

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

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

Permit No.	MO-0107701
Owner:	U.S. Department of Energy (USDOE)
Address:	7295 Highway 94 South, Weldon Spring, MO 63304
Continuing Authority:	U.S. Department of Energy
Address:	7295 Highway 94 South, Weldon Spring, MO 63304
Facility Name:	USDOE, Weldon Spring Site
Facility Address:	7295 Highway 94 South, Weldon Spring, MO 63304
Legal Description:	Land Grant 2990, St. Charles County
UTM Coordinates:	X= 698192, Y= 4282734
Receiving Stream:	Missouri River (P)
First Classified Stream and ID:	Missouri River (P) WBID#1604 303(d) List
USGS Basin & Sub-watershed No.:	Lower Missouri; 10300200-0607

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

**FACILITY DESCRIPTION**


See page 2

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Sections 640.013, 621.250, and 644.051.6 of the Law.

October 1, 2020  
Effective Date

  
Edward B. Galbraith, Director, Division of Environmental Quality

September 30, 2025  
Expiration Date

  
Chris Wieberg, Director, Water Protection Program

## **FACILITY DESCRIPTION (CONTINUED)**

Weldon Spring Site was historically used as an ordnance plant; uranium feed materials plant; and disposal of TNT, uranium, thorium, and radium containing residues, rubble, and soils. The land was owned by various governmental programs, eventually ending under the authority of the USDOE. The site was designated the Weldon Spring Site Remedial Action Project (WSSRAP), and cleanup activities were initiated. In 1987 and 1989, the U.S. Environmental Protection Agency (EPA) placed portions of the site in the Superfund program. Remediation occurred on site under Superfund beginning in 1988, and continued through 2002. The Weldon Spring Site was transferred to the Office of Legacy Management (LM) in 2003. LM conducts long-term surveillance and maintenance at the site which includes routine inspections, groundwater monitoring, site maintenance, records-related activities, stakeholder support, and operation of an Interpretive Center.

The site is currently permitted for discharge from the leachate collection and treatment system. Sludge is managed by disposal to an appropriate treatment facility as necessary. This facility does not require a certified wastewater operator. Domestic wastewater is managed in an onsite treatment system which is regulated by the local health department as it is less than 3,000 gallons per day. Industrial waste is not authorized for discharge to the onsite domestic wastewater treatment system.

### OUTFALL #007 – Process Wastewater; SIC # 4953, NAICS # 562211

Leachate and monitoring well purge water. Leachate treatment consists of filtration and an ion exchange resin. Monitoring well purge water is passed through a carbon adsorption system filter and sent to the leachate collection and retention system. Treated leachate is currently hauled to a permitted facility.

Design Flow: 0.015 MGD

Average Flow: 0 MGD

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

OUTFALL #007 Wastewater Outfall	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 <b>October 1, 2020</b> 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
PHYSICAL						
Flow	MGD	*		*	once/discharge	24 hr. total
CONVENTIONAL						
pH **	SU	6.5 to 9.0		6.5 to 9.0	once/discharge	grab
ELG						
α-Terpineol	µg/L	42		19	once/discharge	grab
Ammonia, as N	mg/L	10		4.9	once/discharge	grab
Aniline	µg/L	24		15	once/discharge	grab
Arsenic	µg/L	1100		540	once/discharge	grab
Benzoic Acid	µg/L	119		73	once/discharge	grab
Biochemical Oxygen Demand <sub>5</sub>	mg/L	220		56	once/discharge	grab
Chromium	µg/L	1100		460	once/discharge	grab
Naphthalene	µg/L	59		22	once/discharge	grab
p-Cresol	µg/L	24		15	once/discharge	grab
Phenol	µg/L	48		29	once/discharge	grab
Pyridine	µg/L	72		25	once/discharge	grab
Total Suspended Solids	mg/L	88		27	once/discharge	grab
Zinc	µg/L	535		296	once/discharge	grab
OTHER						
Cyanide, Amenable to Chlorination	µg/L	188		93	once/discharge	grab
Gross Alpha	pCi/L	167		80	once/discharge	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>WITHIN 30 DAYS OF DISCHARGE</u> .						
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
Whole Effluent Toxicity, Acute See Special Condition #1	TU <sub>a</sub>	*			once/discharge	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>WITHIN 30 DAYS OF DISCHARGE</u> .						
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

\* Monitoring requirement only.

\*\* The facility will report the minimum and maximum values. pH is not to be averaged.

**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 and hereby incorporated as though fully set forth herein.

### C. SPECIAL CONDITIONS

1. Acute Whole Effluent Toxicity (WET) tests shall be conducted as follows:
  - (a) Freshwater Species and Test Methods: Species and short-term test methods for estimating the acute toxicity of NPDES effluents are found in the most recent edition of *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (EPA/821/R-02/012; Table IA, 40 CFR Part 136). The permittee shall concurrently conduct 48-hour, static, non-renewal toxicity tests with the following species:
    - The fathead minnow, *Pimephales promelas* (Acute Toxicity EPA Test Method 2000.0).
    - The daphnid, *Ceriodaphnia dubia* (Acute Toxicity EPA Test Method 2002.0).
  - (b) Chemical and physical analysis of the upstream control sample and effluent sample shall occur immediately upon being received by the laboratory, prior to any manipulation of the effluent sample beyond preservation methods consistent with federal guidelines for WET testing that are required to stabilize the sample during shipping. Where upstream receiving water is not available or known to be toxic, other approved control water may be used.
  - (c) Test conditions must meet all test acceptability criteria required by the EPA Method used in the analysis.
  - (d) The laboratory shall not chemically dechlorinate the sample.
  - (e) The Allowable Effluent Concentration (AEC) for this facility is 91% with the dilution series being: 98.9%, 91%, 83.7%, 77.0%, 70.9%.
  - (f) All chemical and physical analysis of the effluent sample performed in conjunction with the WET test shall be performed at the 100% effluent concentration.
  - (g) The facility must submit a full laboratory report for all toxicity testing. The report must include a quantification of acute toxic units ( $TU_a = 100/LC_{50}$ ) reported according to the test methods manual chapter on report preparation and test review. The Lethal Concentration 50 Percent ( $LC_{50}$ ) is the effluent concentration that would cause death in 50 percent of the test organisms at a specific time.
  - (h) Whole Effluent Toxicity (WET) Test shall only be conducted if the facility is discharging.
2. 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.
3. 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) Programmatic Reporting Requirements. All reports must be electronically submitted as an attachment to the eDMR system until such a time when the current or a new system is available to allow direct input of the data. After such a system has been made available by the Department, required data shall be directly input into the system by the next report due date
    - (1) Whole Effluent Toxicity (WET) Reports;
    - (2) Any additional report required by the permit excluding bypass reporting.
  - (c) 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); and
    - (5) Bypass reporting
  - (d) Electronic Submission: access the eDMR system via: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>
  - (e) 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.
4. 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:

*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](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 [644.016(17)] 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.
5. 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.
6. 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 RSMo 644.051.16, 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.
7. All outfalls must be clearly marked in the field.

8. 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.
9. Changes in Discharges of Toxic Pollutant.  
In addition to the reporting requirements under 40 CFR 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 40 CFR 122.21(g)(7).
    - (4) The level established by the Director in accordance with 40 CFR 122.44(f).
10. 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).
11. Failure to pay fees associated with this permit is a violation of the Missouri Clean Water Law (644.055 RSMo).
12. This permit does not cover land disturbance activities.
13. 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.
14. Renewal Application Requirements.
  - (a) This facility shall submit an appropriate and complete application to the Department no less than 180 days from the expiration date listed on page 1 of the permit.
  - (b) Application materials shall include complete Form A, and Form C, and Form D. If the form names have changed, then the facility should assure they are submitting the correct forms as required by regulation. If no discharge has occurred from the facility in the permit period, the facility is exempt from the sampling required on Form C and Form D.
  - (c) The facility may use the electronic submission system to submit the application to the Program, if available.

**MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-0107701**  
**USDOE WELDON SPRING SITE**

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 wastewater; categorical; <1 MGD  
SIC Code(s): 4953  
NAICS Code(s): 562211  
Application Date: 02/21/2020  
Expiration Date: 09/30/2020  
Last Inspection: 02/04/2015

**FACILITY DESCRIPTION:**

Weldon Spring Site was historically used as an ordnance plant; uranium feed materials plant; and disposal of TNT, uranium, thorium, and radium containing residues, rubble, and soils. The land was owned by various governmental programs, eventually ending under the authority of the USDOE. The site was designated the Weldon Spring Site Remedial Action Project (WSSRAP), and cleanup activities were initiated. In 1987 and 1989, the U.S. Environmental Protection Agency (EPA) placed portions of the site in the Superfund program. Remediation occurred on site under Superfund beginning in 1988, and continued through 2002. The Weldon Spring Site was transferred to the Office of Legacy Management (LM) in 2003. LM conducts long-term surveillance and maintenance at the site which includes routine inspections, groundwater monitoring, site maintenance, records-related activities, stakeholder support, and operation of an Interpretive Center.

The site is currently permitted for their leachate collection and removal system. The facility has not discharged since 2002. Treated leachate is currently hauled to Metropolitan St. Louis Sewer District's Bissell Point Treatment Plant.

**OUTFALL #007 – Process Wastewater; SIC # 4953**

Radioactive leachate and monitoring well purge water. Leachate treatment consists of filtration and an ion exchange resin. Monitoring well purge water is passed through a carbon adsorption system filter and sent to the leachate collection and retention system. Treated leachate is currently hauled to a permitted facility.

In accordance with 40 CFR 122.21(f)(6), the permittee reported no other permits currently held by this facility.

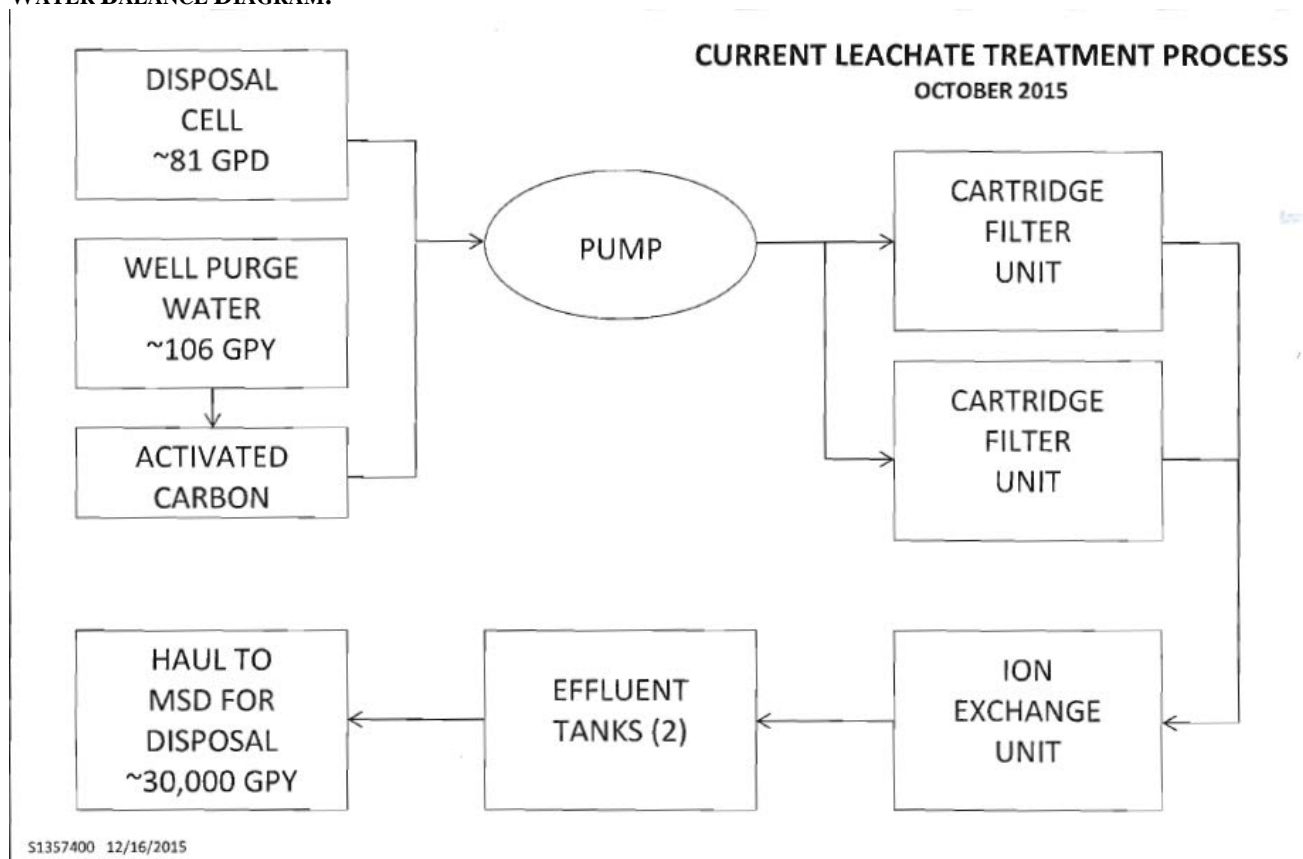
**PERMITTED FEATURES TABLE:**

OUTFALL	AVERAGE FLOW (MGD)	DESIGN FLOW (MGD, CFS)	TREATMENT LEVEL	EFFLUENT TYPE
#007	0	0.015, 0.0232	advanced	treated leachate

**FACILITY PERFORMANCE HISTORY & COMMENTS:**

The discharge monitoring reports were reviewed for the last five years. The facility has not discharged in the last five years.

## WATER BALANCE DIAGRAM:



## PART II. RECEIVING WATERBODY INFORMATION

### RECEIVING WATERBODY'S WATER QUALITY:

The receiving stream, Missouri River (P), has multiple monitoring gauges in place both up and downstream from this facility. Water quality data used in this permit was obtained from USGS gauge #06934500 near Herman, Missouri.

([https://waterdata.usgs.gov/nwis/inventory/?site\\_no=06934500](https://waterdata.usgs.gov/nwis/inventory/?site_no=06934500)).

### 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; Missouri River (P) (1604) is listed on the 2008 Missouri 303(d) list for *E. coli*.
- ✓ This facility is not considered a source of the above listed pollutant(s) or considered to contribute to the impairment.

### 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; (Receiving water body's name or watershed) is associated with the 2006 EPA approved TMDL for PCB and Chlordane.
- ✓ This facility is not considered to be a source of the above listed pollutant(s) or considered to contribute to the impairment.

### UPSTREAM OR DOWNSTREAM IMPAIRMENTS:

The permit writer has reviewed upstream and downstream stream segments of this facility for impairments.

- ✓ The permit writer has noted upstream and downstream of the facility is on the 303(d) list and has a TMDL. The permittee is not considered to be a source of the pollutants, therefore no action is required in this permit to address the impairments.



**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. This facility is subject to effluent limitations derived on a site specific basis which are presented in each outfall's effluent limitation table and further discussed in Part IV: Effluents Limits Determinations.

✓ Missouri or Mississippi River

**RECEIVING WATERBODY TABLE:**

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES	DISTANCE TO SEGMENT	12-DIGIT HUC
#001	Missouri River	P	1604	DWS, GEN, HHP, IRR, LWV, SCR, WBC-B, WWH (ALP)	0.0 mi	Wildhorse Creek-Missouri River 1300200-0607

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 100K Extant-Remaining Streams 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](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 1<sup>st</sup> 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

**RECEIVING WATERBODY MONITORING REQUIREMENTS:**

No receiving water monitoring requirements are recommended at this time.

**RECEIVING STREAM LOW-FLOW VALUES:**

OUTFALL	RECEIVING STREAM (C, P)	LOW-FLOW VALUES (CFS)		
		1Q10	7Q10	30Q10
#007	Missouri River (P)	28,600	29,371	31,947

Low flow values were obtained from USGS Gaging Station #06934500 near Herman, Missouri.

([https://waterdata.usgs.gov/nwis/inventory/?site\\_no=06934500](https://waterdata.usgs.gov/nwis/inventory/?site_no=06934500))

**MIXING CONSIDERATIONS TABLE: MISSOURI RIVER**

MIXING ZONE (CFS) (CHRONIC) [10 CSR 20-7.031(5)(A)4.B.(III)(a)]			ZONE OF INITIAL DILUTION (CFS) (ACUTE) [10 CSR 20-7.031(5)(A)4.B.(III)(b)]		
1Q10	7Q10	30Q10	1Q10	7Q10	30Q10
7150	7342.75	7987	0.23*	0.23*	0.23*

\*ZID cannot be more than 10 times the facility design flow.

### **PART III. RATIONALE AND DERIVATION OF 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)], and 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.

- ✓ 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's special conditions required sampling to discharge stormwater from secondary containment. This condition has been removed, as the stormwater at the site is not permitted, and there are no secondary containment structures.

#### **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.

- ✓ Not applicable; the facility does not have stormwater discharges or the stormwater outfalls onsite have no industrial exposure.

#### **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, industrial waste, process waste, and other similar waste.

- ✓ Not applicable; this facility discharges domestic wastewater onsite system with flows of 3,000 gallons per day or less. The domestic wastewater system is jurisdiction of the Missouri Department of Health and Senior Services or Local Public Health Agency. This permit does not authorize any industrial wastewater for introduction into the onsite system.

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 on-site domestic wastewater system is the jurisdiction of the Missouri Department of Health and Senior Services or Local Public Health Agency.

#### 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 400-499 applicable to the wastewater discharge at this site, and is applied under 40 CFR 125.3(a). See Part IV: EFFLUENT LIMITS DETERMINATION.

Regulated Parameter	Maximum Daily (mg/L)	Maximum Monthly Average (mg/L)
BOD5	220	56
TSS	88	27
Ammonia (as N)	10	4.9
Alpha Terpineol	0.042	0.019
Aniline	0.024	0.015
Benzoic Acid	0.119	0.073
Naphthalene	0.059	0.022
p-Cresol	0.024	0.015
Phenol	0.048	0.029
Pyridine	0.072	0.025
Arsenic	1.1	0.54
Chromium	1.1	0.46
Zinc	0.535	0.296
pH	6.0-9.0 SU	6.0-9.0 SU

#### 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, RSMo 644.076.1, 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. See Part IV for specific determinations.

#### **GROUNDWATER MONITORING:**

Groundwater is a water of the state according to RSMo 644.016(27), 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 monitoring the groundwater at the site for EPA Superfund. The results of this monitoring are not currently required to be submitted to the WPP.

#### **LAND APPLICATION:**

Land application, or surficial dispersion of wastewater and/or sludge, is performed by facilities to maintain a basin as no-discharge. Requirements for these types of operations are found in 10 CSR 20-6.015; authority to regulate these activities is from RSMo 644.026.

✓ Not applicable; this permit does not authorize operation of a surficial land application system to disperse wastewater or sludge.

✓ This permit does not authorize land disposal or the application of hazardous waste.

#### **LAND DISTURBANCE:**

Land disturbance, sometimes called construction activities, are actions which cause disturbance of the root layer or soil; these include clearing, grading, and excavating of the land. 40 CFR 122.26(b)(14) and 10 CSR 20-6.200(3) requires permit coverage for these activities. Coverage is not required for facilities when only providing maintenance of original line and grade, hydraulic capacity, or to continue the original purpose of the facility.

✓ Not applicable; this permit does not provide coverage for land disturbance activities.

#### **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 Statutes 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.

#### **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 per 10 CSR 26-2.010(2) 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.

**PRETREATMENT:**

This permit does not regulate pretreatment requirements for facilities discharging to an accepting permitted wastewater treatment facility. If applicable, the receiving entity (the publically owned treatment works - POTW) is to assure compliance with any effluent limitation guidelines for pretreatment listed in 40 CFR Subchapter N per 10 CSR 20-6.100. Pretreatment regulations per RSMo 644.016 are limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities.

- ✓ Applicable; this entity reported wastewater is discharged to a POTW and falls under a category with pretreatment requirements.

**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.

- ✓ Not applicable; a mathematical RPA was not conducted for this facility. This facility has not discharged in the last permit cycle, therefore data was not considered mathematically.
- ✓ 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.

**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. Minimum sampling frequency for all parameters is annually per 40 CFR 122.44(i)(2).

**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. SOC's are allowed under 40 CFR 122.47 and 10 CSR 20-7.031(11) providing certain conditions are met.

- ✓ Not applicable; this permit does not contain a SOC. Limits have not become more restrictive.

**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.

- ✓ Applicable; sludge is removed as necessary to a permitted treatment facility. Currently the facility discharges to MSD Bissell Point.

**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 statutes, federal regulations, and the Clean Water Act.

**STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS:**

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. 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.

- ✓ Not applicable; this facility does not have any stormwater-only outfalls.

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

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.

- ✓ Not applicable; the waste at this facility has been fully encapsulated and no further treatment is required. As there are no exposed sources of waste, permitting of stormwater at this site is not required. This permit does not require a SWPPP be developed.

**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> Single family residential septic systems and non-residential septic systems used solely for sanitary waste and having the capacity to serve fewer than 20 persons a day are excluded from the UIC requirements (40 CFR 144.81(9)).

- ✓ 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 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; definitions], 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.

- ✓ Applicable; wasteload allocations for toxic parameters were calculated using water quality criteria or water quality model results and by applying the dilution equation below; WLAs are calculated using the *Technical Support Document For Water Quality-Based Toxics Control* or TSD EPA/505/2-90-001; 3/1991.

$$C = \frac{(C_s \times Q_s) + (C_e \times Q_e)}{(Q_e + Q_s)} \quad (\text{EPA/505/2-90-001, Section 4.5.5})$$

Where C = downstream concentration  
Cs = upstream concentration  
Qs = upstream flow  
Ce = effluent concentration  
Qe = effluent flow

- ✓ Acute wasteload allocations designated as daily maximum limits (MDL) were determined using applicable water quality criteria (CMC: criteria maximum concentration) and stream volume of flow at the edge of the zone of initial dilution (ZID).
- ✓ Chronic wasteload allocations designated as monthly average limits (AML) were determined using applicable chronic water quality criteria (CCC: criteria continuous concentration) and stream volume of flow at the edge of the mixing zone (MZ).
- ✓ Number of Samples "n": effluent quality is determined by the underlying distribution of daily values, which is determined by the Long Term Average (LTA) associated with a particular Wasteload Allocation (WLA) and by the Coefficient of Variation (CV) of the effluent concentrations. Increasing or decreasing the monitoring frequency does not affect this underlying assumption which should be, at a minimum, targeted to comply with the values dictated by the WLA. Therefore, it is recommended the actual planned frequency of monitoring be used to determine the value of "n" for calculating the AML. However, in situations where monitoring frequency is once per month or less, a higher value for "n" must be assumed for AML derivation purposes. Thus, the statistical procedure being employed using an assumed number of samples is "n = 4".

#### **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.

#### **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 water quality standard that has changed twenty-five percent or more since the previous operating permit.

**PART IV. EFFLUENT LIMITS DETERMINATIONS****OUTFALL #007 – MAIN FACILITY OUTFALL****EFFLUENT LIMITATIONS TABLE:**

PARAMETERS	UNIT	BASIS FOR LIMITS	DAILY MAX	MONTHLY AVG	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE
PHYSICAL								
FLOW	MGD	1	*	*	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	24 Hr. Tot
CONVENTIONAL								
pH **	SU	1, 3	6.5 TO 9.0	6.5 TO 9.0	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
ELG								
α-TERPINEOL	µg/L	1	42	19	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
AMMONIA AS N	mg/L	1	10	4.9	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
ANILINE	µg/L	1	24	15	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
ARSENIC	µg/L	1	1100	540	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
BENZOIC ACID	µg/L	1	119	73	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
BOD <sub>5</sub>	mg/L	1	220	56	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
CHROMIUM	µg/L	1	1100	460	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
NAPHTHALENE	µg/L	1	59	22	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
P-CRESOL	µg/L	1	24	15	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
PHENOL	µg/L	1	48	29	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
PYRIDINE	µg/L	1	72	25	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
TOTAL SUSPENDED SOLIDS	mg/L	1	88	27	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
ZINC	µg/L	1	535	296	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
OTHER								
WET TEST, ACUTE	TUa	8	*	*	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
CYANIDE, AMENABLE TO CHLORINATION	µg/L	8	188	93	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB
GROSS ALPHA	pCi/L	3,6	167	80	SAME	ONCE/DISCHARGE	ONCE/DISCHARGE	GRAB

\* Monitoring and reporting requirement only

\*\* 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 ensure 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), monitoring continued from previous 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. pH is a fundamental water quality indicator. Limitations in this permit will protect against aquatic organism toxicity, downstream water quality issues, human health hazard contact, and negative physical changes in accordance with the general criteria at 10 CSR 20-7.031(4) and the Clean Water Act's (CWA) goal of 100% fishable and swimmable rivers and streams. Limits are continued from the previous permit.



## ELG:

### ***α-Terpineol, Ammonia as N, Aniline, Arsenic, Benzoic Acid, BOD<sub>5</sub>, Chromium, Naphthalene, p-Cresol, Phenol, Pyridine, Total Suspended Solids, and Zinc***

These parameters are added to the permit per the ELG found at 40 CFR 445.11, Effluent Limitations attainable by the application of the best practicable control technology currently available (BPT), for RCRA Subtitle C Hazardous Waste Landfills. This ELG applies to discharges of wastewater (leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated storm water, and contact washwater from washing trucks, equipment, or railcar surfaces or exteriors). See Part III. RATIONALE AND DERIVATION OF EFFLUENT LIMITATIONS & PERMIT CONDITIONS for more information. These pollutants were evaluated for water quality limitations, but it was found technology based limitations were more stringent; therefore, technology based limits are applied.

## OTHER:

### **Cyanide, Amenable to Chlorination**

Daily maximum limit of 188 µg/L, with a monthly average limit of 93 µg/L. These limits are continued from the previous permit. It is in the best professional judgment of the permit writer to continue the limits from the previous permit. Recalculation of the limits based on recent river flow data and the design flow of the facility yields higher limitations; however, it is in the best professional judgment of the permit writer to continue the limitations from the previous permit. The current limitations remain protective of water quality, and as the facility has not discharged in over 10 years, it seems capable of meeting the limits as required.

### **Gross Alpha**

Daily maximum limit of 167 pCi/L, with a monthly average limit of 93 pCi/L. These limits are continued from the previous permit. It is in the best professional judgment of the permit writer to continue the limits from the previous permit. Recalculation of the limits based on recent river flow data and the design flow of the facility yields higher limitations; however, it is in the best professional judgment of the permit writer to continue the limitations from the previous permit. The current limitations remain protective of water quality, and as the facility has not discharged in over 10 years, it seems capable of meeting the limits as required. Additionally, data reviewed from the last known discharge events seem to indicate the facility is capable of meeting these limits.

### **Whole Effluent Toxicity (WET) Test, Acute**

Monitoring is required to determine if reasonable potential exists for the discharge to cause toxicity within the receiving stream. No WET test results were found for this facility, as it has not discharged in over ten years.

Under the federal Clean Water Act (CWA) §101(a)(3), requiring WET testing is reasonably appropriate for site-specific Missouri State Operating Permits for discharges to waters of the state issued under the National Pollutant Discharge Elimination System (NPDES). WET testing is also required by 40 CFR 122.44(d)(1). WET testing ensures the provisions in 10 CSR 20-6 and the Water Quality Standards in 10 CSR 20-7 are being met. Under 10 CSR 20-6.010(8)(A)4, the Department may require other terms and conditions it deems necessary to assure compliance with the CWA and related regulations of the Missouri Clean Water Commission. The following Missouri Clean Water Laws (MCWL) apply: §644.051.3. requires the Department to set permit conditions complying with the MCWL and CWA; §644.051.4 specifically references toxicity as an item we must consider in writing permits (along with water quality-based effluent limits); and §644.051.5. is the basic authority to require testing conditions. WET tests are required by all facilities meeting the following criteria:

- ✓ Facility handles large quantities of toxic substances, or substances toxic in large amounts
- ✓ Facility has water quality-based effluent limitations for toxic substances (other than NH<sub>3</sub>)

For classified permanent streams with other than default mixing considerations, the Allowable Effluent Concentration (AEC)% is determined as follows:

$$\text{Acute AEC\%} = [\text{DF}_{\text{cfs}} \div (\text{ZID}_{7\text{Q}10} + \text{DF}_{\text{cfs}})] \times 100\% = \text{\#\%}$$

$$\text{AEC}_a\% = [0.023 \div (0.23 + 0.023)] \times 100\% = 91\%$$

10 CSR 20-7.015((9)(L)4.A. states the dilution series must be proportional. Each dilution was determined by multiplying or dividing 0.92 from the AEC and then each consecutive value.

The dilution series is: 98.9%, 91%, 83.7%, 77.0%, 70.9%.

## **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 maintain synchronization by expiring the end of the 3<sup>rd</sup> quarter, 2020.

### **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 05/22/2020 to 06/22/2020. No responses were received.

**DATE OF FACT SHEET:** 03/18/2020

### **COMPLETED BY:**

AMBERLY SCHULZ, ENVIRONMENTAL PROGRAM ANALYST  
MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
OPERATING PERMITS SECTION – STORMWATER AND CERTIFICATION UNIT  
(573) 751-8049  
[Amberly.schulz@dnr.mo.gov](mailto:Amberly.schulz@dnr.mo.gov)



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MISSOURI CLEAN WATER COMMISSION  
REVISED  
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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.



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- 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 28<sup>th</sup> day of the month following the end of the reporting period.
- 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 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.

## 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



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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 permittee 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.





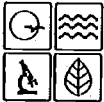
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10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this 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

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MISSOURI DEPARTMENT OF NATURAL RESOURCES Water Protection Program  
 WATER PROTECTION PROGRAM  
 FORM A – APPLICATION FOR NONDOMESTIC PERMIT UNDER MISSOURI  
 CLEAN WATER LAW

## FOR AGENCY USE ONLY

CHECK NUMBER

DATE RECEIVED

FEE SUBMITTED

JET PAY CONFIRMATION NUMBER

PLEASE READ ALL THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.  
 SUBMITTAL OF AN INCOMPLETE APPLICATION MAY RESULT IN THE APPLICATION BEING RETURNED.

## IF YOUR FACILITY IS ELIGIBLE FOR A NO EXPOSURE EXEMPTION:

Fill out the No Exposure Certification Form (Mo 780-2828): <https://dnr.mo.gov/forms/780-2828-f.pdf>

## 1. REASON FOR APPLICATION:

- ☒ a. This facility is now in operation under Missouri State Operating Permit (permit) MO – 0107701, is submitting an application for renewal, and there is no proposed increase in design wastewater flow. Annual fees will be paid when invoiced and there is no additional permit fee required for renewal.
- ☐ b. This facility is now in operation under permit MO – \_\_\_\_\_, is submitting an application for renewal, and there is a proposed increase in design wastewater flow. Antidegradation Review may be required. Annual fees will be paid when invoiced and there is no additional permit fee required for renewal.
- ☐ c. This is a facility submitting an application for a new permit (for a new facility). Antidegradation Review may be required. New permit fee is required.
- ☐ d. This facility is now in operation under Missouri State Operating Permit (permit) MO – \_\_\_\_\_ and is requesting a modification to the permit. Antidegradation Review may be required. Modification fee is required.

## 2. FACILITY

NAME USDOE, Weldon Spring Site		TELEPHONE NUMBER WITH AREA CODE (636) 300 2612	
ADDRESS (PHYSICAL) 7295 Hwy 94 South	CITY St. Charles	STATE MO	ZIP CODE 63304

## 3. OWNER

NAME U.S. Department of Energy		TELEPHONE NUMBER WITH AREA CODE (303) 410 4801	
EMAIL ADDRESS Ken.Starr@lm.doe.gov			
ADDRESS (MAILING) 7295 Hwy 94 South	CITY St. Charles	STATE MO	ZIP CODE 63304

## 4. CONTINUING AUTHORITY

NAME U.S. Department of Energy		TELEPHONE NUMBER WITH AREA CODE (303) 410 4801	
EMAIL ADDRESS Ken.Starr@lm.doe.gov			
ADDRESS (MAILING) 7295 Hwy 94 South	CITY St. Charles	STATE MO	ZIP CODE 63304

## 5. OPERATOR CERTIFICATION

NAME Not Required per 10 CSR 20-9.020(2)(A)	CERTIFICATE NUMBER	TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (MAILING)	CITY	STATE	ZIP CODE

## 6. FACILITY CONTACT

NAME Yvonne Deyo	TITLE Site Lead	TELEPHONE NUMBER WITH AREA CODE (636) 300 2612
E-MAIL ADDRESS Yvonne.Deyo@lm.doe.gov		

## 7. DOWNSTREAM LANDOWNER(S) Attach additional sheets as necessary.

NAME NA			
ADDRESS	CITY	STATE	ZIP CODE

8. ADDITIONAL FACILITY INFORMATION	
<b>8.1</b>	<b>Legal Description of Outfalls. (Attach additional sheets if necessary.)</b> <i>For Universal Transverse Mercator (UTM), use Zone 15 North referenced to North American Datum 1983 (NAD83)</i> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>001 SW 1/4 NW 1/4 Sec 8 Proj T 45N R 3E St. Charles County</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>UTM Coordinates Easting (X): 698192 Northing (Y): 4282734</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>002 1/4 1/4 Sec T R County</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>UTM Coordinates Easting (X): Northing (Y):</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>003 1/4 1/4 Sec T R County</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>UTM Coordinates Easting (X): Northing (Y):</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>004 1/4 1/4 Sec T R County</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>UTM Coordinates Easting (X): Northing (Y):</span> </div>
<b>8.2</b>	<b>Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.</b> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Primary SIC 4953 and NAICS</span> <span>SIC and NAICS</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>SIC and NAICS</span> <span>SIC and NAICS</span> </div>
9. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION	
A.	Is this permit for a manufacturing, commercial, mining, solid/hazardous waste, or silviculture facility? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, complete Form C.
B.	Is the facility considered a "Primary Industry" under EPA guidelines (40 CFR Part 122, Appendix A) : YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, complete Forms C and D.
C.	Is wastewater land applied? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, complete Form I.
D.	Are sludge, biosolids, ash, or residuals generated, treated, stored, or land applied? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, complete Form R.
E.	Have you received or applied for any permit or construction approval under the CWA or any other environmental regulatory authority? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please include a list of all permits or approvals for this facility.
F.	Do you use cooling water in your operations at this facility? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please indicate the source of the water: _____
G.	Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.
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. <b>One of the following must be checked in order for this application to be considered complete.</b> Please visit <a href="http://dnr.mo.gov/env/wpp/edmr.htm">http://dnr.mo.gov/env/wpp/edmr.htm</a> to access the Facility Participation Package.	
<input type="checkbox"/> - You have completed and submitted with this permit application the required documentation to participate in the eDMR system.	
<input checked="" type="checkbox"/> - You have previously submitted the required documentation to participate in the eDMR system and/or you are currently using the eDMR system.	
<input type="checkbox"/> - You have submitted a written request for a waiver from electronic reporting. See instructions for further information regarding waivers.	
11. FEES	
Permit fees may be paid by attaching a check, or online by credit card or eCheck through the JetPay system. Use the URL provided to access JetPay and make an online payment: <a href="https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/">https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/</a>	
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 AND OFFICIAL TITLE (TYPE OR PRINT) Kenneth I Starr, P.E. DOE Weldon Spring Site Manager	TELEPHONE NUMBER WITH AREA CODE (303) 410 4801
SIGNATURE KENNETH STARR	DATE SIGNED Digitally signed by KENNETH STARR Date: 2020.02.03 09:46:01 -07'00'



**BEFORE MAILING, PLEASE ENSURE ALL SECTIONS ARE COMPLETED AND ADDITIONAL FORMS, IF APPLICABLE, ARE INCLUDED.**

**INSTRUCTIONS FOR COMPLETING FORM A - APPLICATION FOR NONDOMESTIC PERMIT**

1. Check which option is applicable. Do not check more than one item. Nondomestic permit refers to permits issued by the Department of Natural Resources' Water Protection Program for all nondomestic wastewater treatment facilities, including all industry, stormwater, and Class IA Concentrated Animal Feeding Operations (CAFO). This includes all nondomestic wastewater treatment facilities that incorporate domestic wastewater into the operating permit.

For some new or modified permits, a construction permit is required prior to beginning construction at the facility. For other permits, an exemption is provided from construction permit requirements. Please review the requirements at <http://dnr.mo.gov/env/wpp/permits/ww-construction-permitting.htm>. If the facility is for wastewater treatment and is designed for greater than 22,500 gallons per day, the engineering report must be submitted and approved prior to submittal of the application, fee, plans, and specifications. A summary of design data must be submitted with the engineering plans and specifications.

For new wastewater facilities, some wastewater permit modifications, and some permit renewals with proposed increase in design wastewater flow, an antidegradation review may be required. Please visit <https://dnr.mo.gov/env/wpp/permits/antideq-implementation.htm> for more information

2. Facility - Provide the name by which this facility is known locally. Example: Southwest Sewage Treatment Plant, Country Club Mobile Home Park, etc. Also include the street address or location of the facility. If the facility lacks a street name or route number, give the names of the closest intersection, highway, county road, etc.
3. Owner - Provide the legal name and address of owner or company.
4. Continuing Authority - A continuing authority is a company, business, entity, or person(s) 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>. A continuing authority's name must be listed exactly as it appears on the Missouri Secretary of State's (SoS's) webpage: <https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0>, unless the continuing authority is an individual(s), government, or otherwise not required to register with the SoS.
5. Operator - Provide the name, certificate number, mailing address and telephone number of the person operating the facility, if required by regulation (10 CSR 20-9.020(2)). Most industrial facilities will not be required to have a certified wastewater operator.
6. Provide the name, title, and work telephone number of a person who is thoroughly familiar with the operation of the facility, with the facts reported in this application, and who can be contacted by the department, if necessary. This person will need to be available to respond to emails which will include pre-public notice drafts of permits.
7. Please provide the name and address of the first downstream landowner, different from that of the permitted facility, through whose property the discharge will flow. Also, please indicate the location on the map. For discharges that leave the permitted facility and flow under a road or highway, or along the right-of-way, the downstream property owner is the landowner that the discharge flows to after leaving the right-of-way. For no discharge facilities, provide this information for the location where discharge would flow if there was one. For land application sites, include the owners of the land application sites and all adjacent landowners.
- 8.1 An outfall is the point at which wastewater or stormwater is discharged. Outfalls should be given in terms of the legal description of the facility. Global Positioning System, or GPS, is a satellite-based navigation system. The department prefers a GPS receiver is used at the outfall pipe and the displayed coordinates submitted. If access to a GPS receiver is not available, please use a mapping system to approximate the coordinates.
- 8.2 List only your primary Standard Industrial Classification (SIC), and North American Industry Classification System (NAICS) code for each outfall. The SIC system was devised by the U.S. Office of Management and Budget to cover all economic activities. To find the correct SIC code, an applicant may check his or her unemployment insurance forms or contact the Missouri Division of Employment Security, 573-751-3215. The primary SIC code is that of the operation that generates the most revenue. If this information is not available, the number of employees or, secondly, production rate may be used to determine your SIC code. Additional information for Standard Industrial Codes can be found at [www.osha.gov/pls/imis/sicsearch.htm](http://www.osha.gov/pls/imis/sicsearch.htm) and for the North American Industry Classification System at [www.census.gov/naics](http://www.census.gov/naics) or contact the appropriate Department of Natural Resources regional office.

**INSTRUCTIONS FOR COMPLETING FORM A - APPLICATION FOR NONDOMESTIC PERMIT  
(CONTINUED)**

9. If you answer yes to A, B, C, D, or E, then you must complete and file the supplementary form(s) indicated. 40 CFR 122.21(f) and (g) requires the facility to submit the information requested herein. For 9.E., please include all permits or approvals, including construction, issued under the Hazardous Waste Management Program (RCRA), the Safe Drinking Water Act, Clean Air Act, or any other permits issued under the Clean Water Act.

A U.S. Geological Survey 1" = 2,000' scale map must be submitted with the permit application showing all outfalls, the receiving stream and the location of the downstream property owners. This type of map can be obtained from the Missouri Department of Natural Resources' Geological Survey in Rolla at 573-368-2100 or various online mapping applications.

10. Electronic Discharge Monitoring Report (eDMR) Submission System – Visit the eDMR site at <http://dnr.mo.gov/env/wpp/edmr.htm> and click on the "Facility Participation Package" link. The eDMR Permit Holder and Certifier Registration Form and information about the eDMR system can be found in the Facility Participation Package.

Waivers from 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.

11. Please visit <https://dnr.mo.gov/pubs/pub2564.htm> for permit fees. This form must be submitted with the application fee if requesting a new permit, permit modification, or permit transfer.

Fee schedules are listed in regulation at 10 CSR 20-6.011, <https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf>.

Incomplete permit applications and/or related engineering documents will be returned by the department if they are not completed in the time frame established in a comment letter from the department to the owner. Permit fees for returned applications shall be forfeited. Permit fees for applications being processed by the department that are withdrawn by the applicant shall be forfeited.

12. Certification/Signature - All applications must be signed as follows and the signature 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.

<b>MAIL COMPLETED FORM AND FEES TO:</b>
Missouri Department Of Natural Resources Water Protection Program Water Pollution Control Branch ATTN: Operating Permits Section P.O. BOX 176 JEFFERSON CITY, MO 65102-0176

If there are any questions concerning this form, contact the Department of Natural Resources' Water Protection Program, Operating Permits Section at 800-361-4827 or 573-522-4502.

