

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No.: MO-0129968

Owner: Walter A. and Katie Dillon
Owner's Address: P.O. Box 526, St. James, MO 65559

Continuing Authority: Same as above
Continuing Authority's Address: Same as above

Facility Name: W.A. Dillon Mining - Haven Site 2
Facility Address: County Road 2030, Rolla, MO 65401

Legal Description: NW ¼, NW ¼, Sec. 18, T38N, R7W, Phelps County
Latitude/Longitude: +3801210/-09144451

Receiving Stream: Unnamed Tributary to Lanes Fork (U)
First Classified Stream and ID: Lanes Fork (C)(02048)
USGS Basin & Sub-watershed No.: (07140103-020002)

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

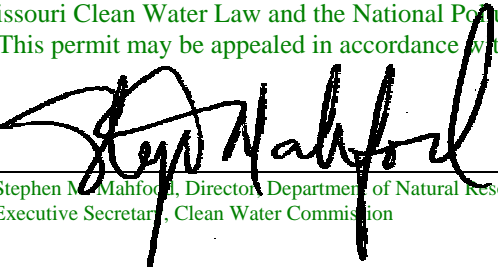
FACILITY DESCRIPTION

All Outfalls

Discharge of storm water, snowmelt, and infiltration water from a clay pit or mine.

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

May 28, 2004
Effective Date


Stephen M. Mahford, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

May 27, 2009
Expiration Date
MO 780-0041 (10-93)

Gary L. Gaines, P.E., Director, Southeast Regional Office

| A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS | | | | | PAGE NUMBER 2 of 4 | |
|--|---------|----------------------------|----------------|-----------------|--------------------------|-----------------|
| | | | | | PERMIT NUMBER MO-0129968 | |
| The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below: | | | | | | |
| OUTFALL NUMBER AND EFFLUENT PARAMETER(S) | UNITS | FINAL EFFLUENT LIMITATIONS | | | MONITORING REQUIREMENTS | |
| | | DAILY MAXIMUM | WEEKLY AVERAGE | MONTHLY AVERAGE | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| <u>All Outfalls (Note 1)</u> | | | | | | |
| Flow | MGD | * | | * | once/month** | 24 hr. estimate |
| Settleable Solids | mL/L/hr | 1.5 | | 1.0 | once/month** | grab |
| pH - Units | SU | *** | | *** | once/month** | grab |
| MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>July 28, 2004</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS. | | | | | | |
| B. STANDARD CONDITIONS | | | | | | |
| IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN. | | | | | | |

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

* Monitoring requirement only.

** Sample shall be collected monthly during periods of operation. Monitoring reports shall also be submitted during periods when the facility is not in operation or when there is no discharge from the treatment facilities.

*** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.

Note 1 - Permittee shall once per year in July submit a map to the department showing the area(s) being mined, current stockpile areas and equipment storage and maintenance areas. Future planned areas should be noted as appropriate.

APPLICABILITY

1. This permit authorizes the discharge of storm water, snowmelt, and infiltration water from clay pits to waters of the state of Missouri.
2. Holders of current individual NPDES permits who desire to apply for inclusion under a general permit should contact the Department for application requirements.
3. This permit does not apply to sand and gravel washing operations or in-stream dredging.
4. This permit does not cover limestone or other rock quarries.

C. SPECIAL CONDITIONS

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

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

2. All outfalls must be clearly marked in the field.
3. Permittee will cease discharge by connection to areawide wastewater treatment system within 90 days of notice of its availability.

4. Changes in Discharges of Toxic Substances

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

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

5. Report as no-discharge when a discharge does not occur during the report period.

C. SPECIAL CONDITIONS (continued)

6. General Criteria. The following water quality criteria shall be applicable to all

waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:

- (a) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
- (b) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
- (c) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
- (d) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
- (e) There shall be no significant human health hazard from incidental contact with the water;
- (f) There shall be no acute toxicity to livestock or wildlife watering;
- (g) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
- (h) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

TERMINATION OF PERMIT

If activities covered by this permit have ceased and this permit no longer applies, the permittee shall request termination of this permit. The permittee shall submit Form J, Request for Termination of a Missouri State Operating Permit.