

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION

**MISSOURI STATE OPERATING PERMIT**

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-0095371

Owner: Joey Acres Homeowners  
Address: Shirley A. Abernathy, 84 Sandra Drive, Winfield, MO 63389  
Michael R & Helena A Chumley, 35 Sandra Drive, Winfield, MO 63389  
Montzalee Downing, 27 Sandra Drive, Winfield, MO 63389  
John M & Jennifer L Goldfuss, 20 Sandra Drive, Winfield, MO 63389  
Ronald D & Christy D Hall, 5 Sandra Drive, Winfield, MO 63389  
Jerry Lee & Tracy M Iverson, 52 Sandra Drive, Winfield, MO 63389  
Clifford A Lanman, 71 Sandra Drive, Winfield, MO 63389  
Harold T & Karen A Lloyd, 67 Sandra Drive, Winfield, MO 63389  
Gene P & Betty A Smith, 87 Sandra Drive, Winfield, MO 63389  
George & Mary W Trebilcock, 76 Sandra Drive, Winfield, MO 63389  
Raymond Walker Phipps, III, 12 Sandra Drive, Winfield, MO 63389  
Ronald T.& Tracy L Hartupee, 77 Sandra Drive, Winfield, MO 63389

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Joey Acres Subdivision  
Facility Address: Winfield, MO 63389

Legal Description: NW ¼, SW ¼, Sec. 12, T49N, R1E, Lincoln County  
Latitude/Longitude: +3901231/-09051288

Receiving Stream: Brushy Fork (U)  
First Classified Stream and ID: Brushy Fork (C) (00033)  
USGS Basin & Sub-watershed No.: (07110004-230005)

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

Outfall #001 – Subdivision – SIC #4952

Single cell facultative lagoon/sludge is retained in lagoon.  
Design population equivalent is 48  
Design flow is 4,800 gallons per day.  
Actual flow is 2,300 gallons per day.  
Design sludge production is 0.72 dry tons/year.

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

August 7, 2009

Effective Date



Mark N. Templeton, Director, Department of Natural Resources

August 6, 2014

Expiration Date

Mike Struckhoff, Director, St. Louis Regional Office

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 2 of 3	
					PERMIT NUMBER MO-0095371	
<p>The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The <b>FINAL</b> effluent limitations shall become effective <b>upon issuance</b> and remain in effect <b>until expiration</b>. Such discharges shall be controlled, limited and monitored by the permittee as specified below:</p>						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u>						
Flow	MGD	*		*	once/quarter**	24 hr estimate
Biochemical Oxygen Demand <sub>5</sub>	mg/L		65	45	once/quarter**	grab
Total Suspended Solids	mg/L		80	60	once/quarter**	grab
pH – Units	SU	***		***	once/quarter**	grab
Ammonia as N	mg/L	*		*	once/quarter**	grab
Temperature	°C	*		*	once/quarter**	grab
<p>MONITORING REPORTS SHALL BE SUBMITTED <b>QUARTERLY</b>; THE FIRST REPORT IS DUE <b>October 28, 2009</b>. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.</p>						
<b>B. STANDARD CONDITIONS</b>						
<p>IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u>, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.</p>						

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

\* Monitoring requirement only.

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Sample discharge at least once for the months of:	Report is due:
January, February, March (1 <sup>st</sup> Quarter)	April 28
April, May, June, (2 <sup>nd</sup> Quarter)	July 28
July, August, September (3 <sup>rd</sup> Quarter)	October 28
October, November, December (4 <sup>th</sup> Quarter)	January 28

\*\*\* pH is measured in pH units and is not to be averaged. The pH is to be maintained at or above 6.0 pH units.

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:
  - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
    - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
    - (2) controls any pollutant not limited in the permit.
  - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
  - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

C. SPECIAL CONDITIONS (continued)

2. All outfalls must be clearly marked in the field.
3. Permittee will cease discharge by connection to area-wide wastewater treatment system within 90 days of notice of its availability.
4. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
    - (4) The level established in Part A of the permit by the Director.
  - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
5. Report as no-discharge when a discharge does not occur during the report period.
  6. Water Quality Standards
    - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
    - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
      - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
      - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
      - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
      - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
      - (5) There shall be no significant human health hazard from incidental contact with the water;
      - (6) There shall be no acute toxicity to livestock or wildlife watering;
      - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
      - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
  7. Sludge and Biosolids Use For Domestic Wastewater Treatment Facilities
    - (a) Permittee shall comply with the pollutant limitations, monitoring, reporting, and other requirements in accordance with the attached permit Standard Conditions.
    - (b) If sludge is not removed by a contract hauler, permittee is authorized to land apply biosolids. Permit Standard Conditions, Part III shall apply to the land application of biosolids. **Permittee shall notify the department at least 180 days prior to the planned removal of biosolids.** The department may require submittal of a biosolids management plan for department review and approval as determined appropriate on a case-by-case basis.
  8. The permittee shall comply with any applicable requirements listed in 10 CSR 20-8 and 10 CSR 20-9, unless the facility has received written notification that the Department has approved a modification to the requirements. The monitoring frequencies contained in this permit shall not be construed by the permittee as a modification of the monitoring frequencies listed in 10 CSR 20-9. If a modification of the monitoring frequencies listed in 10 CSR 20-9 is needed, the permittee shall submit a written request to the department for review and, if deemed necessary, approval.

**Missouri Department of Natural Resources**  
**Statement of Basis**  
**Joey Acres Subdivision**  
**MO-0095371**

A Statement of Basis (Statement) gives pertinent information regarding the applicable regulations and rational for the development of the NPDES Missouri State Operating Permit (operating permit). This Statement includes Wasteload Allocations, Water Quality Based Effluent Limitations, and Reasonable Potential Analysis calculations as well as any other calculations that effect the effluent limitations of this operating permit. This Statement does not pertain to operating permits that include sewage sludge land application plans and variance procedures, and does not include the public comment process for this operating permit.

A Statement is not an enforceable part of an operating permit.

**Part I – Facility Information**

Facility Type: NON-POTW, Subdivision  
Facility SIC Code(s): 4952

Facility Description:

Single cell facultative lagoon/sludge is retained in lagoon.

**OUTFALL(S) TABLE:**

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
#001	0.007	Equivalent to Secondary	Domestic	4

Water Quality History:

Facility submits annual report.. In compliance with effluent limitations in exiting permit.

Comments:

Inspection from 2000 indicates that there needs to be an outfall structure installed as the lack of one interferes with the ability to operate at the designed level.

**Part II – Operator Certification Requirements**

As per [10 CSR 20-6.010(8) Terms and Conditions of a Permit], permittees shall operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permit conditions and regulations. Operators or supervisors of operations at regulated wastewater treatment facilities shall be certified in accordance with [10 CSR 20-9.020(2)] and any other applicable state law or regulation. As per [10 CSR 20-9.010(2)(A)], requirements for operation by certified personnel shall apply to all wastewater treatment systems, if applicable, as listed below:

Check boxes below that are applicable to the facility;

- Owned or operated by or for:
  - Municipalities ☐
  - Public Sewer District: ☐
  - County ☐
  - Public Water Supply Districts: ☐
  - Private sewer company regulated by the Public Service Commission: ☐
  - State or Federal agencies: ☐

Each of the above entities are only applicable if they have a Population Equivalent greater than two hundred (200) and/or fifty (50) or more service connections.

Not Applicable ☒; This facility is not required to have a certified operator.

### **Part III – Receiving Stream Information**

#### **APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:**

As per Missouri's Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into the below listed seven (7) categories. Each category list effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.

Missouri or Mississippi River [10 CSR 20-7.015(2)]: ☐  
Lake or Reservoir [10 CSR 20-7.015(3)]: ☐  
Losing [10 CSR 20-7.015(4)]: ☐  
Metropolitan No-Discharge [10 CSR 20-7.015(5)]: ☐  
Special Stream [10 CSR 20-7.015(6)]: ☐  
Subsurface Water [10 CSR 20-7.015(7)]: ☐  
All Other Waters [10 CSR 20-7.015(8)]: ☒

10 CSR 20-7.031 Missouri Water Quality Standards, the department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1<sup>st</sup> classified receiving stream's beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)].

#### **RECEIVING STREAM(S) TABLE:**

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	8-DIGIT HUC	EDU**
Brushy Fork	U	N/A	General Criteria	07110004	Ozark/Mississippi Tributaries
Brushy Fork	C	00033	LWW, AQL, WBC***		

\* - Irrigation (IRR), Livestock & Wildlife Watering (LWW), Protection of Warm Water Aquatic Life and Human Health-Fish Consumption (AQL), Cool Water Fishery (CLF), Cold Water Fishery (CDF), Whole Body Contact Recreation (WBC), Secondary Contact Recreation (SCR), Drinking Water Supply (DWS), Industrial (IND), Groundwater (GRW).

\*\* - Ecological Drainage Unit

\*\*\* - UAA conducted on 6/28/2005.

#### **RECEIVING STREAM(S) LOW-FLOW VALUES TABLE:**

RECEIVING STREAM (U, C, P)	LOW-FLOW VALUES (CFS)		
	1Q10	7Q10	30Q10
Brushy Fork (U)	0.0	0.0	0.0

Mixing Zone: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(a)].

Zone of Initial Dilution: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(b)].

### **Part IV – Rationale and Derivation of Effluent Limitations & Permit Conditions**

#### **ANTI-BACKSLIDING:**

A provision in the Federal Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(I)] that requires a reissued permit to be as stringent as the previous permit with some exceptions.

☒ - All limits in this statement are at least as protective as those previously established; therefore, backsliding does not apply.

#### **AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:**

As per [10 CSR 20-6.010(8)(A)10.], when a Continuing Authority under paragraph 10 CSR 20-6.010(3)(B)1. or 2. is expected to be available for connection within the next five (5) years, any operating permit issued to a permittee under this paragraph, located within the service area of the paragraph (3)(B)1. or 2. facility, shall contain the following special condition... This language is contained in Special Condition #3 of this operating permit.

**COMPLIANCE AND ENFORCEMENT:**

Enforcement is the action taken by the Water Protection Program (WPP) to bring an entity into compliance with the Missouri Clean Water Law, its implementing regulations, and/or any terms and conditions of an operating permit. The primary purpose of the enforcement activity in the WPP is to resolve violations and return the entity to compliance.

Not Applicable ☒;

The permittee/facility is not currently under Water Protection Program enforcement action.

**REMOVAL EFFICIENCY:**

Removal efficiency is a method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD<sub>5</sub>) and Total Suspended Solids (TSS) for Publicly Owned Treatment Works (POTWs)/municipals. Please see the United States Environmental Protection Agency's (EPA) website for interpretation of percent removal requirements for National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage @ [www.epa.gov/fedrgstr/EPA-WATER/1999/August/Day-04/w18866.htm](http://www.epa.gov/fedrgstr/EPA-WATER/1999/August/Day-04/w18866.htm)

Not Applicable ☒;

This wastewater treatment facility is not a POTW. Influent monitoring is not being required to determine percent removal.

**SANITARY SEWER OVERFLOWS (SSOs), BYPASSES, INFLOW & INFILTRATION (I&I) – PREVENTION/REDUCTION:**

Sanitary Sewer Systems (SSSs) are municipal wastewater collection system that convey domestic, commercial, and industrial wastewater, and limited amounts of infiltrated groundwater and storm water (i.e. I&I), to a POTW. SSSs are not designed to collect large amounts of storm water runoff from precipitation events.

Untreated or partially treated discharges from SSSs are commonly referred to as SSOs. SSOs have a variety of causes including blockages, line breaks, sewer defects that allow excess storm water and ground water to overload the system, lapses in sewer system operation and maintenance, inadequate sewer design and construction, power failures, and vandalism. A SSOs is defined as an untreated or partially treated sewage release from a SSS. SSOs can occur at any point in an SSS, during dry weather or wet weather. SSOs include overflows that reach waters of the state. SSOs also include overflows out of manholes and onto city streets, sidewalks, and other terrestrial locations. SSSs can back up into buildings, including private residences. When sewage backups are caused by problems in the publicly-owned portion of an SSS, they are considered SSOs.

Not Applicable ☒;

This facility is not required to develop or implement a program for maintenance and repair of the collection system; however, it is a violation of Missouri State Environmental Laws and Regulations to allow untreated wastewater to discharge to waters of the state.

**SCHEDULE OF COMPLIANCE (SOC):**

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit.

Not Applicable ☒;

This permit does not contain a SOC.

**STORM WATER POLLUTION PREVENTION PLAN (SWPPP):**

In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; (2) Authorized under section 402(p) of the CWA for the control of storm water discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* [EPA 832-R-92-006] (Storm Water Management), BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Storm Water Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of storm water discharges.

Not Applicable ☒;

At this time, the permittee is not required to develop and implement a SWPPP.

**WATER QUALITY STANDARDS:**

Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, [40 CFR 122.44(d)(1)] directs the department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

**WHOLE EFFLUENT TOXICITY (WET) TEST:**

A WET test is a quantifiable method of determining if a discharge from a facility may be causing toxicity to aquatic life by itself, in combination with or through synergistic responses when mixed with receiving stream water.

Not Applicable ☒:

At this time, the permittee is not required to conduct WET test for this facility.

**303(d) LIST & TOTAL MAXIMUM DAILY LOAD (TMDL):**

Section 303(d) of the federal Clean Water Act requires that each state identify waters that are not meeting water quality standards and for which adequate water pollution controls have not been required. Water quality standards protect such beneficial uses of water as whole body contact (such as swimming), maintaining fish and other aquatic life, and providing drinking water for people, livestock and wildlife. The 303(d) list helps state and federal agencies keep track of waters that are impaired but not addressed by normal water pollution control programs.

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation

Not Applicable ☒:

This facility does not discharge to a 303(d) listed stream.

**Part V – EFFLUENT LIMITS DETERMINATION****OUTFALL #001 – DERIVATION AND DISCUSSION OF LIMITS:**

- **Flow.** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the department, which may require the submittal of an operating permit modification.
- **Biochemical Oxygen Demand (BOD<sub>5</sub>).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **Total Suspended Solids (TSS).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **pH.** Effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **Total Ammonia Nitrogen, Temperature.** Monitoring requirement only. Monitoring for temperature and ammonia are included to determine whether "reasonable potential" to exceed water quality standards exists after the discharge begins.

- **Minimum Sampling and Reporting Frequency Requirements.**

PARAMETER	SAMPLING FREQUENCY	REPORTING FREQUENCY
FLOW	ONCE/QUARTER	ONCE/QUARTER
BOD <sub>5</sub>	ONCE/QUARTER	ONCE/QUARTER
TSS	ONCE/QUARTER	ONCE/QUARTER
pH	ONCE/QUARTER	ONCE/QUARTER
TEMPERATURE	ONCE/QUARTER	ONCE/QUARTER
AMMONIA AS N	ONCE/QUARTER	ONCE/QUARTER

## **Part VI – Administrative Requirements**

On the basis of preliminary staff review and the application of applicable standards and regulations, the Department, as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions contained herein and within the operating permit. The proposed determinations are tentative pending public comment.

**Date of Statement of Basis:** June 2, 2009

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