



## REGION 5

CHICAGO, IL 60604

**Draft 11/6/2023**

### **Grant of Water Quality Certification Without Conditions**

White Earth WWSL No. 2

Permit No. MN-0064173-5

The White Earth Wastewater Stabilization Lagoon No. 2 is located within the White Earth Indian Reservation, White Earth, Minnesota, Becker County. The White Earth Nation is a federally recognized Indian Tribe. The Environmental Protection Agency (EPA), Region 5 is issuing National Pollutant Discharge Elimination System (NPDES) Permit No. MN-0064173-5, under Section 402 of the Clean Water Act (CWA), for discharge from the White Earth Wastewater Stabilization Lagoon No. 2. The discharge from this facility is located within the exterior boundaries of the White Earth Indian Reservation. The receiving water for the discharge is an unnamed slough that flows into Rat Farm Lake (within the Wild Rice River watershed) within the Reservation.

The State in which the discharge originates is responsible for issuing the CWA Section 401 certification pursuant to CWA Section 401(a)(1). When a NPDES permit is issued within Indian Country, the Tribe is the certifying authority where the Tribe has been approved by EPA for Treatment as a State (TAS) pursuant to CWA Section 518(e) and 40 C.F.R. § 131.8. Where a Tribe does not have TAS, EPA is the certifying authority. The White Earth Nation does not have TAS for the reservation where the discharge occurs. Therefore, EPA is responsible for issuing the CWA Section 401 Certification for this permit.

EPA hereby certifies that the discharge, as authorized by the NPDES permit for the White Earth Wastewater Stabilization Lagoon No. 2 will comply with applicable water quality requirements, as defined at 40 C.F.R. § 121.1(n).

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