §§ 115.03 and 115.44 (1984).

BE IT FURTHER RESOLVED, that prior to the publishing of the adopted amendment to Minnesota Rules Part 7050.0210 subpart 6 in the State Register, the Executive Director is authorized to make any form changes in the adopted rule that the Revisor of Statutes requires the Agency to make in order to obtain the Revisor's certification as required by Minnesota Statutes §§ 14.08 and 14.28 (1984).

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26th day of April, 1985.

Thomas Kalitowski

THOMAS J. KALITOWSKI
Executive Director

Subscribed and sworn to before me
this 26th day of April, 1985.

Maryanne Gibbons

NOTARY PUBLIC

MARYANNE GIBBONS
NOTARY PUBLIC MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept 26 1985

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA POLLUTION

CONTROL AGENCY

In the Matter of the Proposed Revision of Minn. Rule Part 7050.0210 Subpart 6 Relating to the Fecal Coliform Effluent Limitation

STATEMENT OF NEED AND REASONABLENESS

I. INTRODUCTION

Minnesota Rules Chapter 7050 are the rules of the Minnesota Pollution Control Agency (hereinafter "Agency") that define use classifications and water quality standards for all waters of the state, establish minimum effluent requirements for all dischargers, and assign use classifications to all waters of the State. Minnesota Rule Part 7050.0210 Subpart 6 specifies the effluent limitations that all dischargers in Minnesota must meet as a minimum level of wastewater treatment. One of the limitations in this subpart is for fecal coliform bacteria. This limitation is applicable to all discharges, municipal and industrial, that contain sewage or other sources of pathogenic organisms.

The subject of this statement is the proposed modification of the fecal coliform (FC) effluent limitation. The proposed changes would delete two requirements in the FC limitation that are excessively restrictive and inconsistent with current Agency permitting and enforcement policy. The primary reason for proposing these changes is to prevent the excessive use of chlorine disinfectant by dischargers. If dischargers were to fully comply with the current FC limitation, in all probability,

more chlorine would be used by dischargers than is necessary to maintain the fecal coliform water quality standard. The fecal coliform water quality standard will not be jeopardized if the proposed changes take place, and a minimization of the amount of chlorine added to Minnesota's receiving streams represents an environmental benefit and a cost savings for dischargers.

The Agency's authority to adopt and amend water quality standards including effluent limitations is found in Minnesota Statute § 115.03 subdivisions 1(e) and Minnesota Statute § 115.44 subdivisions 4 and 5(e).

This statement contains the Agency's affirmative presentation of facts on the need for and reasonableness of the proposed amendment. The Agency staff does not anticipate opposition to the proposed change and suggests that the amendment be accomplished through the noncontroversial rulemaking procedure. The proposed change will not mean additional costs to any discharger, municipality or small business. In fact, if the present FC effluent limitation requirements are retained, and subsequently fully enforced by the Agency, dischargers will incur additional costs that they would not incur under the proposed amendments. These additional costs would result from the increased use of chlorine and the increased frequency of effluent monitoring by all but the largest municipal dischargers.

The Agency published a notice to solicit outside public opinion in the State Register on October 22, 1984 (attachment 1). The deadline for receipt of comments was November 9, 1984. A respresentative of the Citizens for a Better Environment inquired

about the proposal over the phone on October 31, 1984 but did not offer any specific comments. The Metropolitan Waste Control Commission (MWCC) submitted a letter, and comments on November 21, 1984. The MWCC endorsed the proposed change and submitted data that supports the reasonableness of the change. These data are discussed later in this document.

The Agency Board Rules Committee considered the proposed changes on September 24, 1984 and recommended that the proposal be submitted to the full Board.

The current FC effluent limitation is one of several limitations that define secondary treatment in Minnesota Rule 7050.0210 Subpart 6. The current limitation is quoted below:

Fecal Coliform Group Organisms***	200 organisms per 100 milliliters

***Disinfection of wastewater effluents to reduce the levels of fecal coliform organisms to the stated value is required from March 1 through October 31 (Class 2 waters) and May 1 through October 31 (Class 7 waters) except that where the effluent is discharged 25 miles or less upstream of a water intake supplying a potable water system, the reduction to the stated value is required year around. The stated value is not to be exceeded in any calendar month as determined by the logarithmic mean of a minimum of five samples, nor shall more than ten percent of all samples taken during any calendar month individually exceed 400 organisms per 100 milliliters. The application of the fecal coliform group organism standards shall be limited to sewage or other effluents containing admixtures of sewage and shall not apply to industrial wastes except where the presence of sewage, fecal coliform organisms or viable pathogenic organisms in such wastes is known or reasonably certain. Analysis of samples for fecal coliform group organisms by either the multiple tube fermentation or the membrane filter techniques is acceptable.

The above FC limitation contains three elements: 1) a monthly logarithmic mean of 200 organisms per 100 ml, 2) a requirement that no more than ten percent of the monthly samples individually can exceed 400 organisms per 100 ml, and 3) a requirement that at least five samples be taken per month. It is elements 2) and 3) in the limitation that the Agency staff is proposing to delete. The Agency staff proposes to reword the second sentence in the triple asterisk footnote above as follows:

> The stated value is not to be exceed in any calendar month as determined by the logarithmic mean of ~~a minimum of five samples, nor shall more than ten percent of all samples taken during any calendar month individually exceed 400 organisms per 100 milliliters~~ all the samples collected in a given calendar month.

The 200 organisms per 100 ml monthly log mean requirement is not proposed for change. Also no change is proposed for the fecal coliform water quality standards in Minnesota Rule Part 7050.0220 Subparts 2 and 7.

The water quality standard for fecal coliform organisms for class 2 waters is as follows:

> 200 organisms per 100 milliliters as a logarithmic mean measured in not less than five samples in any calendar month, nor shall more than 10% of all samples taken during any calendar month individually exceed 400 [for Class 2A waters, 2000 for Class 2B and 2C waters] organisms per 100 milliliters. (Applies only between March 1 and October 31.)

The water quality standard for fecal coliform organisms for class 7 waters is as follows:

> 1000 organisms per 100 milliliters (applies only between May 1 and October 31.) The stated value is not to be exceeded in any calendar month as determined by the logarithmic mean of a minimum of five samples, nor shall more than ten percent of all samples taken during any calendar month individually exceed 2000 organisms per 100 milliliters.

II. NEED FOR AMENDMENT

The Agency has recently completed revisions to its water quality rules (Minnesota Rule Chapter 7050). The amendment proposed herein dates back to changes made in the FC effluent limitation during the previous revisions completed in 1981. However, the need for proposed change only became apparent to the Agency staff at the time the most recent amendments were being finalized. The Agency staff feels it is important to make the proposed change now rather than wait until its regular triennial review and revision of water quality standards which is now three years away. The proposed change is needed partly to bring the current rule into agreement with established Agency permitting and enforcement policy, and partly to prevent the increased discharge of chlorine into waters of the state.

III. REASONABLENESS OF THE AMENDMENT

A. Introduction

This section describes the Agency's reasons for suggesting the changes in the fecal coliform effluent limitation that the Agency is proposing to make.

The purpose of the fecal coliform effluent limitation is to control the discharge of pathogenic organisms that are potentially found in domestic wastewater. Few fecal coliform bacteria are pathogenic but high counts of fecal coliforms in water are an indication of fecal contamination and the possible presence of human pathogens. Thus, the effluent limitation is intended to protect persons using surface waters for contact recreation such as swimming during which the ingestion of small quantities of water is possible. The Agency staff is confident that these recreational uses will still be fully protected under the proposed amended FC effluent limitation. The fecal coliform water quality standards will not be changed.

Dischargers usually achieve compliance with the FC effluent limitation by disinfecting the wastewater with chlorine. However, the use of chlorine has negative side effects. The Agency staff is concerned about the excessive or unnecessary use of chlorine. Some of the amendments to the water quality standards proposed in 1980 helped reduce chlorine use. The amendments to the FC limitation proposed herein should help reduce it further, or at least prevent unnecessary increased use in the future.

B. Proposed Deletion of the Not to Exceed 400 Organisms Per 100 ml in Ten Percent of Monthly Samples Requirement.

Full implementation of the requirement in the FC effluent limitation that no more than ten percent of the samples taken in one month can exceed 400 organisms per 100 ml (hereinafter shortened to 400/ten percent) would have negative effects that

were not anticipated at the time the limitation was proposed. In fact, this requirement has not been implemented by the Agency staff since it was enacted in 1981 because of delays and objections to revised fecal coliform permit conditions. The Agency staff is concerned that the rigid enforcement of the 400/ten percent requirement now would lead to additional use of chlorine by dischargers. Data from three sources, discussed below, support this assumption.

First, discharge monitoring reports (DMR), submitted to the Agency on a monthly basis by all permitted dischargers, contain information on the quality of a discharger's effluent. A sample of DMRs were reviewed to determine whether the 200 organisms per 100 ml monthly log mean (200/mean) or the 400/ten percent requirement is the most stringent. Whichever of these requirements is the most stringent will control the amount of chlorine used to achieve compliance. A sample of ten communities with Class A plants and ten communities with Class B[1] (see footnote next page) plants were selected at random. For each plant selected the monthly DMRs were reviewed for the period January 1983 to October, 1984. The number of months with violations of the 200/mean limitation and the 400/ten percent limitation were recorded. The results are shown in the table below.

Number of Monthly Violations of the 200/Mean Versus the 400/Ten Percent Requirements in the FC Effluent Limitation

	Class A Plants	Class B Plants
Violations of the 200/ mean requirement	3	13
Violations of the 400/ 10% requirement	20	20
Total number of months reviewed	135	138

The results show that the 400/ten percent requirement is violated more frequently than the monthly mean requirement especially in Class A plants. This indicates that the 400/ten percent requirement is more restrictive and will very likely control the amount of chlorine used by dischargers to achieve compliance with their permit limitations.

Secondly, effluent fecal coliform data submitted by the MWCC with their comments show much the same thing. Their analysis of the distribution of effluent fecal coliform values at ten MWCC plants shows that to achieve acceptable compliance with the 400/ten percent requirement the effluent would have to meet a monthly mean fecal coliform value of only 16 organisms per 100 ml. This is far more stringent than the allowable 200 organisms per 100 ml as a monthly mean. The implication of this is that

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[1] Municipal wastewater treatment plants are categorized as Class A, B, C, or D based on the size and sophistication of the plant and other factors. As of July, 1983 there were 34 Class A, 55 Class B, 159 Class C and 266 Class D municipal or sanitary district wastewater treatment plants with certified operators in Minnesota. Class D plants are nearly all stabilization pond systems.

considerably more chlorine would be needed to comply with the 400/ten percent requirement than would be needed to comply with the 200/mean requirement. This conclusion is supported further by fecal coliform and chlorine data from the Metro Plant effluent analyzed by MWCC. From this analysis MWCC is able to predict that the amount of chlorine required to achieve 200 organisms per 100 ml in the Metro Plant effluent compared to 16 organisms per 100 ml would be 1.16 mg/l and 5.98 mg/l, respectively (assuming a prechlorination fecal coliform population of 10^5). This indicates that five times as much chlorine would be needed to meet the 400/ten percent requirement as is needed to meet the 200/mean requirement.

Thirdly, the MWCC has conducted chlorine optimization studies at some of their plants. The purpose of these studies was to establish the minimum amount of chlorine that must be used to comply with their FC effluent limitation. Data from the Anoka Plant can be used to illustrate the effect the various FC limitations have on chlorine use. The FC effluent limitations in the Anoka permit are 200 organisms/per 100 ml as a 30-day log mean and 400 organisms per 100 ml as a 7-day log mean. In addition, the chlorine amount needed to meet the 400/ten percent requirement, if it were to be imposed, can be determined. The results are shown in the table below.

Chlorine Required to Achieve Compliance with Fecal Coliform Effluent Limitation Requirements at the Anoka Plant[1]

Effluent Requirement	Chlorine Amount
30-day mean of 200	3.7 mg/l
7-day mean of 400	5.1 mg/l
400/ten percent	7.8 mg/l

As these results show more than twice as much chlorine is required to meet the 400/ten percent requirement than is needed to meet the 200/mean requirement.

It is clear from these data that the potential for increased chlorine use is very real if the 400/ten percent requirement is to be enforced.

Besides being unnecessarily stringent, the 400/ten percent requirement is not consistent with the realities of wastewater treatment plant monitoring frequencies. For this requirement to have real meaning, wastewater treatment plant operators should sample their effluent at least ten times per month for fecal coliform bacteria. Only Class A major facilities are required to collect ten or more samples per month. All other facilities are required to monitor for fecal coliforms twice weekly or less (see attachment 2). The monitoring frequencies set for the various

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[1] Brice Pickart of MWCC, personal communication.

class plants is established Agency policy that has changed little since the early 1970s. For the plants that monitor for fecal coliforms less than ten times a month, which is the vast majority, a single value over 400 organisms per 100 ml represents a violation of the 400/ten percent requirement. To keep from ever exceeding 400 organisms per 100 ml, plant operators may be inclined to use excessive chlorine.

C. Proposed Deletion of the Five Samples Per Month Requirement.

Already discussed above is the fact that established Agency policy has for years permitted small dischargers to sample for fecal coliform bacteria less than five times per month. This level of monitoring has been considered adequate for the Agency staff to ascertain compliance for the small discharger. Dischargers will continue to report the results of their fecal coliform and total residual chlorine monitoring as they have in the past. The proposed change will codify what has been Agency practice for some time.

If all dischargers were required to sample at least five times per month, monitoring costs for the small communities with Class B minor or Class C plants would increase. Affected most would be the smallest of these communities. Their monitoring costs for fecal coliforms could increase by as much as 500 percent because some now sample just once per month. Consulting analytical labs that typically analyze effluent samples for the smaller dischargers, charge in the neighborhood of six to ten dollars for a fecal coliform analysis.

D. Protection of the Fecal Coliform Water Quality Standard.

Since the proposed change to the FC effluent limitation will, for the most part, bring the rule into line with existing practice and policy, the change should have little if any impact on water quality. Future NPDES permits would no longer include the 7-day log mean of 400 organisms per 100 ml limitation, but will retain the monthly log mean of 200 organisms per 100 ml limitation. The MWCC data discussed previously suggest that the latter is a slightly less restrictive requirement than the former. Thus, the potential for an occasional high fecal coliform value in the effluent may be greater under the proposed limitation. The Agency staff feels, however, that this potential for a higher fecal coliform value is more than offset by the "environmental gain" of reducing chlorine usage.

As mentioned before, the Agency is confident that the fecal coliform water quality standards and the beneficial uses these standards are intended to protect will not be jeopardized by the proposed amendment. One purpose of effluent limitations is to protect downstream water quality standards. If it becomes apparent that the proposed FC limitation is not protecting the water quality standards downstream of any discharge, a more restrictive effluent limitation could be imposed on that discharger.

E. Advantages of Reducing Chlorine Usage.

The toxicity of chlorine to fish and other aquatic organisms has been thoroughly documented. The Agency reviewed the chlorine toxicity literature when it adopted the water quality standard

for total residual chlorine of 5 ug/l in 1981 (Minnesota Pollution Control Agency 1980). The U.S. Environmental Protection Agency (U.S. EPA) has recently published a draft chlorine criterion document in which they propose a criterion of 6.6 ug/l (U.S. EPA 1984). The basis for these numbers is a large body of toxicity tests and studies on both the acute and chronic effects of chlorine on aquatic life. Some of these studies have shown, through field tests, that the absence of fish in receiving streams below a municipal discharge is due more to the chlorine in the discharge than to the other pollutants (Tsai 1968, Michigan Department of Natural Resources 1971, Paller et. al. 1983). Thus, there is no question that chlorine is highly toxic to aquatic life and does have an impact on the communities of aquatic organisms in receiving streams.

Another aspect of the chlorination of wastewater that has received substantial attention is the formation of organochlorine compounds through the bonding of chlorine with organic compounds either in the effluent or receiving stream. A large number of chlorinated compounds have been found such as the chlorinated methanes, benzenes, and phenols. Some of these compounds are toxic to fish and other aquatic organisms, some can impart unpleasant tastes to fish flesh, and some are mildly bioaccumulative. Others such as chloroform are suspected human carcinogens (U.S. EPA 1975 and NRCC 1978). The reduction of chlorine usage will not eliminate this problem but it will reduce its magnitude. The reduction of chlorine usage whenever possible has demonstrated environmental benefits and has been strongly

recommended by the Comptroller General of the United States (U.S. Comptroller General 1977).

IV. CONCLUSION

This document with attachments constitutes the Agency's Statement of Need and Reasonableness for the amendment being proposed to Minnesota Rule Part 7050.0210 Subpart 6. The Agency believes that it has made a presentation establishing the need for and the reasonableness of the amendment being proposed.

V. LITERATURE CITED

Michigan Department of Natural Resources, 1971. Chlorinated municipal waste toxicities to rainbow trout and fathead minnow. For the Environmental Protection Agency. Grant No. 18050 GZZ. 50 p.

Minnesota Pollution Control Agency, 1980. Total residual chlorine (TRC). Standard justification. Water Quality Division. 18 p.

National Research Council of Canada, 1978. The aqueous chlorination of organic compounds: chemical reactivity and effects on environmental quality. NRCC publication No. 16450. 136 p.

Paller, M.H., W.M. Lewis, R.C. Heidinger, and L.J. Wawronowicz, 1983. Effects of ammonia and chlorine on fish in streams receiving secondary discharges. Journal WPCF 55: 1087-1097.

Tsai, C., 1968. Effects of chlorinated sewage effluents on fishes in upper Patuxent River, Maryland. Chesapeake Science 9: 83-93.

U.S. Comptroller General, 1977. Unnecessary and harmful levels of domestic sewage chlorination should be stopped. Comptroller General's Report to Congress. CED-77-108. 48 p.

U.S. Environmental Protection Agency, 1984. Chlorine Aquatic toxicology. U.S. EPA draft criterion document.

Respectively Submitted,

Thomas J. Kalitowski
Executive Director
Minnesota Pollution Control Agency

Dated: December , 1984

In the Matter of the Proposed
Amendment of Minesota Rules
Part 7050.0210 Subpart 6
Relating to the Fecal Coliform
Effluent Limitation

STATEMENT OF
COMPLIANCE
WITH
RULEMAKING
PROCEDURES

I, Special Assistant Attorney General Alan R. Mitchell, do hereby declare that I have examined the amendments to the fecal coliform effluent limitation in Minn. Rules Part 7050.0210 subpart 6 adopted by the Minnesota Pollution Control Agency on April 23, 1985, and all related documents, and that based on my examination and my personal familiarity with the requirements of the Administrative Procedure Act and the rules of the Attorney General, all applicable procedures for rulemaking have been complied with.

Dated: April 26, 1985

Alan R. Mitchell

ALAN R. MITCHELL
Special Assistant
Attorney General

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA POLLUTION

CONTROL AGENCY

In the Matter of the Proposed
Amendment of Minesota Rules
Part 7050.0210 Subpart 6
Relating to the Fecal Coliform
Effluent Limitation

AFFIDAVIT OF MAILING
NOTICE OF SUBMISSION
TO THE ATTORNEY GENERAL

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Alan R. Mitchell, being first duly sworn, deposes and says:

That on the 26th day of April, 1985, in the City of Roseville, County of Ramsey, he served the Notice of Submission to Attorney General by depositing in the United States mail at said City of Roseville, a copy thereof, properly enveloped, with postage prepaid, addressed to the following persons:

Louis J. Breimhurst
Chief Administrator
Metropolitan Waste Control Commission
350 Metro Square Building
7th and Robert Streets
St. Paul, Minnesota 55101

Jim Coleman
Energy & Environmental Consultant
Minnesota Association of Commerce and Industry
480 Cedar Street
300 Hanover Building
St. Paul, Minnesota 55101

Dr. Russell H. Susag
Director
Environmental Regulatory Affairs
3M Company
P.O. Box 33331
St. Paul, Minnesota 55133

Alan R. Mitchell
ALAN R. MITCHELL

Subscribed and sworn to
before me this 26th day
of April, 1985.

Maryanne Gibbons
Notary Public

MARYANNE GIBBONS
NOTARY PUBLIC MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept. 26 1985

STATE OF MINNESOTA

MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Amendment of Minesota Rules
Part 7050.0210 Subpart 6
Relating to the Fecal Coliform
Effluent Limitation

NOTICE OF SUBMISSION
TO ATTORNEY GENERAL

PLEASE TAKE NOTICE that the Minnesota Pollution Control Agency has adopted an amendment to the fecal coliform effluent limitation in Minn. Rules Part 7050.0210 subpart 6 and that the amendment and the entire record in this proceeding, including the Statement of Need and Reasonableness and all comments received by the Agency on the amendment, have been submitted to the Office of the Attorney General for review as to form and legality as of this date, April 26, 1985.

Pursuant to Minn. Rules Part 2000.0700, the Attorney General will not approve the rule amendment for at least 8 days from the day of submission. This will allow any interested persons time in which to submit any comments on the legality of the rules to the Attorney General's Office. Comments should be sent to the Office of the Attorney General, 204 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155. A copy of any written comments must also be submitted to the Agency at 1935 W. County Road B-2, Roseville, MN, 55113, Attention: David Maschwitz. The Attorney General's Office will then approve or disapprove the rule amendment within 14 days of submission.

The Agency adopted the rule exactly as proposed in the February 25, 1985, State Register. A copy of the final rule and the Findings of Fact and Conclusions and Order Adopting Rule Amendments are attached to this Notice.

Dated: April 26, 1985

Thomas Kalitowski

THOMAS J. KALITOWSKI
Executive Director