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Construction Stormwater vs. Industrial Stormwater Permit Coverage

Definitions

- Industrial Stormwater: Stormwater associated with industrial activities. "Industrial activity" means the 11 categories of industrial activity which are directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, as defined in Code of Federal Regulations, title 40, section 122.26(b)(14)(i)-(xi). (Minn. R. 7090.0080, subp. 6).
- Construction Stormwater: Stormwater associated with construction activities. "Construction activity" means activities for the purpose of construction, including clearing, grading, and excavating, that result in land disturbance of equal to or greater than one acre, including the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre. This includes a disturbance to the land that results in a change in the topography, existing soil cover, both vegetative and nonvegetative, or the existing soil topography that may result in accelerated storm water runoff which may lead to soil erosion and movement of sediment (Minn. R. 7090.0080, subp. 4).
- Non-Contact Stormwater: Precipitation and runoff that contacts natural, stabilized, or reclaimed surfaces that has not been exposed to mining activities, construction activities, or industrial activities.

Construction Stormwater Prior to Operation

- NPDES Permit coverage under the Minnesota Construction Stormwater (CSW) General Permit MN R1000001 for stormwater generated from NorthMet construction prior to initiation of mining operations and operation of the WWTF.
- MPCA General Permit issued in 2013
    - Expected to be reissued in 2017-2018.
    - No major changes are anticipated in the proposed reissued permit.
- Separate CSW General Permit coverages expected for separate portions of the NorthMet project area
    - Mine Site
    - Plant Site (Processing Areas)
    - Tailings Basin
    - Transportation and Utility Corridor
- Each of these areas will have separate Stormwater Pollution Prevention Plans (SWPPPs) under their respective permit coverages.

Construction Stormwater During Operations

- Construction activities in some areas may be ongoing for a number of years.
    - Examples include stockpile/foundation construction
    - Tailings Basin dam lifts
- Where stormwater from such construction activities is routed to the WWTF authorized by the NorthMet individual NPDES/SDS permit, separate construction stormwater coverage is not required
- Examples of where construction stormwater from ongoing activities is routed to the WWTF:
    - Construction of the north Tailings Basin dams (where stormwater is captured by the seepage collections system)
    - Dewatering water related to mine pit excavation

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    - Dewatering during buildout of the Category 1 Stockpile GW Containment System (where the water is captured as construction mine water).
- Where stormwater from ongoing construction activities during operation is *not* routed to the WWTF:
    - The NorthMet individual NPDES/SDS permit will include the same requirements as those in the CSW General Permit for this ongoing construction stormwater.
    - The individual permit will require the SWPPPs for existing ongoing construction activities to be updated periodically or new SWPPPs to be developed for new construction activities.
        - Require that a construction SWPPP must be submitted for review prior to any construction activity that disturbs 50 or more acres that is not routed to a treatment works (as required under Part II.B.1.b of the CSW General Permit)
    - Examples of construction stormwater not routed to the WWTF:
        - Construction of portions of the Tailings Basin south dam and construction of the HRF where drainage is routed to the Plant Site stormwater system.
        - Stormwater runoff while building Category 1 Stockpile GW Containment System and buildout of waste rock stockpiles where drainage is routed to the Mine Site stormwater system.
- As construction of the site is completed or as construction areas are revegetated/stabilized, stormwater runoff from these former construction areas will either be permitted as industrial stormwater covered under the Minnesota Industrial Stormwater General Permit (or incorporated into the NPDES/SDS permit requirements for industrial stormwater) or will be treated as non-contact stormwater (which does not require permit coverage)

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