

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-0121525

Owner: Opies Transport, Inc.  
Address: P.O. Box 89, Eldon, MO 65026

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Opies Transport, Inc.  
Facility Address: Highway 54 & Route FF, Eldon, MO 65026

Legal Description: See Page 2  
UTM Coordinates: See Page 2

Receiving Stream: See Page 2  
First Classified Stream and ID: See Page 2  
USGS Basin & Sub-watershed No.: See Page 2

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

**FACILITY DESCRIPTION**

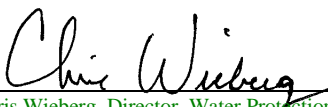
See Page 2

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

March 1, 2020  
Effective Date

  
Edward B. Galbraith, Director, Division of Environmental Quality

December 31, 2024  
Expiration Date

  
Chris Wieberg, Director, Water Protection Program

**FACILITY DESCRIPTION (continued)**

This facility transports liquid food products. SIC Code #4213. Tanks are washed out on site and wastewater is stored in lagoons until land applied. Domestic wastewater and stormwater are also stored in the lagoon.

Permitted Feature #001 – Two cell no-discharge lagoon with sludge retained in lagoon. Wastewater is pumped to Permitted Feature #002 for land application.

Legal Description: SE¼, NW¼, Sec. 25, T42N, R15W, Miller County  
UTM Coordinates: X=541016, Y= 4246987  
Receiving Stream: Tributary to Blythes Creek  
First Classified Stream and ID: 8-20-13 MUDD V 1.0 (C) (3960)  
USGS Basin & Sub-watershed No.: 10300102-1201

Design flow is 32,851 gallons per day (1-in-10 year design including net rainfall minus evaporation).

Average design flow is 25,000 gallons per day (dry weather flows).

Days of Storage 499 days

1-in-10 year Annual Storm water flows into lagoon (R-E): 230,242 cu.ft. (1,722,800 gallons)

Cell 1

Maximum Operating Depth (feet below overflow): 1.0  
Total Volume (gallons): 865,892

Cell 2

Maximum Operating Depth (feet below overflow): 1.0  
Total Volume (gallons): 924,155

Permitted Feature #002 – No-discharge lagoon with land application system, sludge is retained in lagoon.

Legal Description: SE¼, NW¼, Sec. 25, T42N, R15W, Miller County  
UTM Coordinates: X=541016, Y= 4246987  
Receiving Stream: Tributary to Brush Creek  
First Classified Stream and ID: 8-20-13 MUDD V 1.0 (C) (3960)  
USGS Basin & Sub-watershed No.: 10300102-1203

Maximum Operating Depth (feet below overflow): 1.0  
Total Volume (gallons): 10,676,565

Permitted Features #003 - #004 – Deleted - Stormwater monitoring for land application field.

Permitted Feature #005 – Land application field 6.3 acres

Legal Description: SE¼, NW¼, Sec. 25, T42N, R15W, Miller County  
UTM Coordinates: X= 541645, Y= 4247270  
Receiving Stream: Tributary to Brush Creek  
First Classified Stream and ID: 8-20-13 MUDD V 1.0 (C) (3960)  
USGS Basin & Sub-watershed No.: 10300102-1203

Application Rate Basis:	Plant Available Nitrogen (PAN)
Crops and Vegetation:	Grass/hay land
Equipment Type:	Sprinklers
Field Slopes (%):	less than 7%
Application Rates (varied per acre):	0.01 inch/hour; 0.8 inch/day; 2.0 inches/week; 78.8 inches/year
Irrigation Volume (gallons per year):	13,484,000 at design loading (including 1-in-10 year flows)
Irrigation Areas (acres):	6.3 acres at design loading

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

PERMITTED FEATURE #001, #002	TABLE A-1. IRRIGATION SYSTEM LIMITATIONS AND MONITORING REQUIREMENTS				
	The permittee is authorized to conduct land application of wastewater as specified in the application for this permit. The final limitations shall become effective upon issuance and remain in effect until expiration of the permit. The land application of wastewater shall be controlled, limited and monitored by the permittee as specified below:				
	EFFLUENT PARAMETER(S)	UNITS	FINAL LIMITATIONS		MONITORING REQUIREMENTS
DAILY MAXIMUM			MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<b>LIMIT SET: OM</b>					
Storage Basin Operational Monitoring					
Storage Basin Freeboard $\Phi$	Feet	*		once/month	measured
Rainfall	Inches	*		daily	total
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>APRIL 28, 2020</u> .					

PERMITTED FEATURE #002	TABLE A-2. IRRIGATION SYSTEM LIMITATIONS AND MONITORING REQUIREMENTS				
	The permittee is authorized to conduct land application of wastewater as specified in the application for this permit. The final limitations shall become effective upon issuance and remain in effect until expiration of the permit. The land application of wastewater shall be controlled, limited and monitored by the permittee as specified below:				
	EFFLUENT PARAMETER(S)	UNITS	FINAL LIMITATIONS		MONITORING REQUIREMENTS
DAILY MAXIMUM			MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<b>LIMIT SET: IW</b>					
Wastewater Land Applied $\Psi\Xi$					
pH	SU	*		once/year	grab
Total Kjeldahl Nitrogen as N	mg/L	*		once/year	grab
Nitrate Nitrogen as N	mg/L	*		once/year	grab
Phosphorus, Total	mg/L	*		once/year	grab
Oil & Grease	mg/L	*		once/year	grab
Sulfates	mg/L	*		once/year	grab
Chloride	mg/L	*		once/year	grab
Sodium	mg/L	*		once/year	grab
Fluoride	mg/L	*		once/year	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2021</u> .					

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (CONTINUED)**

<b>PERMITTED FEATURE #005</b>	<b>TABLE A-3. LAND APPLICATION LIMITATIONS AND MONITORING REQUIREMENTS</b>				
The permittee is authorized to conduct land application of wastewater as specified in the application for this permit. The final limitations shall become effective upon issuance and remain in effect until expiration of the permit. The land application of wastewater shall be controlled, limited and monitored by the permittee as specified below:					
EFFLUENT PARAMETER(S)	UNITS	FINAL LIMITATIONS		MONITORING REQUIREMENTS	
		DAILY MAXIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<b>LIMITSET: LA</b>					
Wastewater Land Application Operational Monitoring X					
Irrigation Period	Hours	*		daily	total
Volume Irrigated	Gallons	*		daily	total
Application Area	Acres	*		daily	total
Application Rate	Inches	*		daily	total
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> WHEN LAND APPLICATION OCCURS.					
<b>LIMIT SET: SO</b>					
Soil Monitoring ▼ £					
pH (water) – Units E	SU	*		once/permit cycle	composite
Available Phosphorus as P (Bray P-1)	ppm	*		once/permit cycle	composite
Total Sodium	mg/kg	*		once/permit cycle	composite
Exchangeable Sodium	%	*		once/permit cycle	composite
Cation Exchange Capacity (CEC)	mEq/100g	*		once/permit cycle	composite
MONITORING REPORTS SHALL BE SUBMITTED <u>ONCE PER PERMIT CYCLE</u> THE FIRST REPORT IS DUE <u>JANUARY 28, 2023</u> .					

<b>PERMITTED FEATURE #001, #002 Emergency Discharge</b>	<b>TABLE A-4 FINAL MONITORING REQUIREMENTS</b>				
The permittee is authorized to discharge from these specified features, but only under the conditions listed in Special Conditions 2(e) and 40 CFR 412.43 and 412.31. Such discharges shall be controlled, limited, and monitored by the permittee as specified below:					
EFFLUENT PARAMETERS	UNITS	MONITORING REQUIREMENTS			
		DAILY MAXIMUM		MEASUREMENT FREQUENCY	SAMPLE TYPE
<b>LIMIT SET: U</b>					
<b>PHYSICAL</b>					
Flow	MGD	*		once/event‡	event total
Duration	Hours	*		once/event‡	event total
<b>CONVENTIONAL</b>					
Biological Oxygen Demand, 5 Day	mg/L	*		once/event‡	grab
Dissolved Oxygen (Minimum△)	mg/L	*		once/event‡	grab
pH †	SU	*		once/event‡	grab
Total Suspended Solids	mg/L	*		once/event‡	grab
<b>NUTRIENTS</b>					
Ammonia as N	mg/L	*		once/event‡	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>BY THE 28<sup>TH</sup> DAY OF THE MONTH FOLLOWING DISCHARGE CESSATION</u> .					

- \* Monitoring requirement only
- Φ Storage Basin freeboard shall be reported as Storage Basin water level in feet below the overflow level.
- ¥ Report as “No Discharge” when land application does not occur during the report period.
- Ψ Wastewater that is land applied shall be sampled at the irrigation pump, wet well, or application equipment prior to land application.
- Χ Reporting is only required for permitted features where land application occurred during the month. If no land application occurs at a permitted feature, no reporting is required. These are unscheduled parameters.
- ▼ Sample the upper 6 to 8 inches of soil. Composite samples shall be collected from each permitted land application site. See Section E. Land Application System Condition #3(j) Soil Monitoring for additional guidance.
- △ Report the minimum value obtained if more than one sample was taken.
- ≡ Soil pH shall be maintained in a range that is optimal for plant growth.
- £ Some soils test results may be in lbs./acre. To convert to ppm multiply lbs./acre by 0.5 to get ppm.
- † Report the range (minimum and maximum values) if more than one sample is obtained.
- ‡ Once per event means the facility must take a sample at least once per discharge event. If there was no discharge, a report is not necessary; if a discharge occurred, the facility must report all results of sampling into the eDMR system by the 28<sup>th</sup> day of the month following the completion of the discharge.

**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. This permit does not authorize the discharge of wastewater or sludge, except during emergency discharge conditions. Other materials, chemicals and substances not considered wastewater or sludge being treated and disposed of by the land application system are not authorized to be discharged regardless of weather conditions.
2. Unauthorized Discharges.
  - (a) Discharges, spills, or overflows for any reason shall constitute a permit violation and shall be reported in accordance with Standard Conditions Part I Section B.2. Unauthorized discharges are to be reported to the Central Field Operations Office during normal business hours or the Environmental Emergency Response spill-line at 573-634-2436 outside of normal business hours within 24 hours of becoming aware of the discharge.
  - (b) Monitoring. Any unauthorized discharge shall be monitored for the parameters in the table below at least once during the discharge event. Additional monitoring may be required by the Department on a case-by-case basis. The facility shall submit test results, along with the number of days the storage basin(s) has discharged during the month, to the via the Electronic Discharge Monitoring Report (eDMR) Submission System by the 28<sup>th</sup> day of the month after the discharge ceases. Permittee shall monitor for the following constituents:

Constituent	Units
Effluent Flow	MGD
Biochemical Oxygen Demands	mg/L
Total Suspended Solids	mg/L
Ammonia as N	mg/L
pH – Units	SU

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

Once the permittee is activated in the eDMR system:

  - (a) Discharge Monitoring Reporting Requirements. The permittee must electronically submit compliance monitoring data via the eDMR system. In regards to Standard Conditions Part I, Section B, #7, the eDMR system is currently the only Department approved reporting method for this permit.
  - (b) Programmatic Reporting Requirements. The following reports (if required by this permit) must be electronically submitted as an attachment to the eDMR system until such a time when the current or a new system is available to allow direct input of the data:
    - (1) Collection System Maintenance Annual Reports;
    - (2) Wastewater Irrigation Annual Reports;
    - (3) Any additional report required by the permit excluding bypass reporting.

### C. SPECIAL CONDITIONS (CONTINUED)

After such a system has been made available by the department, required data shall be directly input into the system by the next report due date.

- (c) Other actions. The following shall be submitted electronically after such a system has been made available by the department:
    - (1) General Permit Applications/Notices of Intent to discharge (NOIs);
    - (2) Notices of Termination (NOTs);
    - (3) No Exposure Certifications (NOEs);
    - (4) Bypass reporting, See Special Condition #2 for 24-hr. bypass reporting requirements.
  - (d) Electronic Submissions. To access the eDMR system, use the following link in your web browser: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>.
  - (e) Waivers from Electronic Reporting. The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the department in compliance with 40 CFR Part 127. The permittee may obtain an electronic reporting waiver by first submitting an eDMR Waiver Request Form: <http://dnr.mo.gov/forms/780-2692-f.pdf>. The department will either approve or deny this electronic reporting waiver request within 120 calendar days. Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period that the approved electronic reporting waiver is effective.
4. Reporting of Non-Detects:
- (a) An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way that the precision and accuracy of the analyzed result can be enumerated.
  - (b) The permittee shall not report a sample result as “Non-Detect” without also reporting the detection limit of the test. Reporting as “Non-Detect” without also including the detection limit will be considered failure to report, which is a violation of this permit.
  - (c) The permittee shall report the “Non-Detect” result using the less than sign and the minimum detection limit (e.g. <10).
  - (d) Where the permit contains a Minimum Level (ML) and the permittee is granted authority in the permit to report zero in lieu of the < ML for a specified parameter (conventional, priority pollutants, metals, etc.), then zero (0) is to be reported for that parameter.
  - (e) See Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.
  - (f) When calculating monthly averages, one-half of the minimum detection limit (MDL) should be used instead of a zero. Where all data are below the MDL, the “<MDL” shall be reported as indicated in item (C).
5. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).
6. Hazardous waste regulated under the Missouri Hazardous Waste Law and regulations shall not be land applied under this permit.
7. Release of a hazardous substance must be reported to the department in accordance with 10 CSR 24-3.010. A record of each reportable spill shall be retained with the permit and made available to the department upon request.
8. Site-wide minimum Best Management Practices (BMPs). At a minimum, the permittee shall adhere to the following:
- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of storm water 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 that these materials are not exposed to storm water or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of storm water 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.
  - (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. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
  - (f) Prevent pesticide spills or discharges from any point source by complying with the requirements of Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 136 et. seq.) and the use of such pesticides shall be in a manner consistent with its label.

C. SPECIAL CONDITIONS (CONTINUED)

9. Changes in Discharges of Toxic Pollutant

In addition to the reporting requirements under §122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- (a) That an activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
  - (1) One hundred micrograms per liter (100 µg/L);
  - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;
  - (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
  - (4) One milligram per liter (1 mg/L) for antimony;
  - (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
  - (6) The notification level established by the Department in accordance with 40 CFR 122.44(f).
- (b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
  - (1) Five hundred micrograms per liter (500 µg/l);
  - (2) One milligram per liter (1 mg/l) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with §122.21(g)(7).
  - (4) The level established by the Director in accordance with §122.44(f).

10. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit.

11. All permitted features, including emergency outfalls, must be clearly marked in the field. The permitted features and land application fields shall also be marked on the aerial or topographic site map included with the Operation and Maintenance manual.

12. The permittee shall develop, maintain and implement an Operation and Maintenance (O&M) Manual that includes all necessary items to ensure the operation and integrity of the waste handling and land application systems, including key operating procedures, an aerial or topographic site map with the permitted features, land application fields, and irrigation buffer zones marked, and a brief summary of the operation of the facility. The O&M shall also contain a schedule for at once per month site inspections of best management practices (BMP) structures and devices used to divert stormwater to the lagoon and brief written reports. The inspection report must include observations and evaluations of BMP effectiveness. The reports shall include:

- (a) Operational deficiencies must be corrected within seven (7) calendar days.
- (b) Minor structural deficiencies must be corrected within fourteen (14) calendar days.
- (c) Major structural deficiencies (deficiencies projected to take longer than 14 days to correct) must be reported as an uploaded attachment through the eDMR system with the DMRs. The initial report shall consist of the deficiency noted, the proposed remedies, the interim or temporary remedies (including proposed timing of the placement of the interim measures), and an estimate of the timeframe needed to wholly complete the repairs or construction. If required by the Department, the permittee shall work with the regional office to determine the best course of action. The permittee should consider temporary structures to control stormwater runoff. The facility shall correct the major structural deficiency as soon as reasonably achievable.
- (d) All actions taken to correct the deficiencies shall be included with the written report, including photographs, and kept with the O&M manual. Additionally, corrective action of major structural deficiencies shall be reported as an uploaded attachment through the eDMR system with the DMRs.
- (e) BMP failure causing discharge through an unregistered outfall is considered an illicit discharge and must be reported in accordance with Standard Conditions Part I.
- (f) Inspection reports must be kept on site with the O&M manual 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. The O&M manual shall be made available to the operator and available to the department upon request. The O&M Manual shall be reviewed and updated at least every five years.

13. An all-weather access road shall be provided to the treatment facility.

## D. LAND APPLICATION CONDITIONS

### 1. Storage Basin.

- (a) The berms of the storage basin(s) shall be mowed and kept free of any deep-rooted vegetation, animal dens, or other potential sources of damage to the berms.
- (b) The facility shall ensure that adequate provisions are provided to prevent surface water intrusion into the storage basin(s) and to divert stormwater runoff around the storage basin(s) and protect embankments from erosion.
- (c) The minimum and maximum operating water levels for the storage basin(s) shall be clearly marked. Each storage basin shall be operated so that the maximum water elevation does not exceed upper operating level except due to exceedances of the 1-in-10 year or 25-year, 24-hour storm events. Storage basins shall be lowered to the minimum operating level prior to November 30 each year. Storage basins shall be inspected monthly for structural integrity and leaks.
- (d) Storage basins shall be lowered to the minimum operating level prior to November 30 each year.
- (e) A least one gate, constructed of materials comparable to the fence, must be provided to access any storage basin and provide for maintenance and mowing. The gate shall remain locked except when opened by the permittee to perform maintenance or mowing.
- (f) At least one sign shall appear on the fence on each side of each facility. Minimum wording shall be "SEWAGE TREATMENT FACILITY – KEEP OUT", in letters at least 2 inches high.
- (g) It is a violation of this permit to place material in the emergency spillway or otherwise cause it to cease to function properly, as this may result in a catastrophic failure of the storage basin.

### 2. Land Application Equipment.

- (a) Spray application equipment shall minimize the formation of aerosols.
- (b) Land application equipment shall be visually inspected daily during land application to check for equipment malfunctions and leaks. The application system shall be operated so as to provide uniform distribution of wastes over the entire land application site and shall be capable of applying the annual design flow during an application period of less than 100 days or 800 hours per year. Land application equipment shall be calibrated at least once annually.

### 3. Land Application Fields.

- (a) This special condition does not apply to fertilizer products that are exempted under the Missouri Clean Water Law and regulations, 10 CSR 20-6.015(3)(B)8.
- (b) If land application sites listed in this permit are also included as land application sites in another permit, the wastewater and sludge applications from other sources shall be included in the application rates in the facility description. Records of the amount and application rate of wastewater or sludge from other sources must be kept.
- (c) Public Access Restrictions. This permit does not authorize application of wastewater to public use areas.
- (d) Grazing and harvesting deferment. Grazing of animals or harvesting of forage crops should be deferred for up to 30 days following wastewater irrigation depending upon ambient air temperature and sunlight conditions. The following deferments shall be considered:
  - (1) During the period from May 1 to October 30 of each year, the minimum deferment from grazing or forage harvesting shall be fourteen (14) days;
  - (2) During the period from November 1 to April 30 of each year, the minimum deferment from grazing or forage harvesting shall be thirty (30) days;
  - (3) Grazing of sewage irrigated land is generally not recommended for lactating dairy animals unless there has been a much longer deferment period. The recommendations of the State Milk Board shall be followed; and
  - (4) Deferment may not be required for irrigation water that has been disinfected so that the water contains less than four hundred (400) fecal coliform organisms per one hundred milliliters (100 ml).
- (e) No land application shall occur when the soil is frozen, snow covered, or saturated. There shall be no application during a precipitation event or if a precipitation event that is likely to create runoff is forecasted to occur within 24 hours of a planned application.
- (f) Land application shall occur only during daylight hours.
- (g) Land application fields shall be checked daily during land application for runoff. Sites that utilize spray irrigation shall monitor for the drifting of spray across property lines.
- (h) Setback distances from sensitive features. There shall be no land application within:
  - (1) 300 feet of any well, sinkhole, losing stream, wetland, or cave entrance, water supply impoundment or stream intake;
  - (2) 150 feet of an occupied residence, public building, or public use area;
  - (3) 50 feet of gaining perennial or intermittent stream, public or privately owned pond or lake;
  - (4) 50 feet of property line or public road.
- (i) Wastewater application on slopes exceeding 10%, the hourly application rate shall not exceed one-half (1/2) the design sustained permeability and in no case shall exceed one-half (1/2) inch per hour.
- (j) Soil Monitoring.



D. LAND APPLICATION CONDITIONS (CONTINUED)

- (1) Composite soil samples shall be collected every five years from each field listed in this permit where land application has occurred in the last 12 months. No land application shall occur on fields listed in this permit if soil sample results are more the five (5) years old.
  - (2) Soil sampling shall be in accordance with University of Missouri (MU) Guides G9215, Soil Sampling Pastures or G9217, Soil Sampling Hayfields and Row Crops or other methods approved by the department. The recommendation of one composite sample per 20 acres in G9215 and G9217 is not required by this permit, however, this is a useful method to identify soil fertility fluctuations in large fields due to past management practices, soil type, and variability of crop yields. There shall be at least one composite sample per 80 acres.
  - (3) Testing shall conform to Recommended Chemical Soil Testing Procedures for North Central Region (North Central Regional Research Publication 221 Revised), or Soil Testing in Missouri (MU Extension Guide EC923), or other methods approved by the department.
  - (k) Wastewater land applications shall not exceed agronomic rates to ensure agricultural use of nutrients and prevent contamination of surface and groundwater. The agronomic rate is the amount of wastewater applied to a field to meet the fertilizer recommendation.
4. Nitrogen Loading Rate. Land application to fields listed in this permit shall use the following protocols to determine the amount of wastewater to be applied.
- (a) The fertilizer recommendation shall be based on the following:
    - (1) The nutrient recommendation (nitrogen or phosphorus) for each crop. Recommendations can be found in University of Missouri Extension Guide WQ430 Crop/Nutrient Considerations for Biosolids or from publications by other land grant universities in adjoining states,
    - (2) Realistic yield goal for each crop. Yield goals should be based on actual crop yield records from multiple years for each field. Good judgment should be used to counteract unusually high or low yields. If a field's yield history is not available the USDA county wide average or other approved source may be used, and
    - (3) The most recent soil test.
  - (b) Wastewater applications shall be conducted according to one the following nutrient based management practices.
    - (1) Plant Available Nitrogen (PAN) based application. The amount of wastewater to be applied shall be adjusted annually based on the PAN calculation using the current wastewater nutrient analysis and the following:
      - (i) For non-legume crops, the nitrogen fertilizer recommendation shall be adjusted to account for nitrogen credits from a preceding legume crop and residual nitrogen from the previous year's application. Nitrogen removal rates can be found in WQ430.
      - (ii) For legume crops, the nitrogen removal capacity of the legume crops should be based on the estimated nitrogen content of the harvested crop as defined in WQ430 and a realistic yield goal. The estimated nitrogen content of the crop must be adjusted using nitrogen credits for residual nitrogen fertilizer from the previous year's application.
- $$\text{PAN} = [\text{Ammonia Nitrogen} \times \text{volatilization factor}^*] + [\text{Organic Nitrogen} \times 0.2] + [\text{Nitrate Nitrogen}]$$
- \*Volatilization factor is 0.7 for surface application and 1 for subsurface application.
5. Record Keeping. The following record keeping shall occur, be maintained for at least five years, be made available to the Department upon request, and shall be submitted with the application for renewal. Records may be maintained electronically per RSMo 432.255.
- (a) Daily land application log showing: date(s) of application, field identified, acres used, volume applied, weather condition (sunny, overcast, air temperature, etc), soil moisture condition, days since last precipitation event, and application method;
  - (b) Monthly visual storage structure inspections;
  - (c) Land application equipment inspections and calibrations;
  - (d) Land application field inspections, including runoff and ponding;
  - (e) Record of all PAN calculations;
  - (f) For fields where total nitrogen application exceeded 150 pounds per acre, the facility must submit PAN calculations to document the applied nitrogen was be utilized;
  - (g) All other records required by this permit.
6. Annual Report on Land Application. An annual report is required in addition to other reporting requirements under Section A of this permit. The annual report shall be submitted by January 28 of each year. The report shall include, but is not limited to, a summary of the following:
- (a) Record of maintenance and repairs during the year, average number of times per month the facility is checked to see if it is operating properly, and description of any unusual operating conditions encountered during the year.
  - (b) A summary of the number of days the storage structure discharged during the year, the discharge flow, reason the discharge occurred and effluent analysis performed.
  - (c) A summary for each field used for land application showing number of acres used number of days application occurred, crop

grown and yield, and total amount of wastewater and/or sludge applied (gal. or tons/acre).

- (d) For fields where the total nitrogen application exceeds 150 lbs./acre, submit PAN calculations to document that the applied nitrogen will be utilized.
- (e) Narrative summary of any problems or deficiencies identified, corrective action taken and improvements planned.

**MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-0121525**  
**OPIES TRANSPORT, INC.**

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

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

**PART I. FACILITY INFORMATION**

Facility Type: Industrial no-discharge with land application, sludge retained in basin <1 MGD  
SIC Code(s): #4213  
Application Date: 05/20/2019  
Expiration Date: 12/31/2019  
Last Inspection: 05/20/2014

**FACILITY DESCRIPTION:**

Transportation of liquid food products. One two cell and one storage lagoon no- discharge with land application.

The charter number for the continuing authority for this facility is 00114510; this number was verified by the permit writer to be associated with the facility and precisely matches the continuing authority reported by the facility.

In accordance with 40 CFR 122.21(f)(6), the Department evaluated other permits currently held by this facility. This facility holds no other permits.

**PERMITTED FEATURES TABLE:**

PERMITTED FEATURE	TREATMENT LEVEL	EFFLUENT TYPE
ALL	Land Application	Industrial and domestic wastewater

**FACILITY PERFORMANCE HISTORY & COMMENTS:**

The facility was last inspected on May 20, 2014 and was found to be in compliance. The electronic discharge monitoring reports were reviewed for the last five years.

**PART II. RECEIVING WATERBODY INFORMATION**

**RECEIVING WATERBODY'S WATER QUALITY:**

The receiving waterbody has no concurrent water quality data available.

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

- ✓ Applicable; Blyths Creek and Brush Creek are associated with the 2003 EPA Approved TMDL for the Missouri River for Chlordane and Polychlorinated Biphenyls (PCBs).
- ✓ This facility is not considered to be a source of the above listed pollutant(s) or considered to contribute to the impairment of Missouri River.

**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.

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

Per Missouri’s Effluent Regulations [10 CSR 20-7.015(1)(B)], waters of the state are divided into seven categories. This facility is subject to effluent limitations derived on a site specific basis which are presented in each outfall’s effluent limitation table and further discussed in Part IV: Effluents Limits Determinations

- Missouri or Mississippi River
- Lake or Reservoir
- Losing
- Metropolitan No-Discharge
- Special Stream
- Subsurface Water
- ✓ All Other Waters

**RECEIVING WATERBODY TABLE:**

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES	DISTANCE TO CLASSIFIED SEGMENT	12-DIGIT HUC
#001	Tributary to Blythes Creek	n/a	n/a	General Criteria		10300102-1201
	8-20-13 MUDD V1.0	C	3960	AQL, IRR, LWW, SCR, WBCB, HHP	0.1	
#002, #005	Tributary to Brush Creek	n/a	n/a	General Criteria		10300102-1203
	8-20-13 MUDD V1.0	C	3960	AQL, IRR, LWW, SCR, WBCB, HHP	0.1	

n/a not applicable

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

WBID = Waterbody Identification: Missouri Use Designation Dataset per 10 CSR 20-7.031(1)(Q) and (S) as 8-20-13 MUDD V1.0 or newer; data can be found as an ArcGIS shapefile on MSDIS at [ftp://msdis.missouri.edu/pub/Inland\\_Water\\_Resources/MO\\_2014\\_WQS\\_Stream\\_Classifications\\_and\\_Use\\_shp.zip](ftp://msdis.missouri.edu/pub/Inland_Water_Resources/MO_2014_WQS_Stream_Classifications_and_Use_shp.zip); New C streams described on the dataset per 10 CSR 20-7.031(2)(A)3. as 100K Extent Remaining Streams.

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

10 CSR 20-7.031(1)(C)1.: ALP = Aquatic Life Protection (formerly AQL; current uses are defined to ensure the protection and propagation of fish shellfish and wildlife, further subcategorized as: WWH = Warm Water Habitat; CLH = Cool Water Habitat; CDH = Cold Water Habitat; EAH = Ephemeral Aquatic Habitat; MAH = Modified Aquatic Habitat; LAH = Limited Aquatic Habitat. This permit uses ALP effluent limitations in 10 CSR 20-7.031 Table A1-A2 for all habitat designations unless otherwise specified.

10 CSR 20-7.031(1)(C)2.: Recreation in and on the water

- WBC = Whole Body Contact recreation where the entire body is capable of being submerged;
- WBC-A = whole body contact recreation supporting swimming uses and has public access;
- WBC-B = whole body contact recreation not supported in WBC-A;
- SCR = Secondary Contact Recreation (like fishing, wading, and boating)

10 CSR 20-7.031(1)(C)3. to 7.:

**HHP** (formerly HHF) = Human Health Protection as it relates to the consumption of fish and drinking of water;  
**IRR** = irrigation for use on crops utilized for human or livestock consumption  
**LWW** = Livestock and Wildlife Watering (current narrative use is defined as LWP = Livestock and Wildlife Protection);  
**DWS** = Drinking Water Supply  
**IND** = industrial water supply

10 CSR 20-7.031(1)(C)8-11.: Wetlands (10 CSR 20-7.031 Tables A1-B3 currently does not have corresponding habitat use criteria for these defined uses); WSA = storm- and flood-water storage and attenuation; WHP = habitat for resident and migratory wildlife species; WRC = recreational, cultural, educational, scientific, and natural aesthetic values and uses; WHC = hydrologic cycle maintenance.  
10 CSR 20-7.031(6): **GRW** = Groundwater

#### **RECEIVING WATERBODY MONITORING REQUIREMENTS:**

No receiving water monitoring requirements are recommended at this time.

### **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(l)] require a reissued permit to be as stringent as the previous permit with some exceptions. Backsliding (a less stringent permit limitation) is only allowed under certain conditions.

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

#### **ANTIDEGRADATION REVIEW:**

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

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

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

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

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

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

#### **CHANGES IN DISCHARGES OF TOXIC POLLUTANT:**

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

**COMPLIANCE AND ENFORCEMENT:**

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

✓ Not applicable; the permittee/facility is not currently under Water Protection Program enforcement action.

**DOMESTIC WASTEWATER, SLUDGE, AND BIOSOLIDS:**

Domestic wastewater is defined as wastewater (i.e., human sewage) originating primarily from the sanitary conveyances of bathrooms and kitchens. Domestic wastewater excludes stormwater, animal waste, process waste, and other similar waste.

✓ Applicable; this facility uses a no-discharge lagoon land application system authorized by this permit.

Sewage sludge is solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Biosolids are solid materials resulting from domestic wastewater treatment meeting federal and state criteria for productive use (i.e. fertilizer) and after having pathogens removed.

Additional information: <http://extension.missouri.edu/main/DisplayCategory.aspx?C=74> (WQ422 through WQ449).

✓ Not applicable; domestic sludge is retained in lagoon.

**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 does not have an associated 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 information technology to electronically report data required by the National Pollutant Discharge Elimination System (NPDES) permit program instead of filing paper reports. To comply with the federal rule, the Department is requiring all permittees to begin submitting discharge monitoring data and reports online.

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

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

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

✓ The permittee/facility is currently using the eDMR data reporting system.

**GENERAL CRITERIA CONSIDERATIONS:**

In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants determined to cause, have reasonable potential to cause, or to contribute to, an excursion above any water quality standard, including narrative water quality criteria. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether discharges have reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). In instances where reasonable potential exists, the permit includes limitations within the permit to address the reasonable potential. In discharges where reasonable potential does not exist, the permit may include monitoring to later determine the discharge's potential to

impact the narrative criteria. Additionally, §644.076.1, RSMo as well as Section D – Administrative Requirements of Standard Conditions Part I of this permit state it shall be unlawful for any person to cause or allow any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law or any standard, rule, or regulation promulgated by the commission.

✓ Not applicable; this permit does not contain effluent limitations based on the narrative criteria.

**GROUNDWATER MONITORING:**

Groundwater is a water of the state according to 10 CSR 20-2.010(82), and is subject to regulations at 10 CSR 20-7.015(7) and 10 CSR 20-7.031(6) and must be protected accordingly.

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

**NO-DISCHARGE LAND APPLICATION:**

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

✓ Applicable; This permit authorizes operation of a no-discharge land application system to treat wastewater or sludge.

**LAND APPLICATION RATES:**

In accordance with 10 CSR 20-8.020(15), wastewater and sludge must be land applied at either hydraulic loading rates, nitrogen loading rates, or trace elements loading rates.

Conversion Factors for laboratory testing results: [mg/L or mg/kg or ppm] x [conversion factor] = [pounds per Unit Volume]

Unit Volume	Conversion Factors
lbs./acre inch	0.226
lbs./1,000 gallons	0.0083
lbs./100 cubic feet	0.0062
lbs/ton (wet weight)	0.002

✓ Applicable; **Nitrogen Loading Rates** – this considers overall nutrient management of the land application system. The fertilizer recommendation is the amount of nutrients required for a crop to produce the expected yield. The agronomic rate is the amount of wastewater applied to a field to supply the amount of nutrients to meet the fertilizer recommendation.

Nitrogen based applications are when the amount of wastewater applied is based on the nitrogen fertilizer recommendation for the planned crop. Phosphorous based applications are when the amount of wastewater applied is based on the phosphorous fertilizer recommendation for the planned crop.

Fertilizer recommendations can also be obtained by using one of the following tools:

The University of Missouri Extension online fertilizer recommendation calculator at <http://soilplantlab.missouri.edu/soil/scripts/manualentry.aspx>.

The Missouri P-Index is a tool to evaluate the potential for phosphorus loss from land application fields. It uses information such as soil test phosphorus result, cropping practices, RUSLE, land cover, and distance to water to calculate a rating for the risk phosphorus transport from the field. The P-index is available at <http://nmplanner.missouri.edu/tools/pindex.asp0>.

The Missouri Soil Testing Association provides a list of accredited labs at <http://soilplantlab.missouri.edu/soil/msta.aspx>.

**MAJOR WATER USER:**

Any surface or groundwater user with a water source and the equipment necessary to withdraw or divert 100,000 gallons (or 70 gallons per minute) or more per day combined from all sources from any stream, river, lake, well, spring, or other water source is considered a major water user in Missouri. All major water users are required by law to register water use annually (Missouri Revised Statues Chapter 256.400 Geology, Water Resources and Geodetic Survey Section). <https://dnr.mo.gov/pubs/pub2337.htm>

✓ Not applicable; this permittee cannot withdraw water from the state in excess of 70 gpm/0.1 MGD.

**NO-DISCHARGE LAND APPLICATION:**

Land application of wastewater or sludge shall comply with the all applicable no-discharge requirements listed in 10 CSR 20-6.015 and all facility operations and maintenance requirements listed in 10 CSR 20-8.020(15). These requirements ensure appropriate operation of the no-discharge land application systems and prevent unauthorized and illicit discharges to waters of the state. Land applications by a contract hauler on fields the permittee has a spreading agreement on are not required to be in this permit. A

spreading agreement does not constitute the field being rented or leased by the permittee as they do not have any control over management of the field.

- ✓ Applicable; this permit authorizes operation of a no-discharge land application system to treat wastewater or sludge.

**OIL/WATER SEPARATORS:**

Oil water separator (OWS) tank systems are frequently found at industrial sites where process water and stormwater may contain oils and greases, oily wastewaters, or other immiscible liquids requiring separation. Food industry discharges typically require pretreatment prior to discharge to municipally owned treatment works. Per 10 CSR 26-2.010(2)(B), all oil water separator tanks must be operated according to manufacturer's specifications and authorized in NPDES permits or may be regulated as a petroleum tank.

- ✓ Not applicable; the permittee has not disclosed the use of any oil water separators at this permitted facility and therefore oil water separator tanks are not authorized by this permit.

**REASONABLE POTENTIAL (RP):**

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

- ✓ Not applicable; a mathematical RPA was not conducted for this no discharge facility.

**SAMPLING FREQUENCY JUSTIFICATION:**

Sampling and reporting frequency was generally retained from previous permit. 40 CFR 122.45(d)(1) indicates all continuous discharges shall be permitted with daily maximum and monthly average limits. Minimum sampling frequency for all parameters is annually per 40 CFR 122.44(i)(2).

**SAMPLING TYPE JUSTIFICATION:**

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

**SCHEDULE OF COMPLIANCE (SOC):**

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, effluent limits, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. SOCs are allowed under 40 CFR 122.47 providing certain conditions are met. A SOC is not allowed:

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

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

- ✓ Not applicable; this permit does not contain a SOC. Limits have not become more restrictive. No SOC is allowed because the permittee is already capable of meeting the new effluent limits.

**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 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; industrial sludge is not generated at this facility.

**STANDARD CONDITIONS:**

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

**STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS:**

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

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

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

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

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

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

Benchmarks require the facility to monitor, and if necessary, replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark exceedance, therefore, is not a permit violation; however, failure to take

corrective action is a violation of the permit. Benchmark monitoring data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective actions may be necessary to comply with the conditions of the permit.

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

- ✓ Not applicable; this facility's SIC code is included in stormwater regulations in 40 CFR 122.26(b)(14). This facility captures all stormwater in the lagoon and land applies it. The permit writer has determined a SWPPP is not necessary for the land application fields at this site, as they are no-discharge.

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

In accordance with 40 CFR 122.44(k), Best Management Practices (BMPs) must be used to control or abate the discharge of pollutants when: 1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; 2) Authorized under section 402(p) of the CWA for the control of stormwater discharges; 3) Numeric effluent limitations are infeasible; or 4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (EPA 833-B-09-002) published by the EPA in 2015

[https://www.epa.gov/sites/production/files/2015-11/documents/swppp\\_guide\\_industrial\\_2015.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf), BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to 1) identify sources of pollution or contamination, and 2) select and carry out actions which prevent or control the pollution of storm water discharges. Additional information can be found in *Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* (EPA 832-R-92-006; September 1992).

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

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

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

Alternative Analysis (AA) evaluation of the BMPs is a structured evaluation of BMPs which are reasonable and cost effective. The AA evaluation should include practices designed to be: 1) non-degrading; 2) less degrading; or 3) degrading water quality. The glossary of AIP defines these three terms. The chosen BMP will be the most reasonable and effective management strategy while ensuring the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The AA evaluation must demonstrate why "no discharge" or "no exposure" is not a feasible alternative at the facility. This

structured analysis of BMPs serves as the antidegradation review, fulfilling the requirements of 10 CSR 20-7.031(3) Water Quality Standards and *Antidegradation Implementation Procedure* (AIP), Section II.B.

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

✓ Not applicable; this is a land application site for industrial wastewater and, as such, is subject to stormwater regulations, in accordance with 10 CSR 20-6.0200(2)(B)3.B, but the land application requirements in this permit establish appropriate best management practices to satisfy the above-listed stormwater requirements.

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

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

#### **UNDERGROUND INJECTION CONTROL (UIC):**

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

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

#### **VARIANCE:**

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

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

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

As per [10 CSR 20-2.010(78)], the WLA is the amount of pollutant each discharger is allowed to discharge into the receiving stream without endangering water quality. Two general types of effluent limitations, technology-based effluent limits (TBELs) and water

quality based effluent limits (WQBELs) are reviewed. If one limit does not provide adequate protection for the receiving water, then the other must be used per 10 CSR 20-7.015(9)(A).

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

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

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

- ✓ Not applicable; wasteload allocations were not calculated.

#### **WASTELOAD ALLOCATION (WLA) MODELING:**

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

- ✓ Not applicable; a WLA study was either not submitted or determined not applicable by Department staff.

#### **WATER QUALITY STANDARD REVISION:**

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

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

### **Part IV PERMIT LIMITS & MONITORING DETERMINATION**

Effluent limitations derived and established for this permit are based on current operations of the facility. Effluent means both process water and stormwater. Any flow through the outfall is considered a discharge and must be sampled and reported as provided below. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

#### **PERMITTED FEATURE #001** – Storage Basin/Lagoon

Limitations derived and established in the below Storage Basin Limitations Table are based on current operations of the facility. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

**STORAGE BASIN LIMITATIONS TABLE**

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE	PREVIOUS PERMIT LIMITATIONS
<b>STORAGE BASIN</b>							
Freeboard	feet	1	*	Once/month	Monthly	Measured	Same
Rainfall	inches	1	*	Daily	Monthly	Total	Same
<b>IRRAGATED WASTEWATER</b>							
pH	SU	1	*	Once/year	Annually	Composite	Same
Total Kjeldahl Nitrogen as N	mg/L	1	*	Once/year	Annually	Composite	Same
Nitrate Nitrogen as N	mg/L	1	*	Once/year	Annually	Composite	Same
Total Phosphorus as P	mg/L	1	*	Once/year	Annually	Composite	Same
Oil & Grease	mg/L	1	*	Once/year	Annually	Composite	Same
Sulfates	mg/L	1	*	Once/year	Annually	Composite	Same
Chloride	mg/L	1	*	Once/year	Annually	Composite	Same
Sodium	mg/L	1	*	Once/year	Annually	Composite	Same
Fluoride	mg/L	1	*	Once/year	Annually	Composite	Same
Monitoring Frequency	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.						

\* - Monitoring requirement only

NEW - Parameter not previously established in previous state operating permit.

**PERMITTED FEATURE #00# – DERIVATION AND DISCUSSION OF LIMITS:**

**STORAGE BASIN:**

**Freeboard**

Monitoring requirement to verify adequate freeboard is maintained, so as to avoid an overflow of the storage basin.

**Rainfall**

Monitoring requirement to verify adequate freeboard is maintained, so as to avoid an overflow of the storage basin. Additionally, precipitation monitoring allows the permittee to operate the land application activity to prevent over application during saturated conditions that may result in a discharge.

**WASTEWATER:**

- **pH.** Monitoring requirement only. Monitoring for pH is included to minimize effects on soil to optimize nutrient loading uptake in land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Total Kjeldahl Nitrogen.** Monitoring requirement only. Monitoring for Total Kjeldahl Nitrogen as N is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Nitrate Nitrogen as N.** Monitoring requirement only. Monitoring for Nitrate Nitrogen as N is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Oil & Grease.** Monitoring requirement only. Monitoring for Oil & Grease is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Sulfates.** Monitoring requirement only. Monitoring for Sulfates is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]

- **Chloride.** Monitoring requirement only. Monitoring for Chloride is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Chloride.** Monitoring requirement only. Monitoring for Chloride is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Fluoride.** Monitoring requirement only. Monitoring Fluoride is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]

**PERMITTED FEATURE #005 – Land Application Fields**

Limitations derived and established in the below Land Application Field Limitations Table are based on current operations of the facility. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

**STORAGE BASIN LIMITATIONS TABLE:**

PARAMETER	UNIT	DAILY MAXIMUM	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE	PREVIOUS PERMIT LIMITATIONS
<b>WASTEWATER LAND APPLIED</b>						
Irrigation Period	Hours	*	Daily	Annual	Total	Same
Volume Irrigated	Gallons	*	Daily	Annual	Total	Same
Application Area	Acres	*	Daily	Annual	Total	Same
Application Rate	Gal or in./acre	*	Daily	Annual	Total	Same
<b>SOIL MONITORING</b>						
pH – Units	SU	*	once/permit cycle	once/permit cycle	Composite	Same
Available Phosphorus as P (Bray P-1)	ppm	*	once/permit cycle	once/permit cycle	Composite	Same
Total Sodium	mg/kg	*	once/permit cycle	once/permit cycle	Composite	Same
Exchangeable Sodium	mg/kg	*	once/permit cycle	once/permit cycle	Composite	Same
Cation Exchange Capacity (CEC)	mEq/100g	*	once/permit cycle	once/permit cycle	Composite	Same

\* - Monitoring requirement only

**PERMITTED FEATURE #005 – DERIVATION AND DISCUSSION OF LIMITS:**

**WASTEWATER AND INDUSTRIAL SLUDGE APPLICATION:**

**Application Area**

Monitoring requirement only. Monitoring the area will allow the permittee to ensure compliance with 10 CSR 20-6.015(4)(A)1., and prevent unauthorized discharges.

**Application Rate**

Monitoring requirement only. Monitoring the area will allow the permittee to ensure compliance with 10 CSR 20-6.015(4)(A)1., and prevent unauthorized discharges.

**Irrigation Period**

Monitoring requirement only. Monitoring the area will allow the permittee to ensure compliance with 10 CSR 20-6.015(4)(A)1., and prevent unauthorized discharges.

**Volume Irrigated**

Monitoring requirement only. Monitoring the area will allow the permittee to ensure compliance with 10 CSR 20-6.015(4)(A)1., and prevent unauthorized discharges.

**SOIL MONITORING:**

**pH**

Monitoring requirement only. In accordance with 10 CSR 20-20-6.015(4)(C)1 monitoring for pH is included to ensure that soil pH is maintained in an optimal range for plant growth and nutrient utilization.

**Phosphorous, Bray P1**

Monitoring requirement only. Wastewater and sludge contain variable concentrations of nutrients. In accordance with 10 CSR 20-20-6.015(4)(A)1 monitoring for phosphorous will ensure that the nutrients applied are being properly utilized.

- **Total Sodium.** Monitoring requirement only. Monitoring for Total Sodium is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Exchangeable Sodium.** Monitoring requirement only. Monitoring for Exchangeable Sodium is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]
- **Cation Exchange Capacity.** Monitoring requirement only. Monitoring for Cation Exchange Capacity is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(A)1.]

**Permitted Features #001, #002– Emergency Discharge**

Discharge from these outfalls is only authorized when a wet weather event causes an overflow of manure, litter, or process wastewater AND the lagoons have been properly designed, constructed, operated and maintained, in accordance with Special Conditions D. 2.e.

PHYSICAL				
Flow	MGD	*	once/event <sup>‡</sup>	event total
Duration	Hours	*	once/event <sup>‡</sup>	event total
CONVENTIONAL				
Biological Oxygen Demand, 5 Day	mg/L	*	once/event <sup>‡</sup>	grab
Dissolved Oxygen (Minimum <sup>◇</sup> )	mg/L	*	once/event <sup>‡</sup>	grab
pH <sup>†</sup>	SU	*	once/event <sup>‡</sup>	grab
Total Suspended Solids	mg/L	*	once/event <sup>‡</sup>	grab
NUTRIENTS				
Ammonia as N	mg/L	*	once/event <sup>‡</sup>	grab
MONITORING REPORTS SHALL BE SUBMITTED BY THE 28 <sup>TH</sup> DAY OF THE MONTH FOLLOWING DISCHARGE CESSATION.				

- \* Monitoring and reporting requirement only.
- ◇ The facility shall report the minimum value obtained if more than one sample was taken.
- † The facility shall report the range (minimum to maximum values) if more than one sample is obtained.
- ‡ Once per event means the facility must take a sample at least once per discharge event. If there was no discharge, a report is not necessary; if a discharge occurred, the facility must report all results of sampling into the eDMR system by the 28<sup>th</sup> day of the month following the completion of the discharge.

**PERMITTED FEATURES #001, #002 - DERIVATION AND DISCUSSION OF LIMITS:**

**Flow**

Monitoring requirement only.

**Duration**

Monitoring requirement only.

**Biochemical Oxygen Demand - 5 Day (BOD<sub>5</sub>)**

Monitoring requirement only.

**Oxygen, Dissolved**

Monitoring requirement only.

**Total Suspended Solids**

Monitoring requirement only.

**pH**

Monitoring requirement only.

**Ammonia as N**

Monitoring requirement only.

**UNAUTHORIZED DISCHARGES TABLE - All Permitted Features and Land Application Areas**

The following is required for an unauthorized discharge. Monitoring requirement only based on best professional judgment.

PARAMETER	UNIT	DAILY MAXIMUM	MINIMUM SAMPLING FREQUENCY	REPORTING FREQUENCY	SAMPLE TYPE	PREVIOUS PERMIT LIMITATIONS
Flow	MGD	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*
Biochemical Oxygen Demands	mg/L	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*
Total Suspended Solids	mg/L	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*
Ammonia as N	mg/L	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*
pH	SU	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*
Oil & Grease	mg/L	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*
E. Coli	#/100mL	*	once/day while discharging	28 <sup>th</sup> day of the month after the cessation of the discharge	GRAB	*

\* - Monitoring requirement only

\*\* - # of colonies/100mL; the Monthly Average for E. coli is a geometric mean.

\*\*\* - Parameter not established in previous state operating permit.

**DERIVATION AND DISCUSSION OF LIMITS:**

**Flow**

Monitoring requirement only.

**Biochemical Oxygen Demand - 5 Day (BOD<sub>5</sub>)**

Monitoring requirement only.

**Total Suspended Solids**

Monitoring requirement only.

**Ammonia as N**

Monitoring requirement only.

**pH**

Monitoring requirement only.

**Oil & Grease**

Monitoring requirement only.

**E. Coli**

Monitoring requirement only.

**PART IV. ADMINISTRATIVE REQUIREMENTS**

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



**PERMIT SYNCHRONIZATION:**

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

✓ This permit will maintain synchronization by expiring the end of the fourth quarter, 2024.

**PUBLIC NOTICE:**

The Department shall give public notice a draft permit has been prepared and its issuance is pending.

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

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

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

✓ The Public Notice period for this operating permit was from November 1, 2019 to December 2, 2019. No comments were received.

**DATE OF FACT SHEET:** FEBRUARY 3, 2020

**COMPLETED BY:**

GREG CALDWELL, ENVIRONMENTAL SPECIALIST  
MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
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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.



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

- 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



STANDARD CONDITIONS FOR NPDES PERMITS  
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MISSOURI CLEAN WATER COMMISSION  
REVISED  
AUGUST 1, 2014

- 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  
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10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.
11. **Inspection and Entry.** The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Federal Clean Water Act or Missouri Clean Water Law, any substances or parameters at any location.
12. **Closure of Treatment Facilities.**
  - a. Persons who cease operation or plan to cease operation of waste, wastewater, and sludge handling and treatment facilities shall close the facilities in accordance with a closure plan approved by the Department.
  - b. Operating Permits under 10 CSR 20-6.010 or under 10 CSR 20-6.015 are required until all waste, wastewater, and sludges have been disposed of in accordance with the closure plan approved by the Department and any disturbed areas have been properly stabilized. Disturbed areas will be considered stabilized when perennial vegetation, pavement, or structures using permanent materials cover all areas that have been disturbed. Vegetative cover, if used, shall be at least 70% plant density over 100% of the disturbed area.
13. **Signatory Requirement.**
  - a. All permit applications, reports required by the permit, or information requested by the Department shall be signed and certified. (See 40 CFR 122.22 and 10 CSR 20-6.010)
  - b. The Federal Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.
  - c. The Missouri Clean Water Law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.
14. **Severability.** The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.



AP 32486

RECEIVED

MAY 20 2019



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM

**FORM B: APPLICATION FOR OPERATING PERMIT FOR FACILITIES THAT RECEIVE PRIMARILY DOMESTIC WASTE AND HAVE A DESIGN FLOW LESS THAN OR EQUAL TO 100,000 GALLONS PER DAY**

**FOR AGENCY USE ONLY**

CHECK NUMBER	
DATE RECEIVED 5-20-19	FEE SUBMITTED <i>[Signature]</i>
JETPAY CONFIRMATION NUMBER	

**READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM**

**1. THIS APPLICATION IS FOR:**

- An operating permit for a new or unpermitted facility. Construction Permit # \_\_\_\_\_  
(Include completed antidegradation review or request for antidegradation review, see instructions)
- A new site-specific operating permit formerly general permit #MOG \_\_\_\_\_
- A site-specific operating permit renewal: Permit #MO- 0121525 Expiration Date 12-31-19
- A site-specific operating permit modification: Permit #MO- \_\_\_\_\_ Reason: \_\_\_\_\_
- General permit (NON-POTWs) (MOGD –discharging < 50,000 GPD or MOG823 – Land Application of Domestic Wastewater):  
Permit #MO- \_\_\_\_\_ Expiration Date \_\_\_\_\_

1.1 Is the appropriate fee included with the application (see instructions for appropriate fee)?  YES  NO

**2. FACILITY**

NAME Opies Transport Inc.		TELEPHONE NUMBER WITH AREA CODE 573-392-6525	
ADDRESS (PHYSICAL) 21 Highway FF	CITY Eldon	STATE MO	ZIP CODE 65026

2.1 Legal description: Sec. 25 , T 42N , R 15w County Miller

2.2 UTM Coordinates Easting (X): 541016 Northing (Y): 4246987  
For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

2.3 Name of receiving stream: Tributary to Brush Creek

2.4 Number of outfalls: 002 Wastewater outfalls: Stormwater outfalls: Instream monitoring sites:

**3. OWNER: The owner of the regulated activity/discharge being applied for and is not necessarily the owner of the real property on which the activity or discharge is occurring.**

NAME Danny Opie		EMAIL ADDRESS dannypie@opiestransport.co	TELEPHONE NUMBER WITH AREA CODE 573-392-6525
ADDRESS P.O. Box 89	CITY Eldon	STATE MO	ZIP CODE 65026

3.1 Request review of draft permit prior to public notice?  YES  NO

3.2 Are you a publicly owned treatment works?  YES  NO  
If yes, please attach the Financial Questionnaire. See: <https://dnr.mo.gov/forms/780-2511-f.pdf>

3.3 Are you a privately owned treatment works?  YES  NO

3.4 Are you a privately owned treatment facility regulated by the Public Service Commission?  YES  NO

**4. CONTINUING AUTHORITY: Permanent organization that will serve as the continuing authority for the operation, maintenance and modernization of the facility.**

NAME Danny Opie		EMAIL ADDRESS dannypie@opiestransport.co	TELEPHONE NUMBER WITH AREA CODE 573-392-6525
ADDRESS PO Box 89	CITY Eldon	STATE MO	ZIP CODE 65026

If the continuing authority is different than the owner, include a copy of the contract agreement between the two parties and a description of the responsibilities of both parties within the agreement.

**5. OPERATOR**

NAME Same As Owner	TITLE	CERTIFICATE NUMBER
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE	

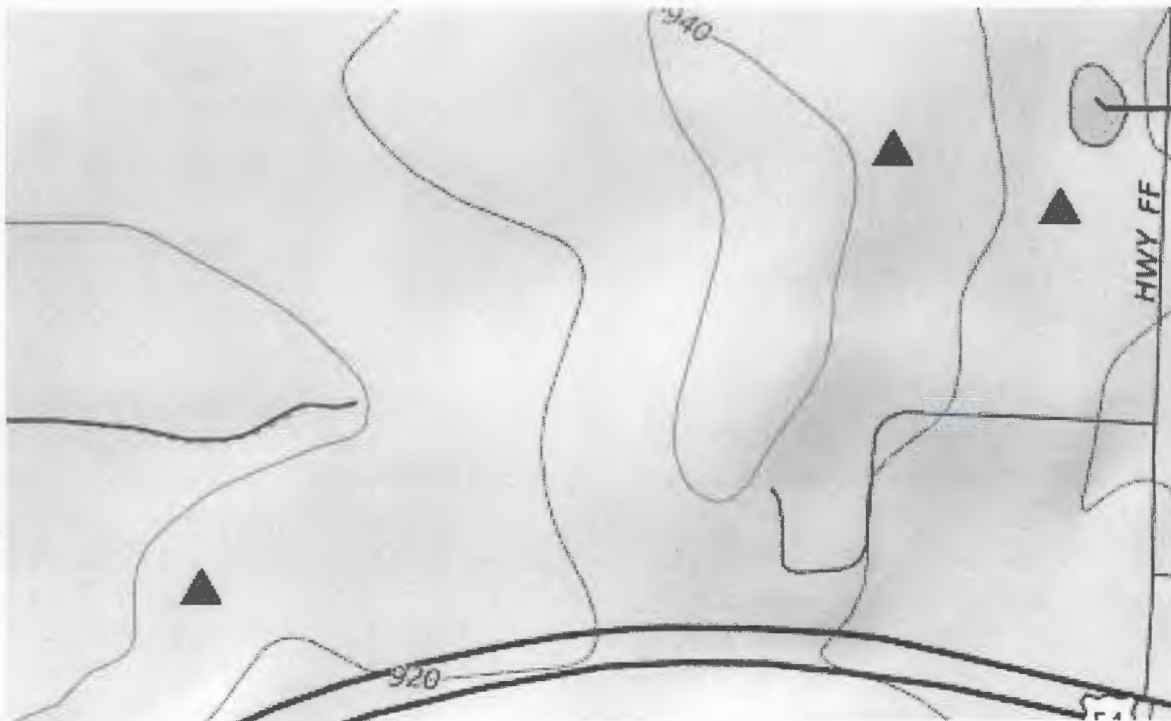
**6. FACILITY CONTACT**

NAME Danny Opie		TITLE President	
EMAIL ADDRESS dannypie@opiestransport.com		TELEPHONE NUMBER WITH AREA CODE 573-392-6525	
ADDRESS PO Box 89	CITY Eldon	STATE MO	ZIP CODE 65026

## 7. DESCRIPTION OF FACILITY

**7.1 Process Flow Diagram or Schematic:** Provide a diagram showing the processes of the treatment plant. Show all of the treatment units, including disinfection (e.g. – chlorination and dechlorination), influents, and outfalls. Specify where samples are taken. Indicate any treatment process changes in the routing of wastewater during dry weather and peak wet weather. Include a brief narrative description of the diagram.

Attach sheets as necessary.



**7.2** Attach an aerial photograph or USGS topographic map showing the location of the facility and outfall.

Please see the following website:

<https://modnr.maps.arcgis.com/apps/webappviewer/index.html?id=1d81212e0854478ca0dae87c33c8c5ce>



**8. ADDITIONAL FACILITY INFORMATION**

8.1 Facility SIC code: 4213 Discharge SIC code: \_\_\_\_\_

8.2 Number of people presently connected or population equivalent (P.E.) 30 Design P.E. \_\_\_\_\_

8.3 Connections to the facility: 1  
 Number of units presently connected:  
 Residential: \_\_\_\_\_ Commercial: \_\_\_\_\_ Industrial: 1

8.4 Design flow: 15,000 gpd Actual flow: 1100 gpd

8.5 Will discharge be continuous through the year?  Yes  No  
 Discharge will occur during the following months: April-October  
 How many days of the week will discharge occur? 7

8.6 Is industrial wastewater discharged to the facility?  Yes  No  
 If yes, attach a list of the industries that discharge to your facility \_\_\_\_\_

8.7 Does the facility accept or process leachate from landfills?  Yes  No

8.8 Is wastewater land applied?  Yes  No  
 If yes, attach Form I. \_\_\_\_\_ See: <https://dnr.mo.gov/forms/780-1686-f.pdf>

8.9 Does the facility discharge to a losing stream or sinkhole?  Yes  No

8.10 Has a wasteload allocation study been completed for this facility?  Yes  No

**9. LABORATORY CONTROL INFORMATION**

## LABORATORY WORK CONDUCTED BY PLANT PERSONNEL

Lab work conducted outside of plant.  Yes  No

Push-button or visual methods for simple test such as pH, settleable solids.  Yes  No

Additional procedures such as dissolved oxygen, chemical oxygen demand, biological oxygen demand, titrations, solids, volatile content.  Yes  No

More advanced determinations such as BOD seeding procedures, fecal coliform/*E. coli*, nutrients (including Ammonia), Oil & Grease, \ total oils, phenols, etc.  Yes  No

Highly sophisticated instrumentation, such as atomic absorption and gas chromatograph.  Yes  No

**10. COLLECTION SYSTEM**

10.1 Are there any municipal satellite collection systems connected to this facility?  Yes  No  
 If yes, please list all connected to this facility, contact phone number and length of each collection system

FACILITY NAME	CONTACT PHONE NUMBER	LENGTH OF SYSTEM (FEET OR MILES)
Lagoon Cell #2	573-392-6525	25 ft.
Lagoon Cell #3	573-392-6525	1,000 ft.

10.2 Length of pipe in the sewer collection system? (If available, include totals from satellite collection systems)  
1000 Feet, or \_\_\_\_\_ Miles (either unit is appropriate)

10.3 Does significant infiltration occur in the collection system?  Yes  No  
 If yes, briefly explain any steps underway or planned to minimize inflow and infiltration:



**11. BYPASSING**Does any bypassing occur in the collection system or at the treatment facility?  Yes  No

If yes, explain:

**12. SLUDGE HANDLING, USE AND DISPOSAL****12.1** Is the sludge a hazardous waste as defined by 10 CSR 25?  Yes  No**12.2** Sludge production, including sludge received from others: N/A Design dry tons/year N/A Actual dry tons/year**12.3** Capacity of sludge holding structures:Sludge storage provided: \_\_\_\_\_ cubic feet; \_\_\_\_\_ days of storage; \_\_\_\_\_ average percent solids of sludge;  
 No sludge storage is provided.  Sludge is stored in lagoon.**12.4** Type of Storage:  Holding tank  Building  
 Basin  Lagoon  
 Concrete Pad  Other (Describe) \_\_\_\_\_**12.5** Sludge Treatment: Anaerobic Digester  Lagoon  Composting  
 Storage Tank  Aerobic Digester  Other (Attach description)  
 Lime Stabilization  Air or Heat Drying**12.6** Sludge Use or Disposal: Land Application  Surface Disposal (Sludge Disposal Lagoon, Sludge held for more than two years)  
 Contract Hauler  Hauled to Another treatment facility  
 Incineration  Sludge Retained in Wastewater treatment lagoon  
 Solid waste landfill**12.7** Person responsible for hauling sludge to disposal facility: By applicant  By others (complete below)

NAME N/A		EMAIL ADDRESS	
ADDRESS	CITY	STATE	ZIP CODE
CONTACT PERSON	TELEPHONE NUMBER WITH AREA CODE	PERMIT NO. MO-	

**12.8** Sludge use or disposal facility By applicant  By others (Complete below.)

NAME N/A		EMAIL ADDRESS	
ADDRESS	CITY	STATE	ZIP CODE
CONTACT PERSON	TELEPHONE NUMBER WITH AREA CODE	PERMIT NO. MO-	

**12.9** Does the sludge or biosolids disposal comply with federal sludge regulations under 40 CFR 503? Yes  No (Explain)

Our treatment facility DOES comply with the 40 CFR 503 standard. The biosolids at our treatment facility are stored in a earthen site that operates as a lagoon. According to the 40 CFR 503 standard, sludge has to be derived from hazardous pollutants in order to be considered hazardous. All wastewater that enters our treatment facility is not created from hazardous pollutants.

**13. 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 complete the eDMR Registration by clicking on the following link: <https://dnr.mo.gov/forms/780-2204-f.pdf>.

- 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.

**14. JETPAY**

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

New Site Specific Permit: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/591/>  
 Construction Permits: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/592/>  
 Modification Fee: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/596/>  
 New General Domestic WW: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/772/>

**15. CERTIFICATION**

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

NAME (TYPE OR PRINT) <b>DANNY OPIE</b>	OFFICIAL TITLE <b>PRESIDENT</b>	TELEPHONE NUMBER WITH AREA CODE <b>573392 6525</b>
SIGNATURE <i>Danny Opie</i>		DATE SIGNED <b>5-14-19</b>

**INSTRUCTIONS FOR COMPLETING FORM B: APPLICATION FOR OPERATING PERMIT FOR FACILITIES THAT RECEIVE PRIMARILY DOMESTIC WASTE AND HAVE A DESIGN FLOW LESS THAN OR EQUAL TO 100,000 GALLONS PER DAY**  
**(Facilities over 100,000 gallons per day of domestic waste must use FORM B2)**  
**(Facilities that receive wastes other than domestic contact the department)**

1. Check the appropriate box. **Do not check more than one item.** Operating permit refers to a permit issued by the Department of Natural Resources' Water Protection Program. If an Antidegradation Review has not been conducted, submit the application located at the following link to the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102: [dnr.mo.gov/forms/780-1893-f.pdf](http://dnr.mo.gov/forms/780-1893-f.pdf).
- 1.1 **Fees Information:**

**DOMESTIC OPERATING PERMIT FEES – PRIVATE**

Annual operating permit fees are based on flow.

Annual fee/Design flow	Annual fee/Design flow	Annual fee/Design flow
\$150..... <5,000 gpd	\$1,000..... 15,000-24,999 gpd	\$4,000..... 100,000-249,999 gpd
\$300..... 5,000-9,999 gpd	\$1,500..... 25,000-29,999 gpd	\$5,000..... ≥250,000 gpd
\$600..... 10,000-14,999 gpd	\$3,000..... 30,000-99,999 gpd	

New domestic wastewater treatment facilities must submit the annual fee with the original application.  
**If the application is for a site-specific permit re-issuance, send no fees.** You will be invoiced separately by the department on the anniversary date of the original permit. Permit fees must be current for the department to reissue the operating permit. Late fees of two percent per month are charged and added to outstanding annual fees.

**PUBLIC SEWER SYSTEM OPERATING PERMIT FEES** (city, public sewer district, public water district, or other publicly owned treatment works). Annual fee is based on number of service connections. Fees listings are found in 10 CSR 20-6.011 which is available at <http://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf>. New public sewer system facilities should not submit any fee as the department will invoice the permittee.

**OPERATING PERMIT MODIFICATIONS**, including transfers, are subject to the following fees:

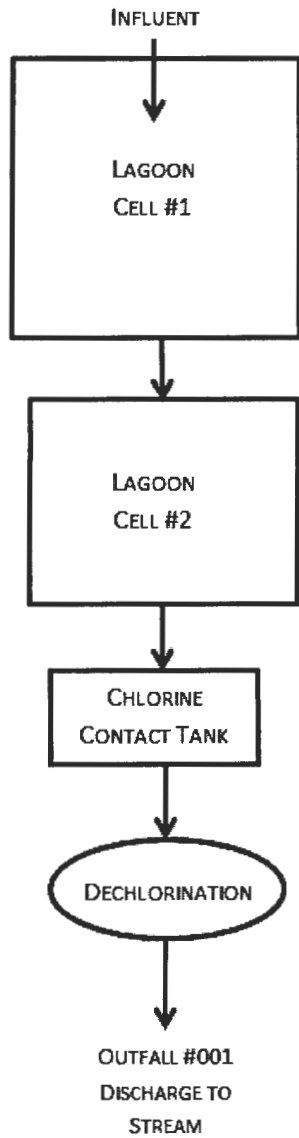
  - a. Publicly Owned Treatment Works (POTWs) - \$200 each.
  - b. Non-POTWs – \$100 each for a minor modification (name changes, address changes, other non-substantive changes) or a fee equal to 25% of the facility's annual operating fee for a major modification.
2. Name of Facility – Include the name by which this facility is locally known. Example: Southwest Sewage Treatment Plant, Country Club Mobile Home Park, etc. Provide the street address or location of the facility. If the facility lacks a street name or route number, provide the names of the closest intersection, highway, country road, etc.
  - 2.1 Self-explanatory
  - 2.2 Global Positioning System, or GPS, is a satellite-based navigation system. The department prefers that a GPS receiver is used at the outfall pipe and the displayed coordinates submitted. If access to a GPS receiver is not available, use a mapping system to approximate the coordinates; the department's mapping system is available at <https://modnr.maps.arcgis.com/apps/webappviewer/index.html?id=1d81212e0854478ca0dae87c33c8c5ce>.
  - 2.3-2.4 Self-explanatory
3. Owner – Provide the legal name, mailing address, phone number, and email address of the owner. The owner identified in this section and subsequently reflected on the certificate page of the operating permit, is the owner of the regulated activity/discharge being applied for and is not necessarily the owner of the real property on which the activity or discharge is occurring.

Prior to submitting a permit to public notice, the Department of Natural Resources shall provide the permit applicant 10 days to review the draft permit for nonsubstantive drafting errors. In the interest of expediting permit issuance, permit applicants may waive the opportunity to review draft permits prior to public notice.
- 3.2-3.4 Self-explanatory. The Financial Questionnaire is available at: <https://dnr.mo.gov/forms/780-2511-f.pdf>
4. Continuing Authority - A continuing authority is a company, business, entity or person(s) that will be operating the facility and/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified operator or analytical laboratory. To access the regulatory requirement regarding continuing authority, 10 CSR 20-6.010(2), please visit <https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf>. If the continuing authority is not an individual(s), government, or otherwise required to register with the Missouri Secretary of State (SoS), then the business name must be listed exactly as it appears on the SoS's webpage: <https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0>
5. Operator – Provide the name, certificate number, title, mailing address, primary phone number, and e-mail address of the operator of the facility.
6. Provide the name, title, mailing address, primary phone number, and e-mail address of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application and who can be contacted by the department.

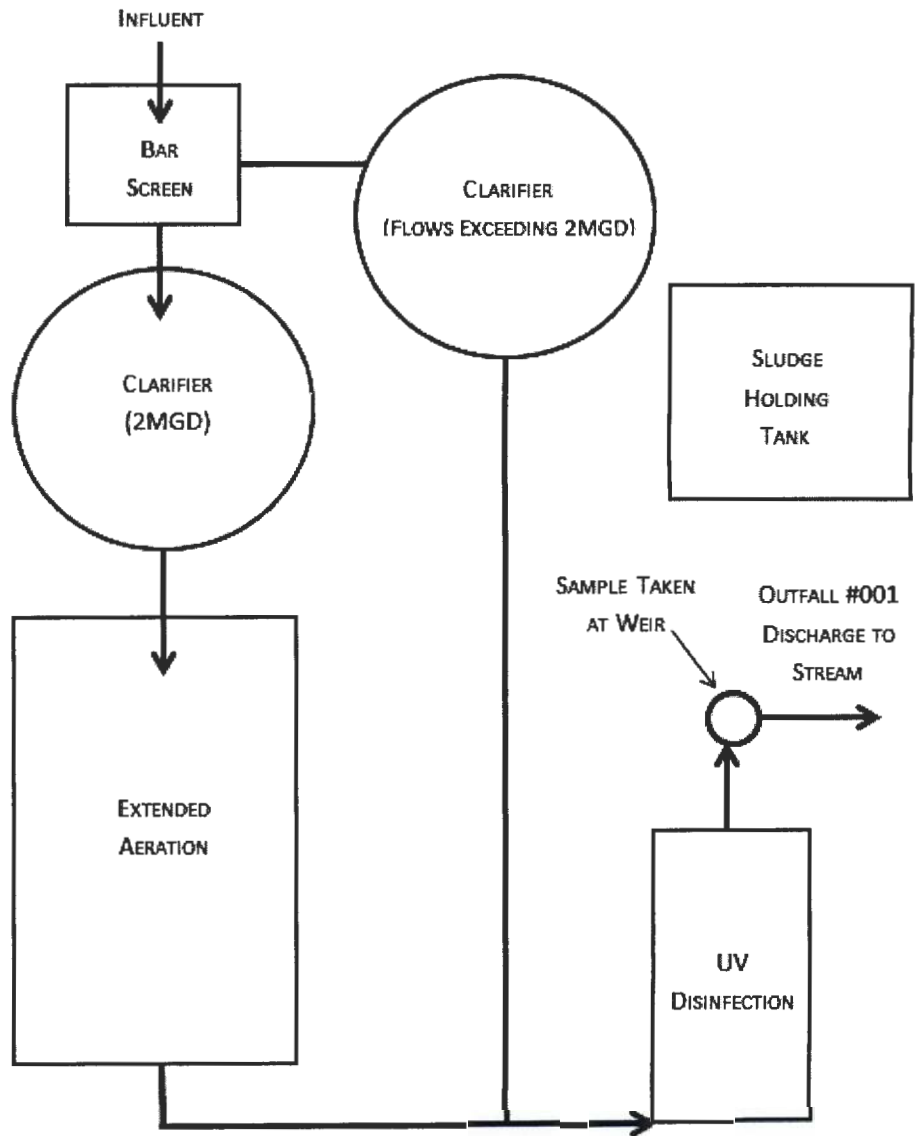


7.1 Process Flow Diagram Examples

WASTEWATER TREATMENT LAGOON



WASTEWATER TREATMENT FACILITY



- 7.2 A topographic map is available on the Web at <https://modnr.maps.arcgis.com/apps/webappviewer/index.html?id=1d81212e0854478ca0dae87c33c8c5ce> or from the Department of Natural Resources' Geological Survey Division in Rolla at 573-368-2125.
- 8.1 For Standard Industrial Codes visit [www.osha.gov/pls/imis/sicsearch.html](http://www.osha.gov/pls/imis/sicsearch.html) or contact the Department of Natural Resources' Water Protection Program. For example, a family style restaurant has a Facility SIC code of 5812.
- 8.2-8.7 Self-explanatory.
- 8.8 If wastewater is land applied submit for Form I: [www.dnr.mo.gov/forms/780-1686-f.pdf](http://www.dnr.mo.gov/forms/780-1686-f.pdf).
- 8.9-8.10 Self-explanatory

**INSTRUCTIONS FOR COMPLETING FORM B: APPLICATION FOR OPERATING PERMIT FOR FACILITIES  
THAT RECEIVE PRIMARILY DOMESTIC WASTE AND HAVE A DESIGN FLOW  
LESS THAN OR EQUAL TO 100,000 GALLONS PER DAY (continued)**

9. Self-explanatory.
- 10.1 Self-explanatory.
- 10.2 Self-explanatory
- 10.3 If Inflow and Infiltration (I&I) is a problem at the facility, list possible actions to be taken to repair the collection and treatment facility.
11. Include overflows of combined sewers and lift stations or bypassing of the wastewater treatment facility. Provide a detailed description of the circumstances that sewage bypassing occurs and the frequency of occurrence.
12. A copy of 10 CSR 25 is available on the Web at [www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp#10-25](http://www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp#10-25).
- 12.1-12.8 Self-explanatory.
- 12.9 Refer to University of Missouri Extension Environmental Quality publications about biosolids (WQ420-WQ426). The documents are available at [extension.missouri.edu/main/DisplayCategory.aspx?C=74](http://extension.missouri.edu/main/DisplayCategory.aspx?C=74). In addition, the federal sludge regulations are available through the U.S. Government Printing Office at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>.
13. Electronic Discharge Monitoring Report (eDMR) Submission System – Visit the eDMR site at <https://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 to electronic reporting may be granted by the Department per 40 CFR 127.15 under certain, special circumstances. A written request must be submitted to the Department for approval. Waivers may be granted to facilities owned or operated by:
- members of religious communities that choose not to use certain technologies or
  - 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: <https://broadbandmap.fcc.gov/#/>. Please contact the Department if you need assistance.
14. **JETPAY**  
Applicants can pay fees online by credit card or eCheck through a system called JetPay.
- Per Section 37.001, RSMo, a transaction fee will be included. The transaction fee is paid to the third party vendor JetPay, not the Department of Natural Resources.
  - Be sure to select the correct fee type and corresponding URL to ensure your payment is applied appropriately. If you are unsure what type of fee to pay, please contact the Water Protection Program’s Budget, Fees, and Grants Management Unit by phone at (573) 522-1485 for assistance.
  - Upon successful completion of your payment, JetPay provides a payment confirmation. Submit this form with a copy of the payment confirmation if requesting a new permit or a permit modification. For permit renewals of active permits, the Department will invoice fees annually in a separate request.
  - If you are unable to make your payment online, but want to pay with credit card, you may email your name, phone number, and invoice number, if applicable, to [WPPFees@dnr.mo.gov](mailto:WPPFees@dnr.mo.gov). The Budget, Fees, and Grants Management Unit will contact you to assist with the credit card payment. **Please do not include your credit card information in the email.**
  - Applicants can find fee rates in 10 CSR 20-6.011 (<https://dnr.mo.gov/pubs/pub2564.htm>).
15. **CERTIFICATION**  
Signature - All applications must be signed as follows and the signatures 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.

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

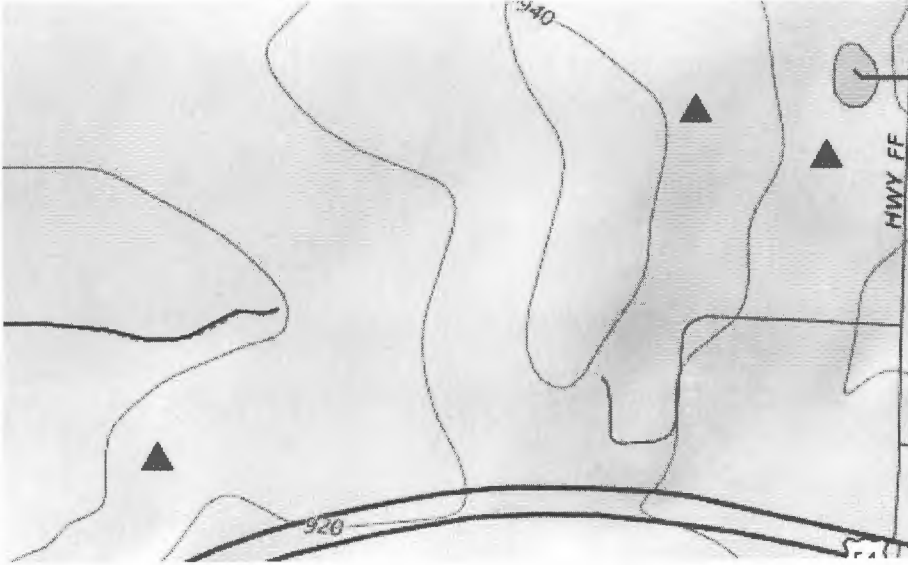
This completed form and any attachments along with the applicable permit fees, should be submitted to:

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

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

DNR Form B

7.2-



8.6

**Liquid Food Grade Transportation**

RECEIVED

MAY 20 2019

FOR AGENCY USE ONLY



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
FORM I - PERMIT APPLICATION FOR  
OPERATION OF WASTEWATER IRRIGATION SYSTEMS

Water Protection Program

PERMIT NUMBER

MO-

DATE RECEIVED

INSTRUCTIONS: The following forms must be submitted with Form I: FORM B or B2 for domestic wastewater.  
FORM A for industrial wastewater.

1. FACILITY INFORMATION

1.1 Facility Name

Opies Transport, Inc.

1.2 Permit Number

MO- 0121525

1.3 Type of wastewater to be irrigated:  Domestic  Municipal  State/National Park  Seasonal business  
 Municipal with Pretreatment Program or Significant Industrial Users  Other (explain) \_\_\_\_\_

SIC Codes (list all that apply, in order of importance) 4213

1.4 Months when the business or enterprise will operate or generate wastewater:

12 months per year  Part of year (list Months): \_\_\_\_

1.5 This system is designed for:

No-discharge  Partial irrigation when feasible and discharge rest of time.  
 Irrigation during recreation season (April - October) and discharge during November - March.  
 Other (explain) \_\_\_\_

1.6 List the Facility outfalls which will be applicable to the irrigation system.

Outfall Numbers: 002

2. STORAGE BASINS

2.1 Number of storage basins: One

Type of basin:  Steel  Concrete  Fiberglass  Earthen  
 Earthen with membrane liner

3. LAND APPLICATION SYSTEM

3.1 Number of irrigation sites 1 Total Acres 6.3  
Location: SE 1/4, NW 1/4, \_\_\_ 1/4, Sec 25 T 42N R 13 Miller County 6.3 Acres  
Location: \_\_\_ 1/4, \_\_\_ 1/4, \_\_\_ 1/4, Sec \_\_\_ T \_\_\_ R \_\_\_ County \_\_\_ Acres

Attach pages as needed.

3.2 Attach a site map showing topography, storage basins, irrigation sites, property boundary, streams, wells, roads, dwellings, and other pertinent features.

3.3 Type of vegetation:  Grass hay  Pasture  Timber  Row crops  Other (describe) \_\_\_\_\_

3.4 Wastewater flow (dry weather) gallons/day:

Average annual: 25,000 Seasonal N/A Off-season N/A

Months of seasonal flow: N/A



**3. LAND APPLICATION SYSTEM (continued)**

3.5 Land Application rate per acre (design flow including 1 in 10 year stormwater flows):

Design: 78.8 inches/year    .1 inches/hour    .8 inches/day    2.0 inches/week

Actual: \_\_\_\_\_ inches/year    \_\_\_\_\_ inches/hour    \_\_\_\_\_ inches/day    \_\_\_\_\_ inches/week

Total Irrigation per year (gallons):    13.5MGD Design    \_\_\_\_\_ Actual

Actual months used for Irrigation (check all that apply):

Jan    Feb    Mar    Apr    May    Jun    Jul    Aug    Sep    Oct    Nov    Dec

3.6 Land Application Rate is based on:

Nutrient Management Plan (N&P)

Hydraulic Loading

Other (describe) \_\_\_\_\_

3.7 Equipment type:     Sprinklers     Gated pipe     Center pivot     Traveling gun     Other (describe) \_\_\_\_\_

Equipment Flow Capacity: \_\_\_\_\_ Gallons per hour    \_\_\_\_\_ Total hours of operation per year

3.8 **Public Use Areas.** Public access shall not be allowed to public use area irrigation sites when application is occurring. Method of Public Access Restriction:

Site is Fenced

Wastewater disinfection prior to irrigation

Site is not for public use

Other (describe): \_\_\_\_\_

3.9 Separation distance (in feet) from the outside edge of the wetted irrigation area to nearby down gradient features:

\_\_\_\_\_ Permanent flowing stream    N/A Losing Stream    \_\_\_\_\_ Intermittent (wet weather) stream    N/ Lake or pond

50 Property boundary    150 Dwellings    220 Water supply well    N/A Other (describe) \_\_\_\_\_

3.10 The facility must develop and retain an Operation and Maintenance (O&M) Plan for the irrigation system.

Date of O&M Plan: 08/29/0201

**4. CERTIFICATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment.

OWNER OR AUTHORIZED REPRESENTATIVE

Danny Opie

OFFICIAL TITLE

President/Owner

EMAIL ADDRESS

PNO@OPIES TRANSPORT.COM

TELEPHONE NUMBER WITH AREA CODE

DANNY OPIE@OPIES TRANSPORT.COM

(573) 392-6525

SIGNATURE

*Danny Opie*

DATE SIGNED

5-14-19



7.1-

Lagoon  
cell #1



Lagoon  
cell #2



Lagoon  
cell #3



Land Applied  
discharge



Outfall #001  
Discharge to  
stream