

July 3, 2025

The Honorable Don Zeman
Mayor, City of Hinckley
106 1st Street SE
PO Box 366
Hinckley, MN 55037-0708

RE: Notice of Violation
City of Hinckley Wastewater Treatment Facility, Hinckley, Pine County
NPDES/SDS Permit No. MN0023701

Dear Mayor Zeman:

Enclosed is a Notice of Violation (NOV) for alleged violations of federal regulations, state statutes, rules and permit conditions.

The first section of the NOV cites the environmental requirements allegedly violated.

The second section contains the corrective actions you must complete to resolve the NOV. You must provide documentation that you completed each corrective action by the deadline specified in the NOV.

Respond in writing within ten days if you believe an alleged violation is incorrect.

If you have any questions or need assistance, contact me by phone at 651-757-2784 or by email at lu.berry@state.mn.us.

Sincerely,



This document has been electronically signed.

Lu Berry
Environmental Specialist
Municipal Division

LB:tw

Enclosure/Attachment

cc: See next page

The Honorable Don Zeman

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cc: Jerry Williams, PeopleService, Operator (e-copy)
Paul Christenson, PeopleService, Manager (e-copy)
Leaha Jackson, City of Sandstone, City Administrator, (e-copy)
Holly Sandberg, MPCA (e-copy)
Deborah Klooz, MPCA (e-copy)
Mark Hugeback, MPCA (e-copy)
Activity ID NON20250002 @ 1014

STATE OF MINNESOTA
Minnesota Pollution Control Agency
Municipal Division

NOTICE OF VIOLATION

In the Matter of: City of Hinckley Wastewater Treatment Facility, Hinckley, Pine County

To: City of Hinkley
106 1st Street SE
PO Box 366
Hinckley, MN 55037-0708

PLEASE BE ADVISED, that the Minnesota Pollution Control Agency (MPCA) has sufficient information to allege that the City of Hinckley (hereinafter Regulated Party) has violated the following provisions of federal regulations, state statutes, rules, and permit condition at its Wastewater Treatment Facility (WWTF) located in Hinckley, Pine County, Minnesota.

1. National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS), Chapter 5, Monitoring Requirements

5.11.90 Representative samples of biosolids that are transferred to storage units and are stored for more than two years shall be analyzed by methods specified in Minn. R. 7041.3200 for each cropping year they are stored for the following parameters: arsenic, cadmium, copper, lead, molybdenum, nickel, selenium, and zinc.

Mercury is specifically NOT included in the stored biosolids analysis because of the short holding time (28 days) required between sampling and analysis. [Minn. R. 7041.1300, Minn. R. 7041.3200]

5.11.99 For biosolids that are stored for more than two years, the Biosolids Annual Report shall also include the analytical data from the representative sample of the biosolids generated during the cropping year. [Minn. R. 7041]

During an inspection and file review on March 27, 2025, the MPCA documented that that biosolids at the Regulated Party's Wastewater Treatment Plant (WWTP) had not been land applied since 2006. The permit requires that biosolids that are stored for more than two years must be sampled annually and reported on the Biosolids Annual Report. Required sampling parameters include arsenic, cadmium, copper, lead, molybdenum, nickel, selenium, and zinc.

On the previous permit application that was submitted in 2014, the Regulated Party stated the following: "Due to the approximate 10 year detention time between land application events, a composite of multiple core samples is collected from the aerobic digester annually and tested for metals to track the quality of biosolids."

The Regulated Party is required to report the above-mentioned composite results on the Biosolids Annual Report but failed to do so. The Regulated Party was issued a Letter of Warning (LOW) on May 13, 2025 that contained a corrective action requiring the Regulated Party to submit all biosolids sampling data from the last three years (2022-2024) for MPCA review.

On June 10, 2025, the Regulated Party submitted a response to the LOW. The response stated “No biosolids analysis was conducted during the Cropping Years 2022-2024. Biosolids sampling kits have been ordered from UC Labs for Cropping Years 2025 and 2026. During the month of June 2025 a biosolids sample will be collected from the aerobic digester and will be for arsenic, cadmium, copper, lead, molybdenum, nickel, selenium, and zinc. These test results will be reported to MPCA on the Annual Biosolids Report for Crop Year 2025. Going forward we will continue to test these parameters annually from the aerobic digester and report them on the Annual Biosolids Reports.”

CORRECTIVE ACTION

To address the alleged violations cited in this Notice of Violation (NOV), the Regulated Party is to complete the following actions:

1. Within 30-days after receipt of this NOV, the Regulated Party must collect a biosolids sample from the aerobic digester and have the sample analyzed by methods specified in Minn. R. 7041.3200 for arsenic, cadmium, copper, lead, molybdenum, nickel, selenium, and zinc. The results of this analysis shall be submitted to Case Lead Lu Berry (lu.berry@state.mn.us) in addition to being reported on the 2025 Biosolids Annual Report.

NOTICE

THEREFORE, you are hereby given notice that the MPCA has recorded and documented the above alleged violations. This NOV and your response does not preclude the MPCA from taking further action with respect to the above alleged violations. The MPCA reserves the right to seek any and all remedies available under Minn. Stat. §§ 115.071, 116.072, 116.073, and 609.671 and all applicable rules or permits for any violation cited in the NOV. If the Regulated Party believes the allegations in this NOV are incorrect, please respond in writing within ten days after receiving this NOV and explain any inaccuracies. If the Regulated Party does not respond, the MPCA will conclude that the alleged violations occurred as set forth in the NOV.

**STATE OF MINNESOTA
POLLUTION CONTROL AGENCY**

July 3, 2025

Date signed

Holly Sandberg

This document has been electronically signed.

Holly Sandberg
Supervisor
North Central Regional Unit
Municipal Division

HS/LB:tw

Address questions and submittals requested above to:

Lu Berry
Minnesota Pollution Control Agency
520 Lafayette Rd N
Saint Paul, MN 55155-4102
651-757-2784
lu.berry@state.mn.us