

OPEN CHANNEL NEWS

MCES Industrial Waste & Pollution Prevention

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Metropolitan Council Environmental Services

Metropolitan Council Environmental Services (MCES) is one of three divisions of the Metropolitan Council, a regional public agency working for the seven-county metropolitan area. The mission of MCES is to provide wastewater services that protect public health and the environment while supporting regional growth.

Services provided by MCES ensure that:

- (1) sufficient sewer capacity exists to serve planned development, and sufficient capital investments are made to preserve the region's water quality;
- (2) wastewater collection and treatment services are provided in a cost- and quality-competitive manner for 104 communities and more than 800 industrial clients; and
- (3) local plans provide for adequate water supply and nonpoint source pollution prevention in the region.

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Metropolitan Council's New Headquarters

The Metropolitan Council headquarters move was complete in June. The new location is just a few blocks up the road at the corner of Sixth and Robert Street. Why move such a short distance? The Council was facing renewal of a lease in a building that was much

larger than needed, built around 1900, and in need of renovations. "The driving factor in our decision to move was cost savings," said Beth Widstrom-Anderson, the Council's chief financial officer. After much research, the Council took the opportunity to purchase the building pictured above, deemed as surplus property, from the state for \$1. The Council renovated the building to meet current building codes and installed energy efficient heating, cooling and lighting systems. Costs to equip the building were kept down by reusing old office furniture, installing carpeting made from recycled material, and partnering with the state to house the Council's computer network infrastructure off site. The Council has estimated it will save \$14 million dollars over the 35-year life of the building when compared to the projected cost of staying in the old building. "The new building is in a good location for the Council and its compact size more closely meets our needs," said Council Chair Peter Bell.



The Council's new offices are located at the corner of Sixth and Robert Streets in downtown St. Paul.



View the map for location of the new headquarters. You will find directions and parking information on the Council's Web site at: www.metrocouncil.org

The new address is **390 North Robert Street, St. Paul, MN. 55101-1805**. Please send all future mailings to this address. Not to worry, July reports sent to the old address have been forwarded to our new location. Please note that the IWPP office remains at the Metro 94 Business Center.

Important Dates:

October 2, 2006 – CIU parameter sampling waiver applications due at MCES offices.

October 15, 2006 – Liquid Waste Hauler reports due at MCES offices.

October 30, 2006 – All Regular and Special Discharge quarterly reports due at MCES offices.



Former Prime Plating, Inc. site in Maple Grove

MCES Aids EPA in Criminal Investigation and Conviction of Maple Grove Plater

Prime Plating, Inc., located in Maple Grove, obtained an Industrial Discharge Permit from MCES in October 2002. The company was a barrel plating job shop that mainly conducted zinc plating of hardware items such as nuts, bolts and screws. The company was subject to U.S. Environmental Protection Agency (EPA) New Source Metal Finishing Pretreatment Standards.

In early June 2003, MCES was contacted by Hennepin County Environmental Services and EPA's Criminal Investigation Division regarding allegations by a former Prime Plating employee that the company was discharging untreated wastewater to the sanitary sewer in violation of their permit. EPA requested help from MCES in either refuting or confirming the allegations. A follow up inspection conducted by MCES personnel indicated significant water use by the company, even though company personnel had stated they had shut down all wet operations while installing a new pretreatment system. MCES set up monitoring equipment downstream of the company without its knowledge. Analytical results from more than a week of monitoring indicated severe pH, zinc and chromium violations, with zinc levels in excess of 100 times the company's discharge limit.

On July 14, 2003, EPA staff entered the facility under a search warrant, along with personnel from the FBI, MCES, Hennepin County and the Department of Immigration, to gather evidence of the illegal dumping.

The trial of the **United States of America v. Prime Plating, Inc., et. al.** was conducted in the United States District Court in Minneapolis. The company, the company owner, the owner's father (also an employee) and the production manager were all charged with conspiring to violate the Clean Water Act. MCES personnel from IWPP and Laboratory Services were subpoenaed to testify, along with personnel from EPA and Hennepin County. Prime Plating Inc. and the company owner were convicted by a jury in December 2004 of conspiracy to violate the Clean Water Act, eight substantive violations of the Clean Water Act, and two counts of failing to notify MCES of bypasses. The environmental manager and employed

father were convicted of the substantive violations of the Clean Water Act. The production manager pled guilty prior to the trial to conspiracy to violate the Clean Water Act.

After a long delay, in April 2006, the owner was sentenced to 30 months in prison. The environmental manager was sentenced to 26 months confinement. The production manager was sentenced to 12 months and one day in prison. The father was sentenced to 10 months of home detention and 100 hours community service.

In addition to the prison terms, the defendants were ordered to pay fines and restitution. The owner's 30-month sentence is the second longest prison term handed down in Minnesota for an environmental crime.

In closing, while this article illustrates the possible dire consequences for failing to disclose violations and pretreatment problems, MCES continues to prefer working with industries to resolve compliance and operational issues. The only way this can happen, however, is if the company fully and truthfully discloses violations and operational problems to MCES as soon as they occur.



Pictured above is the dysfunctional pretreatment system installed at Prime Plating Inc. The company chose to bypass this system and violate their wastewater discharge permit instead of stopping production long enough to repair or replace the system.

MCES Disposal Site Announcements

Amended Closure Criteria – MCES amended the criteria under which it will close its northern disposal sites. The criteria now states that MCES will close its northern disposal sites if a private disposal facility opens within a 30-minute drive time of existing MCES sites, rather than a 15-mile radius. This change will result in a fairer indication of actual accessibility of a new site.

Brooklyn Park Site Closure – MCES's Brooklyn Park disposal site is expected to close permanently during spring 2007 due to a Mn/DOT interchange project in the area.

A letter was recently sent to all Liquid Waste Hauler permittees explaining these announcements. If you have any questions, please contact the MCES engineer assigned to your permit.

Parameter Sampling Waiver Applications Due October 2, 2006

Beginning January 1, 2007, MCES will require Categorical Industrial Users (CIUs) to monitor for all regulated categorical parameters unless a waiver has been granted. Waiver applications are due **October 2, 2006**. The process for obtaining a waiver will take time, therefore, if you seek a waiver, now is the time to act. The first step is to call your MCES permit engineer to determine the representative water and wastewater sampling locations. Next, collect representative samples from the determined locations and analyze for each parameter requested waived. Last, submit all lab results to MCES with the completed application form by October 2, 2006. If the deadline is missed, the next opportunity to apply for a waiver will be upon the next permit renewal, which for some permittees, could be three years. The waiver procedure and application form were mailed to all CIUs at the end of June. If you have any questions or need additional copies, contact your MCES permit engineer.

2006 Customer Forum Review

On June 15, 2006, 23 industrial representatives attended the 2006 Industrial Waste Customer Forum.

Council member Russ Susag spoke briefly about the role of the Metropolitan Council and its members, and encouraged industrial users to contact the Council with questions or concerns.

Keith Buttleman, Assistant General Manager, Environmental Quality Assurance, followed with a brief discussion of the Council's expanded role in regional water supply planning.

Jason Willett, Director of Financial Management and Planning, presented several topics. He briefly discussed the results of a trade association survey that showed the region's wastewater treatment costs to be in the lowest 25% of similar sized agencies across the country. He followed with an announcement of awards presented to Council facilities for excellence in wastewater treatment. He presented a detailed overview of the proposed 2007 budget and rates. And he closed with brief discussions of the Service Availability Charge (SAC) program and efforts to reduce inflow and infiltration (I&I) in the sewer system.

Leo Hermes, IWPP Program Manager, gave the last presentation including discussions on 2007 Industrial Discharge Permit fees, regulatory updates affecting permittees, and recent enforcement actions undertaken by IWPP working with EPA Region 5.

The forum ended with a question and answer session.



NACWA Honors All MCES Treatment Plants

All eight MCES wastewater treatment plants have received Peak Performance Awards for their accomplishments during 2005 from the National Association of Clean Water Agencies (NACWA).

The Seneca plant, located in Eagan, heads the list, earning a prestigious Platinum Award for achieving five consecutive years (2001-2005) of full compliance with clean water discharge permits. This is the second time the Seneca plant has earned a Platinum Award since NACWA instituted the award in the mid-1990s. Seneca also registered full compliance from 1994-1998.

MCES plants earning Gold Awards for full compliance during 2005 were Empire, Hastings, Metro, Rosemount and St. Croix Valley. Earning Silver Awards for having no more than five permit exceedances in 2005 were the Blue Lake and Eagles Point plants.

"Achieving such an outstanding level of permit compliance shows that we are delivering a high-quality service to our customers and helps keep us among the top wastewater collection and treatment systems in the country," said Bill Moore, MCES general manager.



Get Recognized for Your P2 Efforts!

If your industry has made great efforts in preventing pollution, why not get recognized for it? The annual **Governor's Awards for Excellence in Waste and Pollution Prevention** honors superior environmental achievement by Minnesota's businesses, nonprofits and private institutions. Application deadline is September 15, 2006. Award winners will be recognized at the Minnesota Air, Water and Waste Environmental Conference in February 2007. For more information, call 651-296-6300, email govawards@pca.state.mn.us, or visit <http://www.moea.state.mn.us/p2/govaward.cfm>

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2007 Rates and Fees

Rates and fees affecting industrial users for 2007 are scheduled to be approved at the August 23, 2006, Metropolitan Council meeting. The proposed rates are:

Strength Charge Rates for wastewater generated within the Council's region will be \$0.140 per excess pound of total suspended solids (TSS), and \$0.070 per excess pound of chemical oxygen demand (COD).

Full-cost recovery rates for treatment of industrial wastewater hauled to approved MCES disposal sites will be \$0.276 per excess pound of TSS and \$0.138 per excess pound of COD. There is an additional \$50 per load service fee for out-of-region loads.

Liquid waste haulers' standard load charges will be \$35.19 per 1,000 gallons. Holding tank wastes will be charged \$1.81 per 1,000 gallons. The Portable Toilet Waste rate will be \$46.69 per 1,000 gallons. Collar county domestic waste load charges will be \$45.19 per 1,000 gallons. Beginning in 2007, a Facilities Component charge of \$0.28 per 1,000 gallons will be added to each load charge type (this charge is included in the rates shown above and will be adjusted each year.)

Service Availability Charge will be \$1,675 per unit, and the associated Add-on Service Charge rates will be \$0.84 per 1,000 gallons.

For all permittees, permit fees will range from \$475 to \$4,500 depending on permit status.

For more information regarding rates and fees, please contact your MCES engineer or visit: www.metrocouncil.org/environment/IndustrialWaste/news_rates.htm The 2007 rates will be posted on this site following end-of-year billing in February 2007.