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, 92nd Congress) as amended,

| | |
|---|---|
| Permit No. | MO-0098647 |
| Owner: | Premier Glass USA, LLC |
| Address: | 329 Herrod Blvd., Dayton, NJ 08810 |
| Continuing Authority: | Premier Glass USA, LLC |
| Address: | P.O. Box 187, 1000 Taylor Ave, Park Hills, MO 63601 |
| Facility Name: | Premier Glass USA, LLC |
| Facility Address: | P.O. Box 187, 1000 Taylor Ave, Park Hills, MO 63601 |
| Legal Description: | See Page Two |
| UTM Coordinates: | See Page Two |
| Receiving Stream: | See Page Two |
| First Classified Stream and ID: | See Page Two |
| USGS Basin & Sub-watershed No.: | See Page Two |

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

## FACILITY DESCRIPTION

This facility mixes raw materials, melts them into molten glass, and forms containers such as bottles and jars for commercial use.

This permit authorizes wastewater and stormwater 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 Sections 640.013, 621.250, and 644.051.6 of the Law.

November 1, 2019
Effective Date

April 1, 2021
Modification Date

Edward B. Galbraith, Director, Division of Environmental Quality

June 30, 2023
Expiration Date

Chris Wieberg, Director, Water Protection Program

## FACILITY DESCRIPTION (CONTINUED)

OUTFALL #001- SIC 3221/3229
This outfall discharges contact cooling water from groundwater to a locked gate valve. This is an emergency discharge only.

| | |
|---|---|
| Legal Description: | NE ¼, NE ¼, Sec 6, T36N, R5E, St. Francois County |
| UTM Coordinates: | X = 718592, Y = 4193322 |
| Receiving Stream: | Unnamed tributary to Flat River Creek |
| First Classified Stream and ID: | Flat River Creek (C) (2168) 303(d) |
| USGS Basin & Sub-watershed No.: | (07140104 – 0108) |
| Design flow: | 1.2 MGD |

OUTFALL #002- SIC 3221/3229
This outfall discharges contact cooling water which starts as groundwater and moves through machine glass reject to a basement sump, then through an oil skimmer.

| | |
|---|---|
| Legal Description: | NE ¼, NE ¼, Sec 6, T36N, R5E, St. Francois County |
| UTM Coordinates: | X = 718629, Y = 4193400 |
| Receiving Stream: | Unnamed tributary to Flat River Creek |
| First Classified Stream and ID: | Flat River Creek (C) (2168) 303(d) |
| USGS Basin & Sub-watershed No.: | (07140104 – 0108) |
| Design flow: | 1.2 MGD |

OUTFALL #003 – SIC 3221/3229
This outfall discharges stormwater runoff from the facility's parking lot and rail spur.
Actual flow is dependent upon precipitation.

| | |
|---|---|
| Legal Description: | SW ¼, NE ¼, Sec 6, T36N, R5E, St. Francois County |
| UTM Coordinates: | X = 718415, Y = 4193181 |
| Receiving Stream: | Unnamed tributary to Flat River Creek |
| First Classified Stream and ID: | Flat River Creek (C) (2168) 303(d) |
| USGS Basin & Sub-watershed No.: | (07140104 – 0108) |

OUTFALL #004 & #005 – SIC 3221/3229
These outfalls were eliminated from the permit during the 2008 permit cycle based on field observations that the drainage area to these outfalls contains no industrial contributions or materials exposed to stormwater.

OUTFALL #006 – SIC 3221/3229
This outfall discharges non-contact cooling water which starts as groundwater and moves through two plate and frame heat exchangers.

| | |
|---|---|
| Legal Description: | NE ¼, NE ¼, Sec 6, T36N, R5E, St. Francois County |
| UTM Coordinates: | X = 718626, Y = 4193403 |
| Receiving Stream: | Unnamed tributary to Flat River Creek |
| First Classified Stream and ID: | Flat River Creek (C) (2168) 303(d) |
| USGS Basin & Sub-watershed No.: | (07140104 – 0108) |
| Design flow: | 1.2 MGD |

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

**OUTFALL #001**
*Contact Cooling Water*

**TABLE A-1**
**FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on **November 1, 2019** and remain in effect until expiration of the permit. Such discharges shall be controlled, limited, and monitored by the permittee as specified below:

| EFFLUENT PARAMETERS | UNITS | FINAL EFFLUENT LIMITATIONS | | | MONITORING REQUIREMENTS⁂ | |
|---|---|---|---|---|---|---|
| | | DAILY MAXIMUM | WEEKLY AVERAGE | MONTHLY AVERAGE | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| **LIMIT SET: M** | | | | | | |
| PHYSICAL | | | | | | |
| Flow | MGD | * | | * | once/discharge | 24 hr. total |
| Temperature | °F | 90 | | 90 | once/discharge | measured |
| CONVENTIONAL | | | | | | |
| Oil & Grease | mg/L | 15 | | 10 | once/discharge | grab |
| Oil & Grease | lbs/day | 29 | | 15 | once/discharge | grab |
| pH † | SU | 6.5 to 9.0 | | 6.5 to 9.0 | once/discharge | grab |
| Total Suspended Solids | mg/L | 45 | | 30 | once/discharge | grab |
| Total Suspended Solids | lbs/day | 68 | | 34 | once/discharge | grab |
| METALS | | | | | | |
| Lead, Total Recoverable | µg/L | * | | * | once/discharge | grab |
| Selenium, Total Recoverable | µg/L | * | | * | once/discharge | grab |
| Zinc, Total Recoverable | µg/L | * | | * | once/discharge | grab |

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE DECEMBER 28, 2019.
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

**OUTFALL #002**
*Contact Cooling Water*

**TABLE A-2**
**FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on **November 1, 2019** and remain in effect until expiration of the permit. Such discharges shall be controlled, limited, and monitored by the permittee as specified below:

| EFFLUENT PARAMETERS | UNITS | FINAL EFFLUENT LIMITATIONS | | | MONITORING REQUIREMENTS⁂ | |
|---|---|---|---|---|---|---|
| | | DAILY MAXIMUM | WEEKLY AVERAGE | MONTHLY AVERAGE | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| **LIMIT SET: M** | | | | | | |
| PHYSICAL | | | | | | |
| Flow | MGD | * | | * | twice/month | 24 hr. total |
| Temperature | °F | 90 | | 90 | twice/month | measured |
| CONVENTIONAL | | | | | | |
| Oil & Grease | mg/L | 15 | | 10 | twice/month | grab |
| Oil & Grease | lbs/day | 29 | | 15 | twice/month | grab |
| pH † | SU | 6.5 to 9.0 | | 6.5 to 9.0 | twice/month | grab |
| Total Suspended Solids | mg/L | 45 | | 30 | twice/month | grab |
| Total Suspended Solids | lbs/day | 68 | | 34 | twice/month | grab |
| METALS | | | | | | |
| Lead, Total Recoverable | µg/L | * | | * | twice/month | grab |
| Selenium, Total Recoverable | µg/L | * | | * | twice/month | grab |
| Zinc, Total Recoverable | µg/L | * | | * | twice/month | grab |

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE DECEMBER 28, 2019.
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (CONTINUED)

| **OUTFALL #003**<br>*Stormwater Only* | **TABLE A-3**<br>**FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** |
|---|---|

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on **November 1, 2019** and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

| EFFLUENT PARAMETERS | UNITS | FINAL LIMITATIONS | | | MONITORING REQUIREMENTS ⁂ | |
|---|---|---|---|---|---|---|
| | | DAILY MAXIMUM | WEEKLY AVERAGE | BENCH-MARK | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| **LIMIT SET: Q** | | | | | | |
| PHYSICAL | | | | | | |
| Flow | MGD | * | | * | once/quarter ◊ | 24 Hr Est. |
| Precipitation | inches | * | | * | once/quarter ◊ | measured |
| CONVENTIONAL | | | | | | |
| Oil & Grease | mg/L | 15 | | - | once/quarter ◊ | grab |
| pH † | SU | 6.5 to 9.0 | | - | once/quarter ◊ | grab |
| Total Suspended Solids | mg/L | ** | | 100 | once/quarter ◊ | grab |
| METALS | | | | | | |
| Lead, Total Recoverable | µg/L | * | | * | once/discharge | grab |
| Selenium, Total Recoverable | µg/L | * | | * | once/discharge | grab |
| Zinc, Total Recoverable | µg/L | * | | * | once/discharge | grab |

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE JANUARY 28, 2020.
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

| **OUTFALL #006**<br>*Non-Contact Cooling Water* | **TABLE A-4**<br>**FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** |
|---|---|

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on **November 1, 2019** and remain in effect until expiration of the permit. Such discharges shall be controlled, limited, and monitored by the permittee as specified below:

| EFFLUENT PARAMETERS | UNITS | FINAL EFFLUENT LIMITATIONS | | | MONITORING REQUIREMENTS ⁂ | |
|---|---|---|---|---|---|---|
| | | DAILY MAXIMUM | WEEKLY AVERAGE | MONTHLY AVERAGE | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| **LIMIT SET: M** | | | | | | |
| PHYSICAL | | | | | | |
| Flow | MGD | * | | * | twice/month | 24 hr. total |
| Temperature | °F | 90 | | 90 | twice/month | measured |
| CONVENTIONAL | | | | | | |
| pH † | SU | 6.5 to 9.0 | | 6.5 to 9.0 | twice/month | grab |
| METALS | | | | | | |
| Lead, Total Recoverable | µg/L | * | | * | twice/month | grab |
| Zinc, Total Recoverable | µg/L | * | | * | twice/month | grab |

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE DECEMBER 28, 2019.
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (CONTINUED)

* Monitoring and reporting requirement only

** Monitoring and reporting requirement with benchmark. See Special Conditions for additional requirements.

† pH: the facility will report the minimum and maximum values; pH is not to be averaged.

⁂ Precipitation Event Monitoring Requirement: all samples shall be collected from a discharge resulting from a precipitation event greater than 0.1 inches in magnitude and occurring at least 72 hours from the previously measurable precipitation event. If a discharge does not occur within the reporting period, report as no discharge. The total amount of precipitation should be noted from the event from which the samples were collected.

◊ Quarterly sampling

| MINIMUM QUARTERLY SAMPLING REQUIREMENTS | | | |
|---|---|---|---|
| QUARTER | MONTHS | QUARTERLY EFFLUENT PARAMETERS | REPORT IS DUE |
| First | January, February, March | Sample at least once during any month of the quarter | April 28th |
| Second | April, May, June | Sample at least once during any month of the quarter | July 28th |
| Third | July, August, September | Sample at least once during any month of the quarter | October 28th |
| Fourth | October, November, December | Sample at least once during any month of the quarter | January 28th |

B. STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Part I standard conditions dated August 1, 2014, respectively, and hereby incorporated as though fully set forth herein.

C. SPECIAL CONDITIONS

1. Spills, Overflows, and Other Unauthorized Discharges.
   (a) Any spill, overflow, or other discharge(s) not specifically authorized above are unauthorized discharges.
   (b) Should an unauthorized discharge cause or permit any contaminants to discharge or enter waters of the state, the unauthorized discharge must be reported to the regional office as soon as practicable but no more than 24 hours after the discovery of the discharge. If the spill or overflow needs to be reported after normal business hours or on the weekend, the facility must call the Department's 24 hour spill line at 573-634-2436.

2. Electronic Discharge Monitoring Report (eDMR) Submission System.
   (a) Discharge Monitoring Reporting Requirements. The permittee must electronically submit compliance monitoring data via the eDMR system. Standard Conditions Part I, Section B, #7 indicates the eDMR system is currently the only Department approved reporting method for this permit.
   (b) The following shall be submitted electronically after such a system has been made available by the Department:
      (1) General Permit Applications/Notices of Intent to discharge (NOIs);
      (2) Notices of Termination (NOTs);
      (3) No Exposure Certifications (NOEs);
      (4) Low Erosivity Waivers, and Other Waivers from Stormwater Controls (LEWs)
   (c) Electronic Submission: access the eDMR system via: https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx
   (d) Electronic Reporting Waivers. The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the Department in compliance with 40 CFR Part 127. The permittee may obtain an electronic reporting waiver by first submitting an eDMR Waiver Request Form: http://dnr.mo.gov/forms/780-2692-f.pdf. The Department will either approve or deny this electronic reporting waiver request within 120 calendar days. Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period the approved electronic reporting waiver is effective.

3. Stormwater Pollution Prevention Plan (SWPPP).
   The facility's SIC code or description is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2) and hence shall implement a Stormwater Pollution Prevention Plan (SWPPP) which must be prepared and implemented upon permit effective date. The SWPPP must be kept on-site and should not be sent to the Department unless specifically requested. The SWPPP must be reviewed and updated annually or if site conditions affecting stormwater change. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in:

C. SPECIAL CONDITIONS (CONTINUED)

*Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (EPA 833-B-09-002) published by the EPA in 2015 https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf The purpose of the SWPPP and the Best Management Practices (BMPs) listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective at preventing pollution [10 CSR 20-2.010(56)] to waters of the state. Corrective action describes the steps the facility took to eliminate the deficiency.

The SWPPP must include:

(a) A listing of specific contaminants and their control measures (or BMPs) and a narrative explaining how BMPs are implemented to control and minimize the amount of contaminants potentially entering stormwater.
(b) A map with all outfalls and structural BMPs marked.
(c) A schedule for at least once per month site inspections and brief written reports. The inspection report must include precipitation information for the entire period since last inspection, as well as observations and evaluations of BMP effectiveness. Throughout coverage under this permit, the facility must perform ongoing SWPPP review and revision to incorporate any site condition changes.
    i. Operational deficiencies must be corrected within seven (7) calendar days.
    ii. Minor structural deficiencies must be corrected within fourteen (14) calendar days.
    iii. Major structural deficiencies (deficiencies projected to take longer than 14 days to correct) must be reported as an uploaded attachment through the eDMR system with the DMRs. The initial report shall consist of the deficiency noted, the proposed remedies, the interim or temporary remedies (including proposed timing of the placement of the interim measures), and an estimate of the timeframe needed to wholly complete the repairs or construction. If required by the Department, the permittee shall work with the regional office to determine the best course of action. The permittee should consider temporary structures to control stormwater runoff. The facility shall correct the major structural deficiency as soon as reasonably achievable.
    iv. All actions taken to correct the deficiencies shall be included with the written report, including photographs, and kept with the SWPPP. Additionally, corrective action of major structural deficiencies shall be reported as an uploaded attachment through the eDMR system with the DMRs.
    v. BMP failure causing discharge through an unregistered outfall is considered an illicit discharge and must be reported in accordance with Standard Conditions Part I.
    vi. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to Department personnel upon request. Electronic versions of the documents and photographs are acceptable.
(d) A provision for designating an individual to be responsible for environmental matters and a provision for providing training to all personnel involved in housekeeping, material handling (including but not limited to loading and unloading), storage, and staging of all operational, maintenance, storage, and cleaning areas. Proof of training shall be submitted upon request by the Department.

4. Site-wide minimum Best Management Practices (BMPs). At a minimum, the permittee shall adhere to the following:
    (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, warehouse activities, and other areas, and thereby prevent the contamination of stormwater from these substances.
    (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
    (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater. Spill records should be retained on-site.
    (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
    (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property.

5. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Clean Water Act Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2), if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.

C. SPECIAL CONDITIONS (CONTINUED)

6. Report no discharge when a discharge does not occur during the report period. It is a violation of this permit to report no-discharge when a discharge has occurred.

7. Changes in Discharges of Toxic Pollutant.
In addition to the reporting requirements under §122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
   (a) That an activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, 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;
      (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
      (4) One milligram per liter (1 mg/L) for antimony;
      (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
      (6) The notification level established by the Department in accordance with 40 CFR 122.44(f).
   (b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
      (1) Five hundred micrograms per liter (500 µg/l);
      (2) One milligram per liter (1 mg/l) for antimony;
      (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with §122.21(g)(7).
      (4) The level established by the Director in accordance with §122.44(f).

8. Reporting of Non-Detects.
   (a) An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way the precision and accuracy of the analyzed result can be enumerated.
   (b) The permittee shall not report a sample result as "non-detect" without also reporting the detection limit of the test or the reporting limit of the laboratory. Reporting as "non-detect" without also including the detection/reporting limit will be considered failure to report, which is a violation of this permit.
   (c) The permittee shall report the non-detect result using the less than "<" symbol and the laboratory's detection/reporting limit (e.g. <6).
   (d) See sufficiently sensitive method requirements in Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.
   (e) When calculating monthly averages, one-half of the minimum detection limit (MDL) should be used instead of a zero. Where all data are below the MDL, the "<MDL" shall be reported as indicated in item (C).

9. Failure to pay fees associated with this permit is a violation of the Missouri Clean Water Law (644.055 RSMo).

10. This permit does not cover land disturbance activities.

11. This permit does not authorize the placement of fill materials in flood plains, placement of solid materials into any waterway, the obstruction of stream flow, or changing the channel of a defined drainage course. The facility must contact the U.S. Army Corps of Engineers (Corps) to determine if a CWA §404 Department of Army permit is required.

# MISSOURI DEPARTMENT OF NATURAL RESOURCES
# STATEMENT OF BASIS
# MO-0098647
# PREMIER GLASS USA, LLC

This Statement of Basis (Statement) gives pertinent information regarding minor modification(s) to the above listed operating permit without the need for a public comment process. A Statement is not an enforceable part of a Missouri State Operating Permit.

## Part I – Facility Information

| | |
|---|---|
| Facility Type: | Industrial |
| Facility SIC Code(s): | 3221, 3229 |
| Facility Description: | This facility mixes raw materials, melts them into molten glass, and forms glass containers such as bottles and jars for commercial use. |

## Part II – Modification Rationale

This operating permit is hereby modified to reflect a change in the facility's name and ownership. The facility's name has been changed from Piramal Glass USA, Inc. to Premier Glass USA, LLC.

No other changes were made at this time.

## Part III – 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 subject to certain effluent limitations, schedules, and special conditions contained herein and within the operating permit.

**DATE OF FACT SHEET**: 3/10/2021

**COMPLETED BY: KYLE O'ROURKE**

**KYLE O'ROURKE, ENVIRONMENTAL SPECIALIST**
**MISSOURI DEPARTMENT OF NATURAL RESOURCES**
**WATER PROTECTION PROGRAM**
**OPERATING PERMITS SECTION - INDUSTRIAL WASTEWATER UNIT**
**(573)526-1289**
**Kyle.O'Rourke@dnr.mo.gov**

**MISSOURI DEPARTMENT OF NATURAL RESOURCES**
**FACT SHEET**
**FOR THE PURPOSE OF RENEWAL,**
**OF**
**MO-0098647**
**PIRAMAL GLASS USA, INC.**

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollutant Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of stormwater from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Missouri State Operating Permits (MSOPs) are issued by the Director of the Missouri Department of Natural Resources (Department) under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended). MSOPs are issued for a period of five (5) years unless otherwise specified for less.

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)(A)2.] a factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (MSOP or operating permit) listed below. A factsheet is not an enforceable part of an operating permit.

## PART I. FACILITY INFORMATION

Facility Type: Industrial –Categorical; Wastewater > 1 MGD
SIC Code(s): 3221, 3229
Application Date: 07/16/2018
Expiration Date: 06/31/2018
Last Inspection: 07/19/2018

**FACILITY DESCRIPTION:**
This facility mixes raw materials, melts them into molten glass, and forms glass containers such as bottles and jars for commercial use.

The charter number for the continuing authority for this facility is F00693171; this number was verified by the permit writer to be associated with the facility and precisely matches the continuing authority reported by the facility.

**PERMITTED FEATURES TABLE:**

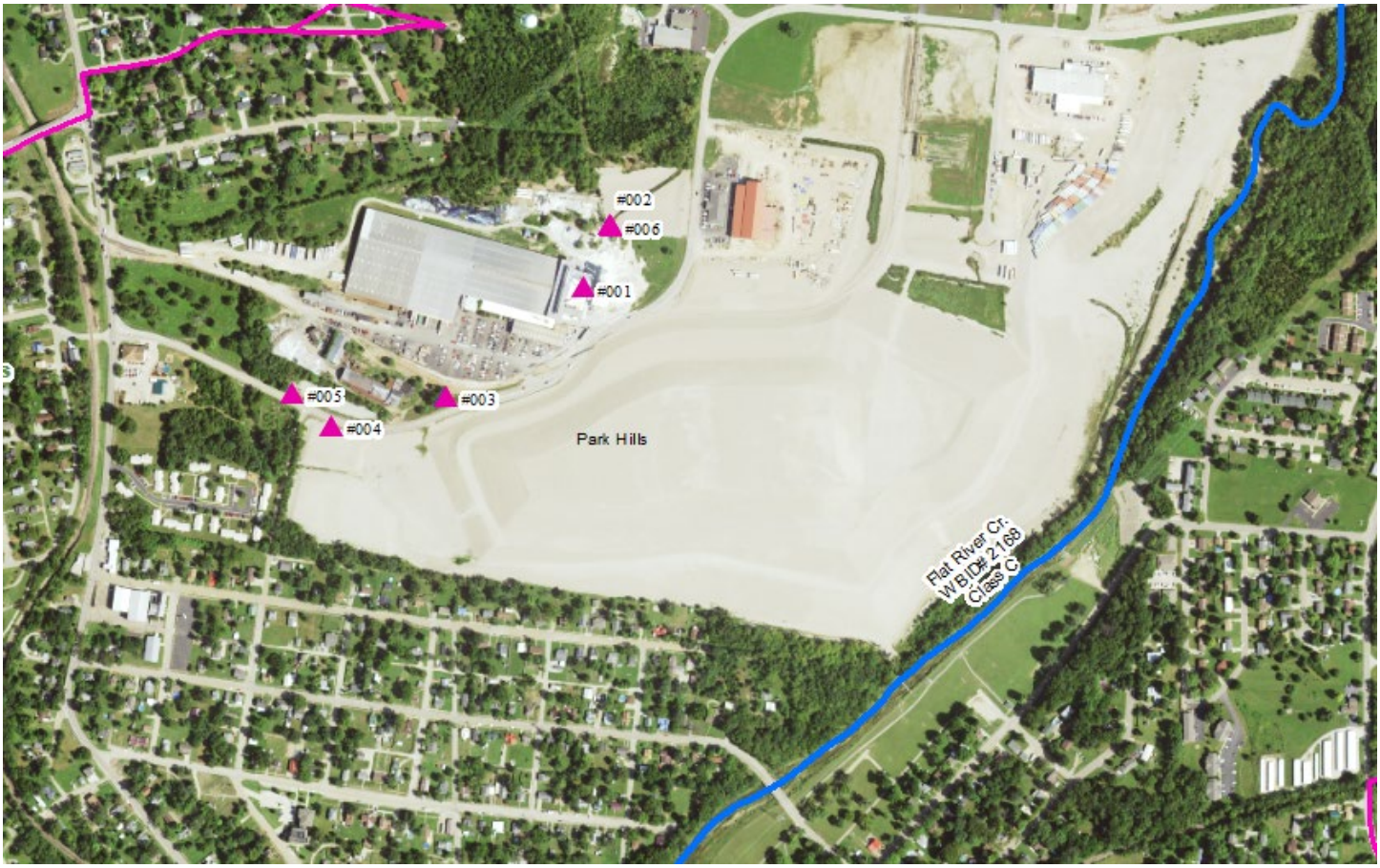
| OUTFALL | AVERAGE FLOW (MGD) | DESIGN FLOW (MGD) | TREATMENT LEVEL | EFFLUENT TYPE |
|---|---|---|---|---|
| #001 | No Discharge Data | 1.2 | Primary | Contact Cooling Water |
| #002 | 0.06 | 1.2 | Oil Skimmer | Contact Cooling Water |
| #003 | Dependent upon Precipitation | Dependent upon Precipitation | Best Management Practices | Stormwater |
| #006 | 0.12 | 1.2 | Primary | Non-Contact Cooling Water |

**FACILITY PERFORMANCE HISTORY & COMMENTS:**
The electronic discharge monitoring reports were reviewed for the last five years. Exceedances were found for oil and grease, pH and total suspended solids at outfall #002 and pH and settleable solids at outfall #003.

This facility was last inspected on July 19, 2018. The inspection showed the following unsatisfactory features: failed to apply for permit 180 days prior to permit expiration and exceeding effluent limits listed in Table A. The department issued two required actions which the facility completed. The facility is now considered to be in compliance.

During this inspection it was brought to the department’s attention that the permittee was not sampling at the required rate established in the permit due to their contractor only visiting the facility once a month to sample. Subsequently, if the outfall was not discharging than a sample was not collected. It was discussed that at any time an outfall is discharging, a sample must be collected, analyzed and data submitted to the department in a Discharge Monitoring Report. The permittee was made aware that they could begin collecting their own samples and shipping them to a laboratory to ensure compliance with sampling requirements.

**FACILITY MAP:**




## PART II. RECEIVING WATERBODY INFORMATION

**RECEIVING WATERBODY'S WATER QUALITY:**
Flat River Creek is an impaired water body which has a TMDL for lead, nonvolatile suspended solids, and zinc. Flat River Creek is also a 303(d) listed stream for the pollutant cadmium in the water. Piramal Glass USA, Inc. is not considered to be a source of the aforementioned pollutants but is a contributor for nonvolatile suspended solids associated with the TMDL.

**303(D) LIST:**
Section 303(d) of the federal Clean Water Act requires each state identify waters 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 impaired waters not addressed by normal water pollution control programs. http://dnr.mo.gov/env/wpp/waterquality/303d/303d.htm

✓ Applicable; Flat River Creek is listed on MDNR's 2006 Section 303(d) list for Cadmium.
- This facility is not considered to be a source of nor has the potential to contribute to the above listed pollutant(s).

**TOTAL MAXIMUM DAILY LOAD (TMDL):**
A TMDL is a calculation of the maximum amount of a given pollutant a water body can absorb before its water quality is affected; hence, the purpose of a TMDL is to determine the pollutant loading a specific waterbody can assimilate without exceeding water quality standards. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan or TMDL may be developed. The TMDL shall include the WLA calculation. http://dnr.mo.gov/env/wpp/tmdl/

✓ Applicable; Flat River Creek is associated with the 2010 EPA approved TMDL for lead, zinc, and Non-Volatile Suspended Solids.
This facility is considered to be a source of or has the potential to contribute to the above listed pollutant. A wasteload allocation of 26.0 kg/day will be implemented for Total Suspended Solids. Please see the derivation and discussion of limits below for the final effluent limitations calculation based on this TMDL. The TMDL for this facility can be found at: https://dnr.mo.gov/env/wpp/tmdl/docs/2074-2080-2168-2170-big-r-tmdl.pdf.

**APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:**
Per Missouri's Effluent Regulations [10 CSR 20-7.015(1)(B)], waters of the state are divided into seven categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's effluent limitation table and further discussed in Part IV: Effluents Limits Determinations
✓ All Other Waters

**RECEIVING WATERBODY TABLE:**

| OUTFALL | WATERBODY NAME | CLASS | WBID | DESIGNATED USES | DISTANCE TO SEGMENT | 12-DIGIT HUC |
|---|---|---|---|---|---|---|
| #001, #002, #003, #006 | Tributary to Flat River Creek | n/a | n/a | GEN | 0.48 mi | 07140104-0108 Big |
| #001, #002, #003, #004 | Flat River Creek | C | 2168 | GEN, IRR, LWW, HHP WWH (ALP), WBC-B, SCR | 0.48 mi | |

n/a not applicable

Classes are hydrologic classes as defined in 10 CSR 20-7.031(1)(F). L1: Lakes with drinking water supply - wastewater discharges are not permitted to occur to L1 watersheds per 10 CSR 20-7.015(3)(C); L2: major reservoirs; L3: all other public and private lakes; P: permanent streams; C: streams which may cease flow in dry periods but maintain pools supporting aquatic life; E: streams which do not maintain surface flow; and W: wetland. Losing streams are defined in 10 CSR 20-7.031(1)(O) and are designated on the Losing Stream dataset or determined by the Department to lose 30% or more of flow to the subsurface.

WBID = Waterbody Identification: Missouri Use Designation Dataset per 10 CSR 20-7.031(1)(Q) and (S) as 8-20-13 MUDD V1.0 or newer; data can be found as an ArcGIS shapefile on MSDIS at ftp://msdis.missouri.edu/pub/Inland_Water_Resources/MO_2014_WQS_Stream_Classifications_and_Use_shp.zip; New C streams described on the dataset per 10 CSR 20-7.031(2)(A)3. as 100K Extent Remaining Streams.

Per 10 CSR 20-7.031, the Department defines the Clean Water Commission's water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and 1st classified receiving stream's beneficial water uses are to be maintained in the receiving streams in accordance with [10 CSR 20-7.031(1)(C)]. Uses which may be found in the receiving streams table, above:

10 CSR 20-7.031(1)(C)1.: **ALP** = Aquatic Life Protection (formerly AQL; current uses are defined to ensure the protection and propagation of fish shellfish and wildlife, further subcategorized as: WWH = Warm Water Habitat; CLH = Cool Water Habitat; CDH = Cold Water Habitat; EAH = Ephemeral Aquatic Habitat; MAH = Modified Aquatic Habitat; LAH = Limited Aquatic Habitat. This permit uses ALP effluent limitations in 10 CSR 20-7.031 Table A1-A2 for all habitat designations unless otherwise specified.
10 CSR 20-7.031(1)(C)2.: Recreation in and on the water
WBC = Whole Body Contact recreation where the entire body is capable of being submerged;
**WBC-A** = whole body contact recreation supporting swimming uses and has public access;
**WBC-B** = whole body contact recreation not supported in WBC-A;
**SCR** = Secondary Contact Recreation (like fishing, wading, and boating)
10 CSR 20-7.031(1)(C)3. to 7.:
**HHP** (formerly HHF) = Human Health Protection as it relates to the consumption of fish and drinking of water;
**IRR** = irrigation for use on crops utilized for human or livestock consumption
**LWW =** Livestock and Wildlife Watering (current narrative use is defined as LWP = Livestock and Wildlife Protection);
**DWS** = Drinking Water Supply
**IND** = industrial water supply
10 CSR 20-7.031(1)(C)8-11.: Wetlands (10 CSR 20-7.031 Tables A1-B3 currently does not have corresponding habitat use criteria for these defined uses): WSA = storm- and flood-water storage and attenuation; WHP = habitat for resident and migratory wildlife species; WRC = recreational, cultural, educational, scientific, and natural aesthetic values and uses; WHC = hydrologic cycle maintenance.
10 CSR 20-7.031(6): **GRW** = Groundwater

**MIXING CONSIDERATIONS:**
For all outfalls, mixing zone and zone of initial dilution are not allowed per 10 CSR 20-7.031(5)(A)4.B.(I)(a) and (b), as the base stream flow does not provide dilution to the effluent.

**RECEIVING WATERBODY MONITORING REQUIREMENTS:**
No receiving water monitoring requirements are recommended at this time.

## PART III. RATIONALE AND DERIVATION OF EFFLUENT LIMITATIONS & PERMIT CONDITIONS

**ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:**
As per [10 CSR 20-7.015(4)(A)], discharges to losing streams shall be permitted only after other alternatives including land application, discharges to a gaining stream and connection to a regional wastewater treatment facility have been evaluated and determined to be unacceptable for environmental and/or economic reasons.

✓ Not applicable; the facility does not discharge to a losing stream as defined by [10 CSR 20-2.010(36)] & [10 CSR 20-7.031(1)(N)], or is an existing facility.

**ANTIBACKSLIDING:**
Federal Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(l)] require a reissued permit to be as stringent as the previous permit with some exceptions. Backsliding (a less stringent permit limitation) is only allowed under certain conditions.

✓ Limitations in this operating permit for the reissuance conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.

✓ The Department determined technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).

- The previous permit limits for outfall #003 were established in error, based on limits for process wastewater, however, this is a stormwater outfall. The previous permit included monthly averages for the stormwater outfall; however, stormwater is not continuous pursuant to 40 CFR 122.45(d) therefore monthly averages are not implemented; stormwater discharges vary widely in frequency, magnitude, and duration. This renewal establishes benchmarks appropriate for stormwater discharges. There will be no changes to industrial activities onsite or the composition of the stormwater discharge as a result of this renewal.
- Permit writer determined ammonia and nitrates were not pollutants of concern at this site. The DMR data showed low numbers or non-detects, additionally the permittee reported them believed absent on application received July 16, 2018.
- Permit writer believes total suspended solids better characterize the stormwater effluent at this site. TSS is a common indicator pollutant in stormwater, and the benchmarks included in this permit are seen in a wide variety of industries.
- Permit writer increased the limits for oil and grease to reflect the current production rates at the facility which were reported as 243 tons per day.
- Permit writer increased the limits for total suspended solids to reflect the current production rates at the facility which were reported as 243 tons per day.
- The previous permit special conditions contained a specific set of prohibitions related to general criteria (GC) found in 10 CSR 20-7.031(4); however, there was no determination as to whether the discharges have reasonable potential to cause or contribute to excursion of those general water quality criteria in the previous permit. This permit assesses each general criteria as listed in the previous permit's special conditions. Federal regulations 40 CFR 122.44(d)(1)(iii) requires instances where reasonable potential (RP) to cause or contribute to an exceedance of a water quality standard exists, a numeric limitation must be included in the permit. Rather than conducting the appropriate RP determination, the previous permit simply placed the prohibitions in the permit. These conditions were removed from the permit. Appropriate reasonable potential determinations were conducted for each general criterion listed in 10 CSR 20-7.031(4)(A) through (I) and effluent limitations were placed in the permit for those general criteria where it was determined the discharge had reasonable potential to cause or contribute to excursions of the general criteria. Specific effluent limitations were not included for those general criteria where it was determined the discharges will not cause or contribute to excursions of general criteria. Removal of the prohibitions does not reduce the protections of the permit or allow for impairment of the receiving stream. The permit maintains sufficient effluent limitations, monitoring requirements and best management practices to protect water quality while maintaining permit conditions applicable to permittee disclosures and in accordance with 10 CSR 20-7.031(4) where no water contaminant by itself or in combination with other substances shall prevent the water of the state from meeting the following conditions:
  (A) 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.
    - For all outfalls, there is no RP for putrescent bottom deposits preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates putrescent wastewater would be discharged from the facility.
    - For all outfalls, there is no RP for unsightly or harmful bottom deposits preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates unsightly or harmful bottom deposits would be discharged from the facility.
  (B) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.
    - For all outfalls, there is no RP for oil in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates oil will be present in sufficient amounts to impair beneficial uses.

- For all outfalls, there is no RP for scum and floating debris in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates scum and floating debris will be present in sufficient amounts to impair beneficial uses.

(C) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses.
- For all process water outfalls, there is RP for process wastewater only for unsightly color or turbidity in sufficient amounts preventing full maintenance of beneficial uses but the ELG limits are considered protective of the water quality standards.
- For all outfalls, there is no RP for offensive odor in sufficient amounts preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates offensive odor will be present in sufficient amounts to impair beneficial uses.

(D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
- The permit writer considered specific toxic pollutants when writing this permit. Numeric effluent limitations are included for those pollutants could be discharged in toxic amounts. These effluent limitations are protective of human health, animals, and aquatic life.

(E) There shall be no significant human health hazard from incidental contact with the water.
- This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.
- Much like the condition above, the permit writer considered specific toxic pollutants when writing this permit, including those pollutants could cause human health hazards. The discharge is limited by numeric effluent limitations for those conditions could result in human health hazards.

(F) There shall be no acute toxicity to livestock or wildlife watering.
- This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.
- The permit writer considered specific toxic pollutants when writing this permit. Numeric effluent limitations are included for those pollutants could be discharged in toxic amounts. These effluent limitations are protective of livestock and wildlife watering.

(G) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community.
- For outfalls #001, #002 and #006, there is RP for physical changes impairing the natural biological community because there is a limit of 90ºF.
- For all outfalls, there is no RP for hydrologic changes impairing the natural biological community because nothing disclosed by the permittee indicates this is occurring.

(H) 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.
- There are no solid waste disposal activities or any operation which has reasonable potential to cause or contribute to the materials listed above being discharged through any outfall.

**ANTIDEGRADATION REVIEW:**
Process water discharges with new, altered, or expanding flows, the Department is to document, by means of antidegradation review, if the use of a water body's available assimilative capacity is justified. In accordance with Missouri's water quality regulations for antidegradation [10 CSR 20-7.031(3)], degradation may be justified by documenting the socio-economic importance of a discharge after determining the necessity of the discharge. Facilities must submit the antidegradation review request to the Department prior to establishing, altering, or expanding discharges. See http://dnr.mo.gov/env/wpp/permits/antideg-implementation.htm

✓ Not applicable; the facility has not submitted information proposing expanded or altered process water discharge; no further degradation proposed therefore no further review necessary.

This permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) which must include an alternative analysis (AA) of the BMPs. The SWPPP must be developed, implemented, updated, and maintained at the facility. Failure to implement and maintain the chosen alternative, is a permit violation. The AA is a structured evaluation of BMPs to determine which are reasonable and cost effective. Analysis should include practices designed to be 1) non-degrading, 2) less degrading, or 3) degrading water quality. The chosen BMP will be the most reasonable and cost effective while ensuring the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The analysis must demonstrate why "no discharge" or "no exposure" are not feasible alternatives at the facility. Existing facilities with established SWPPPs and BMPs need not conduct an additional alternatives analysis unless new BMPs are established to address BMP failures or benchmark exceedances. This structured analysis of BMPs serves as the antidegradation review, fulfilling the requirements of 10 CSR 20-7.015(9)(A)5 and 7.031(3). For stormwater discharges with new, altered, or expanding discharges, the stormwater BMP chosen for the facility, through the AA performed by the facility, must be implemented and maintained at the facility. Failure to implement and maintain the chosen BMP alternative is a permit violation; see SWPPP.

✓ Applicable; the facility must review and maintain stormwater BMPs as appropriate.

**BEST MANAGEMENT PRACTICES:**
Minimum site-wide best management practices are established in this permit to assure all permittees are managing their sites equally to protect waters of the state from certain activities which could cause negative effects in receiving water bodies. While not all sites require a SWPPP because the SIC codes are specifically exempted in 40 CFR 122.26(b)(14), these best management practices are not specifically included for stormwater purposes. These practices are minimum requirements for all industrial sites to protect waters of the state. If the minimum best management practices are not followed, the facility may violate general criteria [10 CSR 20-7.031(4)]. Statutes are applicable to all permitted facilities in the state, therefore pollutants cannot be released unless in accordance with RSMo 644.011 and 644.016 (17).

**CHANGES IN DISCHARGES OF TOXIC POLLUTANT:**
This special condition reiterates the federal rules found in 40 CFR 122.44(f) and 122.42(a)(1). In these rules, the facility is required to report changes in amounts of toxic substances discharged. Toxic substances are defined in 40 CFR 122.2 as "…any pollutant listed as toxic under section 307(a)(1) or, in the case of "sludge use or disposal practices," any pollutant identified in regulations implementing section 405(d) of the CWA." Section 307 of the clean water act then refers to those parameters found in 40 CFR 401.15. The permittee should also consider any other toxic pollutant in the discharge as reportable under this condition.

**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.

**DOMESTIC WASTEWATER, SLUDGE, AND BIOSOLIDS:**
Domestic wastewater is defined as wastewater (i.e., human sewage) originating primarily from the sanitary conveyances of bathrooms and kitchens. Domestic wastewater excludes stormwater, animal waste, process waste, and other similar waste.
✓ Not applicable; this facility discharges domestic wastewater to an off-site permitted wastewater treatment facility (POTW).

Sewage sludge is solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Biosolids are solid materials resulting from domestic wastewater treatment meeting federal and state criteria for productive use (i.e. fertilizer) and after having pathogens removed.
Additional information: http://extension.missouri.edu/main/DisplayCategory.aspx?C=74 (WQ422 through WQ449).
✓ Not applicable; the facility does not manage domestic wastewater on-site.

**EFFLUENT LIMITATIONS:**
Effluent limitations derived and established for this permit are based on current operations of the facility and applied per 10 CSR 20-7.015(9)(A). Any flow through the outfall is considered a discharge and must be sampled and reported as provided in the permit. Future permit action due to facility modification may contain new operating permit terms and conditions which supersede the terms and conditions, including effluent limitations, of this operating permit. Daily maximums and monthly averages are required per 40 CFR 122.45(d)(1) for continuous discharges (not from a POTW).

**EFFLUENT LIMITATION GUIDELINE:**
Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. These are limitations established by the EPA based on the SIC code and the type of work a facility is conducting. Most ELGs are for process wastewater and some address stormwater. All are technology based limitations which must be met by the applicable facility at all times.
✓ The facility has an associated Effluent Limit Guideline (ELG) at 40 CFR 426 Subpart H applicable to the wastewater discharge at this site, and is applied under 40 CFR 125.3(a). Should Reasonable Potential be established for any particular parameter, and water-quality derived effluent limits are more protective of the receiving water's quality, the WQS will be used as the limiting factor in accordance with 40 CFR 122.44(d) and 10 CSR 20-7.015(9)(A). See Part IV: EFFLUENT LIMITS DETERMINATION.
  ✓ The facility reported max furnace output to be 243 tons per day which equates to 486 lb/1000 of furnace pull.

| Effluent Characteristic | Effluent Limitations | |
|---|---|---|
| | Maximum for any 1 day | Average of daily values for 30 consecutive days shall not exceed – |
| English units (lb/1,000 lb of furnace pull) | | |
| Oil | 0.06 | 0.03 |
| TSS | 0.14 | 0.07 |
| pH | ([1]) | ([1]) |

[1]Within the range 6.0 to 9.0

**ELECTRONIC DISCHARGE MONITORING REPORT (EDMR) SUBMISSION SYSTEM:**
The U.S. Environmental Protection Agency (EPA) promulgated a final rule on October 22, 2015, to modernize Clean Water Act reporting for municipalities, industries, and other facilities by converting to an electronic data reporting system. The final rule requires regulated entities and state and federal regulators to use information technology to electronically report data required by the National Pollutant Discharge Elimination System (NPDES) permit program instead of filing paper reports. To comply with the federal rule, the Department is requiring all permittees to begin submitting discharge monitoring data and reports online.

Per 40 CFR 127.15 and 127.24, permitted facilities may request a temporary waiver for up to 5 years or a permanent waiver from electronic reporting from the Department. To obtain an electronic reporting waiver, a permittee must first submit an eDMR Waiver Request Form: http://dnr.mo.gov/forms/780-2692-f.pdf. A request must be made for each facility. If more than one facility is owned or operated by a single entity, then the entity must submit a separate request for each facility based on its specific circumstances. An approved waiver is not transferable.

The Department must review and notify the facility within 120 calendar days of receipt if the waiver request has been approved or rejected [40 CFR 124.27(a)]. During the Department review period as well as after a waiver is granted, the facility must continue submitting a hard-copy of any reports required by their permit. The Department will enter data submitted in hard-copy from those facilities allowed to do so and electronically submit the data to the EPA on behalf of the facility.

To assist the facility in entering data into the eDMR system, the permit describes limit sets in each table in Part A of the permit. The data entry personnel should use these identifiers to assure data entry is being completed appropriately.
✓ The permittee/facility is currently using the eDMR data reporting system.

**GENERAL CRITERIA CONSIDERATIONS:**
In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants determined to cause, have reasonable potential to cause, or to contribute to, an excursion above any water quality standard, including narrative water quality criteria. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether discharges have reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). In instances where reasonable potential exists, the permit includes limitations within the permit to address the reasonable potential. In discharges where reasonable potential does not exist, the permit may include monitoring to later determine the discharge's potential to impact the narrative criteria. Additionally, §644.076.1, RSMo as well as Section D – Administrative Requirements of Standard Conditions Part I of this permit state it shall be unlawful for any person to cause or allow any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law or any standard, rule, or regulation promulgated by the commission.
✓ Applicable; this permit contains effluent limitations to protect for toxicity in accordance with 10 CSR 20-7.031(4)(D) and (G); see Part IV for specific pollutant discussion.

**GROUNDWATER MONITORING:**
Groundwater is a water of the state according to 10 CSR 20-2.010(82), and is subject to regulations at 10 CSR 20-7.015(7) and 10 CSR 20-7.031(6) and must be protected accordingly.
✓ This facility is not required to monitor groundwater for the water protection program.

**MAJOR WATER USER:**
Any surface or groundwater user with a water source and the equipment necessary to withdraw or divert 100,000 gallons (or 70 gallons per minute) or more per day combined from all sources from any stream, river, lake, well, spring, or other water source is considered a major water user in Missouri. All major water users are required by law to register water use annually (Missouri Revised Statues Chapter 256.400 Geology, Water Resources and Geodetic Survey Section). https://dnr.mo.gov/pubs/pub2236.htm
✓ Not applicable; this permittee cannot withdraw water from the state in excess of 70 gpm/0.1 MGD.

**NO-DISCHARGE LAND APPLICATION:**
Land application of wastewater or sludge shall comply with the all applicable no-discharge requirements listed in 10 CSR 20-6.015 and all facility operations and maintenance requirements listed in 10 CSR 20-8.020(15). These requirements ensure appropriate operation of the no-discharge land application systems and prevent unauthorized and illicit discharges to waters of the state. Land applications by a contract hauler on fields the permittee has a spreading agreement on are not required to be in this permit. A spreading agreement does not constitute the field being rented or leased by the permittee as they do not have any control over management of the field.
✓ Not applicable; this permit does not authorize operation of a no-discharge land application system to treat wastewater or sludge.

**OIL/WATER SEPARATORS:**
Oil water separator (OWS) tank systems are frequently found at industrial sites where process water and stormwater may contain oils and greases, oily wastewaters, or other immiscible liquids requiring separation. Food industry discharges typically require

pretreatment prior to discharge to municipally owned treatment works. Per 10 CSR 26-2.010(2)(B), all oil water separator tanks must be operated according to manufacturer's specifications and authorized in NPDES permits or may be regulated as a petroleum tank.

✓ Not applicable; the permittee has not disclosed the use of any oil water separators they wish to include under the NPDES permit at this facility and therefore oil water separator tanks are not authorized by this permit.

**REASONABLE POTENTIAL (RP):**

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants which are (or may be) discharged at a level causing or have the reasonable potential to cause (or contribute to) an in-stream excursion above narrative or numeric water quality standards. Per 10 CSR 20-7.031(4), general criteria shall be applicable to all waters of the state at all times; however, acute toxicity criteria may be exceeded by permit in zones of initial dilution, and chronic toxicity criteria may be exceeded by permit in mixing zones. If the permit writer determines any given pollutant has the reasonable potential to cause or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for the pollutant per 40 CFR Part 122.44(d)(1)(iii) and the most stringent limits per 10 CSR 20-7.031(9)(A). Permit writers may use mathematical reasonable potential analysis (RPA) using the Technical Support Document for Water Quality Based Toxics Control (TSD) methods (EPA/505/2-90-001) as found in Section 3.3.2, or may also use reasonable potential determinations (RPD) as provided in Sections 3.1.2, 3.1.3, and 3.2 of the TSD.

✓ Applicable; the permit writer conducted an RPD on applicable parameters within the permit. See Part IV: Effluent Limits Determinations below.

✓ Permit writers use the Department's permit writer's manual (http://dnr.mo.gov/env/wpp/permits/manual/permit-manual.htm), the EPA's permit writer's manual (https://www.epa.gov/npdes/npdes-permit-writers-manual), program policies, and best professional judgment. For each parameter in each permit, the permit writer carefully considers all applicable information regarding: technology based effluent limitations, effluent limitation guidelines, water quality standards, stream flows and uses, and all applicable site specific information and data gathered by the permittee through discharge monitoring reports and renewal (or new) application sampling. Best professional judgment is based on the experience of the permit writer, cohorts in the Department and resources at the EPA, research, and maintaining continuity of permits if necessary. For stormwater permits, the permit writer is required per 10 CSR 6.200(6)(B)2 to consider: A. application and other information supplied by the permittee; B. effluent guidelines; C. best professional judgment of the permit writer; D. water quality; and E. BMPs. Part IV provides specific decisions related to this permit.

✓ The permit writer reviewed application materials, DMR data, past inspections, and other site specific factors to evaluate general and narrative water quality reasonable potential for this facility. Per the permit writer's best professional judgment, based on available data and full and accurate disclosure on application materials, this facility demonstrates reasonable potential for excursions from the general or narrative water quality criteria. See Part IV: Effluent Limit Determinations for specific parameter RP.

**SAMPLING FREQUENCY JUSTIFICATION:**

Sampling and reporting frequency was generally retained from previous permit. 40 CFR 122.45(d)(1) indicates all continuous discharges shall be permitted with daily maximum and monthly average limits.

Sampling frequency for stormwater-only outfalls is typically quarterly even though BMP inspection occurs monthly. The facility may sample more frequently if additional data is required to determine if best management operations and technology are performing as expected.

**SAMPLING TYPE JUSTIFICATION:**

Sampling type was continued from the previous permit. The sampling types are representative of the discharges, and are protective of water quality. Discharges with altering effluent should have composite sampling; discharges with uniform effluent can have grab samples. Grab samples are usually appropriate for stormwater. Parameters which must have grab sampling are: pH, ammonia, *E. coli*, total residual chlorine, free available chlorine, hexavalent chromium, dissolved oxygen, total phosphorus, volatile organic compounds, and others.

**SCHEDULE OF COMPLIANCE (SOC):**

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, effluent limits, 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. SOCs are allowed under 40 CFR 122.47 providing certain conditions are met. A SOC is not allowed:

- For effluent limitations based on technology-based standards established in accordance with federal requirements, if the deadline for compliance established in federal regulations has passed. 40 CFR § 125.3.
- For a newly constructed facility in most cases. Newly constructed facilities must meet applicable effluent limitations when discharge begins, because the facility has installed the appropriate control technology as specified in a permit or antidegradation review. A SOC is allowed for a new water quality based effluent limit not included in a previously public noticed permit or antidegradation review, which may occur if a regulation changes during construction.
- To develop a TMDL, UAA, or other study associated with development of a site specific criterion. A facility is not prohibited from conducting these activities, but a SOC may not be granted for conducting these activities.

In order to provide guidance in developing SOCs, and to attain a greater level of consistency, the Department issued a policy on development of SOCs on October 25, 2012. The policy provides guidance to permit writers on standard time frames for schedules for common activities, and guidance on factors to modify the length of the schedule.

✓ Not applicable; this permit does not contain an SOC. Limits have not become more restrictive. No SOC is allowed because the new effluent limitations are technology based limitations, therefore an SOC is not allowed.

**SPILLS, OVERFLOWS, AND OTHER UNAUTHORIZED DISCHARGE REPORTING:**

Per 260.505 RSMo, any emergency involving a hazardous substance must be reported to the Department's 24 hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest practicable moment after discovery. The Department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the noncompliance reporting requirement found in Standard Conditions Part I. http://dnr.mo.gov/env/esp/spillbill.htm

Any other spills, overflows, or unauthorized discharges reaching waters of the state must be reported to the regional office during normal business hours, or after normal business hours, to the Department's 24 hour Environmental Emergency Response spill line at 573-634-2436.

**SLUDGE – INDUSTRIAL:**

Industrial sludge is solid, semi-solid, or liquid residue generated during the treatment of industrial process or non-process wastewater in a treatment works; including but not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment process; scum and solids filtered from water supplies and backwashed; and any material derived from industrial sludge.

✓ Not applicable; industrial sludge is not generated at this facility.

**STANDARD CONDITIONS:**

The standard conditions Part I attached to this permit incorporate all sections of 40 CFR 122.41(a) through (n) by reference as required by law. These conditions, in addition to the conditions enumerated within the standard conditions should be reviewed by the permittee to ascertain compliance with this permit, state regulations, state statues, federal regulations, and the Clean Water Act.

**STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS:**

Because of the fleeting nature of stormwater discharges, the Department, under the direction of EPA guidance, has determined monthly averages are capricious measures of stormwater discharges. The *Technical Support Document for Water Quality Based Toxics Control* (EPA/505/2-90-001; 1991) Section 3.1 indicates most procedures within the document apply only to water quality based approaches, not end-of-pipe technology-based controls. Hence, stormwater-only outfalls will generally only contain a maximum daily limit (MDL), benchmark, or monitoring requirement as dictated by site specific conditions, the BMPs in place, past performance of the facility, and the receiving water's current quality.

Sufficient rainfall to cause a discharge for one hour or more from a facility would not necessarily cause significant flow in a receiving stream. Acute Water Quality Standards (WQSs) are based on one hour of exposure, and must be protected at all times. Therefore, industrial stormwater facilities with toxic contaminants present in the stormwater may have the potential to cause a violation of acute WQSs if toxic contaminants occur in sufficient amounts. In this instance, the permit writer may apply daily maximum limitations.

Conversely, it is unlikely for rainfall to cause a discharge for four continuous days from a facility; if this does occur however, the receiving stream will also likely sustain a significant amount of flow providing dilution. Most chronic WQSs are based on a four-day exposure with some exceptions. Under this scenario, most industrial stormwater facilities have limited potential to cause a violation of chronic water quality standards in the receiving stream.

A standard mass-balance equation cannot be calculated for stormwater because stormwater flow and flow in the receiving stream cannot be determined for conditions on any given day or storm event. The amount of stormwater discharged from the facility will vary based on current and previous rainfall, soil saturation, humidity, detention time, BMPs, surface permeability, etc. Flow in the receiving stream will vary based on climatic conditions, size of watershed, area of surfaces with reduced permeability (houses, parking lots, and the like) in the watershed, hydrogeology, topography, etc. Decreased permeability may increase the stream flow dramatically over a short period of time (flash).

Numeric benchmark values are based on site specific requirements taking in to account a number of factors but cannot be applied to any process water discharges. First, the technology in place at the site to control pollutant discharges in stormwater is evaluated. The permit writer also evaluates other similar permits for similar activities. A review of the guidance forming the basis of Environmental Protection Agency's (EPA's) *Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity* (MSGP) may also occur. Because precipitation events are sudden and momentary, benchmarks based on state or federal standards or recommendations use the Criteria Maximum Concentration (CMC) value, or acute standard may also be used. The CMC is the estimate of the highest concentration of a material in surface water to which an aquatic community can be exposed briefly without resulting in an unacceptable effect. The CMC for aquatic life is intended to be protective of the vast majority of the aquatic

communities in the United States. If a facility has not disclosed BMPs applicable to the pollutants for the site, the permittee may not be eligible for benchmarks.

40 CFR 122.44(b)(1) requires the permit implement the most stringent limitations for each discharge, including industrially exposed stormwater; and 40 CFR 122.44(d)(1)(i) and (iii) requires the permit to include water-quality based effluent limitations where reasonable potential has been found. However, because of the non-continuous nature of stormwater discharges, staff are unable to perform statistical Reasonable Potential Analysis (RPA) under most stormwater discharge scenarios. Reasonable potential determinations (RPDs; see REASONABLE POTENTIAL above) using best professional judgment are performed.

Benchmarks require the facility to monitor, and if necessary, replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark exceedance, therefore, is not a permit violation; however, failure to take corrective action is a violation of the permit. Benchmark monitoring data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective actions may be necessary to comply with the conditions of the permit.

BMP inspections typically occur more frequently than sampling. Sampling frequencies are based on the facility's ability to comply with the benchmarks and the requirements of the permit. Inspections should occur after large rain events and any other time an issue is noted; sampling after a benchmark exceedance may need to occur to show the corrective active taken was meaningful.

When a permitted feature or outfall consists of only stormwater, a benchmark may be implemented at the discretion of the permit writer, if there is no RP for water quality excursions.

- ✓ Applicable, this facility has stormwater-only outfalls where benchmarks or limitations were deemed appropriate contaminant measures.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP):**

In accordance with 40 CFR 122.44(k), Best Management Practices (BMPs) must be used 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 stormwater 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 *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (EPA 833-B-09-002) published by the EPA in 2015 https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf, BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Stormwater 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. Additional information can be found in *Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* (EPA 832-R-92-006; September 1992).

A SWPPP must be prepared by the permittee if the SIC code is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2). A SWPPP may be required of other facilities where stormwater has been identified as necessitating better management. The purpose of a SWPPP is to comply with all applicable stormwater regulations by creating an adaptive management plan to control and mitigate stream pollution from stormwater runoff. Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged during storm events. The following paragraph outlines the general steps the permittee should take to determine which BMPs will work to achieve the benchmark values or limits in the permit. This section is not intended to be all encompassing or restrict the use of any physical BMP or operational and maintenance procedure assisting in pollution control. Additional steps or revisions to the SWPPP may be required to meet the requirements of the permit.

Areas which should be included in the SWPPP are identified in 40 CFR 122.26(b)(14). Once the potential sources of stormwater pollution have been identified, a plan should be formulated to best control the amount of pollutant being released and discharged by each activity or source. This should include, but is not limited to, minimizing exposure to stormwater, good housekeeping measures, proper facility and equipment maintenance, spill prevention and response, vehicle traffic control, and proper materials handling. Once a plan has been developed the facility will employ the control measures determined to be adequate to achieve the benchmark values discussed above. The facility will conduct monitoring and inspections of the BMPs to ensure they are working properly and re-evaluate any BMP not achieving compliance with permitting requirements. For example, if sample results from an outfall show values of TSS above the benchmark value, the BMP being employed is deficient in controlling stormwater pollution. Corrective action should be taken to repair, improve, or replace the failing BMP. This internal evaluation is required at least once per month but should be continued more frequently if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established.

For new, altered, or expanded stormwater discharges, the SWPPP shall identify reasonable and effective BMPs while accounting for environmental impacts of varying control methods. The antidegradation analysis must document why no discharge or no exposure

options are not feasible. The selection and documentation of appropriate control measures shall serve as an alternative analysis of technology and fulfill the requirements of antidegradation [10 CSR 20-7.031(3)]. For further guidance, consult the antidegradation implementation procedure (http://dnr.mo.gov/env/wpp/docs/AIP050212.pdf).

Alternative Analysis (AA) evaluation of the BMPs is a structured evaluation of BMPs which are reasonable and cost effective. The AA evaluation should include practices designed to be: 1) non-degrading; 2) less degrading; or 3) degrading water quality. The glossary of AIP defines these three terms. The chosen BMP will be the most reasonable and effective management strategy while ensuring the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The AA evaluation must demonstrate why "no discharge" or "no exposure" is not a feasible alternative at the facility. This structured analysis of BMPs serves as the antidegradation review, fulfilling the requirements of 10 CSR 20-7.031(3) Water Quality Standards and *Antidegradation Implementation Procedure* (AIP), Section II.B.

If parameter-specific numeric benchmark exceedances continue to occur and the permittee feels there are no practicable or cost-effective BMPs which will sufficiently reduce a pollutant concentration in the discharge to the benchmark values established in the permit, the permittee can submit a request to re-evaluate the benchmark values. This request needs to include 1) a detailed explanation of why the facility is unable to comply with the permit conditions and unable to establish BMPs to achieve the benchmark values; 2) financial data of the company and documentation of cost associated with BMPs for review and 3) the SWPPP, which should contain adequate documentation of BMPs employed, failed BMPs, corrective actions, and all other required information. This will allow the Department to conduct a cost analysis on control measures and actions taken by the facility to determine cost-effectiveness of BMPs. The request shall be submitted in the form of an operating permit modification, which includes an appropriate fee; the application is found at: https://dnr.mo.gov/forms/#WaterPollution

✓ Applicable; a SWPPP shall be developed and implemented for this facility.

**SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:**

Please review Standard Conditions Part 1, section A, number 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 and/or 40 CFR 136 unless alternates are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is "sufficiently sensitive" when; 1) the method quantifies the pollutant below the level of the applicable water quality criterion or; 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility's discharge is high enough the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015 and or 40 CFR 136. These methods are also required for parameters listed as monitoring only, as the data collected may be used to determine if numeric limitations need to be established. A permittee is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive. 40 CFR 136 lists the approved methods accepted by the Department. Tables A1-B3 at 10 CSR 20-7.031 shows water quality standards.

**UNDERGROUND INJECTION CONTROL (UIC):**

The UIC program for all classes of wells in the State of Missouri is administered by the Missouri Department of Natural Resources and approved by EPA pursuant to section 1422 and 1425 of the Safe Drinking Water Act (SDWA) and 40 CFR 147 Subpart AA. Injection wells are classified based on the liquids which are being injected. Class I wells are hazardous waste wells which are banned by RSMo 577.155; Class II wells are established for oil and natural gas production; Class III wells are used to inject fluids to extract minerals; Class IV wells are also banned by Missouri in RSMo 577.155; Class V wells are shallow injection wells; some examples are heat pump wells and groundwater remediation wells. Domestic wastewater being disposed of sub-surface is also considered a Class V well. In accordance with 40 CFR 144.82, construction, operation, maintenance, conversion, plugging, or closure of injection wells shall not cause movement of fluids containing any contaminant into Underground Sources of Drinking Water (USDW) if the presence of any contaminant may cause a violation of drinking water standards or groundwater standards under 10 CSR 20-7.031, or other health based standards, or may otherwise adversely affect human health. If the director finds the injection activity may endanger USDWs, the Department may require closure of the injection wells, or other actions listed in 40 CFR 144.12(c), (d), or (e). In accordance with 40 CFR 144.26, the permittee shall submit a Class V Well Inventory Form for each active or new underground injection well drilled, or when the status of a well changes, to the Missouri Department of Natural Resources, Geological Survey Program, P.O. Box 250, Rolla, Missouri 65402. The Class V Well Inventory Form can be requested from the Geological Survey Program or can be found at the following web address: http://dnr.mo.gov/forms/780-1774-f.pdf

✓ Not applicable; the permittee has not submitted materials indicating the facility will be performing UIC at this site.

**VARIANCE:**

Per the Missouri Clean Water Law §644.061.4, variances shall be granted for such period of time and under such terms and conditions as shall be specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with the Missouri Clean

Water Law §§644.006 to 644.141 or any standard, rule or regulation promulgated pursuant to Missouri Clean Water Law §§644.006 to 644.141.

✓ Not applicable; this permit is not drafted under premise of a petition for variance.

**WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:**

As per [10 CSR 20-2.010(78)], the WLA is the amount of pollutant each discharger is allowed to discharge into the receiving stream without endangering water quality. Two general types of effluent limitations, technology-based effluent limits (TBELs) and water quality based effluent limits (WQBELs) are reviewed. If one limit does not provide adequate protection for the receiving water, then the other must be used per 10 CSR 20-7.015(9)(A). Total Maximum Daily Loads, if required for this facility, were also reviewed.

✓ Not applicable; wasteload allocations were either not calculated or were not based on TSD methods.

**WASTELOAD ALLOCATION (WLA) MODELING:**

Permittees may submit site specific studies to better determine the site specific wasteload allocations applied in permits.

✓ Not applicable; a WLA study was either not submitted or determined not applicable by Department staff. A WLA is applied via TMDL to Total Suspended Solids in this permit.

**WATER QUALITY STANDARD REVISION:**

In accordance with section 644.058, RSMo, the Department is required to utilize an evaluation of the environmental and economic impacts of modifications to water quality standards of twenty-five percent or more when making individual site-specific permit decisions.

✓ This operating permit does not contain requirements for a permit limit based on a water quality standard which has changed twenty-five percent or more since the previous operating permit.

# PART IV. EFFLUENT LIMITS DETERMINATIONS

## OUTFALL #001 – CONTACT COOLING WATER (EMERGENCY)

**EFFLUENT LIMITATIONS TABLE:**

| PARAMETERS | UNIT | DAILY MAX | MONTHLY AVG. | PREVIOUS PERMIT LIMITS | MINIMUM SAMPLING FREQUENCY | REPORTING FREQUENCY | SAMPLE TYPE |
|---|---|---|---|---|---|---|---|
| PHYSICAL | | | | | | | |
| FLOW | MGD | * | * | SAME | ONCE/DISCHARGE | ONCE/MONTH | 24 HR. TOT |
| TEMPERATURE | °F | 90 | 90 | SAME | ONCE/DISCHARGE | ONCE/MONTH | MEASURED |
| CONVENTIONAL | | | | | | | |
| OIL & GREASE | mg/L | 15 | 10 | 15/10 | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| OIL & GREASE | lbs/day | 29 | 15 | 24.6/12.3 | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| pH † | SU | 6.5 TO 9.0 | 6.5 to 9.0 | SAME | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| TOTAL SUSPENDED SOLIDS (TSS) | mg/L | 45 | 30 | 45/30 | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| TOTAL SUSPENDED SOLIDS (TSS) | lbs/day | 68 | 34 | 57.4/28.7 | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| NUTRIENTS | | | | | | | |
| AMMONIA AS N | REMOVED | | | | | | |
| NITRATE PLUS NITRITE AS N | REMOVED | | | | | | |
| METALS | | | | | | | |
| LEAD | µg/L | * | * | NEW | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| SELENIUM | µg/L | * | * | NEW | ONCE/DISCHARGE | ONCE/MONTH | GRAB |
| ZINC | µg/L | * | * | NEW | ONCE/DISCHARGE | ONCE/MONTH | GRAB |

* monitoring and reporting requirement only
** monitoring with associated benchmark
† report the minimum and maximum pH values; pH is not to be averaged

**DERIVATION AND DISCUSSION OF LIMITS:**

**PHYSICAL:**

**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. The facility will report the total flow in millions of gallons per day (MGD), monthly monitoring continued from previous permit.

**Temperature**

In accordance with 10 CSR 20-7.031(5)(D), water contaminant sources shall not cause or contribute to stream temperature in excess of ninety degrees Fahrenheit (90 °F). The contact and non-contact cooling water has increased temperature at discharge. There is no upstream of this facility therefore temperature change is not applied.

**CONVENTIONAL:**

**Oil & Grease**

Concentration limits, 15 mg/L daily maximum; 10 mg/L monthly average; have been retained from the previous state operating permit and meet the water quality standards for the protection of aquatic life found in the general criteria of the water quality standards in table A of 10 CSR 20-7.031.
AQL Chronic: 10 mg/L per 10 CSR 20-7.031 Table A1
Set chronic standard equal to chronic WLA per TSD §5.4.2 (EPA/505/2-90-001); multiply by 1.5 to obtain acute limit.
10 mg/L * 1.5 = 15 mg/L

Production based effluent limitations in pounds per day as required in 40 CFR 426 Subpart H for the glass container manufacturing industry have been recalculated based on new production rates. The permittee reported 243 tons of furnace pull per day to the permit writer. After assessing both the ELG limitations and the water quality standards for protection of aquatic life found at 10 CSR 20-7.031 Table A (10 mg/L), it was determined the ELG limits are more protective of the receiving stream, and they are therefore applied to this outfall.

*Assumptions:*

243 tons produced / day
1 ton = 2,000 lbs
MDL = ELG of 0.06 lbs Oil / 1,000 lbs production
AML = ELG of 0.03 lbs Oil / 1,000 lbs production
lbs/day = 8.34 x (mg/L) x MGD rearranged to: mg/L = (lbs/day) / (8.34 x MGD)

| | | Daily Max | Monthly Average |
|---|---|---|---|
| 40 CFR 426 Allowance | (lbs/1000 lbs of furnace pull) | 0.06 | 0.03 |
| Daily Max = | 486,000 lbs/1000 lbs * 0.06 = **29 lbs/day** | | |
| Monthly Average = | 486,000 lbs/1000 lbs * 0.03 = **15 lbs/day** | | |

**pH**

6.5 to 9.0 SU – instantaneous grab sample. Water quality limits [10 CSR 20-7.031(5)(E)] are applicable to this outfall, continued from the last permit. pH is a widely used water quality indicator, and the range implemented in this permit is considered achievable by industrial facilities using typical BMP measures.

**Total Suspended Solids (TSS)**

Per the MDNR 2010 TMDL, Piramal Glass is a contributor of Total Suspended Solids (TSS) to Flat River Creek. Per the 2010 TMDL, TSS effluent concentration limitations per the TMDL for the facility are a daily maximum of 45 mg/L and monthly average of 30 mg/L.

Production based effluent limitations in pounds per day as required in 40 CFR 426 Subpart H for the glass container manufacturing industry have been recalculated based on new production rates. Production was reported as 486,000 pounds of furnace pull.

*Assumptions:*

243 tons produced / day
1 ton = 2,000 lbs
MDL = ELG of 0.14 lbs TSS / 1,000 lbs production
AML = ELG of 0.07 lbs TSS / 1,000 lbs production
lbs/day = 8.34 x (mg/L) x MGD rearranged to: mg/L = (lbs/day) / (8.34 x MGD)

| | | Daily Max | Monthly Average |
|---|---|---|---|
| 40 CFR 426 Allowance | (lbs/1000 lbs of furnace pull) | 0.14 | 0.07 |
| Daily Max = | 486,000 lbs/1000 lbs * 0.14 = **68 lbs/day** | | |
| Monthly Average = | 486,000 lbs/1000 lbs * 0.07 = **34 lbs/day** | | |

**NUTRIENTS:**

**Ammonia, Total as Nitrogen**

This parameter was removed. Permit writer determined ammonia was not a pollutant of concern at this site. The DMR data showed low numbers or non-detects, additionally the permittee reported them believed absent on application received July 16, 2018.

**Nitrate plus Nitrite as N**

This parameter was removed. Permit writer determined nitrates were not pollutants of concern at this site. The DMR data showed low numbers or non-detects, additionally the permittee reported them believed absent on application received July 16, 2018.

**Metals:**

**Lead, Total Recoverable**

Monitoring only. Lead is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

**Selenium, Total Recoverable**

Monitoring only. Selenium is believed to be used in the glass manufacturing process at this facility based on the permit writer's visual observation during a site visit on July 11, 2019 and is thus a pollutant of concern.

**Zinc, Total Recoverable**

Monitoring only. Zinc is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

## OUTFALL #002 – CONTACT COOLING WATER

**EFFLUENT LIMITATIONS TABLE:**

| PARAMETERS | UNIT | DAILY MAX | MONTHLY AVG. | PREVIOUS PERMIT LIMITS | MINIMUM SAMPLING FREQUENCY | REPORTING FREQUENCY | SAMPLE TYPE |
|---|---|---|---|---|---|---|---|
| PHYSICAL | | | | | | | |
| FLOW | MGD | * | * | SAME | TWICE/MONTH | TWICE/MONTH | 24 HR. TOT |
| TEMPERATURE | °F | 90 | 90 | SAME | TWICE/MONTH | TWICE/MONTH | MEASURED |
| CONVENTIONAL | | | | | | | |
| OIL & GREASE | mg/L | 15 | 10 | 15/10 | TWICE/MONTH | TWICE/MONTH | GRAB |
| OIL & GREASE | lbs/day | 29 | 15 | 24.6/12.3 | TWICE/MONTH | TWICE/MONTH | GRAB |
| PH † | SU | 6.5 TO 9.0 | 6.5 to 9.0 | SAME | TWICE/MONTH | TWICE/MONTH | GRAB |
| TOTAL SUSPENDED SOLIDS (TSS) | mg/L | 45 | 30 | 45/30 | TWICE/MONTH | TWICE/MONTH | GRAB |
| TOTAL SUSPENDED SOLIDS (TSS) | lbs/day | 68 | 34 | 57.4/28.7 | TWICE/MONTH | TWICE/MONTH | GRAB |
| NUTRIENTS | | | | | | | |
| AMMONIA AS N | Removed | | | | | | |
| NITRATE PLUS NITRITE AS N | Removed | | | | | | |
| METALS | | | | | | | |
| LEAD | µg/L | * | * | NEW | TWICE/MONTH | TWICE/MONTH | GRAB |
| SELENIUM | µg/L | * | * | NEW | TWICE/MONTH | TWICE/MONTH | GRAB |
| ZINC | µg/L | * | * | NEW | TWICE/MONTH | TWICE/MONTH | GRAB |

* monitoring and reporting requirement only
** monitoring with associated benchmark
† report the minimum and maximum pH values; pH is not to be averaged

**DERIVATION AND DISCUSSION OF LIMITS:**

**PHYSICAL:**

**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. The facility will report the total flow in millions of gallons per day (MGD), monthly monitoring continued from previous permit.

**Temperature**

In accordance with 10 CSR 20-7.031(5)(D), water contaminant sources shall not cause or contribute to stream temperature in excess of ninety degrees Fahrenheit (90 °F). The contact and non-contact cooling water has increased temperature at discharge. There is no upstream of this facility therefore temperature change is not applied.

**CONVENTIONAL:**

**Oil & Grease**

Concentration limits, 15 mg/L daily maximum; 10 mg/L monthly average; have been retained from the previous state operating permit and meet the water quality standards for the protection of aquatic life found in the general criteria of the water quality standards in table A of 10 CSR 20-7.031.
AQL Chronic: 10 mg/L per 10 CSR 20-7.031 Table A1
Set chronic standard equal to chronic WLA per TSD §5.4.2 (EPA/505/2-90-001); multiply by 1.5 to obtain acute limit.
10 mg/L * 1.5 = 15 mg/L

Production based effluent limitations in pounds per day as required in 40 CFR 426 Subpart H for the glass container manufacturing industry have been recalculated based on new production rates. The permittee reported 243 tons of furnace pull per day to the permit writer. After assessing both the ELG limitations and the water quality standards for protection of aquatic life found at 10 CSR 20-7.031 Table A (10 mg/L), it was determined the ELG limits are more protective of the receiving stream, and they are therefore applied to this outfall.

*Assumptions:*

243 tons produced / day
1 ton = 2,000 lbs
MDL = ELG of 0.06 lbs Oil / 1,000 lbs production
AML = ELG of 0.03 lbs Oil / 1,000 lbs production
lbs/day = 8.34 x (mg/L) x MGD rearranged to: mg/L = (lbs/day) / (8.34 x MGD)

| | | Daily Max | Monthly Average |
|---|---|---|---|
| 40 CFR 426 Allowance | (lbs/1000 lbs of furnace pull) | 0.06 | 0.03 |
| Daily Max = | 486,000 lbs/1000 lbs * 0.06 = **29 lbs/day** | | |
| Monthly Average = | 486,000 lbs/1000 lbs * 0.03 = **15 lbs/day** | | |

**pH**

6.5 to 9.0 SU – instantaneous grab sample. Water quality limits [10 CSR 20-7.031(5)(E)] are applicable to this outfall, continued from the last permit. pH is a widely used water quality indicator, and the range implemented in this permit is considered achievable by industrial facilities using typical BMP measures.

**Total Suspended Solids (TSS)**

Per the MDNR 2010 TMDL, Piramal Glass is a contributor of Total Suspended Solids (TSS) to Flat River Creek. Per the 2010 TMDL, TSS effluent concentration limitations per the TMDL for the facility are a daily maximum of 45 mg/L and monthly average of 30 mg/L.

Production based effluent limitations in pounds per day as required in 40 CFR 426 Subpart H for the glass container manufacturing industry have been recalculated based on new production rates. Production was reported as 486,000 pounds of furnace pull.

*Assumptions:*

243 tons produced / day
1 ton = 2,000 lbs
MDL = ELG of 0.14 lbs TSS / 1,000 lbs production
AML = ELG of 0.07 lbs TSS / 1,000 lbs production
lbs/day = 8.34 x (mg/L) x MGD rearranged to: mg/L = (lbs/day) / (8.34 x MGD)

| | | Daily Max | Monthly Average |
|---|---|---|---|
| 40 CFR 426 Allowance | (lbs/1000 lbs of furnace pull) | 0.14 | 0.07 |
| Daily Max = | 486,000 lbs/1000 lbs * 0.14 = **68 lbs/day** | | |
| Monthly Average = | 486,000 lbs/1000 lbs * 0.07 = **34 lbs/day** | | |

**NUTRIENTS:**

**Ammonia, Total as Nitrogen**

This parameter was removed. Permit writer determined ammonia was not a pollutant of concern at this site. The DMR data showed low numbers or non-detects, additionally the permittee reported them believed absent on application received July 16, 2018.

**Nitrate plus Nitrite as N**

This parameter was removed. Permit writer determined nitrates were not pollutants of concern at this site. The DMR data showed low numbers or non-detects, additionally the permittee reported them believed absent on application received July 16, 2018.

**Metals:**

**Lead, Total Recoverable**

Monitoring only. Lead is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

**Selenium, Total Recoverable**

Monitoring only. Selenium is believed to be used in the glass manufacturing process at this facility based on the permit writer's visual observation during a site visit on July 11, 2019 and is thus a pollutant of concern.

**Zinc, Total Recoverable**

Monitoring only. Zinc is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

**OUTFALL #003 – STORMWATER ONLY**

**EFFLUENT LIMITATIONS TABLE:**

| PARAMETERS | UNIT | DAILY MAX | BENCH-MARK | PREVIOUS PERMIT LIMITS | MINIMUM SAMPLING FREQUENCY | REPORTING FREQUENCY | SAMPLE TYPE |
|---|---|---|---|---|---|---|---|
| PHYSICAL | | | | | | | |
| FLOW | MGD | * | * | SAME | ONCE/DISCHARGE | ONCE/QUARTER | 24 HR. TOT |
| PRECIPITATION | inches | * | * | SAME | ONCE/DISCHARGE | ONCE/QUARTER | MEASURED |
| CONVENTIONAL | | | | | | | |
| OIL & GREASE | mg/L | 15 | * | 15/10 | ONCE/DISCHARGE | ONCE/QUARTER | GRAB |
| PH † | SU | 6.5 TO 9.0 | - | SAME | ONCE/DISCHARGE | ONCE/QUARTER | GRAB |
| SETTLEABLE SOLIDS | Removed | | | | | | |
| TOTAL SUSPENDED SOLIDS | mg/L | ** | 100 | NEW | ONCE/DISCHARGE | ONCE/QUARTER | GRAB |
| METALS | | | | | | | |
| LEAD | µg/L | * | * | NEW | ONCE/DISCHARGE | ONCE/QUARTER | GRAB |
| SELENIUM | µg/L | * | * | NEW | ONCE/DISCHARGE | ONCE/QUARTER | GRAB |
| ZINC | µg/L | * | * | NEW | ONCE/DISCHARGE | ONCE/QUARTER | GRAB |

* monitoring and reporting requirement only
** monitoring with associated benchmark
† report the minimum and maximum pH values; pH is not to be averaged

**DERIVATION AND DISCUSSION OF LIMITS:**

**PHYSICAL:**

**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. The facility will report the total flow in millions of gallons per day (MGD), monthly monitoring continued from previous permit.

**Precipitation**

Monitoring only requirement; measuring the amount of precipitation [(10 CSR 20-6.200(2)(C)1.E(VI)] during an event is necessary to ensure adequate stormwater management exists at the site. Knowing the amount of potential stormwater runoff can provide the permittee a better understanding of any specific control measures be employed to ensure protection of water quality. The facility will provide the 24 hour accumulation value of precipitation from the day of sampling the other parameters.

**CONVENTIONAL:**

**Oil & Grease**

15 mg/L daily maximum. Oil and grease is considered a conventional pollutant. Oil and grease is a comprehensive test which measures for gasoline, diesel, crude oil, creosote, kerosene, heating oils, heavy fuel oils, lubricating oils, waxes, and some asphalt and pitch. Oil and grease are a typical pollutant of concern in stormwater and are a known pollutant of concern at glass sites, as identified in the ELG found at 40 CFR 426.
AQL Chronic: 10 mg/L per 10 CSR 20-7.031 Table A1
Set chronic standard equal to chronic WLA per TSD §5.4.2 (EPA/505/2-90-001); multiply by 1.5 to obtain acute limit.
10 mg/L * 1.5 = 15 mg/L

**pH**

6.5 to 9.0 SU – instantaneous grab sample. Water quality limits [10 CSR 20-7.031(5)(E)] are applicable to this outfall, continued from the last permit. pH is a widely used water quality indicator, and the range implemented in this permit is considered achievable by industrial facilities using typical BMP measures.

**Settleable Solids**

This parameter was removed. Permit writer believes total suspended solids better characterize the stormwater effluent at this site. TSS is a common indicator pollutant in stormwater, and the benchmarks included in this permit are seen at a wide variety of industries.

**Total Suspended Solids**
Monitoring with a daily maximum benchmark of 100mg/L. There is no numeric water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. TSS is also a valuable indicator parameter. TSS monitoring allows the permittee to identify increases in TSS indicating uncontrolled materials leaving the site. Increased suspended solids in runoff can lead to decreased available oxygen for aquatic life and an increase of surface water temperatures in a receiving stream. Suspended solids can also be carriers of toxins, which can adsorb to the suspended particles; therefore, total suspended solids are a valuable indicator parameter for other pollution. The benchmark is achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other permits having similar industrial activities.

**Metals:**

**Lead, Total Recoverable**
Monitoring only. Lead is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

**Selenium, Total Recoverable**
Monitoring only. Selenium is believed to be used in the glass manufacturing process at this facility based on the permit writer's visual observation during a site visit on July 11, 2019 and is thus a pollutant of concern.

**Zinc**
Monitoring only. Zinc is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

## OUTFALL #006 – NON-CONTACT COOLING WATER

**EFFLUENT LIMITATIONS TABLE:**

| PARAMETERS | UNIT | DAILY MAX | MONTHLY AVG. | PREVIOUS PERMIT LIMITS | MINIMUM SAMPLING FREQUENCY | REPORTING FREQUENCY | SAMPLE TYPE |
|---|---|---|---|---|---|---|---|
| PHYSICAL | | | | | | | |
| FLOW | MGD | * | * | SAME | TWICE/MONTH | TWICE/MONTH | 24 HR. TOT |
| TEMPERATURE | °F | 90 | 90 | SAME | TWICE/MONTH | TWICE/MONTH | MEASURED |
| CONVENTIONAL | | | | | | | |
| pH † | SU | 6.5 TO 9.0 | 6.5 to 9.0 | SAME | TWICE/MONTH | TWICE/MONTH | GRAB |
| METALS | | | | | | | |
| LEAD | µg/L | * | * | NEW | TWICE/MONTH | TWICE/MONTH | GRAB |
| ZINC | µg/L | * | * | NEW | TWICE/MONTH | TWICE/MONTH | GRAB |

* monitoring and reporting requirement only
** monitoring with associated benchmark
† report the minimum and maximum pH values; pH is not to be averaged

**DERIVATION AND DISCUSSION OF LIMITS:**

**PHYSICAL:**

**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. The facility will report the total flow in millions of gallons per day (MGD), monthly monitoring continued from previous permit.

**Temperature**
In accordance with 10 CSR 20-7.031(5)(D), water contaminant sources shall not cause or contribute to stream temperature in excess of ninety degrees Fahrenheit (90 °F). The contact and non-contact cooling water has increased temperature at discharge, therefore this limit is added to protect the water quality standards. There is no upstream of this facility therefore temperature change is not applied as a limit in this permit.

**CONVENTIONAL:**

**pH**

6.5 to 9.0 SU – instantaneous grab sample. Water quality limits [10 CSR 20-7.031(5)(E)] are applicable to this outfall, continued from the last permit. pH is a widely used water quality indicator, and the range implemented in this permit is considered achievable by industrial facilities using typical BMP measures.

**Metals:**

**Lead, Total Recoverable**

Monitoring only. Lead is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

**Zinc**

Monitoring only. Zinc is commonly found as an additive in glass manufacturing and is included in MDNR's 2010 TMDL and is thus a pollutant of concern.

## PART V. 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.

**PERMIT SYNCHRONIZATION:**

The Department of Natural Resources is currently undergoing a synchronization process for operating permits. Permits are normally issued on a five-year term, but to achieve synchronization many permits will need to be issued for less than the full five years allowed by regulation. The intent is all permits within a watershed will move through the Watershed Based Management (WBM) cycle together will all expire in the same fiscal year. http://dnr.mo.gov/env/wpp/cpp/docs/watershed-based-management.pdf. This will allow further streamlining by placing multiple permits within a smaller geographic area on public notice simultaneously, thereby reducing repeated administrative efforts. This will also allow the Department to explore a watershed based permitting effort at some point in the future. Renewal applications must continue to be submitted within 180 days of expiration, however, in instances where effluent data from the previous renewal is less than two years old, such data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit.

✓ This permit will become synchronized by expiring the end of the 2nd quarter, 2023.

**PUBLIC NOTICE:**

The Department shall give public notice a draft permit has been prepared and its issuance is pending. http://dnr.mo.gov/env/wpp/permits/pn/index.html. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in or with water quality concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and permittee must be notified of the denial in writing.

The Department must issue public notice of a pending operating permit or of a new or reissued statewide general permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit.

For persons wanting to submit comments regarding this proposed operating permit, then please refer to the Public Notice page located at the front of this draft operating permit. The Public Notice page gives direction on how and where to submit appropriate comments.

✓ The Public Notice period for this operating permit was from August 30, 2019 to October 30, 2019. No responses were received.

**DATE OF FACT SHEET**: 6/25/2019

**COMPLETED BY:**

KYLE O'ROURKE, ENVIRONMENTAL SPECIALIST
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - INDUSTRIAL UNIT
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# STANDARD CONDITIONS FOR NPDES PERMITS
# ISSUED BY
# THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
# MISSOURI CLEAN WATER COMMISSION
# REVISED
# AUGUST 1, 2014

These Standard Conditions incorporate permit conditions as required by 40 CFR 122.41 or other applicable state statutes or regulations. These minimum conditions apply unless superseded by requirements specified in the permit.

## Part I – General Conditions
## Section A – Sampling, Monitoring, and Recording

1. **Sampling Requirements.**
   a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
   b. All samples shall be taken at the outfall(s) or Missouri Department of Natural Resources (Department) approved sampling location(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.

2. **Monitoring Requirements**.
   a. Records of monitoring information shall include:
      i. The date, exact place, and time of sampling or measurements;
      ii. The individual(s) who performed the sampling or measurements;
      iii. The date(s) analyses were performed;
      iv. The individual(s) who performed the analyses;
      v. The analytical techniques or methods used; and
      vi. The results of such analyses.
   b. If the permittee monitors any pollutant more frequently than required by the permit at the location specified in the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reported to the Department with the discharge monitoring report data (DMR) submitted to the Department pursuant to Section B, paragraph 7.

3. **Sample and Monitoring Calculations.** Calculations for all sample and monitoring results which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

4. **Test Procedures**. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 unless alternates are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure that the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations that are low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is "sufficiently sensitive" when; 1) the method minimum level is at or below the level of the applicable water quality criterion for the pollutant or, 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility's discharge is high enough that the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015. These methods are also required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established. A permittee is responsible for working with their contractors to ensure that the analysis performed is sufficiently sensitive.

5. **Record Retention.** Except for records of monitoring information required by the permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

6. **Illegal Activities.**
   a. The Federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two (2) years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or both.
   b. The Missouri Clean Water Law provides that any person or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than six (6) months, or by both. Second and successive convictions for violation under this paragraph by any person shall be punished by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

## Section B – Reporting Requirements

1. **Planned Changes.**
   a. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
      i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
      ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42;
      iii. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
      iv. Any facility expansions, production increases, or process modifications which will result in a new or substantially different discharge or sludge characteristics must be reported to the Department 60 days before the facility or process modification begins. Notification may be accomplished by application for a new permit. If the discharge does not violate effluent limitations specified in the permit, the facility is to submit a notice to the Department of the changed discharge at least 30 days before such changes. The Department may require a construction permit and/or permit modification as a result of the proposed changes at the facility.

2. **Non-compliance Reporting.**
   a. The permittee shall report any noncompliance which may endanger health or the environment. Relevant information shall be provided orally or via the current electronic method approved by the Department, within 24 hours from the time the permittee becomes aware of the circumstances, and shall be reported to the appropriate Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. A written submission shall also be provided within five (5) business days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. The following shall be included as information which must be reported within 24 hours under this paragraph.
   i. Any unanticipated bypass which exceeds any effluent limitation in the permit.
   ii. Any upset which exceeds any effluent limitation in the permit.
   iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit required to be reported within 24 hours.

c. The Department may waive the written report on a case-by-case basis for reports under paragraph 2. b. of this section if the oral report has been received within 24 hours.

3. **Anticipated Noncompliance**. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The notice shall be submitted to the Department 60 days prior to such changes or activity.

4. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date. The report shall provide an explanation for the instance of noncompliance and a proposed schedule or anticipated date, for achieving compliance with the compliance schedule requirement.

5. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs 2, 3, and 6 of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 2. a. of this section.

6. **Other Information**. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

7. **Discharge Monitoring Reports.**
   a. Monitoring results shall be reported at the intervals specified in the permit.
   b. Monitoring results must be reported to the Department via the current method approved by the Department, unless the permittee has been granted a waiver from using the method. If the permittee has been granted a waiver, the permittee must use forms provided by the Department.
   c. Monitoring results shall be reported to the Department no later than the 28th day of the month following the end of the reporting period.

## Section C – Bypass/Upset Requirements

1. **Definitions.**
   a. *Bypass*: the intentional diversion of waste streams from any portion of a treatment facility, except in the case of blending.
   b. *Severe Property Damage*: substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
   c. *Upset*: an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. **Bypass Requirements.**
   a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.
   b. Notice.
      i. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
      ii. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section B – Reporting Requirements, paragraph 5 (24-hour notice).
   c. Prohibition of bypass.
      i. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
         1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
         2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
         3. The permittee submitted notices as required under paragraph 2. b. of this section.
      ii. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three (3) conditions listed above in paragraph 2. c. i. of this section.

3. **Upset Requirements.**
   a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 3. b. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
   b. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
      i. An upset occurred and that the permittee can identify the cause(s) of the upset;
      ii. The permitted facility was at the time being properly operated; and
      iii. The permittee submitted notice of the upset as required in Section B – Reporting Requirements, paragraph 2. b. ii. (24-hour notice).
      iv. The permittee complied with any remedial measures required under Section D – Administrative Requirements, paragraph 4.
   c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

## Section D – Administrative Requirements

1. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Missouri Clean Water Law and Federal Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
   a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
   b. The Federal Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The Federal Clean Water Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement

imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.

d. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 of the Missouri Clean Water Law or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 of the Missouri Clean Water Law or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed $10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

2. **Duty to Reapply.**
   a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
   b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
   c. A permittees with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

3. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. **Proper Operation and Maintenance**. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

6. **Permit Actions.**
   a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
      i. Violations of any terms or conditions of this permit or the law;
      ii. Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
      iii. A change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
      iv. Any reason set forth in the Law or Regulations.
   b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. **Permit Transfer.**
   a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
   b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
   c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.

8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

11. **Inspection and Entry.** The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
    a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
    b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
    d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Federal Clean Water Act or Missouri Clean Water Law, any substances or parameters at any location.

12. **Closure of Treatment Facilities.**
    a. Persons who cease operation or plan to cease operation of waste, wastewater, and sludge handling and treatment facilities shall close the facilities in accordance with a closure plan approved by the Department.
    b. Operating Permits under 10 CSR 20-6.010 or under 10 CSR 20-6.015 are required until all waste, wastewater, and sludges have been disposed of in accordance with the closure plan approved by the Department and any disturbed areas have been properly stabilized. Disturbed areas will be considered stabilized when perennial vegetation, pavement, or structures using permanent materials cover all areas that have been disturbed. Vegetative cover, if used, shall be at least 70% plant density over 100% of the disturbed area.

13. **Signatory Requirement.**
    a. All permit applications, reports required by the permit, or information requested by the Department shall be signed and certified. (See 40 CFR 122.22 and 10 CSR 20-6.010)
    b. The Federal Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.
    c. The Missouri Clean Water Law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

14. **Severability.** The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

RECEIVED 36345

MISSOURI DEPARTMENT OF NATURAL RESOURCES MAR 05 2021
WATER PROTECTION PROGRAM
**APPLICATION FOR TRANSFER OF OPERATING PERMIT**
Water Protection Program

| FOR AGENCY USE ONLY | |
|---|---|
| CHECK NO. | |
| DATE RECEIVED 3-5-21 | FEE SUBMITTED $100.00 CR |
| JETPAY CONFIRMATION NUMBER 200220184 / 200220178 | |

**THE FOLLOWING ITEMS (1 – 4) ARE TO BE COMPLETED BY THE CURRENT OWNER. SEE INSTRUCTIONS FOR APPROPRIATE FEE TO BE SUBMITTED WITH APPLICATION.**

**1. FACILITY**

| NAME | | TELEPHONE NUMBER WITH AREA CODE | |
|---|---|---|---|
| Piramal Glass-USA, Inc. | | (573) 431-5743 | |
| ADDRESS (PHYSICAL) | CITY | STATE | ZIP |
| PO Box 187, 1000 Taylor Ave | Park Hills | MO | 63601 |
| PERMIT NUMBER | COUNTY | | |
| #MO- 0098647 | St. Francois County | | |

**2. CURRENT OWNER**

| NAME | EMAIL ADDRESS | TELEPHONE NUMBER WITH AREA CODE | |
|---|---|---|---|
| Piramal Glass-USA, Inc. | aditya.tulsian@piramal.com | (856) 974-6495 | |
| ADDRESS | CITY | STATE | ZIP |
| 329 Herrod Blvd. | Dayton | NJ | 08810 |

**3. CONTINUING AUTHORITY**

| NAME | EMAIL ADDRESS | TELEPHONE NUMBER WITH AREA CODE | |
|---|---|---|---|
| Piramal Glass-USA, Inc. | scott.winder@piramal.com | (573) 431-5743 | |
| ADDRESS | CITY | STATE | ZIP |
| PO Box 187, 1000 Taylor Ave | Park Hills | MO | 63601 |

**4. CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

| NAME (TYPE OR PRINT) | OFFICAL TITLE | TELEPHONE NUMBER WITH AREA CODE |
|---|---|---|
| William Sorokes | Plant Manager, Park Hills, Missouri | (573) 431-5743 |
| SIGNATURE | | DATE SIGNED |
| | | 3-1-2021 |

**THE FOLLOWING ITEMS (5 – 10) WILL APPLY AFTER THE COMPLETION OF TRANSFER (SALE) AND ARE TO BE COMPLETED BY THE APPLICANT FOR TRANSFER OF OPERATING PERMIT (BUYER) OR AUTHORIZED AGENT.**

**5. FACILITY (IF DIFFERENT THAN ABOVE)**

| NAME | TELEPHONE NUMBER WITH AREA CODE |
|---|---|
| Premier Glass USA, LLC | (573) 431-5743 |

**6. FUTURE OWNER**

| NAME | EMAIL ADDRESS | TELEPHONE NUMBER WITH AREA CODE | |
|---|---|---|---|
| Premier Glass USA, LLC | premier.permits@piramal.com | (856) 974-6495 | |
| ADDRESS | CITY | STATE | ZIP |
| 329 Herrod Blvd. | Dayton | NJ | 08810 |

Is the owner PSC regulated? ☐ Yes ☑ No If **YES**, please provide your Certificate of Convenience and Necessity.

**7. CONTINUING AUTHORITY**

| NAME | EMAIL ADDRESS | TELEPHONE NUMBER WITH AREA CODE | |
|---|---|---|---|
| Premier Glass USA, LLC | scott.winder@piramal.com | (573) 431-5743 | |
| ADDRESS | CITY | STATE | ZIP |
| PO Box 187, 1000 Taylor Ave | Park Hills | MO | 63601 |

**8. FACILITY CONTACT**

| NAME | TITLE | | |
|---|---|---|---|
| Scott Winder | Director – HR & EHS | | |
| EMAIL ADDRESS | TELEPHONE NUMBER WITH AREA CODE | | |
| scott.winder@piramal.com | (573) 431 5743 x218 | | |
| ADDRESS | CITY | STATE | ZIP |
| PO Box 187, 1000 Taylor Ave | Park Hills | MO | 63601 |

**9. ADDITIONAL INFORMATION**

**9.1** Anticipated effective date of transfer of ownership: February 25, 2021

**9.2** Are any changes in production, in raw materials, or in the quantity of discharges from this facility planned or anticipated?
☐Yes ☑ No If yes, explain (Attach sheets as necessary)

**10. ELECTRONIC DISCHARGE MONITORING REPORT (eDMR) SUBMISSION SYSTEM**

Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally-consistent set of data. **One of the following must be checked in order for this application to be considered complete.** Please visit http://dnr.mo.gov/env/wpp/edmr.htm to access the Facility Participation Package.

☐ - You have completed and submitted with this permit application the required documentation to participate in the eDMR system.

☑ - You have previously submitted the required documentation to participate in the eDMR system and/or you are currently using the eDMR system.

☐ - You have submitted a written request for a waiver from electronic reporting. See instructions for further information regarding waivers.

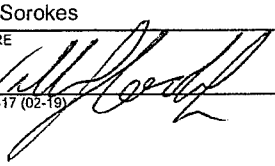
**11. JETPAY**

Permit fees may be payed online by credit card or eCheck through a system called JetPay. Use the URL provided to access JetPay and make an online payment.

Modification Fee: https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/596/

**12. CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

| NAME (TYPE OR PRINT) | OFFICIAL TITLE | TELEPHONE NUMBER WITH AREA CODE |
|---|---|---|
| William Sorokes | Plant Manager, Park Hills, Missouri | (573) 431-5743 |
| SIGNATURE | | DATE SIGNED |
|  | | 3-1-2021 |

## INSTRUCTIONS FOR COMPLETING APPLICATION FOR TRANSFER OF OPERATING PERMIT

All blanks must be filled in when the application is submitted to the Missouri Department of Natural Resources. This includes **BOTH** required signatures.

Department of Natural Resources regulation 10 CSR 20-6.010 (11) governs the transfer of National Pollutant Discharge Elimination System (NPDES) permits. Until such time as the permit is officially transferred, the current permittee remains responsible for complying with the terms and conditions of the existing permit. The department, within thirty (30) days of receipt of this application, shall notify the new applicant of its intent to revoke and reissue or transfer the permit.

**Section 1-4.** Current permittee (present owner/seller) is to complete items 1 – 4.
**Section 5-10.** Applicant for transfer of operating permit (future owner/buyer) is to complete items 5 – 10.
**Section 2 & 6.** Owner: Provide the legal name, mailing address, phone number, and email address of the owner. The owner identified in this section and subsequently reflected on the certificate page of the operating permit, is the owner of the regulated activity/discharge being applied for and is not necessarily the owner of the real property on which the activity or discharge is occurring.
**Section 3 & 7.** Continuing Authority – A continuing authority is a company, business, entity or person(s) that will be operating the facility and/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified operator or analytical laboratory. To access the regulatory requirement regarding continuing authority, 10 CSR 20-6.010(2), please visit https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf. If the continuing authority is not an individual(s), government, or otherwise required to register with the Missouri Secretary of State (SoS), then the business name must be listed exactly as it appears on the SoS's webpage: https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0

**Section 10. Electronic Discharge Monitoring Report (eDMR) Submission System** – You can find the eDMR application at the following link: https://dnr.mo.gov/forms/780-2204-f.pdf
Waivers to electronic reporting may be granted by the Department per 40 CFR 127.15 under certain, special circumstances. A written request must be submitted to the Department for approval. Waivers may be granted to facilities owned or operated by:

a. members of religious communities that choose not to use certain technologies or
b. permittees located in areas with limited broadband access. The National Telecommunications and Information Administration (NTIA) in collaboration with the Federal Communications Commission (FCC) have created a broadband internet availability map: http://www.broadbandmap.gov/. Please contact the Department if you need assistance.

**Section 4. & 12. Signatures** - All applications must be signed as follows and the signatures must be **original**:

a. For a corporation, by an officer having responsibility for the overall operation of the regulated facility or activity or for environmental matters.
b. For a partnership or sole proprietorship, by a general partner or the proprietor.
c. For a municipal, state, federal or other public facility, by either a principal executive officer or by an individual having overall responsibility for environmental matters at the facility.

**Section 11. JetPay**
Applicants can pay fees online by credit card or eCheck through a system called JetPay.

- Per Section 37.001, RSMo, a transaction fee will be included. The transaction fee is paid to the third party vendor JetPay, not the Department of Natural Resources.
- Upon successful completion of your payment, JetPay provides a payment confirmation. Submit this form with a copy of the payment confirmation if requesting a new permit or a permit modification. For permit renewals of active permits, the Department will invoice fees annually in a separate request.
- If you are unable to make your payment online, but want to pay with credit card, you may email your name, phone number, and invoice number, if applicable, to **WPPFees@dnr.mo.gov**. The Budget, Fees, and Grants Management Unit will contact you to assist with the credit card payment. **Please do not include your credit card information in the email.**
- Applicants can find fee rates in 10 CSR 20-6.011 (https://dnr.mo.gov/pubs/pub2564.htm).
- Permit modifications, including transfers, are subject to the following fees; $200 for Municipals and $100 for All others

Note: Business name and address changes where owner and continuing authority remain the same are not considered transfers.

**Submittal of an incomplete application may result in the application being returned.**

This completed form and any attachments along with the applicable permit fees, should be submitted to:

Department of Natural Resources
Water Protection Program
ATTN: Operating Permits Section
P.O. Box 176
Jefferson City, MO 65102

Map of regional offices with addresses and phone numbers are available on the Web at http://dnr.mo.gov/regions/. If there are any questions concerning this form, please contact the appropriate regional office or the Department of Natural Resources, Water Protection Program, Operating Permits Section at 800-361-4827 or 573-522-4502.

**PREMIER GLASS USA LLC**
**918 E Malaga Road,**
**Williamstown, NJ 08094**
**EIN 85-4079842**

RECEIVED
MAR 05 2021
Water Protection Program

March 1, 2021

Missouri Department of Natural Resources
Water Protection Program
ATTN: Operating Permits Section
PO Box 176
Jefferson City, MO 65102

**Re: Change of Ownership –Application for Transfer of Operating Permit (MO Form 780-1517)**

| | |
|---|---|
| **Permitee/Seller:** | Piramal Glass-USA, Inc. |
| **Transferee/Buyer:** | Premier Glass USA, LLC |
| **Facility Location:** | 1000 Taylor Avenue, Park Hills, MO 63601 |
| **Permit / ID #:** | Missouri State Operating Permit MO-0098647 (issued to Piramal Glass-USA, Inc.) |

To whom it may concern:

On February 25, 2021, Premier Glass USA, LLC ("Premier Glass") entered into an agreement to acquire certain assets in the glass manufacturing business located at 1000 Taylor Avenue from Piramal Glass-USA, Inc. ("Piramal Glass"), including all of the manufacturing assets at Piramal's facility located in Park Hills, Missouri. Effective February 25, 2021, Premier Glass became the owner and operator of the facility referenced above (the "Operator"). The facility will continue operation as a glass manufacturing entity under the Missouri State Operating Permit (MO-0098647) issued on November 1, 2019, by the Missouri Department of Natural Resources ("MDNR") Clean Water Commission which is scheduled to expire on June 30, 2023.

By this letter and completed Application for Transfer of Operating Permit form (MO Form 780-1517) included herewith, Premier Glass informs the MDNR Water Protection Program (the "Agency"), that as the new owner of the facility, Premier Glass will not be making any modifications to the facility's current operations.

As such, in keeping with the rules set forth by the Department of Natural Resources regulation 10 CSR 20.6.010(11), as the new owner of the subject facility, Premier Glass is writing to provide the Agency with formal notice of the transaction and to request transfer of the Missouri State Operating Permit from Piramal Glass to Premier Glass, via written approval.

In keeping with guidance as promulgated under 10 CSR 20-6.010(11) which governs the transfer of National Pollutant Discharge Elimination System (NPDES) permits in the State of Missouri, until such time as the permit is officially transferred, the current permittee (Piramal Glass) will continue to remain responsible for complying with the terms and conditions of the existing

permit. Additionally, in keeping with code, Premier Glass looks forward to receiving notification from the Agency, regarding whether the Agency intends to revoke and reissue or transfer the aforementioned Missouri State Operating Permit from Piramal Glass to Premier Glass.

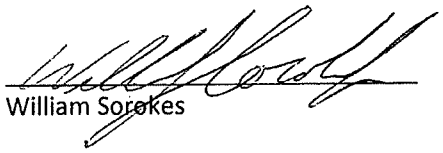
The technical contact information for the Operator shall remain:

Mr. Scott Winder,
Director – EHS & HR,
1000 Taylor Avenue,
Park Hills, MO
Phone: (573) 431-5743 x218
Scott.Winder@piramal.com
Premier.Permits@piramal.com

If you have any questions regarding this Application for Transfer of Operating Permit filed on behalf of Premier Glass, associated with the subject facility, please contact the undersigned.

Very truly yours,

**PREMIER GLASS USA, LLC**

By: 
William Sorokes

Title: Plant Manager, Park Hills, Missouri

Attachments:

MDNR Water Protection Program Application for Transfer of Operating Permit
JetPay Permit Transfer Fees Payment Receipt

Cc:
Heather Peters, Environmental Supervisor, MDNR, Water Protection Program, OP Section
David Howard, Plant Controller, Piramal Glass USA, LLC
Aditya Tulsian, Chief Financial Officer, Piramal Glass USA, LLC
Craig D. Grear, Young Conway Stargatt & Taylor, LLP
Scott R. Winder, Director, HR & EHS, Piramal Glass USA, LLC
Allurie R. Kephart, Young Conway Stargatt & Taylor, LLP