

This Document can be made available in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. 1520

March 1, 2007

Authored by Dill, Tingelstad, Hackbarth and Olin

The bill was read for the first time and referred to the Committee on Environment and Natural Resources

1.1 A bill for an act  
1.2 relating to the environment; modifying phosphorus reduction requirements on  
1.3 wastewater treatment facilities based on need; amending Minnesota Statutes  
1.4 2006, section 115.03, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 115.03, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 11. Phosphorus reductions. (a) Notwithstanding any other law or rule to  
1.9 the contrary, the agency shall impose phosphorus reductions on wastewater treatment  
1.10 facilities only when the agency demonstrates the need for the reductions based on:

1.11 (1) the establishment of a one milligram per liter limitation for a facility that  
1.12 discharges directly to a lake, shallow lake, or reservoir in accordance with agency rules;

1.13 (2) the establishment of a one milligram per liter limitation for a facility that has  
1.14 been demonstrated to affect a lake, shallow lake, or reservoir in accordance with agency  
1.15 rules and consistent with the procedures established in the agency's 2000 phosphorus  
1.16 strategy for impact evaluations;

1.17 (3) effluent limitations derived from and consistent with a completed total maximum  
1.18 daily load for an impaired water, as defined in section 114D.15, subdivision 5;

1.19 (4) establishment of an interim limitation of one milligram per liter or maintenance  
1.20 of existing plant performance, whichever is more restrictive, for a facility discharging to  
1.21 listed impaired waters where a total maximum daily load has not been completed and if  
1.22 there is a specific demonstration that shows the existing facility discharge or any proposed  
1.23 increase in facility discharge is causing or is likely to cause a significant increase in plant  
1.24 growth; or

2.1 (5) where there has been no finding that a facility is causing an impairment of a listed  
2.2 impaired water body, the wastewater treatment facility shall implement a phosphorus  
2.3 management plan with the goal of maintaining existing loadings.

2.4 (b) In establishing any nutrient reduction requirements under paragraph (a), clauses  
2.5 (3), (4), and (5), the agency shall ensure that excessive chemical, energy, and sludge  
2.6 production is avoided to the degree practicable and limitations are set consistent with the  
2.7 seasonal periods and conditions associated with excessive plant growth and prevention  
2.8 of use impairment.

2.9 (c) For the purposes of this section, "affect" means to measurably increase the  
2.10 adverse effects of phosphorus loading as determined by monitoring or modeling, including  
2.11 but not limited to increase chlorophyll-a concentrations, decrease water transparency,  
2.12 or increase the frequency or duration of nuisance algae blooms, from an individual  
2.13 point source discharge.