

# CITY OF MARSHALL

## WASTEWATER DISCHARGE PERMIT FOR

### LYON COUNTY LANDFILL LEACHATE

#### I. GENERAL

- A. The City of Marshall, Minnesota, a municipal corporation, hereinafter referred to as “City”, is the owner and operator of a wastewater treatment facility located in City of Marshall, County of Lyon, and State of Minnesota, which has a continuous discharge to the Redwood River. Lyon County is the owner and operator of a sanitary landfill in Lynd, Minnesota which discharges landfill leachate by truck to the wastewater treatment facility.
- B. “City,” hereby authorizes the Lyon County Landfill, 2025 200<sup>th</sup> Avenue, Lynd, Minnesota, hereinafter referred to as “Lyon County” to discharge wastewater to the public sewer system in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this permit.
- C. City has an NPDES Operating Permit for the City’s Wastewater Treatment Facility No. MN0022179 as a part of a National and State Disposal Permit Program administered by the Minnesota Pollution Control Agency under the Clean Water Act as amended (33 U.S.C. 1251, et seq.), MSA Chapters 115 and 116 as amended by Minnesota Rules Chapter 7001 and 7050. Attached to this permit is a copy of the rule requirements set forth in Part III of the NPDES Permit concerning pretreatment. ( ATTACH RULES)
- D. Under definitions set forth in City’s Sanitary Sewer Ordinance, Lyon County Landfill is defined as a Significant Industrial User. City Ordinance §78-26 requires all Significant Industrial Users to obtain a permit to discharge wastewater to the public sewer system.
- E. This permit and authorization to discharge shall be for a term of five years Effective Date: September 1<sup>st</sup>, 2021 - Expiration Date: August 31<sup>st</sup>, 2026.
- F. User charges are subject to change upon modification of the rates in the City’s Sanitary Sewer Ordinance.
- G. The conditions of this permit supersede any arrangements or requirements by City pertaining to discharges from Lyon County Landfill to the public sewer system. Lyon County shall also comply with any terms of the City’s Sanitary Sewer Ordinance not modified by this permit.

- H. The terms and conditions of this permit shall be subject to modification during the term of the permit if limitations on discharge from the wastewater treatment facility, as set forth in City's NPDES permit, are modified, or as the City deems necessary. City shall notify Lyon County of any change in this permit 30 days prior to the effective date of modification.
- I. Lyon County shall not knowingly make any false statement, representation, or certification in any record, report, or plan required to be submitted to the City pursuant to this permit.
- J. This permit shall not release Lyon County from any liability or duty, or penalty imposed by the State of Minnesota or State and Federal statutes, regulations, or local ordinances. Lyon County is required to comply with the general pretreatment regulations identified in 40 C.F.R., Part 403 and the Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR, Chapter I, Subchapter N. Nothing in this permit waives the right of the U.S. Environmental Protection Agency or the State of Minnesota from commencing appropriate enforcement action to correct any violation of the general pretreatment regulations or of this permit.
- K. This permit is not transferable without obtaining the prior written permission of the City of Marshall and Lyon County Landfill.

**II. DISCHARGE LIMITS**

- A. The discharge from Lyon County Landfill shall be subject to the following discharge limitations where it enters the public sewer system. All sampling reports shall be forwarded to the City of Marshall as soon as the Lyon County Landfill receives them.

**Table 1**

SPECIFIC LIMITS AND MONITORING REQUIRED BY THIS PERMIT				
PARAMETER	DAILY LIMITATION	Daily Lbs. LIMITATION	SAMPLING FREQUENCY	SAMPLE TYPE
FLOW gallons	21,000	-----	Per Load	Ledger
CBOD <sub>5</sub> mg/l	500	87 lbs.	Monthly	Grab
TSS mg/l	500	87 lbs.	Monthly	Grab
Total Phosphorus mg/l	80	14 lbs.	Monthly	Grab
NH <sub>3</sub> -N mg/l	500	87 lbs.	Monthly	Grab
TKN mg/l	500	87 lbs.	Monthly	Grab
Arsenic mg/l	0.19	.033 lbs.	Quarterly	Grab
Cadmium mg/l	0.094	.016 lbs.	Quarterly	Grab

Chromium mg/l	1.71	.299 lbs.	Quarterly	Grab
Cr6 mg/l	0.5	.088 lbs.	Quarterly	Grab
Copper mg/l	0.023	.004 lbs.	Monthly	Grab
Cyanide mg/l	0.1	.018 lbs.	Quarterly	Grab
Lead mg/l	0.019	.003 lbs.	Quarterly	Grab
Mercury ng/l (2)	25	.000004 lbs.	Quarterly	Grab
Molybdenum mg/l	0.15	.026 lbs.	Quarterly	Grab
Nickel mg/l	2.38	.417 lbs.	Quarterly	Grab
Selenium mg/l	0.44	.077 lbs.	Quarterly	Grab
Silver mg/l	0.005	.001 lbs.	Quarterly	Grab
Zinc mg/l	1.164	.204 lbs.	Quarterly	Grab
pH s.u. (1)	5.0-10.5	-----	Monthly	Grab
TDS mg/l	15,000	2627 lbs.	Quarterly	Grab
Calcium mg/l	Monitor Only	-----	Quarterly	Grab
Chloride mg/l	Monitor Only	-----	Quarterly	Grab
Magnesium mg/l	Monitor Only	-----	Quarterly	Grab
Potassium mg/l	Monitor Only	-----	Quarterly	Grab
Sodium mg/l	Monitor Only	-----	Quarterly	Grab
Sulfate mg/l	Monitor Only	-----	Quarterly	Grab
Phenol mg/l	0.5	.088 lbs.	Quarterly	Grab
Di (2-ethylhexy Pthalate) mg/l	0.2	.035 lbs.	Quarterly	Grab

(1) pH shall be met at all times and shall not be subject to averaging.

(2) Mercury shall be analyzed using method 1631E low level reported as ng/l.

All samples will be analyzed by a laboratory certified by the Minnesota Department of Health. All self-monitoring conducted by the user shall include the following: The date and time of the sampling, the name of the person conducting the sampling, the dates and times of all analyses, and the name of the analyst.

- B. In addition to the parameters above: the leachate shall be monitored on a quarterly basis for organic pollutants identified in Table II of 40 CFR Part 122, appendix D using EPA methods 624, 625, and 608. (April, July, and October)

### III. PROHIBITED DISCHARGES

- A. Lyon County Landfill shall not discharge or cause to be discharged to the collection system, either directly or indirectly, any pollutants, which may Pass Through or cause Interference with treatment, nor shall Lyon County Landfill discharge or cause to be discharged any of the following described wastes or wastewater:
  - 1. Any of the above listed parameters in excess of the daily limits.
  - 2. Any liquid having a temperature higher than 104 degrees Fahrenheit (40 degrees Celsius). (Exceptions may be granted where it has been shown that the high temperature wastewater would not cause any significant problems to City's wastewater treatment facilities.)
  - 3. Any water or wastes which contain wax, grease or oil, plastic or other substance that will solidify or become discernibly viscous at temperatures between 32 degrees to 104 degrees Fahrenheit.
  - 4. Any solids, liquids or gases which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way may be injurious to persons, property, or the operator of the wastewater treatment facilities, including, but not limited to, waste streams with a closed cup flashpoint of not less than 140 degrees Fahrenheit (60 degrees Celsius) using test methods specified in 40 CFR 261.21.
  - 5. Any solids, slurries, or viscous substances of such character as to be capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater treatment facilities, such as ashes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, chemical residues, or bulk solids.
  - 6. Any garbage that has not been properly comminuted or shredded.
  - 7. Any noxious or malodorous substance, which either singly or by interaction with other substances is capable of causing objectionable odors, or hazard to life; or forms solids in concentrations exceeding limits established in Section 78-47 of Marshall City Code or creates any other condition deleterious to structures or treatment processes;

or requires unusual provisions, alterations, or expense to handle such materials.

8. Any waters or wastes having a pH lower than 5.0 or higher than 10.5 or having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel. (Exceptions may be granted where it has been shown that the high or low pH would not cause any significant problems to the City's wastewater treatment facilities.)
9. Any wastes or waters containing suspended or dissolved solids of such character and quantity that unusual attention or expense is required to handle such materials in the wastewater collection and treatment facilities.
10. Any radioactive wastes greater than allowable releases as specified by current United States Bureau of Standards Handbooks dealing with the handling and release of radioactive materials.
11. Any waters or wastes including hazardous wastes in sufficient quantity either singularly or following interaction with any other substance to injure or interfere with any wastewater treatment process, to constitute a hazard to humans or animals, or to create any hazard in the receiving water of the wastewater treatment facilities.
12. Free or emulsified oil and grease exceeding on analysis an average of 100 parts per million (834 pounds per million gallons) of either or both, or combinations of free emulsified oil and grease, if in the opinion of the Approving Authority it appears probable that such wastes:
  - a. Can deposit grease or oil in the sewer lines in such a manner to clog the sewers.
  - b. Are not amenable to bacterial action and will therefore pass to the receiving waters without being affected by normal wastewater treatment processes.
  - c. Can have deleterious effects on the treatment process.
13. Materials which exert or cause:
  - a. Unusual concentrations of solids or composition; as for example, in total suspended solids of inert nature (such as Fuller's Earth) and/or in total dissolved solids (such as sodium chloride or sodium sulfate).
  - b. Excessive discoloration.
  - c. Unusual biochemical oxygen demand or unusual immediate oxygen demand.
  - d. High hydrogen sulfide content.

14. Molybdenum based wastes, including, but not limited to, cooling tower chemical additives, boiler additives, antifreeze, and lubricants.
15. Any discharge that would cause the City to violate the requirements of their NPDES permit.
16. “Slugs” of waste or wastes to the collection system, which may be harmful to the operation of the wastewater works.
  - a. A “slug” is defined as any flow rate or concentration or quantity of pollutants that may cause inhibition or disruption of the wastewater facility.

#### IV. REPORTS:

A. A self-monitoring report shall be submitted according to the following schedule:

<u>Frequency</u>	<u>Period</u>
Monthly	while discharging.

B. An annual report summary (SW-23) identifying results of all testing in Section II of this agreement.

Reports shall include all required and any other self-monitoring of discharges. Reports are due 30 days after each quarterly period.

C. City shall have the authority to enter the sampling structures at any time to inspect or install City-owned monitoring equipment.

D. The Permittee shall retain for not less than three years, all records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling and chemical analysis of discharge to the City system. The City of Marshall shall have the right to copy such documents as it determines necessary.

#### V. CHARGES AND RESPONSIBILITIES

In addition to the charges for sewer use under Section 78-94 of the City’s ordinance; Lyon County shall be responsible for the following:

- A. The costs of additional sampling required due to violations caused by permit exceedances.
- B. The cost of constructing any additional sampling or flow measuring structures or monitoring equipment necessary to properly monitor any pollutants permitted by a change in the terms of this permit. Plans and

specifications for such facilities shall be approved by the City prior to installation.

VI. PENALTIES

- A. The discharge of a waste not in compliance with the effluent limitations set forth in Section II of this permit is a violation of this permit subject to the procedures set forth in Section 78-48 of the City's ordinance.
- B. Penalties shall be levied for each parameter violation per day of violation and shall be cumulative.

VII. ACCIDENTAL DISCHARGE

- A. Lyon County shall notify City and, as appropriate, Environmental Protection Agency and/or Minnesota Pollution Control Agency immediately upon having a slug or accidental discharge of substances or wastewater or hazardous wastes in violation of this permit in order to enable countermeasures to be taken by City to minimize damage to the treatment system and receiving waters. Such notification shall not relieve Lyon County of any fines imposed by or on City because of any State or Federal law.

VIII. SUSPENSION AND REVOCATION

- A. City may suspend wastewater treatment service and/or this discharge permit (after providing written notice) when, in the opinion of the City, it is necessary to prevent or stop an actual or threatened discharge which presents, or may present, an imminent or substantial endangerment to the health or welfare of persons, to the environment or to the wastewater treatment system.
- B. City may revoke this permit if Lyon County fails factually to report the wastewater constituents and characteristics of its discharge, significant changes in wastewater constituents or characteristics, refuses reasonable access to its premises for the purpose of inspection or monitoring, repeatedly violates conditions of this permit, or refuses to pay penalties imposed by the permit.

IX. NOTIFICATION OF VIOLATION AND RESPONSE

- A. In case of a violation of this permit, City shall notify Lyon County in writing, within thirty days of receipt of data indicating a violation, stating the nature of the violation. The notice shall state the amount of the fine for the violation.
- B. Lyon County shall respond to the City's notice within thirty days, including payment of any penalties, an explanation of the cause of violation, measures to be taken to prevent recurrences and a time schedule for implementation.

C. Failure of the City to provide timely notice does not absolve Lyon County of liability for the violation or for payment of penalties for the violation.

X. SEVERABILITY

If any provision, paragraph, word, section, or article of this permit is held unconstitutional or invalidated by a court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day and year written below.



CITY OF MARSHALL

By: \_\_\_\_\_ Date: \_\_\_\_\_  
It's Mayor

\_\_\_\_\_  
City Administrator Date: \_\_\_\_\_

Lyon County Landfill

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman, of the  
Lyon County Commissioners.