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-0132888

Owner: Wayne Brown Enterprises, Inc.

Address: 37890 E. Hwy. 240, Gilliam, MO 65330

Continuing Authority: Wayne Brown

Address: 37890 E. Hwy. 240, Gilliam, MO 65330

Facility Name: Chocolate Soil Treatment

Facility Address: ~ 2.3 miles east of Gilliam, MO on County Road 124 (~3 miles driving)

Legal Description: SW¼, SW¼, Sec. 02, T51N, R19W, Saline County

UTM Coordinates: X = 503452, Y = 4341586

Receiving Stream: Tributary to Chocolate Creek

First Classified Stream and ID: 100K Extent-Remaining Stream (C) WBID 3960

USGS Basin & Sub-watershed No.:10300102-0104

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

FACILITY DESCRIPTION

OUTFALL #001 AND PERMITTED FEATURE #002 - Industrial - SIC #4953

Stormwater runoff from a surface treatment cell for remediation of soil and water contaminated with petroleum hydrocarbons is captured by a basin downslope of the treatment cell. The treatment cell is lined with a 12 mm impermeable liner to prevent groundwater contamination and is bermed to prevent inflow of surface water. This permit does not regulate soil remediation or disposal activities; these aspects of treatment are regulated by the Waste Management Program. There is one outfall from the basin. Samples will be taken here for outfall #001. Permitted feature #002 will have dip samples from the impacted stormwater in the basin.

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

<u>September 1, 2020</u>

Effective Date

Edward B. Galbraith, Director, Division of Environmental Quality

June 30, 2025

Expiration Date

Chris Wieberg, Director, Water Protection Program

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALL #001
Impacted Stormwater Outfall

TABLE A-1 FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective 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:

Every viewer Burn an engine o	LINUTE	FINAL LI	FINAL LIMITATIONS		MONITORING REQUIREMENTS		
EFFLUENT PARAMETERS	Units	DAILY	MONTHLY	MARKS	MEASUREMENT	SAMPLE	
		MAXIMUM	AVERAGE		Frequency	Түре	
LIMIT SET: Q							
PHYSICAL							
Flow	MGD	*		-	once/quarter ◊	24 Hr Est.	
CONVENTIONAL							
Ammonia, Total as Nitrogen	mg/L	*		-	once/quarter ◊	grab ∞	
Chemical Oxygen Demand	mg/L	*		-	once/quarter ◊	grab ∞	
Oil & Grease	mg/L	15		-	once/quarter ◊	grab ∞	
pH [†]	SU	6.5-9.0		-	once/quarter ◊	grab ∞	
Settleable Solids	mL/L/hr	1.5		-	once/quarter ◊	grab ∞	
Total Suspended Solids	mg/L	50		-	once/quarter ◊	grab ∞	
PETROLEUM RELATED							
Benzene	μg/L	*		-	once/quarter ◊	grab ∞	

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE <u>JANUARY 28, 2021</u>. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

- † pH: the facility will report the minimum and maximum values; pH is not to be averaged.
- All samples shall be collected from a discharge from the outfall of the basin. If a discharge does not occur within the reporting period, report as no discharge.

Quarterly sampling

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

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>August 1, 2014</u>, and hereby incorporated as though fully set forth herein.

C. SPECIAL CONDITIONS

- 1. To protect water quality, the permittee shall not landfarm soils contaminated with hazardous waste. Permittee analyzes all waste accepted prior to landfarming to ensure it is not hazardous waste.
- 2. Remediated soil may not be placed in contact with groundwater or surface water.
- 3. The berms of storage basins shall be mowed and kept free of any deep rooted vegetation, animal dens, or other potential sources of damage to the berms.
- 4. Spills, Overflows, and Other Unauthorized Discharges.

^{*} Monitoring and reporting requirement only

C. SPECIAL CONDITIONS (CONTINUED)

- (a) Any spill, overflow, or other discharge(s) not specifically authorized above are unauthorized discharges.
- (b) Should an unauthorized discharge cause or permit any contaminants to discharge or enter waters of the state, the unauthorized discharge must be reported to the regional office as soon as practicable but no more than 24 hours after the discovery of the discharge. If the spill or overflow needs to be reported after normal business hours or on the weekend, the facility must call the Department's 24 hour spill line at 573-634-2436.
- 5. Electronic Discharge Monitoring Report (eDMR) Submission System.
 - (a) Discharge Monitoring Reporting Requirements. The permittee must electronically submit compliance monitoring data via the eDMR system. Standard Conditions Part I, Section B, #7 indicates the eDMR system is currently the only Department approved reporting method for this permit.
 - (b) Programmatic Reporting Requirements. All reports must be electronically submitted as an attachment to the eDMR system until such a time when the current or a new system is available to allow direct input of the data. After such a system has been made available by the Department, required data shall be directly input into the system by the next report due date

 (1) Any additional report required by the permit excluding bypass reporting.
 - (c) The following shall be submitted electronically after such a system has been made available by the Department: (1) Notices of Termination (NOTs);
 - (d) Electronic Submission: access the eDMR system via: https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx
 - (e) Electronic Reporting Waivers. The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the Department in compliance with 40 CFR Part 127. The permittee may obtain an electronic reporting waiver by first submitting an eDMR Waiver Request Form: http://dnr.mo.gov/forms/780-2692-f.pdf. The Department will either approve or deny this electronic reporting waiver request within 120 calendar days. Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period the approved electronic reporting waiver is effective.
- 6. Stormwater Pollution Prevention Plan (SWPPP).

The facility's SIC code or description is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2) and hence shall implement a Stormwater Pollution Prevention Plan (SWPPP) which must be prepared and implemented upon permit effective date. The SWPPP must be kept on-site and should not be sent to the Department unless specifically requested. The SWPPP must be reviewed and updated annually or if site conditions affecting stormwater change. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in: Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators, (EPA 833-B-09-002) published by the EPA in 2015 https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf The purpose of the SWPPP and the Best Management Practices (BMPs) listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective at preventing pollution [644.016(17)] to waters of the state. Corrective action describes the steps the facility took to eliminate the deficiency.

The SWPPP must include:

- (a) A listing of specific contaminants and their control measures (or BMPs) and a narrative explaining how BMPs are implemented to control and minimize the amount of contaminants potentially entering stormwater.
- (b) A map with all outfalls and structural BMPs marked.
- (c) A schedule for at least once per month site inspections and brief written reports. The inspection report must include precipitation information for the entire period since last inspection, as well as observations and evaluations of BMP effectiveness. Throughout coverage under this permit, the facility must perform ongoing SWPPP review and revision to incorporate any site condition changes.
 - i. Operational deficiencies must be corrected within seven (7) calendar days.
 - ii. Minor structural deficiencies must be corrected within fourteen (14) calendar days.
 - iii. Major structural deficiencies (deficiencies projected to take longer than 14 days to correct) must be reported as an uploaded attachment through the eDMR system with the DMRs. The initial report shall consist of the deficiency noted, the proposed remedies, the interim or temporary remedies (including proposed timing of the placement of the interim measures), and an estimate of the timeframe needed to wholly complete the repairs or construction. If required by the Department, the permittee shall work with the regional office to determine the best course of action. The permittee should consider temporary structures to control stormwater runoff. The facility shall correct the major structural deficiency as soon as reasonably achievable.
 - iv. All actions taken to correct the deficiencies shall be included with the written report, including photographs, and kept with the SWPPP. Additionally, corrective action of major structural deficiencies shall be reported as an uploaded attachment through the eDMR system with the DMRs.
 - v. BMP failure causing discharge through an unregistered outfall is considered an illicit discharge and must be reported in accordance with Standard Conditions Part I.

C. SPECIAL CONDITIONS (CONTINUED)

- vi. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to Department personnel upon request. Electronic versions of the documents and photographs are acceptable.
- (d) A provision for designating an individual to be responsible for environmental matters and a provision for providing training to all personnel involved in housekeeping, material handling (including but not limited to loading and unloading), storage, and staging of all operational, maintenance, storage, and cleaning areas. Proof of training shall be submitted upon request by the Department.
- 7. Site-wide minimum Best Management Practices (BMPs). At a minimum, the permittee shall adhere to the following:
 - (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, warehouse activities, and other areas, and thereby prevent the contamination of stormwater from these substances.
 - (b) Ensure adequate provisions are provided to protect basin structural integrity.
 - (c) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (d) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater. Spill records should be retained on-site.
 - (e) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
 - (f) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property.
 - (g) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (h) Ensure adequate provisions are provided to prevent surface water intrusion into the basin, to divert stormwater runoff around the basin, and to protect embankments from erosion.
- 8. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with RSMo 644.051.16, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Clean Water Act Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2), if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.
- 9. All outfalls and permitted features must be clearly marked in the field.
- 10. Report no discharge when a discharge does not occur during the report period. It is a violation of this permit to report no-discharge when a discharge has occurred.
- 11. Changes in Discharges of Toxic Pollutant.
 - In addition to the reporting requirements under 40 CFR 122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
 - (a) That an activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 μ g/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);

C. SPECIAL CONDITIONS (CONTINUED)

- (2) One milligram per liter (1 mg/l) for antimony;
- (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
- (4) The level established by the Director in accordance with 40 CFR 122.44(f).

12. Reporting of Non-Detects.

- (a) Compliance analysis conducted by the permittee or any contracted laboratory shall be conducted in such a way the precision and accuracy of the analyzed result can be enumerated. See sufficiently sensitive test method requirements in Standard Conditions Part I, Section A, #4 regarding proper testing and detection limits used for sample analysis. For the purposes of this permit, the definitions in 40 CFR 136 apply; method detection limit (MDL) and laboratory established reporting limit (RL) are used interchangeably in this permit.
- (b) The permittee shall not report a sample result as "non-detect" without also reporting the MDL. Reporting "non-detect" without also including the MDL will be considered failure to report, which is a violation of this permit.
- (c) For the daily maximum, the permittee shall report the highest value; if the highest value was a non-detect, use the less than "<" symbol and the laboratory's highest method detection limit (MDL) or the highest reporting limit (RL); whichever is higher (e.g. <6).
- (d) When calculating monthly averages, zero shall be used in place of any value(s) not detected. Where all data used in the average are below the MDL or RL, the highest MDL or RL shall be reported as "<#" for the average as indicated in item (c).
- 13. Failure to pay fees associated with this permit is a violation of the Missouri Clean Water Law (644.055 RSMo).
- 14. This permit does not cover land disturbance activities.
- 15. This permit does not authorize the placement of fill materials in flood plains, placement of solid materials into any waterway, the obstruction of stream flow, or changing the channel of a defined drainage course. The facility must contact the U.S. Army Corps of Engineers (Corps) to determine if a CWA §404 Department of Army permit is required.
- 16. Renewal Application Requirements.
 - (a) This facility shall submit an appropriate and complete application to the Department no less than 180 days from the expiration date listed on page 1 of the permit.
 - (b) Application materials shall include complete Form A, and Form C. If the form names have changed, then the facility should ensure they are submitting the correct forms as required by regulation. Sampling of the pond must be conducted and results provided with the application. The sampling event must include all pollutants of concern in table A-1.
 - (c) If no discharge occurs within the duration of the permit, the permittee must conduct at least one sampling event from the basin and provide the results with the renewal application. The sample may be a dip sample from the basin. The sampling event should include all parameters listed in Table A-1 (except flow) and must be conducted in accordance with the sampling requirements and methods provided within this permit.
 - (d) The facility may use the electronic submission system to submit the application to the Program, if available.

D. NOTICE OF RIGHT TO APPEAL

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

Administrative Hearing Commission U.S. Post Office Building, Third Floor 131 West High Street, P.O. Box 1557 Jefferson City, MO 65102-1557 Phone: 573-751-2422

Fax: 573-751-5018 Website: https://ahc.mo.gov

MISSOURI DEPARTMENT OF NATURAL RESOURCES FACT SHEET FOR THE PURPOSE OF RENEWAL OF MO-0132888 CHOCOLATE SOIL TREATMENT

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 Stormwater; <1 MGD

 SIC Code(s):
 4953

 Application Date:
 01/27/2020

 Expiration Date:
 06/30/2020

 Last Inspection:
 12/29/2016

FACILITY DESCRIPTION:

This facility is a landfarm for the purpose of remediating soil contaminated with petroleum hydrocarbons from underground storage tanks (UST) regulated under Chapter 319 of Missouri Revised Statutes and aboveground storage tanks (AST) regulated under Chapter 414 of RSMo. To protect water quality, the permittee shall not landfarm soils contaminated with hazardous waste. Permittee analyzes all waste accepted prior to landfarming to ensure it is not hazardous waste.

The outfall receives stormwater runoff from a surface treatment cell for remediation of soil and water contaminated with petroleum hydrocarbons. The treatment cell is lined with a 12 mm impermeable liner to prevent groundwater contact and is bermed to prevent inflow of surface water. A secondary detention pond captures stormwater runoff prior to discharge. Fertilizer is introduced into the treatment cell to facilitate the remediation process. This soil remediation treatment cell is protected from stormwater run on by diversion berms. The secondary detention pond capturing runoff contains cattails to absorb impacted stormwater.

 \sim 1.5 acre parcel and 25-year/24-hour rain of 6 inches (http://ag3.agebb.missouri.edu/design_storm/) design flow is \sim 0.170 MGD. Actual flow is dependent upon precipitation.

This permit does not regulate soil remediation or disposal activities.

The charter number for the continuing authority for this facility is 00347321; 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 permittee reported this facility holds no other permits.

PERMITTED FEATURES TABLE:

OUTFALL	AVERAGE FLOW	DESIGN FLOW	TREATMENT LEVEL	EFFLUENT TYPE
#001	Dependent upon precipitation	0.170 MGD	Impacted Stormwater Basin	Impacted stormwater from petroleum landfarm
#002	Dependent upon		Impacted Stormwater Basin	Impacted stormwater from petroleum landfarm

FACILITY PERFORMANCE HISTORY & COMMENTS:

The electronic discharge monitoring reports were reviewed for the last ten years. Permittee reported no discharge or operation shutdown from the stormwater basin in the last ten years. Permittee also has not reported any cleanout or removal of water from the basin. This permit requires a dip sample to be taken of the basin to help determine applicable pollutants of concern. These tests will help to determine future sampling requirements.

FACILITY MAP:



PART II. RECEIVING WATERBODY INFORMATION

RECEIVING WATERBODY'S WATER QUALITY:

The receiving waterbody has no relevant 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; Missouri River is associated with the 2006 EPA approved TMDL 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.

UPSTREAM OR DOWNSTREAM IMPAIRMENTS:

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

✓ The permit writer has noted downstream of the facility the Missouri River has a TMDL for chlordane and polychlorinated biphenyls (PCBs). Per 10 CSR 20-7.031(4)(E), this facility is not considered to be a source of the above pollutant or contribute to the impairment.

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.

✓ All Other Waters

RECEIVING WATERBODY TABLE:

OUTFALL	Waterbody Name	CLASS	WBID	DESIGNATED USES	DISTANCE TO SEGMENT	12-digit HUC
#001 & #002	Tributary to Chocolate Creek	n/a	n/a	GEN	0.0 mi	10300102-0104
#001 & #002	100K Extent-Remaining Stream	С	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.3 mi	Lower Missouri- Moreau

n/a not applicable

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

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

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

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

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

WBC = Whole Body Contact recreation where the entire body is capable of being submerged;

WBC-A = whole body contact recreation supporting swimming uses and has public access;

WBC-B = whole body contact recreation not supported in WBC-A;

SCR = Secondary Contact Recreation (like fishing, wading, and boating)

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

HHP (formerly HHF) = Human Health Protection as it relates to the consumption of fish and drinking of water;

IRR = irrigation for use on crops utilized for human or livestock consumption

LWW = Livestock and Wildlife Watering (current narrative use is defined as LWP = Livestock and Wildlife Protection);

DWS = Drinking Water Supply

IND = industrial water supply

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

10 CSR 20-7.031(6): **GRW** = Groundwater

RECEIVING WATERBODY MONITORING REQUIREMENTS:

No receiving water monitoring requirements are recommended at this time.

MIXING CONSIDERATIONS:

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

PART III. RATIONALE AND DERIVATION OF PERMIT CONDITIONS

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:

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

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

ANTIBACKSLIDING:

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

- ✓ Limitations in this operating permit for the reissuance conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
 - ✓ Ethanol, Ethylbenzene, naphthalene, Total petroleum hydrocarbons, toluene, and xylene were removed as they were determined to be unnecessary to detect BMP failures. The permit writer used best professional judgment to determine that Benzene and Oil & Grease were sufficient enough and would detect failures of stormwater BMPs at outfall #001. TPH does not have water quality standards in the state of Missouri; additionally, the testing methods for these pollutants vary widely, and interpretation of the results by the permit writer may be difficult or impossible without detailed knowledge sampling and testing procedures used by the laboratory. Benzene is a common component of fuels and oils, and may be found in nearly all compounds. It will be utilized in this permit as an indicator pollutant for toluene and xylene as they are all found in petroleum products. If one pollutant is found, it isl likely the others are present. Benzene has the lowest water quality standard for the protection of human health, and therefore will be the most protective to monitor for. Oil and grease is a broad laboratory test which will detect most heavier petroleum products and waxes. It often does not correctly evaluate the lighter pollutants such as benzene, toluene, and xylene, and thus benzene is retained in addition to oil and grease.
 - ✓ Total Nitrogen and Total Phosphorus monitoring requirements were removed. The permit writer used best professional judgement to determine that Ammonia, Total Nitrogen is adequate enough to determine if fertilizer remains are present in the basin.
 - ✓ The Department determined technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
 - The previous permit special conditions contained a specific set of prohibitions related to general criteria (GC) found in 10 CSR 20-7.031(4); however, there was no determination as to whether the discharges have reasonable potential to cause or contribute to excursion of those general water quality criteria in the previous permit. This permit assesses each general criteria as listed in the previous permit's special conditions. Federal regulations 40 CFR 122.44(d)(1)(iii) requires instances where reasonable potential (RP) to cause or contribute to an exceedance of a water quality standard exists, a numeric limitation must be included in the permit. Rather than conducting the appropriate RP determination, the previous permit simply placed the prohibitions in the permit. These conditions were removed from the permit. Appropriate reasonable potential determinations were conducted for each general criterion listed in 10 CSR 20-7.031(4)(A) through (I) and effluent limitations were placed in the permit for those general criteria where it was determined the discharge had reasonable potential to cause or contribute to excursions of the general criteria. Specific effluent limitations were not included for those general criteria where it was determined the discharges will not cause or contribute to excursions of general criteria. Removal of the prohibitions does not reduce the protections of the permit or

allow for impairment of the receiving stream. The permit maintains sufficient effluent limitations, monitoring requirements and best management practices to protect water quality while maintaining permit conditions applicable to permittee disclosures and in accordance with 10 CSR 20-7.031(4) where no water contaminant by itself or in combination with other substances shall prevent the water of the state from meeting the following conditions:

- (A) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses.
 - For all outfalls, there is no RP for putrescent bottom deposits preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates putrescent wastewater would be discharged from the facility.
 - There is RP for unsightly or harmful bottom deposits at these outfalls due to the potential to release oils/greases or high levels of other solids. The limitations on settleable solids has been maintained from the previous permit to protect this criterion. The permittee reported no discharge for all reporting periods in the previous permit cycle, therefore there is no data to determine reasonable potential. The permit writer used best professional judgment of pollutants and the treatment mechanisms at the site to determine reasonable potential is present.
- (B) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.
 - For all outfalls, there is no RP for scum and floating debris in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates scum and floating debris will be present in sufficient amounts to impair beneficial uses.
 - From all outfalls, the permit writer has determined there is reasonable potential for oil to be discharged from the outfalls due to the pollutants of concern and the treatment mechanisms at the site, therefore the limitation of 15 mg/L is retained from the previous permit to protect this criterion. The permittee had no data for the outfall at the facility to verify no reasonable potential, as the outfall was reported as no discharge.
- (C) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses.
 - For all outfalls, there is no RP for offensive odor in sufficient amounts preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates offensive odor will be present in sufficient amounts to impair beneficial uses.
 - For all outfalls, the permit writer has used best professional judgment to determine there is RP for unsightly color and turbidity due to the pollutants of concern and the treatment mechanisms at the site; therefore limitations are retained on TSS and oil and grease from the previous permit. These limitations are in place to protect this criterion. The permittee has no data for the outfall at the facility to verify no reasonable potential, as the outfall was reported as no discharge.
- (D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
 - The permit writer considered specific toxic pollutants when writing this permit. Numeric effluent limitations are included for those pollutants could be discharged in toxic amounts. These effluent limitations are protective of human health, animals, and aquatic life.
- (E) Waters shall maintain a level of water quality at their confluences to downstream waters that provides for the attainment and maintenance of the water quality standards of those downstream waters, including waters of another state.
 - This criteria was not assessed for antibacksliding as this is a new requirement, approved by the EPA on July 30, 2019.
- (F) There shall be no significant human health hazard from incidental contact with the water.
 - This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.
- (G) There shall be no acute toxicity to livestock or wildlife watering.
 - This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.
- (H) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community.
 - For all outfalls, there is no RP for physical changes impairing the natural biological community because nothing disclosed by the permittee indicates this is occurring.
 - It has been established any chemical changes are covered by the specific numeric effluent limitations
 established in the permit.
 - For all outfalls, there is no RP for hydrologic changes impairing the natural biological community because nothing disclosed by the permittee indicates this is occurring.
- (I) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
 - There are no solid waste disposal activities or any operation which has reasonable potential to cause or contribute to the materials listed above being discharged through any outfall.

- The previous permit contained a special condition that stated: "Any pesticide discharge from any point source shall comply 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."
 - The permit writer has determined this special condition was outside the scope of NPDES permitting and was removed.
- The previous permit had a special condition which indicated spills from hazardous waste substances must be reported to the department. However, this condition is covered under Standard Conditions I, therefore was removed from special conditions of this permit.

ANTIDEGRADATION REVIEW:

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

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

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

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

BEST MANAGEMENT PRACTICES:

Minimum site-wide best management practices are established in this permit to ensure 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.

EFFLUENT LIMITATIONS:

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

EFFLUENT LIMITATION GUIDELINE:

Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. These are limitations established by the EPA based on the SIC code and the type of work a facility is conducting. Most ELGs are for process wastewater and some address stormwater. All are technology based limitations which must be met by the applicable facility at all times.

✓ The facility 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 ensure data entry is being completed appropriately.

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

GENERAL CRITERIA CONSIDERATIONS:

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

GROUNDWATER MONITORING:

Groundwater is a water of the state according to RSMo 644.016(27), is subject to regulations at 10 CSR 20-7.015(7) and 10 CSR 20-7.031(6), and must be protected accordingly.

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

MAJOR WATER USER:

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

OIL/WATER SEPARATORS:

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

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

PRETREATMENT:

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

REASONABLE POTENTIAL (RP):

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

✓ Not applicable; a mathematical RPA was not conducted for this facility. This permit establishes permit limits and benchmarks for stormwater. The Department has determined stormwater is not a continuous discharge and is therefore not necessarily dependent on mathematical RPAs. However, the permit writer completed an RPD, a reasonable potential determination, using best professional judgment for all of the appropriate parameters in this permit. An RPD consists of reviewing application data and/or discharge monitoring data for the last five years and comparing those data to narrative or numeric water quality criteria.

SAMPLING FREQUENCY JUSTIFICATION:

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

SAMPLING TYPE JUSTIFICATION:

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

SCHEDULE OF COMPLIANCE (SOC):

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, effluent limits, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. SOCs are allowed under 40 CFR 122.47 and 10 CSR 20-7.031(11) 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.

SPILLS, OVERFLOWS, AND OTHER UNAUTHORIZED DISCHARGE REPORTING:

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

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

SLUDGE - INDUSTRIAL:

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

✓ Applicable; the permittee retains the industrial sludge in the basins. This permit does not authorize land application or discharge of sludge.

STANDARD CONDITIONS:

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

STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS:

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

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

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

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

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.

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

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

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

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

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

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

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 reevaluate any BMP not achieving compliance with permitting requirements. For example, if sample results from an outfall show values of TSS above the benchmark value, the BMP being employed is deficient in controlling stormwater pollution. Corrective action should be taken to repair, improve, or replace the failing BMP. This internal evaluation is required at least once per month but should be continued more frequently if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established.

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

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

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

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

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:

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

to be established. A permittee is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive. 40 CFR 136 lists the approved methods accepted by the Department. Tables A1-B3 at 10 CSR 20-7.031 shows water quality standards.

UNDERGROUND INJECTION CONTROL (UIC):

The UIC program for all classes of wells in the State of Missouri is administered by the Missouri Department of Natural Resources and approved by EPA pursuant to section 1422 and 1425 of the Safe Drinking Water Act (SDWA) and 40 CFR 147 Subpart AA. Injection wells are classified based on the liquids which are being injected. Class I wells are hazardous waste wells which are banned by RSMo 577.155; Class II wells are established for oil and natural gas production; Class III wells are used to inject fluids to extract minerals; Class IV wells are also banned by Missouri in RSMo 577.155; Class V wells are shallow injection wells; some examples are heat pump wells and groundwater remediation wells. Domestic wastewater being disposed of sub-surface is also considered a Class V well. In accordance with 40 CFR 144.82, construction, operation, maintenance, conversion, plugging, or closure of injection wells shall not cause movement of fluids containing any contaminant into Underground Sources of Drinking Water (USDW) if the presence of any contaminant may cause a violation of drinking water standards or groundwater standards under 10 CSR 20-7.031, or other health based standards, or may otherwise adversely affect human health. If the director finds the injection activity may endanger USDWs, the Department may require closure of the injection wells, or other actions listed in 40 CFR 144.12(c), (d), or (e). In accordance with 40 CFR 144.26, the permittee shall submit a Class V Well Inventory Form for each active or new underground injection well drilled, or when the status of a well changes, to the Missouri Department of Natural Resources, Geological Survey Program, P.O. Box 250, Rolla, Missouri 65402. The Class V Well Inventory Form can be requested from the Geological Survey Program or can be found at the following web address: http://dnr.mo.gov/forms/780-1774-f.pdf Single family residential septic systems and non-residential septic systems used solely for sanitary waste and having the capacity to serve fewer than 20 persons a day are excluded from the UIC requirements (40 CFR 144.81(9)).

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

VARIANCE:

Per the Missouri Clean Water Law §644.061.4, variances shall be granted for such period of time and under such terms and conditions as specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with the Missouri Clean Water Law §8644.006 to 644.141 or any standard, rule or regulation promulgated pursuant to Missouri Clean Water Law §8644.006 to 644.141.

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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

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

WASTELOAD ALLOCATION (WLA) MODELING:

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

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

WATER QUALITY STANDARD REVISION:

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

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

PART IV. EFFLUENT LIMITS DETERMINATIONS

OUTFALL #001 - IMPACTED STORMWATER OUTFALL

EFFLUENT LIMITATIONS TABLE:

PARAMETERS	Unit	DAILY MAXIMUM LIMIT	BENCH- MARK	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	REPORTING FREQUENCY	SAMPLE TYPE
PHYSICAL							
FLOW	MGD	*	-	SAME	ONCE/QUARTER	ONCE/QUARTER	24 HR. EST.
CONVENTIONAL							
COD	MG/L	*	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
OIL & GREASE	MG/L	15	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
PH †	SU	6.5-9.0	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
SETTLEABLE SOLIDS	ML/L/HR	1.5	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
TSS	mg/L	50	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
Nutrients							
Ammonia, Total Nitrogen	MG/L	*	-	NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
TOTAL NITROGEN				MONITORING F	REMOVED		
TOTAL PHOSPHORUS]	Monitoring F	REMOVED		
PETROLEUM RELATED							
BENZENE	MG/L	*	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
ETHANOL]	Monitoring I	REMOVED		
ETHYLBENZENE]	Monitoring I	REMOVED		
Napthalene		Monitoring Removed					
TOTAL PETROLEUM HYDROCARBONS (DRO, GRO, ORO)	Monitoring Removed						
TOLUENE]	Monitoring F	REMOVED		
XYLENE				MONITORING F	REMOVED		

- monitoring and reporting requirement only
- † report the minimum and maximum pH values; pH is not to be averaged

DERIVATION AND DISCUSSION OF LIMITS:

PHYSICAL:

Flow

In accordance with [40 CFR Part 122.44(i)(1)(ii)] the estimated volume of effluent discharged from each outfall is needed to ensure compliance with permitted effluent limitations. If the permittee is unable to obtain estimated effluent flow, then it is the responsibility of the permittee to inform the Department, which may require the submittal of an operating permit modification. The facility will report the total flow in millions of gallons per day (MGD), quarterly monitoring continued from previous permit.

CONVENTIONAL:

Chemical Oxygen Demand (COD)

Monitoring continued. This facility treats petroleum products. The stormwater is in contact with soils containing these products, which have the chance to increase the COD in the effluent. There is no numeric water quality standard for COD; however, increased oxygen demand may impact instream water quality. COD is also a valuable indicator parameter. COD monitoring allows the permittee to identify increases in COD may indicate materials/chemicals coming into contact with stormwater causing an increase in oxygen demand. Increases in COD may indicate a need for maintenance or improvement of BMPs.

Oil & Grease

15 mg/L daily maximum; continued from previous permit. This limit is maintained using the best professional judgment of the permit writer. The facility reported no-discharge for all reports in the previous permit cycle, therefore the permit writer had no data to assess the reasonable potential of this pollutant to exceed water quality standards. Without data to assess, the permit writer relied on knowledge of the pollutants of concern at the site and the known treatment mechanisms to determine limitations should remain from the previous permit cycle. Oil and grease is considered a conventional pollutant. Oil and grease is a comprehensive test which measures for gasoline, diesel, crude oil, creosote, kerosene, heating oils, heavy fuel oils, lubricating oils, waxes, and some asphalt and pitch. The test can also detect some volatile organics such as benzene, toluene, ethylbenzene, or toluene, but these constituents are often lost during testing due to their boiling points.

Set chronic standard equal to chronic WLA per TSD 5.4.2 (EPA/505/2-90-001); multiply by 1.5 to obtain acute limit. 10 mg/L * 1.5 = 15 mg/L

pН

6.5 to 9.0 SU – instantaneous grab sample. Water quality limits [10 CSR 20-7.031(5)(E)] are applicable to this outfall and are continued from the previous permit. pH is a fundamental water quality indicator. Additionally, ammonia availability in wastewater is dependent on pH. Limitations in this permit will protect against aquatic organism toxicity, downstream water quality issues, human health hazard contact, and negative physical changes in accordance with the general criteria at 10 CSR 20-7.031(4) and the Clean Water Act's (CWA) goal of 100% fishable and swimmable rivers and streams.

Settleable Solids (SS)

1.5 mL/L/hour limit continued. The permit writer used best professional judgement to assess the previous permit writer's decision and determined it was correct. This limit is maintained using the best professional judgment of the permit writer. The facility reported no-discharge for all reports in the previous permit cycle, therefore the permit writer had no data to assess the reasonable potential of this pollutant to exceed water quality standards. Without data to assess, the permit writer relied on knowledge of the pollutants of concern at the site and the known treatment mechanisms to determine limitations should remain from the previous permit cycle. There is no numeric water quality standard for SS; however, sediment discharges can negatively impact aquatic life habitat. Settleable solids are also a valuable indicator parameter. Solids monitoring allows the permittee to identify increases in sediment and solids may indicate uncontrolled materials leaving the site. The limit falls within the range of values implemented in other permits having similar industrial activities.

Total Suspended Solids (TSS)

50 mg/L limit continued. The permit writer used best professional judgement to assess the previous permit writer's decision, and determined it was correct. This limit is maintained using the best professional judgment of the permit writer. The facility reported no-discharge for all reports in the previous permit cycle, therefore the permit writer had no data to assess the reasonable potential of this pollutant to exceed water quality standards. Without data to assess, the permit writer relied on knowledge of the pollutants of concern at the site and the known treatment mechanisms to determine limitations should remain from the previous permit cycle. There is no numeric water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. TSS is also a valuable indicator parameter. TSS monitoring allows the permittee to identify increases in TSS indicating uncontrolled materials leaving the site. Increased suspended solids in runoff can lead to decreased available oxygen for aquatic life and an increase of surface water temperatures in a receiving stream. Suspended solids can also be carriers of toxins, which can adsorb to the suspended particles; therefore, total suspended solids are a valuable indicator parameter for other pollution. The limit is achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other permits having similar industrial activities.

NUTRIENTS:

Ammonia, Total nitrogen

Monitoring requirement only. The permittee disclosed that fertilizer can be applied to the treatment cell to judge plant growth and if petroleum products are still present in the soil, therefore monitoring is necessary to determine reasonable potential to exceed water quality standards.

Total Nitrogen and Total Phosphorus

Monitoring requirement removed. The permit writer used best professional judgement to determine that Ammonia, Total Nitrogen adequate enough to determine if fertilizer remains are present in the basin, therefore monitoring for these pollutants is considered unnecessary and has been removed.

OTHER:

Benzene

Monitoring only, continued from the previous permit. The permittee reported "no discharge" or "operation shutdown" for the last five years. Monitoring is continued as this is a pollutant of concern at this site, and benzene will be used as an indicator pollutant for other petroleum discharges at the site. It has the lowest water quality standard for the protection of human health, therefore it will be the most protective of the indicator pollutants to monitor for.

Ethanol

Monitoring requirement removed. The permit writer used best professional judgment to determine that Benzene and Oil & Grease were sufficient enough and would detect failures of stormwater BMPs at outfall #001. Ethanol is likely to volatilize in the basin before monitoring could capture it. Additionally, there are no water quality standards for ethanol.

Ethylbenzene, Naphthalene, Toluene, Xylene

Monitoring requirement removed. The permit writer used best professional judgment to determine that Benzene and Oil & Grease monitoring was sufficient and would detect failures of stormwater BMPs at outfall #001. (See justification for benzene above).

Total Petroleum Hydrocarbons (DRO, GRO, ORO)

Monitoring requirement removed. The permit writer used best professional judgment to determine that Benzene and Oil & Grease were sufficient enough and would detect failures of stormwater BMPs at outfall #001. TPH does not have water quality standards; in addition, the laboratory sampling and analysis methods vary widely, and the data provided to the permit writer is not useful without detailed knowledge of the sampling and analysis procedures.

PART V. ADMINISTRATIVE REQUIREMENTS

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

PERMIT SYNCHRONIZATION:

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

✓ This permit will maintain synchronization by expiring the end of the 2nd quarter, 2025.

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 June 26, 2020 to July 27, 2020. No comments were received.

DATE OF FACT SHEET: APRIL 30TH, 2020 COMPLETED BY:

STEVEN ARCHAMBAULT, ENVIRONMENTAL SPECIALIST MISSOURI DEPARTMENT OF NATURAL RESOURCES WATER PROTECTION PROGRAM OPERATING PERMITS SECTION - INDUSTRIAL UNIT (573) 751-1399 Steven.archambault@dnr.mo.gov



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.

- 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.
- 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.
- 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.

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

2. Non-compliance Reporting.

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



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- b. The following shall be included as information which must be reported within 24 hours under this paragraph.
 - Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - ii. Any upset which exceeds any effluent limitation in the permit.
 - 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.
- 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
- 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.
- Monitoring results shall be reported to the Department no later than the 28th day of the month following the end of the reporting period.

Section C – Bypass/Upset Requirements

1. **Definitions.**

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

2. Bypass Requirements.

a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.

b. Notice.

- 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:
 - 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
 - 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:
 - 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.
- Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

Section D – Administrative Requirements

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



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

- c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class II 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.
- It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 of the Missouri Clean Water Law or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 of the Missouri Clean Water Law or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed \$10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

2. Duty to Reapply.

- a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission

- for applications to be submitted later than the expiration date of the existing permit.)
- c. A permittees with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
- 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.
- 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.

- 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;
 - Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
 - 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.
- Property Rights. This permit does not convey any property rights of any sort, or any exclusive privilege.



STANDARD CONDITIONS FOR NPDES PERMITS ISSUED BY

THE MISSOURI DEPARTMENT OF NATURAL RESOURCES MISSOURI CLEAN WATER COMMISSION REVISED AUGUST 1, 2014

- 10. Duty to Provide Information. The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.
- 11. Inspection and Entry. The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
 - 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;
 - Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - 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.

- 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 noncompliance 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.

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MISSOURI DEPARTMENT OF NATURAL NEGOTION PROGRAM

WATER PROTECTION PROGRAM

FORM A - APPLICATION FOR NONDOMESTIC PERMIT GNBER MISSOURI

OF SAM WATER LAW

JET PAY CONFIRMATION NUMBER CLEAN WATER LAW

FOR AGENCY USE ONLY

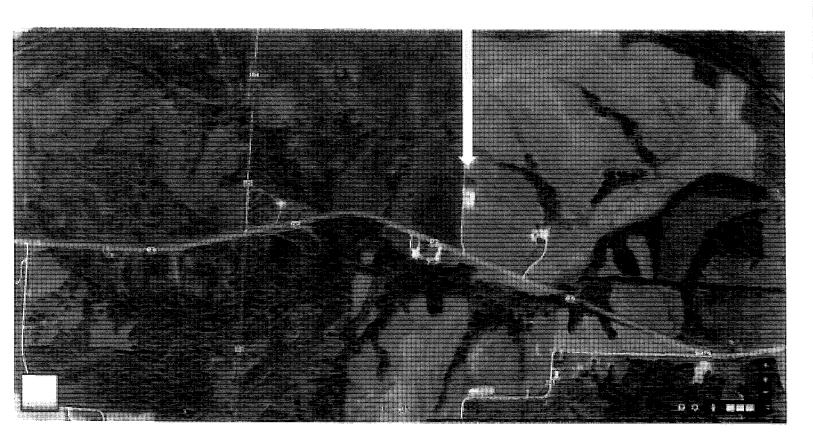
FEE SUBMITTED

		INSTRUCTIONS BEFORE COMPLETING THIS ATION MAY RESULT IN THE APPLICATION BE		RNED.	
	R FACILITY IS ELIGIBLE FOR A NO he No Exposure Certification Form (Mo	EXPOSURE EXEMPTION: o 780-2828): https://dnr.mo.gov/forms/780-2828-	<u>f.pdf</u>		
1. REAS	ON FOR APPLICATION:				
✓ a.	This facility is now in operation under application for renewal, and there is reinvoiced and there is no additional pe	Missouri State Operating Permit (permit) MO – <u>no</u> proposed increase in design wastewater flow. ermit fee required for renewal.	0132888 Annual fees	, is submi will be pa	tting an aid when
	This facility is now in operation under proposed increase in design wastewa invoiced and there is no additional pe	permit MO –, is submitting an appli ater flow. Antidegradation Review may be require ermit fee required for renewal.	cation for re d. Annual fe	newal, an es will be	d there <u>is</u> a paid when
☐ c.	This is a facility submitting an applica permit fee is required.	tion for a new permit (for a new facility). Antidegr	adation Rev	iew may l	pe required. New
☐ d.		Missouri State Operating Permit (permit) MO – _ dation Review may be required. Modification fee i		and is re	questing a
2. FACIL	LITY				
NAME Chocolate	e Soil Treatment		TELEPHO 660-784		WITH AREA CODE
ADDRESS (I		CITY	STATE		CODE
37890 E.	Hwy 240	Gilliam	Мо	65	330
3. OWNI	ER				
NAME			TELEPHO 660-784		WITH AREA CODE
EMAIL ADDI	rown Enterprises, Inc.		000-764		
	iland.net				
ADDRESS (I		CITY	STATE	1	CODE
	Hwy 240	Gilliam	Mo.	65	330
	FINUING AUTHORITY				
NAME Wayne Bi	rown		660-784		WITH AREA CODE
EMAIL ADDI			1		
	giland.net				
ADDRESS (F	mailing) Hwy 240	city Gilliam	STATE Mo.		P CODE 330
11:00 A 01:00 A 14:00	RATOR CERTIFICATION	Jimaii	10.		
NAME	ATOR CENTIFICATION	CERTIFICATE NUMBER	TELEPHO	NE NUMBER	WITH AREA CODE
Wayne Bı	rown	N/A	660-784		
ADDRESS (MAILING) 37890 E. Hwy 240		сітү Gilliam	STATE Mo		CODE 330
6. FACIL	LITY CONTACT				
NAME		TITLE	1		R WITH AREA CODE
Wayne B		President	1660-78	84-2401	
	Diland.net				
	NSTREAM LANDOWNER(S) Attach a	additional sheets as necessary.			
ADDRESS		CITY		STATE	ZIP CODE

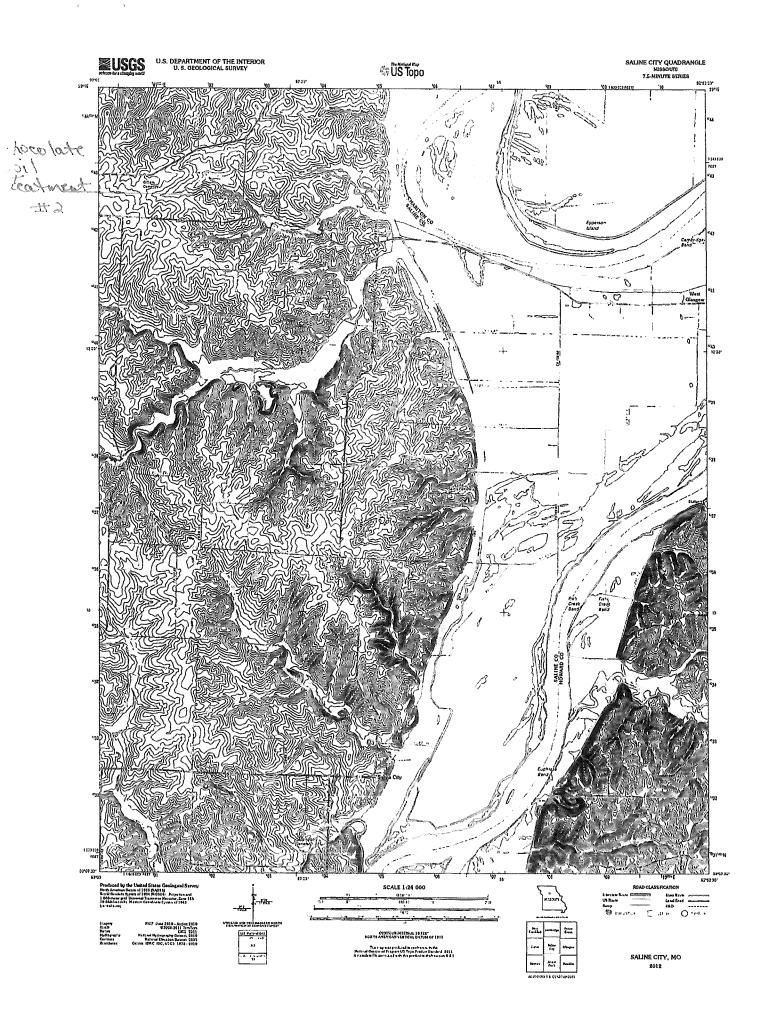
8. ADD	ITIONAL FACILITY INFORMATION						
8.1	Legal Description of Outfalls. (Attach ad For Universal Transverse Mercator (UTM), use Zo	one 15 North re	ferenced to North A	merican Datum	1983 (NAD8	3)	
	001 <u>SW ¼</u> <u>SW ¼</u> UTM Coordinates Easting (X):	Sec 2 Northin	T <u>51N</u>	R <u>19W</u>	Saline	County	
	0021/41/4	Sec	a (Y):	R		County	
	003	Sec Northin	T	R		County	
	001 SW 1/4 SW 1/4 UTM Coordinates Easting (X): 002 1/4 1/4 UTM Coordinates Easting (X): 003 1/4 1/4 UTM Coordinates Easting (X): 004 1/4 1/4 UTM Coordinates Easting (X):	Sec Northin	g (Y): T	R		County	
8.2	Primary Standard Industrial Classification (SIC	Northin	North American I	 Industrial Class	sification Sy	stem (NAICS) Code	 es.
0.2	Primary SIC 5541 and NAICS SIC and NAICS		SI	C	and NA	IC <u>S</u>	,
				I <u>C</u>	and NA	IC <u>S</u>	
9. ADD	ITIONAL FORMS AND MAPS NECESSARY			Children and a second of the s			
Α.	Is this permit for a manufacturing, commercing yes, complete Form C.	ial, mining, so	lid/hazardous wa:	ste, or silvicultu	re facility?	YES NO 🗸	
В.	Is the facility considered a "Primary Industry If yes, complete Forms C and D.	" under EPA (guidelines (40 CF	R Part 122, Ap	pendix A) :	YES NO 🗸	
C.	Is wastewater land applied? If yes, complete Form I.					YES NO 🗸	
D.	Are sludge, biosolids, ash, or residuals general fyes, complete Form R.	erated, treated	i, stored, or land	applied?		YES NO 🗸	
E.	Have you received or applied for any permit environmental regulatory authority? If yes, please include a list of all permits or			r the CWA or a	ny other	YES NO 🗸	
F.	Do you use cooling water in your operations If yes, please indicate the source of the water					YES NO 🗸	
G.	Attach a map showing all outfalls and the re	ceiving strear	n at 1" = 2,000' so	cale.			
	ECTRONIC DISCHARGE MONITORING REF	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	The transfer of the state of th				
and mo consist visit <u>htt</u>	CFR Part 127 National Pollutant Discharge Elemitoring shall be submitted by the permittee vient set of data. One of the following must be://dnr.mo.gov/env/wpp/edmr.htm to access the same acc	ia an electroni be checked in he Facility Par	ic system to ensu norder for this a ticipation Packag	re timely, comp pplication to b pe.	olete, accur oe conside	ate, and nationally red complete. Plea	ase
	u have completed and submitted with this per						
eDMR	u have previously submitted the required doc system.						
□ - Yo waivers	u have submitted a written request for a waive s.	er from electro	onic reporting. Se	ee instructions	for further i	nformation regarding	g
11. FE	ES						
Permit to acce	fees may be paid by attaching a check, or onl ss JetPay and make an online payment: <u>https</u>	ine by credit on the collection in the collectio	card or eCheck th ctorsolutions.com	rough the JetP n/magic-ui/payr	ay system. nents/mo-n	Use the URL provided atural-resources/	ded
12. CE	RTIFICATION						
with a inquiry information	under penalty of law that this document and a system designed to assure that qualified perso of the person or persons who manage the sys ation submitted is, to the best of my knowledge es for submitting false information, including the	onnel properly stem, or those e and belief, tr	gather and evalue persons directly rue, accurate, and	uate the informates responsible for dicomplete. I au conment for kno	ation subm r gathering m aware th wing violati	itted. Based on my the information, the at there are significa ons.	
Wayne	D OFFICIAL TITLE (TYPE OR PRINT) Brown, President			6	60-784-240	MBER WITH AREA CODE)1	
SIGNATU	DATE SIGNATURE 1/20/20						

MO 780-1479 (02-19)

Chocolate Soil Treatment #2









MISSOURI DEPARTMENT OF NATURAL RESOURCES WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH

FORM C – APPLICATION FOR DISCHARGE PERMIT – MANUFACTURING, COMMERCIAL, MINING, SILVICULTURE OPERATIONS, AND STORMWATER

SENERA	L INFORMATION (PLEASE SEE INSTRUCTIONS	S)						
	or Facility colate Soil Treatment							
	1 THIS FACILITY IS OPERATING UNDER MISSOURI STATE OPERATING PERMIT (MSOP) NUMBER: MO-0132888							
1.2 IS THIS	A NEW FACILITY? PROVIDE CONSTRUCTION PERMIT (CP) NUMBER	IF APPLICABLE.						
of all rav	cribe the nature of the business, in detail. Identify to y, intermediate, final products, byproducts, or waste s, loaded or transferred and any other pertinent info	e products used in the	production or manufacturing pro	cess, stored				
We	farm and clean up petroleum contaminated soil. (Gasoline & Diesel)						
FLOWS	TYPE, AND FREQUENCY							
wastewa water ba evapora	ch a line drawing showing the water flow through to the tent of the effluent, and treatment units labeled to collance on the line drawing by showing average and tion, public sewers, and outfalls. If a water balance description of the nature and amount of any source	correspond to the more d maximum flows betwo e cannot by determined	detailed descriptions in item B. een intakes, operations, treatme I (e.g., for certain mining activitie	Construct a nt units,				
process (3) the a	each outfall (1) below, provide: (2) a description of wastewater, sanitary wastewater, cooling water, so verage flow and maximum flow (put max in parent reatment received by the wastewater, and (5) the to	tormwater runoff, and a heses) contributed by	any other process or non-proces each operation and the sum of t	s wastewater, hose operations,				
. OUTFALL NO.	OPERATION(S) CONTRIBUTING FLOW; INCLUDE ALL PROCESSES AND SUB PROCESSES AT EACH OUTFALL	3. AVERAGE FLOW AND (MAXIMUM FLOW), INCLUDE UNITS.	4. TREATMENT DESCRIPTION	5. TREATMENT CODES FROM TABLE A				
	No Outfall Landfarm has a catch basin							
	Attach addit	tional pages if necessa	ary.					
		, , , , , , , , , , , , , , , , , , , ,	-					

	☐ Ye	s (complete the	following table)		No (go to s	ection 2.3)				
					OUENOV		4.	4. FLOW		
1.				3. FRE	QUENCY	A. FLOW RA	TE (in mgd)	B. TOTAL (specify w		C. DURATION
OUTFALL NUMBER		2. OPERATION(S) CON	TRIBUTING FLOW	A. DAYS PER WEEK (specify average)	B. MONTHS PER YEAR (specify average)	1. MAXIMUM DAILY	2, LONG TERM AVERAGE	4. LONG TERM DAILY	3. MAXIMUM AVERAGE	(in days)
.3 PR(TION								
		ffluent limitation (ite the part and s			d by EPA u	ınder section	1 304 of the	e Clean Water	Act apply to	your
	Yes	40 CFR	Subpart(s)	[7]	No (ao to se	ection 2.5)			
_	•							r	" \ <u>0</u> D	
s. Are t elow.	ne iin	itations in the eff	riuent guideline(s) expresse	a in terms o	ot production	or other	measure of op	eration)? De	escribe in C
	Yes	(complete C.)	☑ No	(go to sec	tion 2.5)					
		wered "yes" to B,				I moasurom	ant of your	maximum lav	ol of produc	tion
xpress	ed in	the terms and un	its used in the ap	plicable ef	fluent guide	eline and ind	icate the a	ffected outfall	s.	
. OUTFAL	.L(S) E	. QUANTITY PER DAY	C. UNITS OF MEASUR	E		D. OPERATION	N, PRODUCT, M	MATERIAL, ETC. (specify)	
4 IMPR	ROVE	MENTS		,						
u a	ipgrad affect	u required by any ling, or operation the discharges de prcement orders,	of wastewater trescribed in this a	eatment edpoint polication?	quipment or This inclu	r practices or des, but is n	r any othei ot limited t	environmenta o, permit conc	al programs litions, admi	which may nistrative
☐ Ye	es (co	mplete the follow	ing table)	V	No (go to	2.6)				
		ON OF CONDITION,	2. AFFECTED		3. BRIEF	DESCRIPTION OF	F PROJECT		4. FINAL CO	IPLIANCE DATE
Α	AGREEN	ENT, ETC.	OUTFALLS						A. REQUIRED	B. PROJECTE
	Option	al: provide below	or attach addition					programs or planned, and		

2.5 SLUDGE MANAGEMENT Describe the removal of any industrial or domestic biosolids or sludges generated at your facility. Include names and contact information for any haulers used. Note the frequency, volume, and methods (incineration, landfilling, composting, etc) used. See Form A for additional forms which may need to be completed.								
DATA COLLECTION ANI	REPORTING REQUIREN	IENTS FOR APPLICAN	TS					
3.0 EFFLUENT (AND INT	AKE) CHARACTERISTICS	(SEE INSTRUCTIONS))					
				(and intake) – annotate the outfall (intake) e intake data unless required by the				
believe is discharged of		any outfall not listed in pa	arts 3.0 A	Table B which you know or have reason to or B on Table 1. For every pollutant listed, ata in your possession.				
1. POLLUTANT	2. SOUR	CE 3. OU	TFALL(S)	4. ANALYTICAL RESULTS (INCLUDE UNITS)				

3.1 Whole Effluent Toxici	ty Testing							
A. To your knowledge, h	ave any Whole Effluent Tox		erformed	on the facility discharges (or on receiving				
•	discharge) within the last th		0					
Yes (go to 3.1 B)		no du	icha	rge				
any results of toxicity ider	3.1 B Disclose wet testing conditions, including test duration (chronic or acute), the organisms tested, and the testing results. Provide any results of toxicity identification evaluations (TIE) or toxicity reduction evaluations (TRE) if applicable. Please indicate the conclusions of the test(s) including any pollutants identified as causing toxicity and steps the facility is taking to remedy the							
3.2 CONTRACT ANALYS								
				ntract laboratory or consulting firm?				
☐ Yes (list the name,	address, telephone number	r, and pollutants analyze	d by each	n laboratory or firm.)				
A. LAB NAME	B. ADDRESS	C. TELEPHONE (area code and number)		D. POLLUTANTS ANALYZED (list or group)				

4.1 Do you have industrial stormwater discharges from the site? If so, attach a site map outlining drainage areas served by each outfall. Indicate the following attributes within each drainage area: pavement or other impervious surfaces; buildings; outdoor storage areas; material loading and unloading areas; outdoor industrial activities; structural stormwater control measures; hazardous waste treatment, storage, and disposal units; and wells or springs in the area. DULTFALL TOTAL AREA DRAINED (PROVIDE UNITS) TYPES OF SURFACES (VEGETATED, STONE, PAVED, ETC) TOTAL AREA DRAINED (PROVIDE UNITS) TYPES OF SURFACES (VEGETATED, STONE, PAVED, ETC) DESCRIBE HOW FLOW IS MEASURED

OUTFALL NUMBER	TOTAL AREA DRAINED (PROVIDE UNITS)	TYPES OF SURFACES (VEGETATED, STONE , PAVED, ETC)	BEST MANAGEMENT PRACTICES EMPLOYED; INCLUDE STRUCTURAL BMPS AND TREATMENT DESIGN FLOW FOR BMPS DESCRIBE HOW FLOW IS MEASURED
			8//0
			N/14

4.2 STORMWATER FLOWS

Provide the date of sampling with the flows, and how the flows were estimated.

SIGNATORY REQUIREMENTS

5.0 CERTIFICATION

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT)	TELEPHONE NUMBER WITH AREA CODE
Wayne Brown	660-784-2401
SIGNATURE (SEE INSTRUCTIONS) (1) JULY STOWN	DATE SIGNED 1/20/20

WBE

Wayne Brown Enterprises, Inc.

37890 E.Highway 240 ~ Gilliam, Missouri 65330
Phone 660-784-2401 ~ Fax 660-784-2400 - Cell 660-631-2475
e-mail - wayneb@iland.net
TRUCKING - SITEWORK -DEMOLITION-SOIL REMEDIATION

RECEIVED

JAN 2 7 2020

Water Protection Program

Permit#MO-0132888

There was special wording on this landfarm permit:

Surface treatment cell for remediation of soil and water contaminated with Petroleum hydrocarbons. Up to 2,000 gallons of water may be introduced Into the cell per month.

We are requesting that the renewed permit also include this wording.