

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-0111465
Owner:	Stanley Black & Decker, Inc.
Address:	1500 Waterloo Drive, Sedalia, MO 65301
Continuing Authority:	Same as above
Address:	Same as above
Facility Name:	Stanley Black & Decker, Inc.
Facility Address:	1500 Waterloo Drive, Sedalia, MO 65301
Legal Description:	See following page
UTM Coordinates:	See following page
Receiving Stream:	See following page
First Classified Stream and ID:	See following page
USGS Basin & Sub-watershed No.:	See following page

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 following page

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

June 1, 2021  
Effective Date

March 31, 2026  
Expiration Date

  
Edward B. Galbraith, Director, Division of Environmental Quality

  
Chris Wieberg, Director, Water Protection Program

## **FACILITY DESCRIPTION (CONTINUED)**

Cold Rolled Steel; SIC Code # 3316, NAICS code # 331600

Cold rolled steel is cut through a steel slitter operation, formed in presses and benders, welded, cleaned in a 5 or 7 stage wash, painted by an electrodeposition paint system or a powder paint system, assembled and packaged for shipment. Final products consist of tool storage, metal storage cabinets, and work benches. No process wastewater is discharged from this facility. Domestic wastewater is conveyed to a POTW. This facility does not require a certified wastewater operator per 10 CSR 20-9.030 as this facility is privately owned.

### OUTFALL #001 – Stormwater; SIC # 3316

Legal Description:	Sec.29, T46N, R21W, Pettis County
UTM Coordinates:	X = 478255, Y = 4286648
Receiving Stream:	Tributary to Sewer Branch
First Classified Stream and ID:	100k Extent remaining streams (C); WBID# 3960; locally known as Sewer Branch
USGS Basin & Sub-watershed No.:	Lamine (10300103-0406)
Actual flow:	Dependent upon precipitation

### OUTFALL #002 – Eliminated in 2007 renewal

### OUTFALL #003 – Eliminated prior to 2001 renewal

### OUTFALL #004 – Stormwater; SIC # 3316

Legal Description:	Sec.33, T46N, R21W, Pettis County
UTM Coordinates:	X = 478787, Y = 4286561
Receiving Stream:	Tributary to Sewer Branch
First Classified Stream and ID:	100k Extent remaining streams (C); WBID# 3960; locally known as Sewer Branch
USGS Basin & Sub-watershed No.:	Lamine (10300103-0406)
Actual flow:	Dependent upon precipitation

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

OUTFALL #001, #004 Stormwater Only	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 <u>June 1, 2021</u> and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
EFFLUENT PARAMETERS	UNITS	FINAL LIMITATIONS		BENCH- MARKS	MONITORING REQUIREMENTS	
		DAILY MAXIMUM	MONTHLY AVERAGE		MEASUREMENT FREQUENCY	SAMPLE TYPE
PHYSICAL						
Flow	MGD	*		-	once/quarter ◇	24 hr. estimate
Precipitation	inches	*		-	once/quarter ◇	measured
CONVENTIONAL						
Oil & Grease	mg/L	**		10	once/quarter ◇	grab ‡
pH †	SU	6.5 to 9.0		-	once/quarter ◇	grab ‡
Settleable Solids	mL/L/hr	**		1.5	once/quarter ◇	grab ‡
Total Suspended Solids	mg/L	**		100	once/quarter ◇	grab ‡
METALS						
Aluminum, Total Recoverable	µg/L	**		750	once/quarter ◇	grab ‡
Zinc, Total Recoverable	µg/L	**	200	once/quarter ◇	grab ‡	
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>OCTOBER 28, 2021</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

\* Monitoring requirement only.

\*\* Monitoring requirement with associated benchmark. See Special Condition #4

‡ All samples shall be collected from a discharge resulting from a precipitation event greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable precipitation event. If a discharge does not occur within the reporting period, report as no discharge. The total amount of precipitation should be noted from the event from which the samples were collected.

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

◇ Quarterly sampling

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

**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. Electronic Discharge Monitoring Report (eDMR) Submission System

Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent monitoring data and any report required by the permit (unless specifically directed otherwise by the permit), shall be submitted via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data about the NPDES program.

- (a) The facility must register in the Department's eDMR system through the Missouri Gateway for Environmental Management (MoGEM) before the first report is due. Registration and other information regarding MoGEM can be found at <https://dnr.mo.gov/mogem>. Information about the eDMR system can be found at <https://dnr.mo.gov/env/wpp/edmr.htm>. The first user shall register as an Organization Official and the association to the facility must be approved by the Department. Regarding Standard Conditions Part I, §B, #7, the eDMR system is currently the only Department approved reporting method for this permit unless a waiver is granted by the Department.
- (b) To access the eDMR system, use: <https://apps5.mo.gov/mogems/welcome.action> For assistance using the eDMR system, contact [edmr@dnr.mo.gov](mailto:edmr@dnr.mo.gov) or call 855-789-3889 or 573-526-2082.
- (c) The facility must electronically submit compliance monitoring data and reports unless a waiver is granted by the Department in compliance with 40 CFR Part 127. Only facilities with an approved waiver request may submit monitoring data and reports on paper through the mail to the Department for the period the approved electronic reporting waiver is effective. Facilities 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.

#### 2. 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 facility 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); 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 ineffective at providing the necessary protections for which it was designed. 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.
  - (1) Operational deficiencies must be corrected within seven (7) calendar days.
  - (2) Minor structural deficiencies must be corrected within fourteen (14) calendar days.
  - (3) 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 facility shall work with the regional office to determine the best course of action. The facility should consider temporary structures to control stormwater runoff. The facility shall correct the major structural deficiency as soon as reasonably achievable.
  - (4) 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.
  - (5) BMP failure causing discharge through an unregistered outfall is considered an illicit discharge and must be reported in accordance with Standard Conditions Part I.
  - (6) 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 a responsible individual 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.

- i. 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 and EPA personnel upon request.
  - (e) A provision for designating an individual to be responsible for environmental matters.
  - (f) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of the Department.
3. Site-wide minimum Best Management Practices (BMPs). At a minimum, the facility 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.
  - (f) Remove sediment from stormwater sediment pond(s) no less than every ten years, or more frequently dependent on the amount of sediment received; sediment accumulated shall be no more than 20% total volume or as prescribed in the engineering design, whichever is less. Records must be retained since last cleanout.
4. Stormwater Benchmarks. This permit stipulates pollutant benchmarks applicable to the facility's stormwater discharges.
- (a) Benchmarks do not constitute direct numeric effluent limitations; therefore, a benchmark exceedance alone is not a permit violation. Stormwater monitoring, numeric benchmark compliance, and visual inspections shall be used to determine the overall effectiveness of the BMPs identified in the SWPPP.
  - (b) If a sample exceeds a benchmark concentration or an inspection exceeds a narrative requirement, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant concentrations in the facility's future stormwater discharges.
  - (c) Every time a numeric benchmark exceedance occurs, a Corrective Action Report (CAR) must be completed. A CAR is a document recording the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. CARs must be retained with the SWPPP and be available to the Department upon request. This permit may require CARs be submitted to the Department upon permit renewal; see Renewal Requirements section below.
  - (d) Failure to take corrective action to address any narrative or numeric benchmark exceedance, and failure to make measureable progress towards achieving the numeric benchmark(s), is a permit violation.
  - (e) Stormwater benchmarks and required minimum BMPs as described in this permit are enforceable permit conditions. Any requested change(s) to numeric benchmark values or deviation from minimum BMP requirements must be established through the permitting process. Assessment, evaluation, and implementation of specific BMPs to meet numeric benchmarks or minimum BMP requirements, must be addressed through the SWPPPs and CARs.
5. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with 644.051.16 RSMo for permit shield, and the CWA §402(k) for toxic substances. 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 CWA §§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 already limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause, including determination new pollutants found in the discharge not identified in the application for the new or revised permit. The filing of a request by the facility for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.
6. All outfalls must be clearly marked in the field.
7. 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.
8. The Department may require sampling and reporting as a result of illegal discharges from the site, compliance issues related to water quality concerns or BMP effectiveness, or evidence of off-site impacts from activities or discharges at the facility.

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) 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) 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) Compliance analysis conducted by the facility or any contracted laboratory shall be conducted in such a way the precision and accuracy of the analyzed result can be enumerated. See sufficiently sensitive test method requirements in Standard Conditions Part I, §A, No. 4 regarding proper testing and detection limits used for sample analysis. For the purposes of this permit, the definitions in 40 CFR 136 apply; method detection limit (MDL) and laboratory established reporting limit (RL) are used interchangeably in this permit.
- (b) The facility shall not report a sample result as “non-detect” without also reporting the MDL. Reporting “non-detect” without also including the MDL will be considered failure to report, which is a violation of this permit.
- (c) For the daily maximum, the facility shall report the highest value; if the highest value was a non-detect, use the less than “<” symbol and the laboratory’s highest method detection limit (MDL) or the highest reporting limit (RL); whichever is higher (e.g. <6).
- (d) When calculating monthly averages, zero shall be used in place of any value(s) not detected. Where all data used in the average are below the MDL or RL, the highest MDL or RL shall be reported as “<#” for the average 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 or §401 water quality certification is required for the project.

14. All records required by this permit may be maintained electronically per 432.255 RSMo. These records should be maintained in a searchable format.

15. Renewal Application Requirements.

- (a) This facility shall submit an appropriate and complete application to the Department no less than 180 days prior to the expiration date listed on page 1 of the permit.
- (b) Application materials shall include complete Form A and Form C. If the form names have changed, then the facility should ensure they are submitting the correct forms as required by regulation.
- (c) The facility may use the electronic submission system to submit the application to the Program, if available.
- (d) This facility must submit all corrective action reports completed for the last permit term if a benchmark exceedance occurred.

D. NOTICE OF RIGHT TO APPEAL

If you were adversely affected by this decision, you may be entitled to pursue an appeal before the administrative hearing commission (AHC) pursuant to 621.250 and 644.051.6 RSMo. To appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Any appeal should be directed to:

Administrative Hearing Commission  
U.S. Post Office Building, Third Floor  
131 West High Street, P.O. Box 1557  
Jefferson City, MO 65102-1557  
Phone: 573-751-2422  
Fax: 573-751-5018  
Website: <https://ahc.mo.gov>

**MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-0111465**  
**STANLEY BLACK & DECKER, INC.**

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollution 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.

**FACILITY INFORMATION**

Facility Type: Industrial Stormwater; > 1 MGD  
Facility SIC Code(s): 3316  
Application Date: 09/29/2020  
Expiration Date: 03/31/2021  
Last Inspection: 01/06/2015 in compliance

**FACILITY DESCRIPTION:**

Cold rolled steel is cut through a steel splitter operation, formed in presses and benders, welded, cleaned in a 5 or 7 stage wash, painted by an electrodeposition paint system or a powder paint system, assembled and packaged for shipment. Final products consist of tool storage, metal storage cabinets, and work benches. Process wastewater is discharged from this facility to a POTW.

**PERMITTED FEATURES TABLE:**

OUTFALL	AVERAGE FLOW (MGD)	DESIGN FLOW (MGD) *	TREATMENT LEVEL	EFFLUENT TYPE
#001	dependent on precipitation	2.86	BMPs	industrial stormwater
#004	dependent on precipitation	2.39	BMPs	industrial stormwater

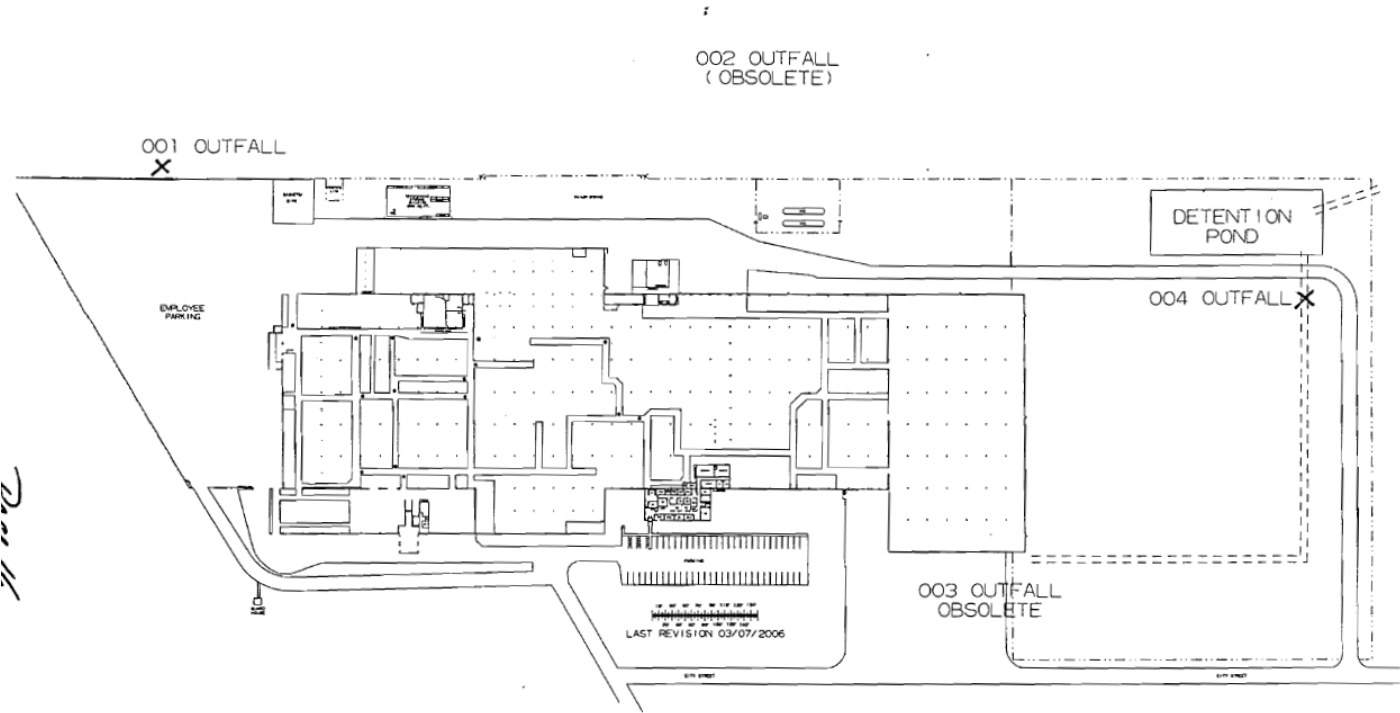
\* Estimated design flow provided by permittee in application materials.

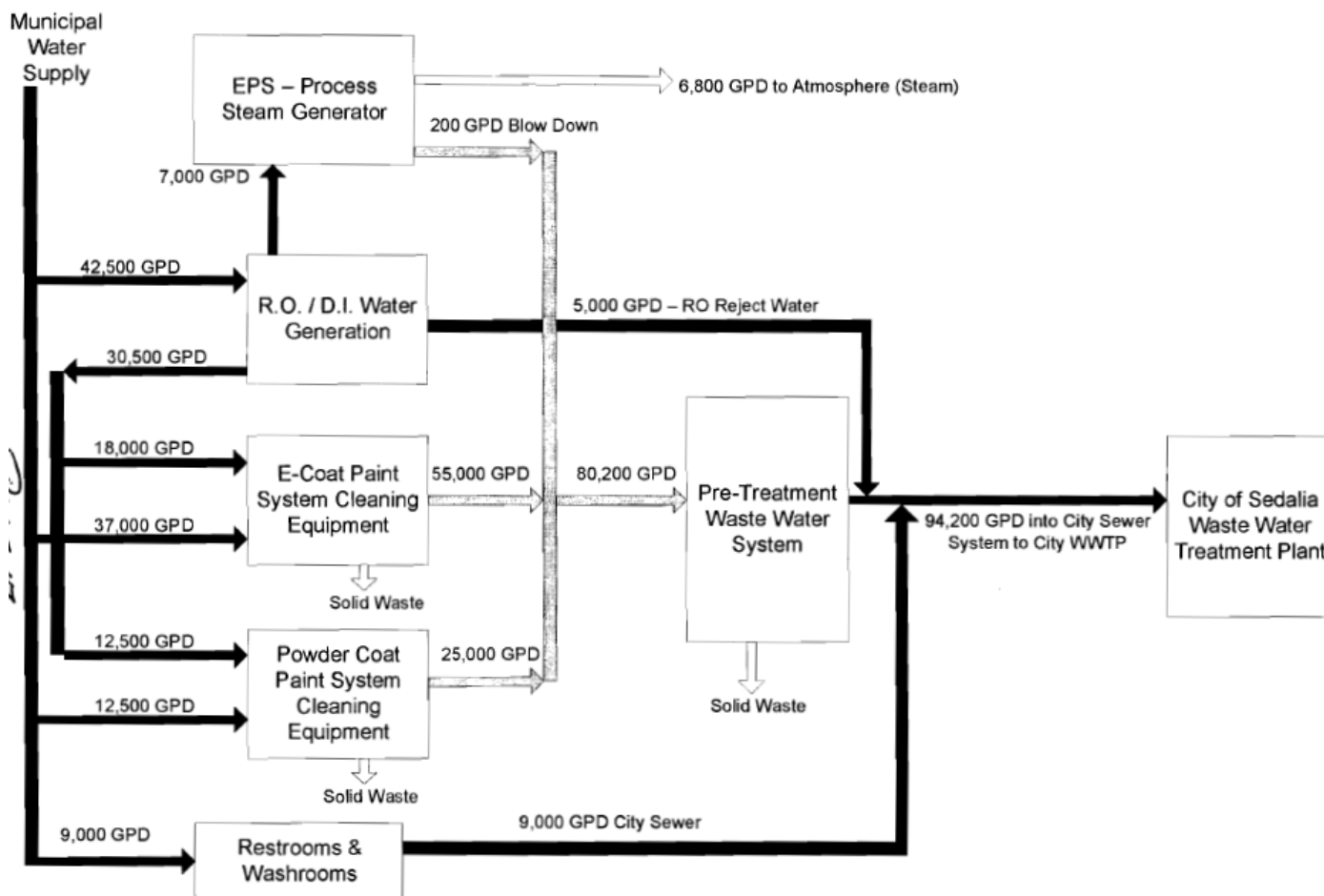
**FACILITY PERFORMANCE HISTORY & COMMENTS:**

The electronic discharge monitoring reports were reviewed for the last five years. Benchmark exceedances were noted for aluminum and zinc. The facility was found to be in compliance during the last WPP inspection.



FACILITY MAPS:





#### CONTINUING AUTHORITY:

The Missouri Secretary of State continuing authority charter number for this facility is F00450684; this number was verified by the permit writer to be associated with the facility and precisely matches the continuing authority reported by the facility.

#### OTHER ENVIRONMENTAL PERMITS:

In accordance with 40 CFR 122.21(f)(6), the Department evaluated/the facility reported other environmental permits currently held by this facility. This facility holds permits with the Department's Air Pollution Control Program.

## PART II. RECEIVING WATERBODY INFORMATION

#### RECEIVING WATERBODY TABLE:

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	DISTANCE TO SEGMENT (MILES)	12-DIGIT HUC
#001	Tributary to Sewer Branch	n/a	n/a	GEN	0.0	Sewer Branch-Muddy Creek 10300103-0406
	100k Extent remaining streams Locally known as Sewer Branch	C	3960	HHP, IRR, LWW, SCR, WBC-B, WWH (AQL)	0.59	
#004	Tributary to Sewer Branch	n/a	n/a	GEN	0.0	
	100k Extent remaining streams Locally known as Sewer Branch	C	3960	HHP, IRR, LWW, SCR, WBC-B, WWH (AQL)	0.18	

n/a not applicable

WBID = Waterbody IDentification: Missouri Use Designation Dataset 8-20-13 MUDD V1.0 data can be found as an ArcGIS shapefile on MSDIS at [http://msdis.missouri.edu/pub/Inland\\_Water\\_Resources/MO\\_2014\\_WQS\\_Stream\\_Classifications\\_and\\_Use\\_shp.zip](http://msdis.missouri.edu/pub/Inland_Water_Resources/MO_2014_WQS_Stream_Classifications_and_Use_shp.zip)

- \* As per 10 CSR 20-7.031 Missouri Water Quality Standards, 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 to be maintained are in the receiving stream table 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.:

**AQL** = Protection of aquatic life (Current narrative use(s) are defined to ensure the protection and propagation of fish shellfish and wildlife, which is 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 AQL effluent limitations in 10 CSR 20-7.031 Table A 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 supporting swimming;

**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;

**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 Table A 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

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

Waters of the state are divided into seven categories per 10 CSR 20-7.015(1)(B)1 through 7. The applicable water of the state category is listed below. Missouri's technology-based effluent regulations are found in [10 CSR 20-7.015] and are implemented in 10 CSR 20-7.015(2) through (8). When implementing technology regulations, considerations are made for the facility type, discharge type, and category of waters of the state. Effluent limitations may not be applicable to certain waters of the state, facility type, or discharge type. In these cases, effluent limitations may be based on a best professional judgment evaluation. The best professional judgment evaluation will take site specific conditions into consideration; including facility type, the receiving water body classification, and type of discharge. Stormwater discharges and land application sites are not directly subject to limitations found in 10 CSR 20-7.015, but may be subject to limitations determined by the best professional judgment evaluation. Effluent limitation derivations are discussed in PART IV: EFFLUENTS LIMITS DETERMINATIONS.

- ✓ All other waters; identified at 10 CSR 20-7.015(B)7 and 10 CSR 20-7.015(8)

### **EXISTING WATER QUALITY:**

The receiving stream has no concurrent water quality data available. A Use Attainment Assessment done in 2017 determined the AQL use is fully supported in Sewer Branch (C) (3960). No other relevant water quality data was found.

### **UPSTREAM OR DOWNSTREAM IMPAIRMENTS:**

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

- ✓ The permit writer has noted no upstream or downstream impairments near this facility.

### **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>

- ✓ Not applicable; this facility does not discharge to an impaired segment of a 303(d) listed stream.

### **TOTAL MAXIMUM DAILY LOAD (TMDL):**

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected; 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/>

- ✓ Not applicable; this facility is not associated with a TMDL.

### **RECEIVING STREAM MONITORING REQUIREMENTS:**

No receiving water monitoring requirements are recommended at this time.

### **MIXING CONSIDERATIONS:**

Mixing zone: not allowed [10 CSR 20-7.031(5)(A)4.B.(I)(a)].

Zone of initial dilution: not allowed [10 CSR 20-7.031(5)(A)4.B.(I)(b)].

### **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)], or is an existing facility.

#### **ANTIBACKSLIDING:**

Federal Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(I)] 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.

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

#### **ANTIDEGRADATION REVIEW:**

For process water discharge with new, altered, or expanding discharges, 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.

For stormwater discharges with new, altered, or expanding discharges, the stormwater BMP chosen for the facility, through the antidegradation analysis performed by the facility, must be implemented and maintained at the facility. Failure to implement and maintain the chosen BMP alternative is a permit violation; see SWPPP.

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

#### **BEST MANAGEMENT PRACTICES:**

Minimum site-wide best management practices are established in this permit to ensure all facilities 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 644.011 and 644.016 (17) RSMo.

#### **BENCHMARKS:**

When a permitted feature or outfall consists of only stormwater, a benchmark may be implemented at the discretion of the permit writer. 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 limitations of the permit.

Because of the fleeting nature of stormwater discharges, the Department, under the direction of EPA guidance, has determined monthly averages are capricious measures of stormwater discharges. The *Technical Support Document for Water Quality Based Toxics Control* (EPA/505/2-90-001; 1991) Section 3.1 indicates most procedures within the document apply only to water quality based approaches, not end-of-pipe technology-based controls. Hence, stormwater only outfalls will generally only contain a maximum daily limit (MDL), benchmark, or monitoring requirement determined by the site specific conditions including the receiving water's current quality. While inspections of the stormwater BMPs occur monthly, facilities with no compliance issues are usually expected to sample stormwater quarterly.

Numeric benchmark values are based on water quality standards or other stormwater permits including guidance forming the basis of Environmental Protection Agency's (EPA's) *Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity* (MSGP). Because precipitation events are sudden and momentary, benchmarks based on state or federal standards or recommendations use the Criteria Maximum Concentration (CMC) value, or acute standard. The CMC is the estimate of the highest concentration of a material in surface water to which an aquatic community can be exposed briefly without resulting in an



unacceptable effect. The CMC for aquatic life is intended to be protective of the vast majority of the aquatic communities in the United States.

- ✓ Applicable; this facility has stormwater-only outfalls with benchmark constraints. The benchmarks listed are consistently achieved in stormwater discharges by a variety of other industries with SWPPPs.

#### **BIOSOLIDS & SEWAGE SLUDGE:**

Biosolids are solid materials resulting from domestic wastewater treatment meeting federal and state criteria for beneficial use (i.e. fertilizer). 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. Additional information: <http://extension.missouri.edu/main/DisplayCategory.aspx?C=74> (WQ422 through WQ449).

- ✓ Not applicable; this condition is not applicable to the permittee for this facility.

#### **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.

#### **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 ELG but does not discharge wastewater to waters of the state; stormwater discharges are not addressed by the ELG.

#### **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 electronic data reporting. To comply with the federal rule, the Department is requiring all facilities 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 facility must first submit an eDMR Waiver Request Form: <http://dnr.mo.gov/forms/780-2692-f.pdf>. A request must be made for each operating permit. 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 designators in each table in Part A of the permit. Facility personnel will use these identifiers to ensure data entry is being completed appropriately. For example, M for monthly, Q for quarterly, and others as identified.

#### **GENERAL CRITERIA CONSIDERATIONS:**

In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants determined to cause, have reasonable potential to cause, or to contribute to, an excursion above any water quality standard, including narrative water quality criteria. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether discharges have reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). In instances where reasonable potential exists, the permit includes limitations within the permit to address the reasonable potential. In discharges where reasonable potential does not exist, the permit may include monitoring to later determine the discharge's potential to impact the narrative criteria. Additionally, 644.076.1 RSMo, as well as Part I §D – Administrative Requirements of Standard Conditions included in 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 §§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 10 CSR 20-7.015(1)11, and is subject to regulations at 10 CSR 20-7.015(7) and 10 CSR 20-7.031(6) and must be protected accordingly.

- ✓ This facility is not required to monitor groundwater for the water protection program.

#### **INDUSTRIAL SLUDGE:**

Industrial sludge is solid, semi-solid, or liquid residue generated during the treatment of industrial 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 a material derived from industrial sludge.

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

#### **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. The facility may obtain a separate land disturbance permit (MORA) online at <https://dnr.mo.gov/env/wpp/stormwater/sw-land-disturb-permits.htm>; MORA permits do not cover disturbance of contaminated soils, however, site specific permits such as this one can be modified to include appropriate controls for land disturbance of contaminated soils by adding site-specific BMP requirements and additional outfalls.

#### **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 facility cannot withdraw water from the state in excess of 70 gpm/0.1 MGD.

#### **MODIFICATION REQUESTS:**

Facilities have the option to request a permit modification from the Department at any time under RSMo 644.051.9. Requests must be submitted to the Water Protection Program with the appropriate forms and fees paid per 10 CSR 20-6.011. It is recommended facilities contact the permit writer early so the correct forms and fees are submitted, and the modification request can be completed in a timely fashion. Minor modifications, found in 40 CFR 122.63, are processed without the need for a public comment period. Major modifications, those requests not explicitly fitting under 40 CFR 122.63, do require a public notice period. Modifications to permits should be completed when: a new pollutant is found in the discharge; operational or functional changes occur which affect the technology, function, or outcome of treatment; the facility desires alternate numeric benchmarks; or other changes are needed to the permit.

Modifications are not required when utilizing or changing additives in accordance with the publication <https://dnr.mo.gov/pubs/pub2653.htm> nor are required when a temporary change or provisional discharge has been authorized by the regional office. While provisional discharges may be authorized by the regional office, they will not be granted for more than the time necessary for the facility to obtain an official modification from the Water Protection Program. Temporary provisional discharges due to weather events or other unforeseen circumstances may or may not necessitate a permit modification. The facility may ask for a Compliance Assistance Visit (CAV) from the regional office to assist in the decision-making process; CAVs are provided free to the permitted entity.

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

#### **REASONABLE POTENTIAL ANALYSIS (RPA):**

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that 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 that pollutant [40 CFR Part 122.44(d)(1)(iii)].

- ✓ Not applicable; an RPA was not conducted for this facility. This permit establishes permit limits and benchmarks for stormwater. The Department has determined stormwater is not a continuous discharge and is therefore not necessarily dependent on mathematical RPAs. However, the permit writer completed an RPD, a reasonable potential determination, using best professional

judgment for all of the appropriate parameters in this permit. An RPD consists of reviewing application data and/or discharge monitoring data for the last five years and comparing those data to narrative or numeric water quality criteria.

- ✓ Permit writers use the Department's permit writer's manual (<http://dnr.mo.gov/env/wpp/permits/manual/permit-manual.htm>), the EPA's permit writer's manual (<https://www.epa.gov/npdes/npdes-permit-writers-manual>), program policies, and best professional judgment. For each parameter in each permit, the permit writer carefully considers all applicable information regarding: technology based effluent limitations, effluent limitation guidelines, water quality standards, stream flows and uses, and all applicable site specific information and data gathered by the permittee through discharge monitoring reports and renewal (or new) application sampling. Best professional judgment is based on the experience of the permit writer, cohorts in the Department and resources at the EPA, research, and maintaining continuity of permits if necessary. For stormwater permits, the permit writer is required per 10 CSR 6.200(6)(B)2 to consider: A. application and other information supplied by the permittee; B. effluent guidelines; C. best professional judgment of the permit writer; D. water quality; and E. BMPs. Part V provides specific decisions related to this permit.
- ✓ The permit writer reviewed application materials, DMR data, past inspections, and other site specific factors to evaluate general and narrative water quality reasonable potential for this facility. Per the permit writer's best professional judgment, based on available data and full and accurate disclosure on application materials, this facility does not demonstrate reasonable potential for excursions from the general or narrative water quality criteria. See Part IV: Effluent Limit Determinations for specific parameter RP.

#### **RENEWAL REQUIREMENTS:**

The renewal special condition permit requirement is designed to guide the facility to prepare and include all relevant and applicable information in accordance with 10 CSR 20-6.010(7)(A)-(C), and if applicable, federal regulations. The special condition may not include all requirements and requests for additional information may be made at the time of permit renewal under 644.051.13(5) RSMo and 40 CFR 122.21(h). Prior to submittal, the facility must review the entire submittal to confirm all required information and data is provided; it is the facility's responsibility to discern if additional information is required. Failure to fully disclosure applicable information with the application or application addendums may result in a permit revocation per 10 CSR 20-6.010(8)(A) and may result in the forfeiture of permit shield protection authorized in 644.051.16 RSMo.

#### **SAMPLING FREQUENCY JUSTIFICATION:**

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

#### **SAMPLING TYPE JUSTIFICATION:**

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

#### **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 providing certain conditions are met.

- ✓ Not applicable; this permit does not contain a SOC.

#### **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. Industrial sludge could also be derived from lagoon dredging or other similar maintenance activities.

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

#### **STANDARD CONDITIONS:**

The standard conditions Part I attached to this permit incorporate all sections of 10 CSR 20-6.010(8) and 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 facility to ascertain compliance with this permit, state regulations, state statutes, federal regulations, and the Clean Water Act. Standard Conditions Part III, if attached to this permit, incorporate requirements dealing with domestic wastewater, domestic sludge, and land application of domestic wastes.

#### **STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS:**

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

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

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

A standard mass-balance equation cannot be calculated for stormwater because stormwater flow and flow in the receiving stream cannot be determined for conditions on any given day or storm event without real-time ad-hoc monitoring. The amount of stormwater discharged from the facility will vary based on current and previous rainfall, soil saturation, humidity, detention time, BMPs, surface permeability, etc. Flow in the receiving stream will vary based on climatic conditions, size of watershed, area of surfaces with reduced permeability (houses, parking lots, and the like) in the watershed, hydrogeology, topography, etc. Decreased permeability may increase the stream flow dramatically over a short period of time (flash).

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

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

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

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



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

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

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

In accordance with 40 CFR 122.44(k), Best Management Practices (BMPs) must be used to control or abate the discharge of pollutants when: 1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; 2) Authorized under section 402(p) of the CWA for the control of stormwater discharges; 3) Numeric effluent limitations are infeasible; or 4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to 1) identify sources of pollution or contamination, and 2) select and carry out actions which prevent or control the pollution of storm water discharges.

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

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

For new, altered, or expanded stormwater discharges, the SWPPP shall identify reasonable and effective BMPs while accounting for environmental impacts of varying control methods. The antidegradation analysis must document why no discharge or no exposure options are not feasible. The selection and documentation of appropriate control measures shall serve as an alternative analysis of technology and fulfill the requirements of antidegradation [10 CSR 20-7.031(3)]. For further guidance, consult the antidegradation implementation procedure (<http://dnr.mo.gov/env/wpp/docs/AIP050212.pdf>).

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

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

<http://dnr.mo.gov/forms/index.html>.

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

#### **SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:**

Please review Standard Conditions Part 1, §A, No. 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 and incorporated within this permit. 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 facility is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive.

#### **VARIANCE:**

Per the Missouri Clean Water Law §644.061.4, variances shall be granted for such period of time and under such terms and conditions as shall be specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with the Missouri Clean Water Law §§644.006 to 644.141 or any standard, rule or regulation promulgated pursuant to Missouri Clean Water Law §§644.006 to 644.141.

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

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

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

- ✓ Not applicable; wasteload allocations were not calculated.

#### **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 STANDARDS:**

Per 10 CSR 20-7.031(4), general criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, 40 CFR 122.44(d)(1) directs the Department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including state narrative criteria for water quality.

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

A WET test is a quantifiable method to determine discharges from the facility cause toxicity to aquatic life by itself, in combination with, or through synergistic responses, when mixed with receiving stream water.

- ✓ Not applicable; at this time, the permittee is not required to conduct WET testing for this facility.

## **PART IV.EFFLUENT LIMITS DETERMINATION**

### **OUTFALL #001, #004 – STORMWATER OUTFALLS**

#### **EFFLUENT LIMITATIONS TABLE:**

PARAMETERS	UNIT	DAILY MAXIMUM LIMIT	BENCH- MARK	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE
PHYSICAL							
FLOW	MGD	*	-	SAME	ONCE/QUARTER	ONCE/QUARTER	24 HR. ESTIMATE
PRECIPITATION	INCHES	*	-	SAME	ONCE/QUARTER	ONCE/QUARTER	24 HR. TOT
CONVENTIONAL							
OIL & GREASE	MG/L	**	10	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
pH ‡	SU	6.5 TO 9.0	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
SETTLEABLE SOLIDS	ML/L/HR	**	1.5	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
TSS	MG/L	**	100	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
METALS							
ALUMINUM, TR	µg/L	**	750	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
ZINC, TR	µg/L	**	200	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB

\* Monitoring requirement only

\*\* Monitoring with associated benchmark

‡ The facility will report the minimum and maximum pH values; pH is not to be averaged

TR Total Recoverable

#### **DERIVATION AND DISCUSSION OF LIMITS:**

##### **PHYSICAL:**

###### **Flow**

In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain estimated 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 estimated total flow in millions of gallons per day (MGD).

###### **Precipitation**

Monitoring only requirement; measuring the amount of precipitation [(10 CSR 20-6.200(2)(C)1.E(VI)] during an event is necessary to ensure adequate stormwater management exists at the site. Knowing the amount of potential stormwater runoff can provide the permittee a better understanding of specific control measure that should be employed to ensure protection of water quality. The facility will provide the 24 hour accumulation value of precipitation from the day of sampling the other parameters. It is not necessary to report all days of precipitation during the quarter because of the readily available on-line data.

##### **CONVENTIONAL:**

###### **Oil & Grease**

Monitoring with a daily maximum benchmark of 10 mg/L. Oil and grease is considered a conventional pollutant, and is used as an indicator pollutant in stormwater monitoring. Oil and grease is a comprehensive test which measures for gasoline, diesel, crude oil, creosote, kerosene, heating oils, heavy fuel oils, lubricating oils, waxes, and some asphalt and pitch. The test can also detect some volatile organics such as benzene, toluene, ethylbenzene, or toluene, but these constituents are often lost during testing due to their boiling points. It is recommended to perform separate testing for these constituents if they are a known pollutant of concern at the site, i.e. aquatic life toxicity or human health is a concern. Results do not allow for separation of specific pollutants within the test, they are reported, totaled, as "Oil and grease". Per 10 CSR 20-7.031 Table A: *Criteria for Designated Uses*; 10 mg/L is the standard for protection of aquatic life. This standard will also be used to protect the general criteria found at 10 CSR 20: 7.031 (4). 10 mg/L is the level at which sheen is expected to form on receiving waters. Oils and greases of different densities will possibly form sheen or unsightly bottom deposits at levels which vary from 10 mg/L. To protect the general criteria, it is the responsibility of the permittee to visually observe the discharge and receiving waters for sheen or bottom deposits.

### **pH**

6.5 to 9.0 SU. The Water Quality Standard at 10 CSR 20-7.031(5)(E) states water contaminants shall not cause pH to be outside the range of 6.5 to 9.0 standard pH units. The pH at the site has been reviewed and determined limitations are appropriate for the stormwater discharges at this site. The stormwater has the potential to be altered by stone or aggregate which may elevate the pH of the stormwater. It is the responsibility of the facility to ensure the pH remains stable to protect aquatic life in the receiving streams.

### **Settleable Solids (SS)**

Monitoring, with a daily maximum benchmark set at 1.5 mL/L/hr. There is no water quality standard for SS; however, sediment discharges can negatively impact aquatic life. Increased settleable solids are known to interfere with multiple stages of the life cycle in many benthic organisms. For example, they can smother eggs and young or clog the crevasses that benthic organisms use for habitat. Settleable solids are also a valuable indicator parameter in stormwater effluent. Solids monitoring allows the permittee to identify increases in sediment and solids that may indicate uncontrolled materials leaving the site. A benchmark of 1.5 mL/L/hr has been shown to be achievable with proper BMP operation at other similar industrial sites.

### **Total Suspended Solids (TSS)**

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

### **METALS:**

General warm-water habitat criteria apply (WWH) designated as AQL in 10 CSR 20-7.031 Table A. Additional use criterion (HHP, DWS, GRW, IRR, or LWW) may also be used as applicable to determine the most protective effluent limit for the stream class and uses.

### **Aluminum, Total Recoverable**

Monitoring, with a daily maximum benchmark of 750 µg/L, continued from the previous permit. There was one exceedance of this benchmark at outfall #001, and two exceedances at outfall #004 in the previous five years. This is a pollutant of concern at the site as demonstrated through DMR data at the site. The facility did deploy corrective actions, such as clean up procedures, in response to the benchmarks that were exceeded. Elevated levels of aluminum can affect some species ability to regulate ions, like salts, and inhibit respiratory functions, like breathing. Aluminum can accumulate on the surface of a fish's gill, leading to respiratory dysfunction, and possibly death.

### **Zinc, Total Recoverable**

Monitoring, with a daily maximum benchmark of 200 µg/L, continued from the previous permit. There were no exceedances at of this benchmark in the previous five years. This is a pollutant of concern at the site as demonstrated through DMR data at the site. Because there is still evidence of zinc in the DMR data this benchmark will remain.

**All other metals were reported believed absent on the application materials for this facility.**

## **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 that all permits within a watershed will move through the Watershed Based Management (WBM) cycle together and 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 three years old, that data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit.

✓ *This permit will become synchronized by expiring the end of the 1<sup>st</sup> quarter, 2026.*

### **PUBLIC NOTICE:**

The Department shall give public notice a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in or with 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 facility must be notified of the denial in writing. <http://dnr.mo.gov/env/wpp/permits/pn/index.html> The Department must issue public notice of a pending operating 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 wishing to submit comments regarding this proposed operating permit, 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. All comments must be in written form.

✓ The Public Notice period for this operating permit was from March 12, 2021 to April 12, 2021. No responses were received.

**DATE OF FACT SHEET:** 01/26/2021

### **COMPLETED BY:**

SARAH WRIGHT, ENVIRONMENTAL ANALYST  
MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
OPERATING PERMITS SECTION - INDUSTRIAL UNIT  
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STANDARD CONDITIONS FOR NPDES PERMITS  
ISSUED BY  
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION  
REVISED  
AUGUST 1, 2014

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

## Part I – General Conditions

### Section A – Sampling, Monitoring, and Recording

1. **Sampling Requirements.**
  - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - b. All samples shall be taken at the outfall(s) or Missouri Department of Natural Resources (Department) approved sampling location(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.
2. **Monitoring Requirements.**
  - a. Records of monitoring information shall include:
    - i. The date, exact place, and time of sampling or measurements;
    - ii. The individual(s) who performed the sampling or measurements;
    - iii. The date(s) analyses were performed;
    - iv. The individual(s) who performed the analyses;
    - v. The analytical techniques or methods used; and
    - vi. The results of such analyses.
  - b. If the permittee monitors any pollutant more frequently than required by the permit at the location specified in the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reported to the Department with the discharge monitoring report data (DMR) submitted to the Department pursuant to Section B, paragraph 7.
3. **Sample and Monitoring Calculations.** Calculations for all sample and monitoring results which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.
4. **Test Procedures.** The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 unless alternates are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure that the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations that are low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is “sufficiently sensitive” when; 1) the method minimum level is at or below the level of the applicable water quality criterion for the pollutant or, 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility’s discharge is high enough that the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015. These methods are also required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established. A permittee is responsible for working with their contractors to ensure that the analysis performed is sufficiently sensitive.
5. **Record Retention.** Except for records of monitoring information required by the permit related to the permittee’s sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

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

### Section B – Reporting Requirements

1. **Planned Changes.**
  - a. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
    - i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
    - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42;
    - iii. The alteration or addition results in a significant change in the permittee’s sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
    - iv. Any facility expansions, production increases, or process modifications which will result in a new or substantially different discharge or sludge characteristics must be reported to the Department 60 days before the facility or process modification begins. Notification may be accomplished by application for a new permit. If the discharge does not violate effluent limitations specified in the permit, the facility is to submit a notice to the Department of the changed discharge at least 30 days before such changes. The Department may require a construction permit and/or permit modification as a result of the proposed changes at the facility.
2. **Non-compliance Reporting.**
  - a. The permittee shall report any noncompliance which may endanger health or the environment. Relevant information shall be provided orally or via the current electronic method approved by the Department, within 24 hours from the time the permittee becomes aware of the circumstances, and shall be reported to the appropriate Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. A written submission shall also be provided within five (5) business days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.





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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.)

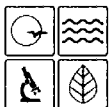
- c. A permittee with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission 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.





STANDARD CONDITIONS FOR NPDES PERMITS  
ISSUED BY  
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION  
REVISED  
AUGUST 1, 2014

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.



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

RECEIVED

SEP 29 2020

35695

**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 – 0111465, 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 Stanley Black and Decker		TELEPHONE NUMBER WITH AREA CODE 660-460-4562	
ADDRESS (PHYSICAL) 1500 Waterloo Dr.	CITY Sedalia	STATE MO	ZIP CODE 65301

**3. OWNER**

NAME Stanley Black and Decker		TELEPHONE NUMBER WITH AREA CODE 660-460-4562	
EMAIL ADDRESS			
ADDRESS (MAILING) 1500 Waterloo Dr.	CITY Sedalia	STATE MO	ZIP CODE 65301

**4. CONTINUING AUTHORITY**

NAME Stanley Black and Decker		TELEPHONE NUMBER WITH AREA CODE 660-460-4562	
EMAIL ADDRESS			
ADDRESS (MAILING)	CITY	STATE	ZIP CODE

**5. OPERATOR CERTIFICATION**

NAME	CERTIFICATE NUMBER	TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (MAILING)	CITY	STATE	ZIP CODE

**6. FACILITY CONTACT**

NAME Taylor Robinson	TITLE EHS Manager	TELEPHONE NUMBER WITH AREA CODE 660-829-8787
E-MAIL ADDRESS taylor.robinson2@sbdinc.com		

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

NAME John R Vandyne			
ADDRESS 23888 George Town Road	CITY Sedalia	STATE MO	ZIP CODE 65301

**8. ADDITIONAL FACILITY INFORMATION****8.1 Legal Description of Outfalls. (Attach additional sheets if necessary.)**

For Universal Transverse Mercator (UTM), use Zone 15 North referenced to North American Datum 1983 (NAD83)

001 NW 1/4 NW 1/4 Sec 33 T 46N R 21W Pettis County  
UTM Coordinates Easting (X): 478255 Northing (Y): 4286648  
002 1/4 1/4 Sec T R County  
UTM Coordinates Easting (X): Northing (Y):  
003 1/4 1/4 Sec T R County  
UTM Coordinates Easting (X): Northing (Y):  
004 NW 1/4 NW 1/4 Sec 33 T 46N R 21W Pettis County  
UTM Coordinates Easting (X): Northing (Y):

**8.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.**

Primary SIC 3316 and NAICS 332439 SIC and NAICS  
SIC and NAICS SIC and NAICS

**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 ☒ NO ☐  
If yes, complete Form C.
- B. Is the facility considered a "Primary Industry" under EPA guidelines (40 CFR Part 122, Appendix A) : YES ☒ NO ☐  
If yes, complete Forms C and D.
- C. Is wastewater land applied? YES ☐ NO ☒  
If yes, complete Form I.
- D. Are sludge, biosolids, ash, or residuals generated, treated, stored, or land applied? YES ☐ NO ☒  
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 ☐ NO ☒  
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 ☒ NO ☐  
If yes, please indicate the source of the water: City 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. **One of the following must be checked in order for this application to be considered complete.** Please visit <http://dnr.mo.gov/env/wpp/edmr.htm> to access the Facility Participation Package.

- ☐ - You have completed and submitted with this permit application the required documentation to participate in the eDMR system.
- ☒ - You have previously submitted the required documentation to participate in the eDMR system and/or you are currently using the eDMR system.
- ☐ - You have submitted a written request for a waiver from electronic reporting. See instructions for further information regarding waivers.

**11. 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: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/>

**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)

Brett Fox

TELEPHONE NUMBER WITH AREA CODE

(660) 460-4562

SIGNATURE

DATE SIGNED

5/28/2020

**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/antideg-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.html](http://www.osha.gov/pls/imis/sicsearch.html) 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>.

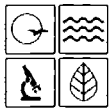
Incomplete permit applications and/or related engineering documents will be returned by the department if they are not completed in the time frame established in a comment letter from the department to the owner. Permit fees for returned applications shall be forfeited. Permit fees for applications being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

**MAIL COMPLETED FORM AND FEES TO:**

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.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
 WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH  
**FORM C – APPLICATION FOR DISCHARGE PERMIT – MANUFACTURING, COMMERCIAL,  
 MINING, SILVICULTURE OPERATIONS, AND STORMWATER**

<b>GENERAL INFORMATION (PLEASE SEE INSTRUCTIONS)</b>				
1.0 NAME OF FACILITY Stanley Black and Decker				
1.1 THIS FACILITY IS OPERATING UNDER MISSOURI STATE OPERATING PERMIT (MSOP) NUMBER: MO-0111465				
1.2 IS THIS A NEW FACILITY? PROVIDE CONSTRUCTION PERMIT (CP) NUMBER IF APPLICABLE.				
1.3 Describe the nature of the business, in detail. Identify the goods and services provided by the business. Include descriptions of all raw, intermediate, final products, byproducts, or waste products used in the production or manufacturing process, stored outdoors, loaded or transferred and any other pertinent information for potential sources of wastewater or stormwater discharges.  Cold rolled steel is cut through a steel slitter operation, formed in presses & benders, welded, cleaned in a 5 or 7 stage washers, painted by an electrodeposition paint system or a powder paint system, assembled and packaged for shipment. Products consist of Tool Storage, Metal Storage Cabinets and Work Benches.				
<b>FLOWS, TYPE, AND FREQUENCY</b>				
2.0 Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in item B. Construct a water balance on the line drawing by showing average and maximum flows between intakes, operations, treatment units, evaporation, public sewers, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.				
2.1 For each outfall (1) below, provide: (2) a description of all operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, stormwater runoff, and any other process or non-process wastewater, (3) the average flow and maximum flow (put max in parentheses) contributed by each operation and the sum of those operations, (4) the treatment received by the wastewater, and (5) the treatment type code. Continue on additional sheets if necessary.				
1. OUTFALL NO.	2. OPERATION(S) CONTRIBUTING FLOW; INCLUDE ALL PROCESSES AND SUB PROCESSES AT EACH OUTFALL	3. AVERAGE FLOW AND (MAXIMUM FLOW), INCLUDE UNITS.	4. TREATMENT DESCRIPTION	5. TREATMENT CODES FROM TABLE A
001	Storm Water Run Off	Dependant on rain	None	N/A
004	Storm Water Run Off	Dependant on rain	None	N/A
Attach additional pages if necessary.				

## 2.2 INTERMITTENT DISCHARGES

Except for stormwater runoff, leaks, or spills, are any of the discharges described in items 2.0 or 2.1 intermittent or seasonal?

☐ Yes (complete the following table)

☒ No (go to section 2.3)

1. OUTFALL NUMBER	2. OPERATION(S) CONTRIBUTING FLOW	3. FREQUENCY		4. FLOW				C. DURATION (in days)
				A. FLOW RATE (in mgd)		B. TOTAL VOLUME (specify with units)		
		A. DAYS PER WEEK (specify average)	B. MONTHS PER YEAR (specify average)	1. MAXIMUM DAILY	2. LONG TERM AVERAGE	4. LONG TERM DAILY	3. MAXIMUM AVERAGE	

## 2.3 PRODUCTION

A. Does an effluent limitation guideline (ELG) promulgated by EPA under section 304 of the Clean Water Act apply to your facility? Indicate the part and subparts applicable.

☐ Yes 40 CFR \_\_\_\_\_ Subpart(s) \_\_\_\_\_

☒ No (go to section 2.5)

B. Are the limitations in the effluent guideline(s) expressed in terms of production (or other measure of operation)? Describe in C below.

☐ Yes (complete C.)

☒ No (go to section 2.5)

C. If you answered "yes" to B, list the quantity representing an actual measurement of your maximum level of production, expressed in the terms and units used in the applicable effluent guideline and indicate the affected outfalls.

A. OUTFALL(S)	B. QUANTITY PER DAY	C. UNITS OF MEASURE	D. OPERATION, PRODUCT, MATERIAL, ETC. (specify)

## 2.4 IMPROVEMENTS

A. Are you required by any federal, state, or local authority to meet any implementation schedule for the construction, upgrading, or operation of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.

☐ Yes (complete the following table)

☒ No (go to 2.6)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS	3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COMPLIANCE DATE	
			A. REQUIRED	B. PROJECTED

B. Optional: provide below or attach additional sheets describing water pollution control programs or other environmental projects which may affect discharges. Indicate whether each program is underway or planned, and indicate actual or planned schedules for construction. This may include proposed bmp projects for stormwater.

## 2.5 SLUDGE MANAGEMENT

Describe the removal of any industrial or domestic biosolids or sludges generated at your facility. Include names and contact information for any haulers used. Note the frequency, volume, and methods (incineration, landfilling, composting, etc) used. See Form A for additional forms which may need to be completed.

We have a process to treat and filter solids/permeate out of the water before sending it to the city. The solids are pressed into a filter cake. The filter cake is further dehydrated for about a week and then sent to the landfill for disposal. Our waste water operation would never effect the storm water because all tanks are in a containment dike and water cannot escape into the environment. We treat on average 80,000 gallons of water per day. We produce 800 lbs of filter cake a day.

## DATA COLLECTION AND REPORTING REQUIREMENTS FOR APPLICANTS

### 3.0 EFFLUENT (AND INTAKE) CHARACTERISTICS (SEE INSTRUCTIONS)

A. & B. See instructions before continuing – complete one Table 1 for **each outfall** (and intake) – annotate the outfall (intake) number or designation in the space provided. The facility is not required to complete intake data unless required by the department or rule.

C. Use the space below to list any pollutants listed in the instructions section 3.0 C. Table B which you know or have reason to believe is discharged or may be discharged from any outfall not listed in parts 3.0 A or B on Table 1. For every pollutant listed, briefly describe the reasons you believe it to be present and report any analytical data in your possession.

1. POLLUTANT	2. SOURCE	3. OUTFALL(S)	4. ANALYTICAL RESULTS (INCLUDE UNITS)
N/A			

### 3.1 Whole Effluent Toxicity Testing

A. To your knowledge, have any Whole Effluent Toxicity (WET) tests been performed on the facility discharges (or on receiving waters in relation to your discharge) within the last three years?

☐ Yes (go to 3.1 B) ☒ No (go to 3.2)

### 3.1 B

Disclose wet testing conditions, including test duration (chronic or acute), the organisms tested, and the testing results. Provide any results of toxicity identification evaluations (TIE) or toxicity reduction evaluations (TRE) if applicable. Please indicate the conclusions of the test(s) including any pollutants identified as causing toxicity and steps the facility is taking to remedy the toxicity.

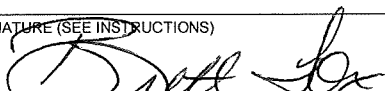
### 3.2 CONTRACT ANALYSIS INFORMATION

Were any of the analyses reported herein, above, or on Table 1 performed by a contract laboratory or consulting firm?

☒ Yes (list the name, address, telephone number, and pollutants analyzed by each laboratory or firm.) ☐ No (go to 4.0)

A. LAB NAME	B. ADDRESS	C. TELEPHONE (area code and number)	D. POLLUTANTS ANALYZED (list or group)
Engineering Surveys & Services Lab	1108 Fay Street Columbia, MO 65201	(573) 449-0230	Total Suspended Solids, Oil & Grease, Aluminum, Total Settable Solids, Zinc



<b>4.0 STORMWATER</b>			
<b>4.1</b> Do you have industrial stormwater discharges from the site? If so, attach a site map outlining drainage areas served by each outfall. Indicate the following attributes within each drainage area: pavement or other impervious surfaces; buildings; outdoor storage areas; material loading and unloading areas; outdoor industrial activities; structural stormwater control measures; hazardous waste treatment, storage, and disposal units; and wells or springs in the area.			
OUTFALL NUMBER	TOTAL AREA DRAINED (PROVIDE UNITS)	TYPES OF SURFACES (VEGETATED, STONE, PAVED, ETC)	BEST MANAGEMENT PRACTICES EMPLOYED; INCLUDE STRUCTURAL BMPS AND TREATMENT DESIGN FLOW FOR BMPS DESCRIBE HOW FLOW IS MEASURED
001	271955 sq ft	Paved	
004	1134125 sq	Gravel and chip sealed	
<b>4.2 STORMWATER FLOWS</b> Provide the date of sampling with the flows, and how the flows were estimated.			
<b>SIGNATORY REQUIREMENTS</b>			
<b>5.0 CERTIFICATION</b>  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)			TELEPHONE NUMBER WITH AREA CODE
Brett Fox			(660) 460-4562
SIGNATURE (SEE INSTRUCTIONS)			DATE SIGNED
			9/28/2020

SEE INSTRUCTIONS; PLEASE PRINT OR TYPE.

You may report some or all of this information on separate sheet (use similar format) instead of completing these pages.

FORM C TABLE 1 FOR 3.0 - ITEMS A AND B

EFFLUENT (AND INTAKE) CHARACTERISTICS										OUTFALL NO. 001	
3.0 PART A – You must provide the results of at least one analysis for every pollutant in Part A. Complete one table for each outfall or proposed outfall. See instructions.										3. UNITS (specify if blank)	
1. POLLUTANT	A. MAXIMUM DAILY VALUE		B. MAXIMUM 30 DAY VALUES		C. LONG TERM AVERAGE VALUES		D. NO. OF ANALYSES	A. CONCENTRATION	B. MASS		
	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS	(1) CONCENTRATION	(2) MASS					
A. Biochemical Oxygen Demand, 5-day (BOD <sub>5</sub> )											
B. Chemical Oxygen Demand (COD)											
C. Total Organic Carbon (TOC)											
D. Total Suspended Solids (TSS)					<0.1		4	mg/l			
E. Ammonia as N											
F. Flow	VALUE	Dependant on rain fall	VALUE		VALUE			MILLIONS OF GALLONS PER DAY (MGD)			
G. Temperature (winter)	VALUE	Unknown	VALUE		VALUE			°F			
H. Temperature (summer)	VALUE	Unknown	VALUE		VALUE			°F			
I. pH	MINIMUM	6.0	MAXIMUM	9.0	AVERAGE	7.7		STANDARD UNITS (SU)			

3.0 PART B – Mark "X" in column 2A for each pollutant you know or have reason to believe is present. Mark "X" in column 2B for each pollutant you believe to be absent. If you mark Column 2A for any pollutant, you must provide the results for at least one analysis for the pollutant. Complete one table for each outfall (intake). Provide results for additional parameters not listed here in Part 3.0 C.

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"		3. VALUES						4. UNITS		
	A. BELIEVED PRESENT	B. BELIEVED ABSENT	A. MAXIMUM DAILY VALUE		B. MAXIMUM 30 DAY VALUES		C. LONG TERM AVERAGE VALUES		D. NO. OF ANALYSES	A. CONCENTRATION	B. MASS
			CONCENTRATION	MASS	CONCENTRATION	MASS	CONCENTRATION	MASS			
Subpart 1 – Conventional and Non-Conventional Pollutants											
A. Alkalinity (CaCO <sub>3</sub> )		X	MINIMUM					MINIMUM			
B. Bromide (24959-67-9)		X									
C. Chloride (16887-00-6)		X									
D. Chlorine, Total Residual		X									
E. Color		X									
F. Conductivity		X									
F. Cyanide, Amenable to Chlorination		X									

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"		3. VALUES						4. UNITS	
	A. BELIEVED PRESENT	B. BELIEVED ABSENT	A. MAXIMUM DAILY VALUE		B. MAXIMUM 30 DAY VALUE	C. LONG TERM AVERAGE VALUE		D. NO. OF ANALYSES	A. CONCENTRATION	B. MASS
			CONCENTRATION	MASS		CONCENTRATION	MASS			
Subpart 1 – Conventional and Non-Conventional Pollutants (Continued)										
G. <i>E. coli</i>		X								
H. Fluoride (16984-48-8)		X								
I. Nitrate plus Nitrate (as N)		X								
J. Kjeldahl, Total (as N)		X								
K. Nitrogen, Total Organic (as N)		X								
L. Oil and Grease						1.05		4	mg/l	
M. Phenols, Total		X								
N. Phosphorus (as P), Total (7723-14-0)		X								
O. Sulfate (as SO <sup>4-</sup> ) (14808-79-8)		X								
P. Sulfide (as S)		X								
Q. Sulfite (as SO <sup>3-</sup> ) (14265-45-3)		X								
R. Surfactants		X								
S. Trihalomethanes, Total		X								
Subpart 2 – Metals										
1M. Aluminum, Total Recoverable (7429-90-5)						0.462		4	mg/l	
2M. Antimony, Total Recoverable (7440-36-9)		X								
3M. Arsenic, Total Recoverable (7440-38-2)		X								
4M. Barium, Total Recoverable (7440-39-3)		X								
5M. Beryllium, Total Recoverable (7440-41-7)		X								
6M. Boron, Total Recoverable (7440-42-8)		X								
7M. Cadmium, Total Recoverable (7440-43-9)		X								
8M. Chromium III Total Recoverable (16065-83-1)		X								
9M. Chromium VI, Dissolved (18540-29-9)		X								
10M. Cobalt, Total Recoverable (7440-48-4)		X								

1. POLLUTANT AND CAS NUMBER (if available)	2. MARK "X"		3. VALUES						4. UNITS		
	A. BELIEVED PRESENT	B. BELIEVED ABSENT	A. MAXIMUM DAILY VALUE		B. MAXIMUM 30 DAY VALUE		C. LONG TERM AVERAGE VALUE		D. NO. OF ANALYSES	A. CONCENTRATION	B. MASS
			CONCENTRATION	MASS	CONCENTRATION	MASS	CONCENTRATION	MASS			
Subpart 2 – Metals (Continued)											
11M. Copper, Total Recoverable (7440-50-8)		X									
12M. Iron, Total Recoverable (7439-89-6)		X									
13M. Lead, Total Recoverable (7439-92-1)		X									
14M. Magnesium, Total Recoverable (7439-95-4)		X									
15M. Manganese, Total Recoverable (7439-96-5)		X									
16M. Mercury, Total Recoverable (7439-97-6)		X									
17M. Methylmercury (22967926)		X									
18M. Molybdenum, Total Recoverable (7439-98-7)		X									
19M. Nickel, Total Recoverable (7440-02-0)		X									
20M. Selenium, Total Recoverable (7782-49-2)		X									
21M. Silver, Total Recoverable (7440-22-4)		X									
22M. Thallium, Total Recoverable (7440-28-0)		X									
23M. Tin, Total Recoverable (7440-31-5)		X									
24M. Titanium, Total Recoverable (7440-32-6)		X									
25M. Zinc, Total Recoverable (7440-66-6)							0.056		4	mg/l	
Subpart 3 – Radioactivity											
1R. Alpha Total		X									
2R. Beta Total		X									
3R. Radium Total		X									
4R. Radium 226 plus 228 Total		X									

**INSTRUCTIONS FOR FILLING OUT APPLICATION FOR NPDES DISCHARGE PERMIT – FORM C –  
MANUFACTURING, COMMERCIAL, MINING, SILVICULTURE OPERATIONS, PROCESS WASTEWATER, NON-  
PROCESS WASTEWATER, AND INDUSTRIAL STORMWATER DISCHARGES.**

All applicable sections must be filled in when the application is submitted. The form must be signed as indicated. This application is to be completed only for facilities with a discharge. Non-discharging (land application facilities) should fill out the appropriate forms for the activity. Include any area with potential discharge, even if there is normally no discharge. If this form is not adequate for you to describe your existing operations, then sufficient information should be attached so an evaluation of the discharges can be made. Attach additional sheets as necessary for any additional information. If an applicant believes previous outfalls are no longer applicable to the facility, please indicate so. Certain parts of the application may be submitted electronically, such as extensive analytical data, or project plans relating to improvements. This may be included using a thumb drive or CD. If extensive data is submitted without an electronic copy, the department may request the submission at a later time so the permit writer can mathematically evaluate the data. If you have any questions regarding this form please contact the Water Protection Program Operating Permits Administrative Assistant at 800-361-4827 or 573-571-6825 and you will be directed to a permit writer.

## GENERAL INFORMATION

1.0 Name of Facility – By what title or name is this facility known? Has the official name changed? Please indicate both the previous and current name you wish to be listed on the permit.

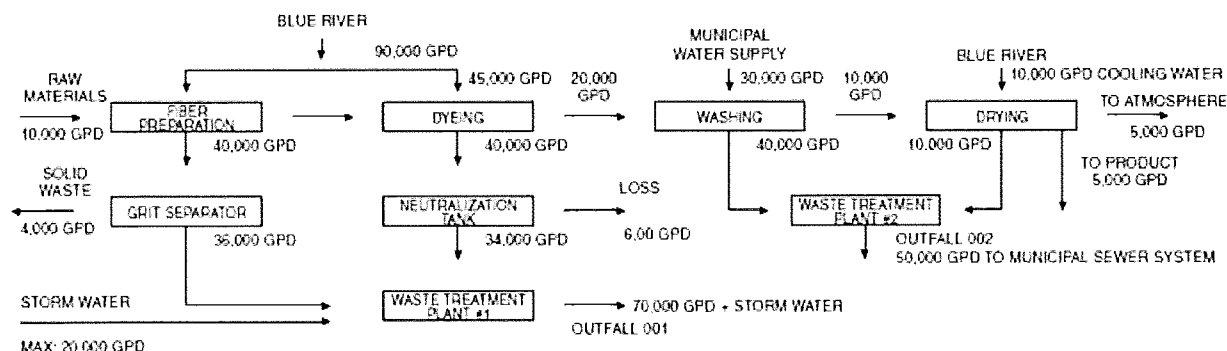
1.1 Operating permit number as assigned (MO-#####)

1.2 Indicate if this is a new facility or if there are any new discharges. Has the facility completed an antidegradation review? Is this facility being moved from a general permit to a site specific permit? If so, indicate general permit number.

1.3 Self-explanatory.

## FLOWS, TYPE, AND FREQUENCY

2.0 The line drawing should show the route taken by water in your facility from intake to discharge. Show all operations contributing wastewater, including process and production areas, sanitary flows, cooling water, and stormwater runoff. Indicate any alternate treatment trains available. You may group similar operations into a single unit labeled to correspond to the more detailed listing. More than one drawing may be required depending on the complexity of the system. The water balance should show average and maximum flows. Show all significant losses of water to: products, atmosphere, public sewer systems; both storm sewer and sewer. You should use actual measurements whenever available; otherwise, use your best estimate. An example of an acceptable line drawing appears below.



2.1 List all sources of wastewater to each outfall. Operations may be described in general terms (for example, "dye-making reactor" or a "distillation tower"). You may estimate the flow contributed by each source if no data is available, and for stormwater, you may use any reasonable measure of duration, volume, or frequency. For each treatment unit, indicate its size, flow rate, and retention time, and describe the ultimate disposal of any solid or liquid wastes not discharged. Treatment units should be listed in order and you should select the proper code from Table A to fill in column 3B for each treatment unit. Insert "XX" into column 3B if no code corresponds to a treatment unit you list.

TABLE A – CODES FOR TREATMENT UNITS

PHYSICAL TREATMENT PROCESSES			
1-A	Ammonia Stripping	1-M	Grit Removal
1-B	Dialysis	1-N	Microstraining
1-C	Diatomaceous Earth Filtration	1-O	Mixing
1-D	Distillation	1-P	Moving Bed Filters
1-E	Electrodialysis	1-Q	Multimedia Filtration
1-F	Evaporation	1-R	Rapid Sand Filtration
1-G	Flocculation	1-S	Reverse Osmosis (Hyper Filtration)
1-H	Flotation	1-T	Screening
1-I	Foam Fractionation	1-U	Sedimentation (Settling)
1-J	Freezing	1-V	Slow Sand Filtration
1-K	Gas-Phase Separation	1-W	Solvent Extraction
1-L	Grinding (Comminutors)	1-X	Sorption
CHEMICAL TREATMENT PROCESSES			
2-A	Carbon Absorption	2-G	Disinfection (Ozone)
2-B	Chemical Oxidation	2-H	Disinfection (Other)
2-C	Chemical Precipitation	2-I	Electrochemical Treatment
2-D	Coagulation	2-J	Ion Exchange
2-E	Dechlorination	2-K	Neutralization
2-F	Disinfection (Chlorine)	2-L	Reduction
BIOLOGICAL TREATMENT PROCESSES			
3-A	Activated Sludge	3-E	Pre-Aeration
3-B	Aerated Lagoons	3-F	Spray Irrigation/Land Application
3-C	Anaerobic Treatment	3-G	Stabilization Ponds
3-D	Nitrification-Denitrification	3-H	Trickling Filtration
OTHER PROCESSES			
4-A	Discharge to Surface Water	4-C	Reuse/Recycle of Treated Effluent
4-B	Ocean Discharge Through Outfall	4-D	Underground Injection
SLUDGE TREATMENT AND DISPOSAL PROCESSES			
5-A	Aerobic Digestion	5-M	Heat Drying
5-B	Anaerobic Digestion	5-N	Heat Treatment
5-C	Belt Filtration	5-O	Incineration
5-D	Centrifugation	5-P	Land Application
5-E	Chemical Conditioning	5-Q	Landfill
5-F	Chlorine Treatment	5-R	Pressure Filtration
5-G	Composting	5-S	Pyrolysis
5-H	Drying Beds	5-T	Sludge Lagoons
5-I	Elutriation	5-U	Vacuum Filtration
5-J	Flotation Thickening	5-V	Vibration
5-K	Freezing	5-W	Web Oxidation
5-L	Gravity Thickening		

2.2 A discharge is intermittent unless it occurs without interruption during the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities. A discharge is seasonal if it occurs only during certain parts of the year. Fill in every applicable column in this item for each source of intermittent or seasonal discharges. Base your answers on actual data whenever available; otherwise, provide your best estimate. Report the highest daily value for flow rate and total volume in the "Maximum Daily" columns. Report the average of all daily values measures during days when discharge occurred within the last year in the "Long Term Average" columns.

## PRODUCTION

2.3 A. All effluent limitation guidelines (ELGs) promulgated by EPA appear in the Federal Register and are published annually in 40 CFR Subchapter N (400-499). A guideline applies to you based on the applicability sections within each subpart. If you are unsure you are covered by an ELG, check with your Missouri Department of Natural Resources' Regional Office. You must check yes if an applicable effluent guideline has been promulgated, even if the guideline limitations are being contested in court. If you believe a promulgated effluent guideline has been remanded for reconsideration by a court and does not apply to your operations, you may check no. The ELG number and subpart(s) must be included.

2.3 B. An ELG is expressed in terms of production (or other measure of operation) if the limitations are expressed as mass of pollutant per operational parameter; for example, "pounds of BOD per cubic foot of logs from which bark is removed," or "pounds of TSS per megawatt hour of electrical energy consumed by smelting furnace." An example of a guideline not expressed in terms of a measure of operation is one which limits the concentration of pollutants, or requires no discharge of the wastewater.

2.3 C. This item must be completed if you checked "yes" to item B. The production information requested here is necessary to apply effluent guidelines to your facility and you may not claim it as confidential. However, you do not have to indicate how the reported information was calculated. Report quantities and the units of measurement used in the applicable effluent guideline. The data provided must be a measure of actual operation over a one month period, such as the production for the highest month during the last twelve months, or the monthly average production for the highest year of the last five years, or other reasonable measure of actual operation, but may not be based on design capacity or on predictions of future increases in operation. This data must be concurrent of facility operations.

2.4 IMPROVEMENTS If you check yes to this question, complete all parts of the table, or attach a copy of any previous submission you have made containing the same information. You are not required to submit a description of future pollution control projects if you do not wish to, or if none are planned.

2.5 SLUDGE MANAGEMENT If the facility generates any sludge or biosolids, please indicate where the sludge accumulates (lagoon, tank, etc.) and the methods of disposal. Please include the volume and frequency of sludge removal/disposal and any haulers used. Please indicate if the facility composts, incinerates, landfills, stores, sells, or other methods of eliminating the sludge from lagoons or holding tanks. Consider submitting a sludge or biosolids management plan electronically if additional description is needed.

## DATA COLLECTION AND REPORTING REQUIREMENTS FOR APPLICANTS

3.0 This section requires collection and reporting of data on pollutants discharged from each outfall, including stormwater outfalls, non-process wastewater, and any intake data you wish to provide. Parts A, B, and C address different sets of pollutants and must be completed in accordance with the specific instructions for the part. All data must be reported as a concentration **and** as total mass. You may report some or all of the required data by attaching separate sheets of paper.

3.0 A. and B. These sections are found on Table 1. Complete a separate table for each outfall and intake.

3.0 A. Requires reporting at least one analysis for each pollutant. Part A must be completed by all applicants for all outfalls, including outfalls containing only noncontact cooling water, stormwater runoff, or other discharges; intake values are not required in this Part. Upon written request, (email is suitable) prior to submitting the application, the department may waive the requirements to test for one or more of these pollutants upon determining testing for the pollutant(s) is not applicable for your effluent.

3.0 B. Mark "X" in either "Believed Present", Column 2A, or "Believed Absent", Column 2B, for each pollutant, based on your best estimate, and test those you believe present. Base your determination a pollutant is present in, or absent from, your discharge on your knowledge of your raw materials, source water, maintenance chemicals, intermediate, byproduct, and final products, and any previous analyses known to you of the facility's effluent, or of any similar effluent. If either chloride or sulfate is believed present, the department asks you to test for both chloride and sulfate. If you expect a pollutant is present as a result your intake water, you should mark "Believed Present" and analyze for the pollutant. Provide analysis of the intake or source water as well; this includes water withdrawn from wells or obtained from a potable water source. Presence of a pollutant in the discharge from sourced water does not eliminate disclosure requirements. If a

pollutant is reported as not present, the pollutant will be considered "believed absent" for the purposes of application shield.

### 3.0 A and B Continued

Use the following abbreviations (or other as applicable) in Column 4, "Units". Mass must be specified as per day, month, or year.

CONCENTRATION		MASS	
ppm	parts per million	lbs	pounds
mg/L	milligrams per liter	ton	tons (English tons)
ppb	parts per billion	mg	Milligrams
ug/L	micrograms per liter	g	grams
pCi/L	picocuries per liter	kg	kilograms
		T	tonnes (metric tons)

**MAXIMUM DAILY VALUE.** If you measure a pollutant only once, complete only the "Maximum Daily Value" columns and insert "1" into the "number of analyses" in Column D. The Missouri Department of Natural Resources may require you to conduct additional analyses to further characterize your discharge. If the pollutant is sampled but not detected, a less than "<" symbol should be used next to the detection limit (or laboratory reporting limit). Simply stating "below detection limits" without quantifying the limit of detection may not be appropriate and additional information may be required.

**MAXIMUM 30 DAY VALUES.** "Maximum 30 Day Values" are not compulsory but should be filled out if data is available. The department suggests at least 4 samples (one per week) be collected over a one month period for averaging purposes, but is not required. Determine the average of all daily values taken during one calendar month, and report the highest average of all daily values taken during all calendar months, and report the highest average in Column B. Column D must show the number of samples used in the calculation.

**LONG TERM AVERAGES.** "Long Term Average Values" are not compulsory but should be filled out if data is available. Determine the long term average of all the data and report in Column C. Column D must show the number of samples used in the calculations. The facility should include a statement describing the timeframe of the data used in the calculations. Consider including an electronic copy of the data with the application.

**SAMPLING.** The collection of samples for analyses should be supervised by a person experienced in performing sampling of industrial wastewater and/or stormwater. You may contact your Missouri Department of Natural Resources' Regional Office for detailed guidance on sampling techniques and for answers to specific questions. Any specific requirements contained in the applicable analytical methods should be followed for sample containers, sample preservation, holding times, the collection of duplicate or blank samples, etc. The time when you sample should be representative of your normal operation, with all processes contributing wastewater in normal operation, and with your treatment system operating properly with no system upsets. Samples should be collected from the center of the flow channel, at a site specified in your present permit, or for new discharges, at any site adequate for the collection of a representative sample.

**GRAB SAMPLE.** An individual sample of sufficient volume for analysis, collected at a randomly selected time, over a period not exceeding 15 minutes, which is representative of the discharge. Grab samples must be used for temperature, pH, total residual chlorine, oil and grease, *E. coli*, and any pollutant considered to be volatile. Grab samples are typically appropriate for stormwater.

**COMPOSITE SAMPLE.** Use composite sampling (if available) for all pollutants (except above). A combination of at least eight sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24 hour period. For volatile pollutants, aliquots must be combined in the laboratory immediately before analysis. The composite must be proportional; either time interval proportional, or flow proportional. Aliquots may be collected manually or automatically.

**ANALYSIS.** You must use test methods promulgated in 40 CFR Part 136 for all analyses. The facility must use a sufficiently sensitive method to determine compliance with Missouri Water Quality Standards in accordance with Standard Conditions Part I. If no method has been promulgated for a particular pollutant, you may use any suitable method for measuring the level of the pollutant in your discharge. If there is no promulgated method, your attached description should include the preservation techniques, sample holding times, the quality control measures which you used, and any other



pertinent information, such as filtering or what fraction the method detects. For obscure methods or new contaminants, consider including an electronic copy of the method with the application and the laboratory analysis sheets.

**IDENTICAL OUTFALL CONSIDERATION.** If you have two or more substantially identical outfalls, you may submit the results of the analysis for one substantially identical outfall in its place. Identify which outfall you did test and describe why the outfalls which you did not test are substantially identical to the outfall you did test.

**REPORTING OF INTAKE DATA.** You are not required to report intake data unless you wish apply for "net" effluent limitations for one or more pollutants. Net limitations are technology limits adjusted by subtracting the level of the pollutant present in the intake water from the discharge. National Pollutant Discharge Elimination System (NPDES) regulations allow net limitations only in certain circumstances. To demonstrate eligibility, report the maximum and average of the results of analyses on the intake water, attach a statement the intake water is drawn from the same body of water into which the discharge is made, and a statement how the pollutant level is reduced by the wastewater treatment. When applicable, a demonstration to the extent the pollutants in the intake vary physically, chemically, or biologically from the pollutants contained in the discharge; for example, when the pollutant represents a class of compounds.

3.0. C. requires listing any pollutants from "TABLE B – TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY APPLICANTS IF EXPECTED TO BE PRESENT" you believe to be present and explain why you believe them to be present. If you have analytical data, you must report it. You may include other pollutants not listed below but present in your discharge in 3.0 C. Please provide Chemical Abstract Service (CAS) numbers for any additional pollutants described. If the facility is required to complete Form D, duplication of the parameters here is not required.

TABLE B – TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY APPLICANTS IF EXPECTED TO BE PRESENT		
TOXIC POLLUTANT	HAZARDOUS SUBSTANCES	HAZARDOUS SUBSTANCES
Asbestos	Dimethylamine	Napthenic acid
HAZARDOUS SUBSTANCES	Dintrobenzene	Nitrotoluene
Acetaldehyde	Diquat	Parathion
Allyl alcohol	Disulfoton	Phenolsulfonate
Allyl chloride	Diuron	Phosgene
Amyl acetate	Epichlorohydrin	Propargite
Aniline	Ethion	Propylene oxide
Benzonitrile	Ethylene diamine	Pyrethrins
Benzyl chloride	Ethylene dibromide	Quinoline
Butyl acetate	Formaldehyde	Resorcinol
Butylamine	Furfural	Strontium
Captan	Guthion	Strychnine
Carbaryl	Isoprene	Sytrene
Carbofuran	Isopropanolamine	2,4,5-T (2,4,5-Trichloro-phenoxyacetic acid)
Carbon disulfide	Kelthane	TDE (Tetrachlorodiphenyl ethane)
Chlorpyrifos	Kepone	2, 4, 5-TP (2-(2,4,5-Trichloro-phenoxy) propanoic acid)
Coumaphos	Malathion	Trichlorofon
Cresol	Mercaptodimethur	Triethanolamine
Crotonaldehyde	Methoxychlor	Triethaylamine
2,4-D (2,4-Dichloro-Phenoxyacetic acid)	Methyl mercaptan	Uranium
Diazinon	Methyl parathion	Vanadium
Dicamba	Mevinphos	Vinyl acetate
Dichlobenil	Mexacarbate	Xylene
2,2-Dichloropropionic acid	Monethyl amine	Xylenol
Dichlorvos	Monomethyl amine	Zirconium
Diethylamine	Nalad	

3.1 Self-explanatory.

3.2 Self-explanatory.

#### 4.0 STORMWATER [10 CSR 20-6.200(2)(C)1.]

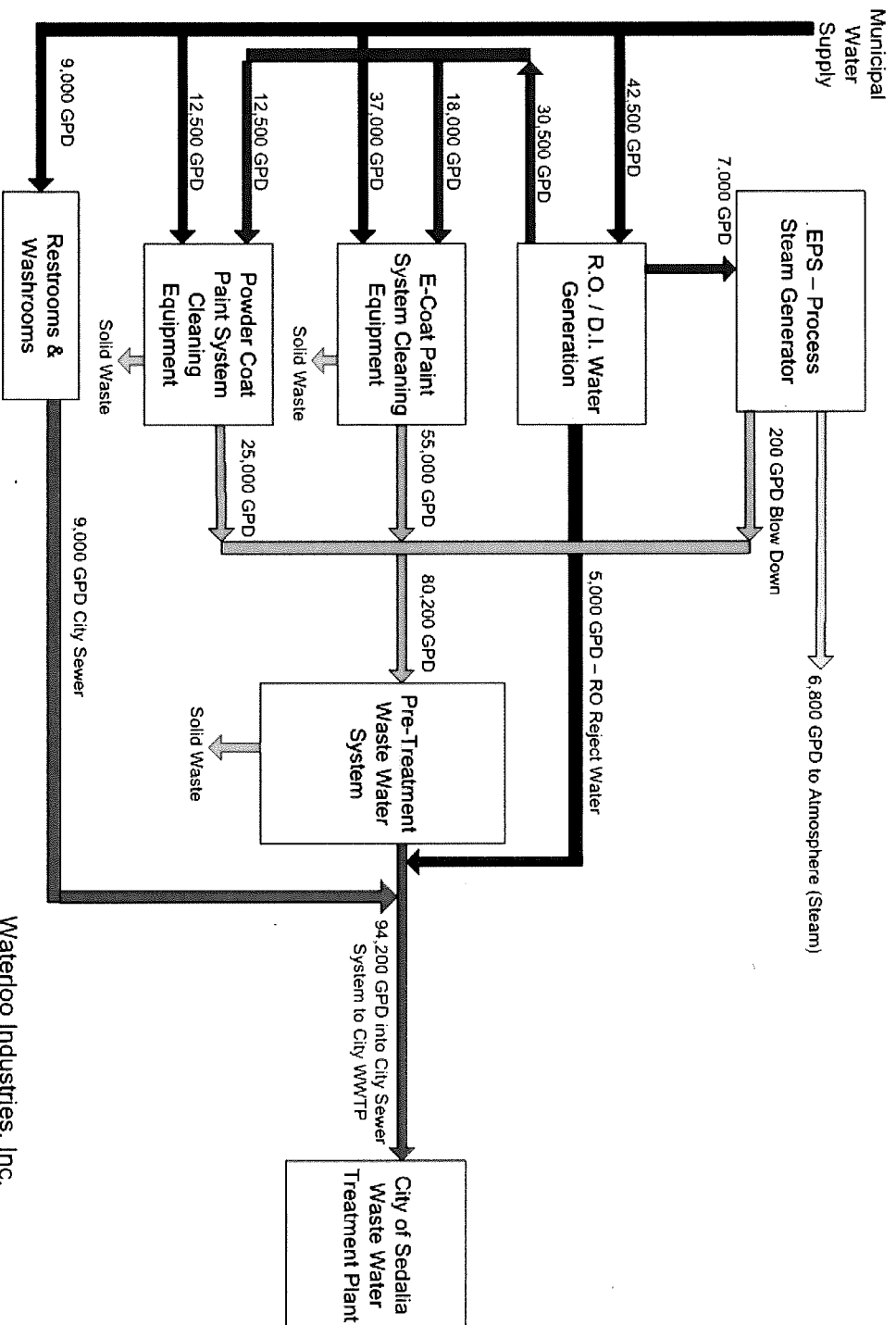
In accordance with 10 CSR 20-6.200(2)(C)1.E(I) and (II), the facility must sample the stormwater for any pollutant listed in the permit for process wastewater discharges and/or the applicable Effluent Limitation Guideline. All industrial stormwater must be sampled for parameters listed in 10 CSR 20-6.200(2)(C)1.E.(III); these are: oil and grease, pH, biochemical oxygen demands (BOD<sub>5</sub>), chemical oxygen demands (COD), total suspended solids (TSS), conductivity, total phosphorus, total Kjeldahl nitrogen, and nitrate plus nitrite nitrogen.

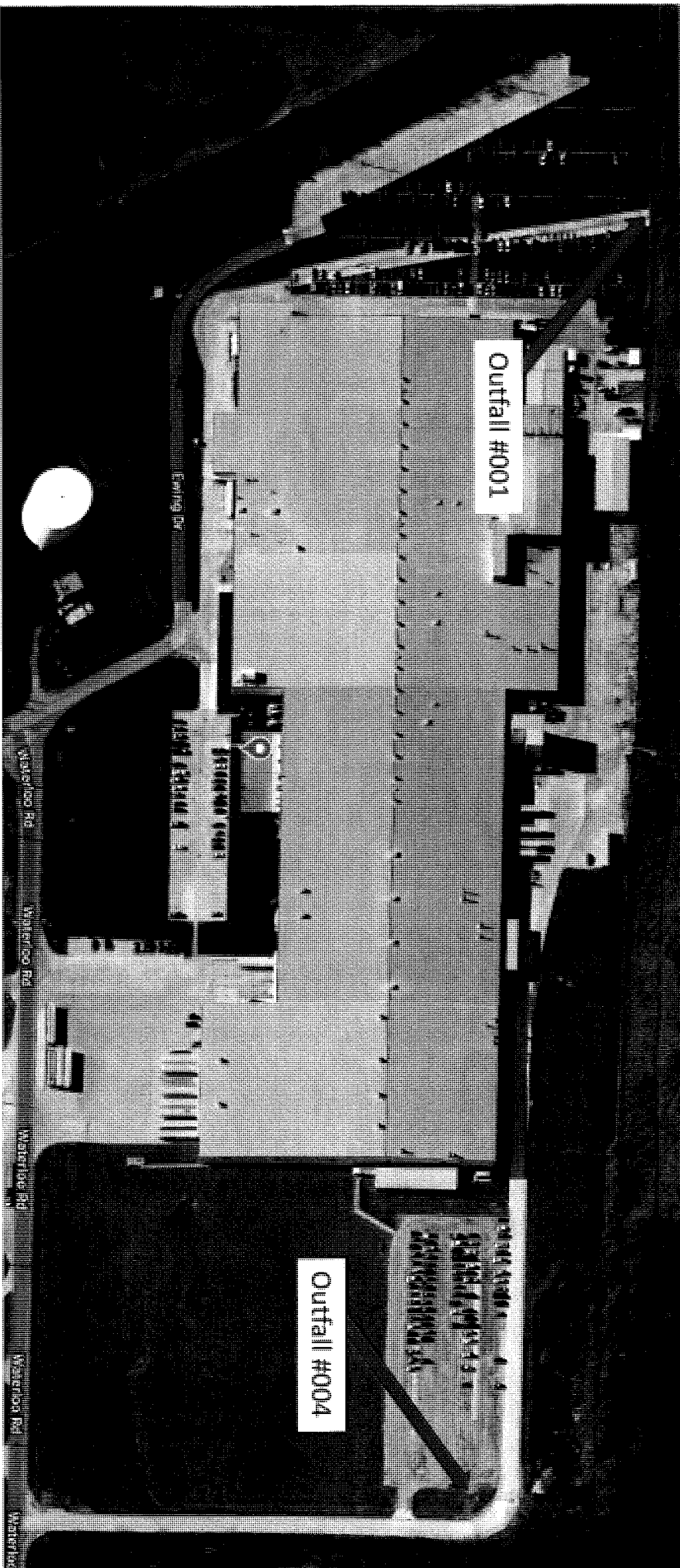
4.1 Indicate the outfall numbers for industrial stormwater discharges. Provide the area drained by each outfall. Indicate the type and percentages of surface(s), for example: 60% grass or vegetated areas, 10% non-vegetated soils, 30% pavement, etc., the outfall drains. The facility must indicate any structural best management practices, such as settling/retention, rain garden/infiltration, filter socks, etc, employed at each outfall.

4.2 Describe the method used to determine the flow rate in accordance with 10 CSR 20-6.200(2)(C)1., and the flow rate; submit the date and duration of the storm event from which the samples were taken.

**5.0 SIGNATORY REQUIREMENTS** The Clean Water Act provides for severe penalties for submitting false information on this application form. Section 309(c)(2) of the Clean Water Act provides "Any person who knowingly makes any false statement, representation, or certification in any application . . . shall upon conviction, be punished by a fine of no more \$10,000 or by imprisonment for not more than six months, or both.

All applications must be signed as follows and the signature must be original. For a corporation: by an officer having responsibility for the overall operation of the regulated facility or activity or for environmental matters. For a partnership or sole proprietorship: by a general partner or the proprietor. 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.





Outfall #001

Outfall #004

Evans Dr

Watson Rd

Watson Rd

Watson Rd

Watson Rd

Watson Rd