

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT
UNDERGROUND INJECTION CONTROL**

In compliance with the Missouri Clean Water Law (Chapter 644 RSMo, hereinafter, the Law),

Permit No. MO-0134244

Owner: SOCIETY FOR TREATMENT OF ABANDONED AND FRACTURED FRIENDS, INC.
Address: 17282 Highway 5 N, Sunrise Beach, MO 65079

Continuing Authority: Same as above
Address: Same as above

Facility Name: S.T.A.F.F. Animal Rescue
Facility Address: 17282 Highway 5 N, Sunrise Beach, MO 65079

Legal Description: Sec. 34, T40N, R17W, Camden County
UTM Coordinates: X = 517017, Y = 4226471

Receiving Stream: Groundwater
First Classified Stream and ID: 100K Extent-Remaining Streams (C) (3960) (losing)
USGS Basin & Sub-watershed No.: Lake of the Ozarks; 10290109-0406

In compliance with the Safe Drinking Water Act and authorized by 40 CFR 147 Subpart AA, this permit authorizes only underground injection activities; it does not apply to other regulated areas.

FACILITY DESCRIPTION

Industrial animal shelter waste comingled with domestic sewage; SIC # 0742; NAICS # 541940.

Permitted Feature #001:

Sludge is pumped and hauled by a contract hauler. This facility does not require a certified wastewater operator per 10 CSR 20-9.030 as this facility is privately owned. No-discharge system - wastewater is treated by a septic tank, bio-tube pump vault, recirculating sand filter, followed by low-pressure pipe lateral fields for subsurface dispersal.

Design Flow: 1,300 gpd

March 1, 2023
Effective Date

February 29, 2028
Expiration Date

Chris Wieberg, Director, Water Protection Program

A. STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Part I and Part III standard conditions dated August 1, 2014 and August 1, 2019, respectively, hereby incorporated as though fully set forth herein.

B. UNDERGROUND INJECTION CONTROL

1. All Class V wells must be registered with Wellhead Protection in accordance with 40 CFR 144.26, and shall comply with the reporting requirements of 40 CFR 144.26. The facility 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 (including closure).
2. All subsurface dischargers must comply with 40 CFR 144.82, which prohibits the movement of fluids containing any contaminant into underground sources of drinking water (USDWs) during the construction, maintenance, conversion, and plugging or closure of injection wells.
3. Subsurface Wastewater Dispersal System(s) under this permit are deemed Class V well(s). All wells; an inventory form shall be submitted to the Department of Natural Resources' Missouri Geological Survey. Only one submittal is required for the life of the Class V well.
4. The facility shall maintain all service and maintenance records for a period of at least five years. These records shall be made available to Department personnel upon request.
5. The facility shall develop, maintain, and implement an Operation and Maintenance (O&M) manual.
 - (a) The manual must include all necessary items to ensure the operation and integrity of the waste handling system.
 - (b) The O&M manual must include key operating procedures, an aerial or topographic site map with the feature outlined, and a brief summary of the operation of the facility.
 - (c) The O&M manual shall be made available to the operator.
 - (d) The O&M manual shall be reviewed and updated at least every five years or when changes have occurred, and be made available to Department personnel upon request.
 - (e) The O&M manual may be maintained electronically.
6. For subsurface systems, vegetation such as grasses or other non-food crops must be grown over the system.
 - (a) The only equipment allowed on the area with the subsurface system is equipment used to maintain the vegetation.
 - (b) Barriers may be required to protect the soil treatment area of the subsurface system.
 - (c) No livestock shall be allowed to use the area where the subsurface system is installed.
7. Subsurface Distribution System Site Restrictions (10 CSR 20-8.200(7))
 - (a) Subsurface land application shall not occur within 100 feet of any well, sinkhole, or losing stream.
 - (b) All systems shall not allow effluent to surface, reach waters of the state, effect a stream, or effect any nearby buildings or dwellings.
 - (c) Subsurface distribution area(s) access must be controlled to prevent damage from traffic, heavy vehicles, livestock, construction, or digging.
 - (d) Subsurface distribution areas shall have adequate surface drainage and maintain vegetation (if appropriate).
 - (e) Systems shall be placed at or greater than 10 feet from the property line.
8. Subsurface dispersion is authorized during snow covered conditions, but subsurface systems shall not operate when soil is frozen at the depth of dispersion. Permittee must keep an operations and maintenance log which describes any instances of incorrect operation and steps taken to remedy the deficiencies in dispersion to be submitted at the permit writer's request.
9. The facility shall exclude large vehicles, heavy traffic, or other surficial activities which may harm or render the system ineffective at wastewater dispersal.

C. SPECIAL CONDITIONS

1. All permitted features must be clearly marked in the field. Non-lateral field components of the system must be clearly marked.
2. Failure to pay fees associated with this permit is a violation of the Missouri Clean Water Law (644.055 RSMo).
3. This permit does not cover land disturbance activities.

4. This permit does not apply to fertilizer products receiving a current exemption under the Missouri Clean Water Law and regulations in 10 CSR 20-6.015(3)(B)8, and are land applied in accordance with the exemption.
5. This permit does not allow stream channel or wetland alterations unless approved by Clean Water Act §404 permitting authorities.
6. This permit does not authorize in-stream treatment, 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.
7. This permit does not authorize the facility to accept, treat, or discharge wastewater from other sources. If the facility would like to accept, treat, or discharge wastewater from another activity or facility, the permit must be modified to include external wastewater pollutant sources in the permit.
8. This facility is not authorized to discharge wastewater.
9. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit.

D. NOTICE OF RIGHT TO APPEAL

If you were adversely affected by this decision, you may be entitled to pursue an appeal before the administrative hearing commission (AHC) pursuant to 621.250 and 644.051.6 RSMo. To appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Any appeal shall 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-0134244
S.T.A.F.F. ANIMAL RESCUE

The Federal Water Pollution Control Act (Clean Water Act (CWA) §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 (§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 644 RSMo as amended). MSOPs may also cover underground injection, non-discharging facilities, and land application facilities. Permits 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 applicable regulations, rationale for the development of limitations and conditions, and the public participation process for the Missouri State Operating Permit (MSOP or permit) listed below. A factsheet is not an enforceable part of a permit.

PART I. FACILITY INFORMATION

Facility Type: Industrial: Non-categorical, <1 MGD
SIC Code(s): #0742
NAICS Code(s): #541940
Application Date: 06/28/2022
Modification Date: 03/01/2019
Expiration Date: 09/30/2021
Last Inspection: 01/13/2021; In compliance

FACILITY DESCRIPTION

Industrial animal shelter waste comingled with domestic sewage; Sludge is pumped and hauled by a contract hauler. This facility does not require a certified wastewater operator per 10 CSR 20-9.030 as this facility is privately owned. No-discharge system - wastewater is treated by a septic tank, bio-tube pump vault, recirculating sand filter, followed by low-pressure pipe lateral fields for subsurface dispersal.

Items listed in the facility (or outfall) description, applicable to the operation, maintenance, control, and resultant effluent quality are required to be enumerated in the facility description. The facility description ensures the facility continues to operate the wastewater (or stormwater) controls listed in the permit to preserve and maintain the effluent quality pursuant to 40 CFR 122.21(e). Any planned changes to the facility (which changes the facility or outfall description) are required to be reported to the Department pursuant to 40 CFR 122.41(l)(1)(ii). If the facility does not or cannot use all of their disclosed treatment devices, this is considered bypassing pursuant to 40 CFR 122.41(m) in the case of wastewater, and BMP disruption in the case of stormwater.

PERMITTED FEATURES TABLE

| PERMITTED FEATURE | DESIGN FLOW | TREATMENT LEVEL | EFFLUENT TYPE |
|----------------------|-------------|-----------------|--|
| #001 | 0.0013 MGD | Secondary | Domestic with comingled industrial waste |

FACILITY MAP



FACILITY PERFORMANCE HISTORY & COMMENTS

The facility is not required to submit electronic discharge monitoring reports as this is a subsurface system with no pollutants outside of what is typically found in a domestic system, albeit at higher concentrations. The facility was in compliance at its most recent inspection.

CONTINUING AUTHORITY

Pursuant to 10 CSR 20-6.010(2)(A) and (E), the Department has received the appropriate continuing authority authorized signature from the facility. The Missouri Secretary of State continuing authority charter number for this facility is N00041032; this number was verified to be associated with the facility and precisely matches the continuing authority reported by the facility via e-mail on November 28, 2022. The charter number is perpetual.

Pursuant to 10 CSR 20-6.010(2)(B)4, this facility is a Level 4 Authority.

- ✓ There are no higher preference authorities within a 3 mile radius of the facility. The nearest city, the City of Sunrise Beach, does not have a regionalized collection system for connection. As such, 10 CSR 20-6.010(2)(C) does not apply, as there is no available higher level authority.

OTHER ENVIRONMENTAL PERMITS

In accordance with 40 CFR 122.21(f)(6), the facility reported no other permits.

PART II. NEAREST WATERBODY INFORMATION**NEAREST WATERBODY TABLE:**

| OUTFALL | WATERBODY NAME | CLASS | WBID | DESIGNATED USES | DISTANCE TO SEGMENT | 12-DIGIT HUC |
|---------|-------------------------------|-------|------|--------------------------------------|---------------------|---------------|
| #001 | 100K Extent-Remaining Streams | C | 3960 | ALP (WWH), WBC-B, SCR, HHP, IRR, LWW | 0.0 mi | 10290109-0406 |

Classes are representations of hydrologic flow volume or lake basin size 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: wetlands. 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 Number: Missouri Use Designation Dataset per 10 CSR 20-7.031(1)(Q) and (S) as 100K Extent-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.

HUC: Hydrologic Unit Code <https://water.usgs.gov/GIS/huc.html>

Designated Uses:

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-B3 for all habitat designations unless otherwise specified.

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

WBC is 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 included 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, includes aquifers per 10 CSR 20-7.031(6)(A);

LWW – Livestock and Wildlife Watering (current narrative use is defined as LWP = Livestock and Wildlife Protection), includes aquifers per 10 CSR 20-7.031(6)(A);

DWS – Drinking Water Supply, includes aquifers per 10 CSR 20-7.031(6)(A);

IND – industrial water supply

10 CSR 20-7.031(1)(C)8 to 11: Wetlands (10 CSR 20-7.031 Tables A1-B3) do 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 20-7.015(7) and 10 CSR 20-7.031(6): **GRW** = Groundwater

Other Applicable Criteria:

10 CSR 20-7.031(4): **GEN** –; GEN may be assigned on a case by case basis if the NHD line is determined to be a water requiring protection by the Watershed Protection Section.

10 CSR 20-7.031(5)(N)6: **NNC** – lake numeric nutrient criteria apply

Water Quality Standards Search https://apps5.mo.gov/mocwis_public/waterQualityStandardsSearch.do

WATERS OF THE STATE DESIGNATIONS

Waters of the state are divided into seven categories per 10 CSR 20-7.015(1)(B)1 through 7. The applicable water of the state category is listed below. Missouri's technology-based effluent regulations are found in [10 CSR 20-7.015] and are implemented in 10 CSR 20-7.015(2) through (8). When implementing technology regulations, considerations are made for the facility type, discharge type, and category of waters of the state. Stormwater discharges and land application sites are not subject to limitations found in 10 CSR 20-7.015. Effluent limitation derivations are discussed in PART IV: EFFLUENTS LIMITS DETERMINATIONS.

- ✓ All other waters; identified at 10 CSR 20-7.015(1)(B)7 and 10 CSR 20-7.015(8)

EXISTING WATER QUALITY & IMPAIRMENTS

The receiving waterbody(s) segment(s), upstream, and downstream confluence water quality was reviewed. No relevant water quality data was available. The USGS <https://waterdata.usgs.gov/nwis/sw> or the Department's quality data database was reviewed.

https://apps5.mo.gov/mocwis_public/wqa/waterbodySearch.do and <https://apps5.mo.gov/wqa/> The Department's quality data database was reviewed. https://apps5.mo.gov/mocwis_public/wqa/waterbodySearch.do and <https://apps5.mo.gov/wqa/> Impaired waterbodies which may be impacted by discharges from this facility were determined. Impairments include waterbodies on the 305(b) or 303(d) list and those waterbodies or watersheds under a TMDL. <https://dnr.mo.gov/water/what-were-doing/water-planning/quality-standards-impaired-waters-total-maximum-daily-loads/tmdls> 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.

<https://dnr.mo.gov/water/what-were-doing/water-planning/quality-standards-impaired-waters-total-maximum-daily-loads/impaired-waters> 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. 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 for that watershed may be developed. The TMDL shall include the WLA calculation.

- ✓ There are no upstream or downstream impairments near this facility.

PART III. RATIONALE AND DERIVATION OF PERMIT CONDITIONS

ANTIBACKSLIDING

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

- ✓ All limits in this operating permit are at least as protective as those previously established; therefore, backsliding does not apply. On special condition related to adherence to federal and state water quality standards was removed; however, this facility is a no-discharge facility and all discharges are considered a violation, and as such this special condition was inapplicable to this facility.

ANTIDEGRADATION REVIEW

Wastewater 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. The facility must pay for the Department to complete the review. 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 <https://dnr.mo.gov/document-search/antidegradation-implementation-procedure> Per [10 CSR 20-7.015(4)(A)], new discharges to losing streams shall be permitted only after other alternatives including land application, discharges to a gaining stream, or 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 has not submitted information proposing expanded or altered process water discharge; no further degradation proposed therefore no further review necessary.

BEST MANAGEMENT PRACTICES

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

CLOSURE

To properly decontaminate and close a wastewater basin, the facility must draft a complete closure plan, and include the Closure Request Form #2512 <https://dnr.mo.gov/document-search/facility-closure-request-form-mo-780-2512> The publication, Wastewater Treatment Plant Closure - PUB2568 found at <https://dnr.mo.gov/print/document-search/pub2568> may be helpful to develop the closure plan. The regional office will then approve the closure plan, and provide authorization to begin the work. The regional office contact information can be found here: <https://dnr.mo.gov/about-us/division-environmental-quality/regional-office>

COST ANALYSIS FOR COMPLIANCE (CAFCom)

Pursuant to 644.145 RSMo, when incorporating a new requirement for discharges from publicly owned facilities, or when enforcing provisions of this chapter or the CWA, pertaining to any portion of a publicly owned facility, the Department shall make a finding of affordability on the costs to be incurred and the impact of any rate changes on ratepayers upon which to base such permits and decisions, to the extent allowable under this chapter and the CWA. This process is completed through a CAFCom. Permits not including new requirements may be deemed affordable.

✓ The Department is not required to complete a cost analysis for compliance because the facility is not publicly owned.

CHANGES IN DISCHARGES OF TOXIC POLLUTANT

This special condition reiterates the federal rules found in 40 CFR 122.44(f) for technology treatments and 122.42(a)(1) for all other toxic substances. 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 listed in 40 CFR 401.15 and any other toxic parameter the Department determines is applicable for reporting under these rules in the permit. The facility must also consider any other toxic pollutant in the discharge as reportable under this condition and must report all increases to the Department as soon as discovered in the effluent. The Department may open the permit to implement any required effluent limits pursuant to CWA §402(k) where sufficient data was not supplied within the application but was supplied at a later date by either the facility or other resource determined to be representative of the discharge, such as sampling by Department personnel.

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 facility is not currently under Water Protection Program enforcement action.

DISCHARGE MONITORING REPORTING – ELECTRONIC (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 requiring electronic data reporting. To comply with the federal rule, the Department is requiring all facilities to submit discharge monitoring data and reports online. To review historical data, the Department's database has a publically facing search engine, available at https://apps5.mo.gov/mocwis_public/dmrDisclaimer.do

Registration and other information regarding MoGEM can be found at <https://dnr.mo.gov/mogem>. Information about the eDMR system can be found at <https://dnr.mo.gov/env/wpp/edmr.htm>. The first user shall register as an Organization Official and the association to the facility must be approved by the Department. To access the eDMR system, use: <https://apps5.mo.gov/mogems/welcome.action> For assistance using the eDMR system, contact edmr@dnr.mo.gov or call 855-789-3889 or 573-526-2082. To assist the facility in entering data into the eDMR system, the permit describes limit sets designators in each table in Part A of the permit. Facility personnel will use these identifiers to ensure data entry is being completed appropriately. For example, M for monthly, Q for quarterly, A for annual, and others as identified.

Per 40 CFR 127.15 and 127.24, permitted facilities may request a temporary waiver for up to 5 years or a permanent waiver from electronic reporting from the Department. To obtain an electronic reporting waiver, a facility must first submit an eDMR Waiver Request form available on the Department's web page. A request must be made for each operating permit. An approved waiver is not transferable. The Department must review and notify the facility within 120 calendar days of receipt if the waiver request has been approved or rejected [40 CFR 124.27(a)]. During the Department review period as well as after a waiver is granted, the facility must continue submitting a hard-copy of any reports required by their permit. The Department will enter data submitted in hard-copy from those facilities allowed to do so, and electronically submit the data to the EPA on behalf of the facility.

✓ This facility is not required to submit DMRs and therefore is not required to utilize the eDMR system.

DOMESTIC WASTEWATER, SLUDGE, AND BIOSOLIDS

Domestic wastewater is defined as wastewater originating primarily from the sanitary conveyances of bathrooms and kitchens. Domestic wastewater excludes stormwater, wash water, animal waste, process and ancillary wastewater.

✓ Applicable; this facility does not fall under the jurisdiction of the Health Department and discharges domestic wastewater subsurface; see Underground Injection Control (UIC) requirements below and in the permit.

This facility discharges domestic wastewater subsurface with flows greater than 3,000 gallons per day as calculated in accordance with 19 CSR 20-3.060(1)(E) and tables 2A and 2B. The domestic wastewater system is jurisdiction of the Missouri Department of Natural Resources. This permit also authorizes industrial wastewater for introduction into the sub-surface system.

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

- ✓ Not applicable, the facility holds all domestic sludge in a tank until a third party removes it. This also applies to facilities using chemical toilets.

EFFLUENT LIMITATIONS

Two general types of effluent limitations, technology-based effluent limits (TBELs) and water quality based effluent limits (WQBELs) are reviewed. Permits are required to establish the most stringent or most protective limit. If the TBEL or WQBEL does not provide adequate protection for the receiving water, then the other must be used per 10 CSR 20-7.015(9)(A) or 40 CFR 122.44(b)(1). See WASTELOAD ALLOCATION below which describes how WQBEL wasteload allowances are established under the permit. Effluent limitations derived and established for this permit are based on current operations of the facility. Any flow through the outfall is considered a discharge and must be sampled and reported as provided in the permit. Daily maximums and monthly averages are required per 40 CFR 122.45(d)(1) for continuous discharges (not from a POTW).

EMERGENCY DISCHARGE

For non-discharging permits, some permits may allow a small amount of wastewater discharge under very specific circumstances.

- ✓ Not applicable; this permit does not contain conditions allowing emergency discharges.

FEDERAL EFFLUENT LIMITATION GUIDELINES

Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-N> 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. Effluent guidelines are not always established for every pollutant present in a point source discharge. In many instances, EPA promulgates effluent guidelines for an indicator pollutant. Industrial facilities complying with the effluent guidelines for the indicator pollutant will also control other pollutants (e.g. pollutants with a similar chemical structure). For example, EPA may choose to regulate only one of several metals present in the effluent from an industrial category, and compliance with the effluent guidelines will ensure similar metals present in the discharge are adequately controlled. All are technology based limitations which must be met by the applicable facility at all times. If Reasonable Potential is established for any particular parameter, and water-quality based effluent limits are more protective of the receiving water's quality, the WQBEL will be used as the limiting factor in accordance with 40 CFR 122.44(d) and 10 CSR 20-7.015(9)(A).

- ✓ The facility does not have an associated ELG.

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, permit decisions were made by completing 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). See Part III REASONABLE POTENTIAL for more information. In instances where reasonable potential exists, the permit includes limitations to address the reasonable potential. In discharges where reasonable potential does not exist, the permit may include monitoring to later determine the discharge's potential to impact the narrative criteria. Additionally, 644.076.1 RSMo, as well as Part I §D – Administrative Requirements of Standard Conditions included in this permit state it shall be unlawful for any person to cause or allow any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of §§644.006 to 644.141 of the Missouri Clean Water Law or any standard, rule, or regulation promulgated by the commission. See Part IV for specific determinations.

GOOD HOUSEKEEPING PRACTICES

Good housekeeping is a practical, cost-effective way to maintain a clean and orderly facility to prevent potential pollution sources from coming into contact with stormwater. It includes establishing protocols to reduce the possibility of mishandling materials or equipment and employee training. Common areas where good housekeeping practices should be followed include trash containers and adjacent areas, material storage areas, vehicle and equipment maintenance areas, and loading docks. Good housekeeping practices must include a schedule for regular pickup and disposal of garbage and waste materials and routine inspections of drums, tanks, and containers for leaks and structural conditions. Practices also include containing and covering garbage, waste materials, and debris. Involving employees in routine monitoring of housekeeping practices is an effective means of ensuring the continued implementation of these measures.

Specific good housekeeping may include:

- ◆ Spill and overflow protection under chemical or fuel connectors to contain spillage at liquid storage tanks
- ◆ Load covers on residue hauling vehicles and ensure gates on trucks are sealed and the truck body is in good condition
- ◆ Containment curbs around loading/unloading areas or tanks
- ◆ Techniques to reduce solids residue which may be tracked on to access roads traveled by residue trucks or residue handling vehicles.
- ◆ Techniques to reduce solid residue on exit roads leading into and out of residue handling areas

Industrial facilities may conduct activities that use, store, manufacture, transfer, and/or dispose of PFAS containing materials. Successful good housekeeping practices to minimize PFAS exposure to stormwater could include inventorying the location, quantity, and method of storage; using properly designed storage and transfer techniques; providing secondary containment around chemical storage areas; and using proper techniques for cleaning or replacement of production systems or equipment.

Where feasible, minimizing exposure of potential pollutant sources to precipitation is an important control option. Minimizing exposure prevents pollutants, including debris, from coming into contact with precipitation and can reduce the need for BMPs to treat contaminated stormwater runoff. It can also prevent debris from being picked up by stormwater and carried into drains and surface waters. Examples of BMPs for exposure minimization include covering materials or activities with temporary structures (e.g., tarps) when wet weather is expected or moving materials or activities to existing or new permanent structures (e.g., buildings, silos, sheds). Even the simple practice of keeping a dumpster lid closed can be a very effective pollution prevention measure. Another example could include locating PFAS-containing materials and residues away from drainage pathways and surface waters. For erosion and sediment control, BMPs must be selected and implemented to limit erosion on areas of your site that, due to topography, activities, soils, cover, materials, or other factors, are likely to experience erosion. Erosion control BMPs such as seeding, mulching, and sodding prevent soil from becoming dislodged and should be considered first. Sediment control BMPs such as silt fences, sediment ponds, and stabilized entrances trap sediment after it has eroded. Sediment control BMPs should be used to back-up erosion control BMPs.

The SWPPP (if required for this facility) must contain a narrative evaluation of the appropriateness of stormwater management practices that divert, infiltrate, reuse, or otherwise manage stormwater runoff so as to reduce the discharge of pollutants. Appropriate measures are highly site-specific, but may include, among others, vegetative swales, collection and reuse of stormwater, inlet controls, snow management, infiltration devices, and wet retention measures. A combination of preventive and treatment BMPs will yield the most effective stormwater management for minimizing the offsite discharge of pollutants via stormwater runoff. BMPs schedules must also address preventive maintenance records or logbooks, regular facility inspections, spill prevention and response, and employee training.

GROUNDWATER MONITORING

Groundwater is a water of the state according to 644.016(27) RSMo, 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.

LAND APPLICATION

Land application, or surficial dispersion of wastewater and/or sludge, is performed by facilities as an alternative to discharging. Authority to regulate these activities is pursuant to 644.026 RSMo. The Department implements requirements for these types of operations pursuant to 10 CSR 20-6.015(4)(A)1 which instructs the Department to develop permit conditions containing limitations, monitoring, reporting, and other requirements to protect soils, crops, surface waters, groundwater, public health, and the environment.

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

LAND DISTURBANCE

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

- ✓ Not applicable; this permit does not provide coverage for land disturbance activities. The facility may obtain a separate land disturbance permit (MORA) online at <https://dnr.mo.gov/water/business-industry-other-entities/permits-certification-engineering-fees/stormwater/construction-land-disturbance> MORA permits do not cover disturbance of contaminated soils, however, site specific permits such as this one can be modified to include appropriate controls for land disturbance of contaminated soils by adding site-specific BMP requirements and additional outfalls.

MAJOR WATER USER

Any surface or groundwater user with a water source and the equipment necessary to withdraw or divert 100,000 gallons (or 70 gallons per minute) or more per day combined from all sources from any stream, river, lake, well, spring, or other water source is considered a major water user in Missouri. <https://dnr.mo.gov/water/business-industry-other-entities/reporting/major-water-users>

All major water users are required by law to register water use annually (Missouri Revised Statutes Chapter 256.400 Geology, Water Resources and Geodetic Survey Section). <https://dnr.mo.gov/document-search/frequently-asked-major-water-user-questions-pub2236/pub2236>

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

METALS

Effluent limitations for total recoverable metals were developed using methods and procedures outlined in the *Technical Support Document For Water Quality-based Toxic Controls* (EPA/505/2-90-001) and *The Metals Translator: Guidance For Calculating a Total Recoverable Permit Limit From a Dissolved Criterion* (EPA 823-B-96-007). "Aquatic Life Protection" in 10 CSR 20-7.031 Tables A1 and A2, as well as general criteria protections in 10 CSR 20-7.031(4) apply to this discharge. The hardness value used for hardness-dependent metals calculations is typically based on the ecoregion's 50th percentile (also known as the median) per 10 CSR 20-7.015(1)(CC), and is reported in the calculations below, unless site specific data was provided. Per a memorandum dated August 6, 2019, the Director has determined limit derivation must use the median of the Level III Ecoregion to calculate permit limits, or site specific data if applicable. Additional use criterion (HHP, DWS, GRW, IRR, or LWW) may also be used, as applicable, to determine the most protective effluent limit for the receiving waterbody's class and uses. HHP, DWS, GRW, IRR, or LWW do not take hardness into account.

MODIFICATION REQUESTS

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

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

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

This permit allows discharge to waters of the state. The discharges this permit allows may flow into and through the city's stormwater collection system. Regulated MS4s are managed by public entities, cities, municipalities, or counties. Phase I MS4s are Kansas City, Independence, and Springfield. Phase II MS4s are determined by population or location in an urbanized area. Regulated MS4s are required to develop and maintain a stormwater management program. These programs have requirements for developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system. Phase I MS4s also maintain oversight programs for industrial and high risk runoff. Regulated MS4s may keep a list of all of the other regulated dischargers (wastewater and stormwater) flowing through their system. If this facility discharges into a separate storm sewer system, the facility must make contact with the owner/operator of that system to coordinate with them. Regulated MS4 operators may request to inspect facilities discharging into their system; a list of regulated MS4s can be viewed at <https://dnr.mo.gov/document-search/missouris-regulated-municipal-separate-storm-sewer-systems-ms4s> or search by permit ID: MOR04 at https://apps5.mo.gov/mocwis_public/permitSearch.do to determine if this facility needs to contact a local stormwater authority.

NUTRIENT MONITORING

Nutrient monitoring is required for facilities characteristically or expected to discharge nutrients (nitrogenous compounds and/or phosphorus) when the design flow is equal to or greater than 0.1 MGD per 10 CSR 20-7.015(9)(D)8. This requirement is applicable to all Missouri waterways.

✓ This is a no-discharge permit therefore not subject to provisions found in 10 CSR 20-7.015(2)-(9) per 10 CSR 20-7.015(1)(C).

Water quality standards per 10 CSR 20-7.031(5)(N) describe nutrient criteria requirements assigned to lakes (which include reservoirs) in Missouri, equal to or greater than 10 acres during normal pool conditions. The Department's Nutrient Criteria Implementation Plan (NCIP) may be reviewed at: <https://dnr.mo.gov/document-search/nutrient-criteria-implementation-plan-july-27-2018> Discharges of wastewater in to lakes or lake watersheds designated as L1 (drinking water use) are prohibited per 10 CSR 20-7.015(3)(C).

✓ This is a no-discharge permit therefore not subject to provisions found in 10 CSR 20-7.015 per 10 CSR 20-7.015(1)(C).

OIL/WATER SEPARATOR SYSTEMS AND USED OIL

Oil water separator (OWS) systems are frequently found at industrial sites where process water, wastewater, or stormwater may contain oils, petroleum, greases, oily wastewaters, or other immiscible liquids requiring separation. Food industry discharges typically require treatment prior to discharge to publically owned treatment works. Per 10 CSR 26-2.010(2)(B), all oil water separators classified as underground storage tanks (UST) which meet the volume requirements, must be operated according to manufacturer's specifications. OWS which are USTs may be authorized in NPDES permits per 10 CSR 26-2.010(2)(B) or otherwise will be regulated as a underground petroleum storage tank under tank rules. A facility may operate an OWS which is not considered a UST for the wastewater or stormwater at any facility without specific NPDES permit authorization. Alternatively, a facility is not required to cover a UST OWS under the NPDES permit if they desire to obtain alternative regulatory compliance. OWS treating animal, vegetable, or food grade oils are not required to be authorized under 10 CSR 20-26-2.020(2)(B). All best management practices for all OWS systems must be adhered. In 2017, field-poured concrete tanks, previously exempted from the tanks rules, lost their exempt status. Facilities must re-evaluate these concrete structures pursuant to these now relevant rules. Adjacent USTs are not covered by these regulations.

Any and all water treatment systems designed to remove floating immiscible oils are termed oil water separators. If a device is intended to capture oil and separate it from water which is to be discharged, this generally qualifies that oil as used oil (if it is petroleum-based in nature). Used oil and oily sludge must be disposed of in accordance with 10 CSR 25-11.279. Pursuant to 40 CFR 279.20(b)(2)(ii)(B), separating used petroleum-based oil from wastewater generated on-site (to make the wastewater acceptable for discharge or reuse pursuant to Federal or state regulations governing the management or discharge of wastewaters) are considered used oil generators and not processors under self-implementing 40 CFR 279 Standards For The Management Of Used Oil. Oily wastes generated by OWS are also generally subject to Spill Prevention, Control, and Countermeasure (SPCC) regulations.

OPERATOR CERTIFICATION REQUIREMENTS

Operators or supervisors of operations at regulated domestic wastewater treatment facilities shall be certified in accordance with 10 CSR 20-9 and any other applicable state law or regulation.

- ✓ Not applicable; this facility is not required to have a certified operator. This permit does not cover domestic wastewater or the domestic wastewater population equivalent (PE) is less than two hundred (200) individuals. Additionally, this facility is not owned or operated by a municipality, public sewer district, county, public water supply district, or private sewer company regulated by the Public Service Commission, or operated by a state or federal agency. Private entities are exempted from the population equivalent requirement unless the Department has reason to believe a certified operator is necessary.

PERMIT SHIELD

The permit shield provision of the Clean Water Act (Section 402(k)) and Missouri Clean Water Law (644.051.16 RSMo) provides that when a permit holder is in compliance with its NPDES permit or MSOP, it is effectively in compliance with certain sections of the Clean Water Act, and equivalent sections of the Missouri Clean Water Law. In general, the permit shield is a legal defense against certain enforcement actions, but is only available when the facility is in compliance with its permit and satisfies other specific conditions, including having completely disclosed all discharges and all facility processes and activities to the Department at time of application. It is the facility's responsibility to ensure that all potential pollutants, waste streams, discharges, and activities, as well as wastewater land application, storage, and treatment areas, are all fully disclosed to the Department at the time of application or during the draft permit review process. Previous permit applications are not necessarily evaluated or considered during permit renewal actions. All relevant disclosures must be provided with each permit application, including renewal applications, even when the same information was previously disclosed in a past permit application. Subsequent requests for authorization to discharge additional pollutants, expanded or newly disclosed flows, or for authorization for previously unpermitted and undisclosed activities or discharges, will likely require an official permit modification, including another public participation process.

PRETREATMENT

This permit does not regulate pretreatment requirements for facilities discharging to an accepting permitted wastewater treatment facility. If applicable, the receiving entity (the publicly 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 644.016 RSMo are limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities.

- ✓ Not applicable, this facility does not discharge industrial wastewater to a POTW. Domestic wastewater is not subject to pretreatment requirements.

REASONABLE POTENTIAL (RP)

Regulations per 10 CSR 20-7.015(9)(A)2 and 40 CFR 122.44(d)(1)(i) require 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 allowance in zones of initial dilution, and chronic toxicity criteria may be exceeded by permit allowance in mixing zones. A reasonable potential analysis (RPA) is a numeric RP decision calculated using effluent data provided by the facility for parameters that have a numeric Water Quality Standard (WQS).

If any given pollutant has the reasonable potential to cause or contribute to an in-stream excursion above the WQS, the permit must contain a WQBEL 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). The RPA is performed using the *Technical Support Document for Water Quality Based Toxics Control (TSD)* methods (EPA/505/2-90-001) for continuous discharges. See additional considerations under Part II WATERBODY MIXING CONSIDERATIONS and Part III WASTELOAD ALLOCATIONS. Wasteload allocations are determined utilizing the same equations and statistical methodology. Absent sufficient effluent data, WQBELs are derived without consideration of effluent variability and is assumed to be present unless found to be absent to meet the requirements of antidegradation review found in 10 CSR 20-7.031(3) and reporting of toxic substances pursuant to 40 CFR 122.44(f). The Department's permit writer's manual (<https://dnr.mo.gov/water/business-industry-other-entities/technical-assistance-guidance/wastewater-permit-writers-manual>), the EPA's permit writer's manual (<https://www.epa.gov/npdes/npdes-permit-writers-manual>), program policies, and best professional judgment guide each decision. Each parameter in each outfall is carefully considered; and all applicable information regarding: technology based effluent limitations, effluent limitation guidelines, water quality standards, inspection reports, stream water quality information, stream flows, uses assigned to each waterbody, and all applicable site specific information and data gathered by the facility through discharge monitoring reports and renewal (or new) application sampling.

Reasonable potential determinations (RPD) are based on physical conditions of the site as provided in Sections 3.1.2, 3.1.3, and 3.2 of the TSD using best professional judgement. An RPD consists of evaluating visual observations for compliance with narrative criteria, non-numeric information, or small amounts of numerical data (such as 1 data point supplied in the application). Narrative criteria with RP typically translate to a numeric WQS, so a parameter's establishment being based on narrative criteria does not necessarily make the decision an RPD vs RP—how the data is collected does, however. For example, a facility with orange discharge can have RP for narrative criteria like color, but a numeric iron limit is established to account for the violation of narrative criteria based on effluent data submitted by the facility. When insufficient data is received to make a determination on RP based on numeric effluent data, the RPD decisions are based on best professional judgment considering the type of effluent discharged, the current operational controls in place, and historical overall management of the site. In the case of iron causing excursions of narrative criteria for color, if a facility has not had iron monitoring in a previous permit, adding iron monitoring would be an RPD, since numeric data isn't being used in the determination, but observable, site-specific conditions are.

When the facility is performing surficial or subsurface land application, the volume of water, frequency of application, type of vegetation, soil type, land slopes, and general overall operating conditions are considered. 10 CSR 20-8 are regulations for the minimum operating conditions for land application; these regulations cannot be excused even if there is no RP. RP is reserved for discharging outfalls given that these outfalls are the only ones which water quality standards apply to, but the process is similar as the site conditions are compared to regulations, soil sampling, pollutant profile, and other site specific conditions. In the case of non-discharging outfalls, an RPD is instead used to determine monitoring requirements.

The TSD RPA method cannot be performed on stormwater as the flow is intermittent and highly variable. A stormwater RPD consists of reviewing application data and discharge monitoring data and comparing those data to narrative or numeric water quality criteria. For stormwater outfalls, considerations are required per 10 CSR 20-6.200(6)(B)2: A. application and other information supplied by the facility; B. effluent guidelines; C. best professional judgment; D. water quality; and E. BMPs.

RPDs are also performed for WET testing in wastewater. While no WET regulations specific to industrial wastewater exist, 40 CFR 122.21(j)(5) implies the following can be considered: 1) the variability of the pollutants; 2) the ratio of wastewater flow to receiving stream flow; and 3) current technology employed to remove toxic pollutants. Generally, sufficient data does not exist to mathematically determine RPA for WET, but instead compares the data for other toxic parameters in the wastewater with the necessity to implement WET testing with either monitoring or limits. When toxic parameters exhibit RP, WET testing is generally included in the permit as an RPD. However, if all toxic parameters are controlled via limitations or have exhibited no toxicity in the past, then WET testing may be waived. Only in instances where the wastewater is well characterized can WET testing be waived.

WET testing is typically not implemented for stormwater. Stormwater discharges do not adhere to the same principles of wastewater RPAs because stormwater discharges are not continuous, and at the time of precipitation discharge the receiving stream is also no longer at base (0) flow, meaning that using RP to develop WET testing requirements for stormwater is unrepresentative. The Department works with the Missouri Department of Conservation and has understanding of streams already exhibiting toxicity, even without the influence of industrial wastewater or stormwater. Facilities discharging to streams with historical toxicity are required to use laboratory water for dilution, instead of water from the receiving stream when performing WET tests.

TSD methods encountered may be § 3.3.2, § 5.7.3 for metals, and § 5.4.1 for chloride. Part IV EFFLUENT LIMIT DETERMINATIONS provides specific decisions related to this permit. In general, removal of a WQBEL if there is no RP is not considered backsliding, see ANTIBACKSLIDING for additional information.

✓ No statistical RPAs were performed for this permit.

REGIONAL OFFICES (ROS)

Regional Offices will provide a compliance assistance visit at a facility's request; a regional map with links to phone numbers can be found here: <https://dnr.mo.gov/about-us/division-environmental-quality/regional-office>. Or use <https://dnr.mo.gov/compliance-assistance-enforcement> to request assistance from the Region online.

RENEWAL REQUIREMENTS

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

<https://dnr.mo.gov/water/business-industry-other-entities/permits-certification-engineering-fees/wastewater>

- ✓ This facility shall submit an appropriate and complete application to the Department no less than 180 days prior to the expiration date listed on page 1 of the permit.
- ✓ The facility may email cleanwaterpermits@dnr.mo.gov to submit the application to the Program. A paper copy is not necessary.
- ✓ Application materials shall include complete Form A, and Form I. If the form name has changed, then the facility should ensure they are submitting the correct forms as required by regulation.

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 the terms and conditions of an operating permit. SOC's are allowed under 40 CFR 122.47 and 10 CSR 20-7.031(11) providing certain conditions are met. An 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 in accordance with 40 CFR 125.3.
- For a newly constructed facility in most cases per 644.029 RSMo. Newly constructed facilities must meet all applicable effluent limitations (technology and water quality) when discharge begins. New facilities are required to install the appropriate control technologies 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 specifically granted for conducting these activities.

In order to provide guidance in developing SOC's, and to attain a greater level of consistency, the Department issued a policy on development of SOC's on October 25, 2012. The policy provides guidance for 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. No limits are established in this permit.

SECONDARY CONTAINMENT:

The Department has established minimum requirements for secondary containment areas. These conditions are necessary to prevent contamination in stormwater before storm events, and before stormwater has a risk for contamination in these areas. By including dry inspection requirements, the Department can be confident in the site's operational controls. By fixing all leaks and removing debris from the secondary containment areas prior to precipitation events, stormwater collected in the areas are unlikely to yield contamination or elicit sheen thereby allowing immediate removal of stormwater which is in compliance with SPCC plans.

The Department is establishing a permit requirement for visual inspection frequency commiserate with the potential for contamination for secondary containment(s) to protect waters of the state from petroleum contamination, oils and greases, or sheen pursuant to 10 CSR 20-7.031(4)(B); and other water contaminants as necessary. These conditions establish permissible allowances for the facility to discharge stormwater that was either free of sheen or has been cleaned of sheen, but only if the facility has demonstrated, through inspections, the facility has been effectively maintaining tanks and appurtenances in the secondary containment areas.

Historic petroleum secondary containment language required laboratory testing for benzene, toluene, ethylbenzene, and xylene (BTEX) upon sheen observance; to have all laboratory testing completed prior to release of the contained stormwater; and to be below established numeric limits for BTEX prior to release. However, it was noted by commenters that when the Department requires facilities to keep the sheeny accumulated stormwater in the secondary containment for long periods of time (time needed to obtain laboratory results for BTEX, it is contrary to other relevant regulations, which state contaminated stormwater must be disposed of as quickly as possible. Facilities then developed alternative actions, such as tanking sheeny secondary containment stormwater until the expedited BTEX laboratory analysis was completed, then releasing the water from the tank. These alternative methods of tanking sheeny stormwater are both costly and resource-intensive, requiring worker time which needs to be directed to other facility activities.

By shifting worker time from post-sheer-occurrence management to pre-contamination dry-inspections, the Department has alleviated several commenter's concerns regarding past secondary containment special conditions.

By allowing on-site sheen removal, then discharge, the Department is allowing expedited drainage of the secondary containment without delay. When a facility properly maintains tanks and appurtenances via these series of inspections and provides sheen removal prior to release, then the facility can maintain compliance with Missouri's requirements for the safe storage and handling of flammable and combustible liquids (2 CSR 90-30.050), storage tank secondary containment volume requirements (40 CFR 112), and Missouri's general water quality criteria 10 CSR 20-7.031(4)(B).

The Department revised petroleum secondary containment special conditions in permits based on National Fire Protection Association (NFPA) standards [mainly NFPA 30], enforceable under Missouri fire prevention codes [2 CSR 90-30.050], and Spill Prevention, Control, and Countermeasure (SPCC) [40 CFR 112] requirements. 2 CSR 90-30.050(20) and (21) specifically reference the Department of Natural Resources' environmental regulations. To apply these referenced conditions, this permit requires periodic secondary containment inspections.

It is acceptable for the inspections this permit requires to contradict the facility's SPCC plan inspection frequency, as these two requirements have different goals; the frequencies designated in the SPCC plan are based on the facility's evaluation of a tankage system's potential for catastrophic failure, not small leaks that result in sheeny stormwater. The inspection frequency this permit identifies for secondary containments have the capability to identify small leaks from appurtenances which have the possibility to cause contamination in standing stormwater, not simply a catastrophic failure. SPCC requirements pursuant to 40 CFR 112.8(c)(3)(iv) and 40 CFR 112.12(c)(3)(iv) also dictate that release of contaminated stormwater is prohibited unless regulated under an NPDES permit which allows for bypassing pursuant to 40 CFR 122.41(m)(3). As this permit does not allow bypassing, the facility must follow the inspection steps listed in the special conditions of this permit.

Many facilities are subject to the requirements outlined by the EPA in 40 CFR 112.3, also known as the SPCC plan: detailing the equipment, workforce, procedures, and steps necessary to prevent, control, and provide adequate countermeasures to a discharge. These regulations minimally require secondary containment and diversion structures be maintained. Title 40 regulations are developed by the Environmental Protection Agency. The self-certified SPCC plan a facility designs, while aimed to protect waters of the state and United States (WOTS/WOTUS), may differ considerably from site to site. This permit's conditions serves to treat similar facilities similarly. The EPA did not establish minimum frequency container or containment inspections; this permit does establish a minimum frequency, and concurrent inspections for this permit and per the SPCC plan may occur. This permit does not require a professional engineer (PE) inspect the tankage systems.

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 possible 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.

<https://revisor.mo.gov/main/OneSection.aspx?section=260.500&bid=13989&hl=>

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.

Certain industrial facilities are subject to the self-implementing regulations for Oil Pollution Prevention in 40 CFR 112, and are required to initiate and follow Spill Prevention, Control, and Countermeasure (SPCC) Plans. This permit, as issued, is not intended to be a replacement for any SPCC plan, nor can this permit's conditions be automatically relaxed based on the SPCC plan if the permit is more stringent than the plan.

SLUDGE – INDUSTRIAL

Industrial sludge is solid, semi-solid, or liquid residue generated during the treatment of industrial process or non-process wastewater in a treatment works; including but not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment process; scum and solids filtered from water supplies and backwashed; and any material derived from industrial sludge. Industrial sludge could also be derived from lagoon or basin dredging or other similar maintenance activities. Certain oil sludge, like those from oil water separators, are subject to self-implementing federal regulations under 40 CFR 279 for used oils.

- ✓ Applicable; sludge is removed by contract hauler. The permitted management strategy must be followed, see permit under FACILITY DESCRIPTION. If the permitted management strategy cannot be followed, the facility must obtain a permit modification.

STANDARD CONDITIONS

The standard conditions Part I attached to this permit incorporate all sections of 10 CSR 20-6.010(8) and 40 CFR 122.41(a) through (n) by reference as required by law. These conditions, in addition to the conditions enumerated within the standard conditions must be reviewed by the facility to ascertain compliance with this permit, state regulations, state statutes, federal regulations, and the Clean Water Act. Standard Conditions Part III, if attached to this permit, incorporate requirements dealing with domestic wastewater, domestic sludge, and land application of domestic wastes.

STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS

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

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

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

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A SWPPP must be prepared by the facility if the SIC code or facility description type is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2). A SWPPP may be required of other facilities where stormwater has been identified as necessitating better management. The purpose of a SWPPP is to comply with all applicable stormwater regulations by creating an adaptive management plan to control and mitigate stream pollution from stormwater runoff.

Pursuant to 40 CFR 122.44(k), Best Management Practices (BMPs) must be used to control or abate the discharge of pollutants when: 1) Authorized under §304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; 2) Authorized under §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. A BMP may take the form of a numeric benchmark. 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 and again in 2021 https://www.epa.gov/sites/default/files/2021-03/documents/swppp_guide_industrial_2021_030121.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 facility can 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.

The facility can review the precipitation frequency maps for development of appropriate BMPs. The online map https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=mo can be targeted to the facility location and is useful when designing detention structures and planning for any structural BMP component. The stormwater map can also be used to determine if the volume of stormwater caused a disrupted BMP; and if the BMP must be re-designed to incorporate additional stormwater flows.

Areas which must 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 shall be formulated to best control the amount of pollutant being released and discharged by each activity or source. This must include, but is not limited to, minimizing exposure to stormwater, good housekeeping measures, proper facility and equipment maintenance, spill prevention and response, vehicle traffic control, and proper materials handling. Once a plan has been developed the facility will employ the control measures determined to be adequate to achieve the benchmark values discussed above. The facility will conduct monitoring and inspections of the BMPs to ensure they are working properly and re-evaluate any BMP not achieving compliance with permitting requirements. For example, if sample results from an outfall show values of TSS above the benchmark value, the BMP being employed is deficient in controlling stormwater pollution. Corrective action must be taken to repair, improve, or replace the failing BMP. This internal evaluation is required at least once per month but may 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 (<https://dnr.mo.gov/document-search/antidegradation-implementation-procedure>).

Alternative Analysis (AA) evaluation of the BMPs is a structured evaluation of BMPs which are reasonable and cost effective. The AA evaluation can 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 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), §II.B.

If parameter-specific numeric benchmark exceedances continue to occur and the facility 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 facility 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 must 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/water/business-industry-other-entities/permits-certification-engineering-fees/wastewater>

✓ Not applicable; this facility’s SIC code does not require stormwater monitoring per 40 CFR 122.26(b)(14).

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS

Please review Standard Conditions Part 1, §A, No. 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 or 40 CFR 136 unless alternates are approved by the Department and incorporated within this permit. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure the selected methods are able to quantify the presence of pollutants in any 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. The reporting limits established by the chosen laboratory must be below the lowest effluent limits established for the specified parameter (including any parameter’s future limit after an SOC) in the permit unless the permit provides for an ML or if the facility provides a written rationale to the Department. It is the facility’s responsibility to ensure the laboratory has adequate equipment and controls in place to quantify the pollutant. Inflated reporting limits will not be accepted by the Department if the reporting limit is above the parameter value stipulated in the permit. A method is “sufficiently sensitive” when; 1) the method quantifies the pollutant below the level of the applicable water quality criterion or; 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility’s discharge is high enough the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015 and or 40 CFR 136. These methods are also required for parameters listed as monitoring only, as the data collected may be used to determine if numeric limitations need to be established. A facility is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive.

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 §§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 577.155 RSMo; 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 577.155 RSMo; 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 any 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 facility 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: <https://dnr.mo.gov/document-search/class-v-well-inventory-form-mo-780-1774> 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)).

The Department implements additional requirements for these types of operations pursuant to 10 CSR 20-6.015(4)(A)1 which instructs the Department to develop permit conditions containing limitations, monitoring, reporting, and other requirements to protect soils, crops, surface waters, groundwater, public health, and the environment.

✓ Applicable; this facility has disclosed UIC is occurring through the subsurface wastewater system.

VARIANCE

Per the Missouri Clean Water Law §644.061.4, variances shall be granted for such period of time and under such terms and conditions as specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with the Missouri Clean Water Law §§644.006 to 644.141 or any standard, rule or regulation promulgated pursuant to Missouri Clean Water Law §§644.006 to 644.141. Thermal variances are regulated separately and are found under 644.

✓ 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 maximum amount of pollutant each discharger is allowed to discharge into the receiving stream without endangering water quality. Only streams with available load allocations can be granted discharge allowances. Outfalls afforded mixing allocations provide higher limits because the receiving stream is able to accept more pollutant loading without causing adverse impacts to the environment or aquatic life.

✓ Not applicable, this is a no-discharge permit therefore WLAs were not calculated.

WASTELOAD ALLOCATION (WLA) MODELING

Facilities 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 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 changing twenty-five percent or more since the previous operating permit.

WHOLE EFFLUENT TOXICITY (WET) TEST

A WET test is a quantifiable method to conclusively determine if discharges from the facility cause toxicity to aquatic life by itself, in combination with, or through synergistic responses, typically when mixed with receiving stream water. Under the CWA §101(a)(3), requiring WET testing is reasonably appropriate for Missouri State Operating Permits to quantify toxicity. WET testing is also required by 40 CFR 122.44(d)(1) when RP is found. WET testing ensures the provisions in 10 CSR 20-6 and Missouri's Water Quality Standards in 10 CSR 20-7 are being met; the acute WQS for WET is 0.3 TUa. Under 10 CSR 20-6.010(8)(A)4, the Department may require other terms and conditions it deems necessary to ensure compliance with the CWA and related regulations of the Missouri Clean Water Commission. Missouri Clean Water Law (MCWL) RSMo 644.051.3 requires the Department to set permit conditions complying with the MCWL and CWA. 644.051.4 RSMo specifically references toxicity as an item the Department must consider in permits (along with water quality-based effluent limits); and RSMo 644.051.5 is the basic authority to require testing conditions. Requirements found in the federal application requirements for POTWs (40 CFR 122.21(j)(5)) do not apply to industrial facilities, therefore WET testing can be implemented on a case by case basis following the factors outlined below. Annual testing is the minimum testing frequency if reasonable potential is found; monitoring requirements promulgated in 40 CFR 122.44(i)(2) state "requirements to report monitoring results shall be established on a case-by-case basis with a frequency dependent on the nature and effect of the discharge, but in no case less than once per year." To determine reasonable potential, factors considered are: 1) history of toxicity; 2) quantity and quality of substances (either limited or not) in the permit with aquatic life protections assigned; and 3) operational controls on toxic pollutants. See Part III under REASONABLE POTENTIAL for additional information. A facility does not have to be designated as a major facility to receive WET testing; and being a major facility does not automatically require WET testing. Additionally per 40 CFR 122.44(d)(1)(v), limits on whole effluent toxicity are not necessary where the permitting authority demonstrates in the fact sheet, using the procedures in 40 CFR 122.44(d)(1)(ii) of this section, that chemical-specific limits or specified operational controls are sufficient to attain and maintain applicable numeric and narrative water quality standards.

If WET limits are applied to this facility, follow up testing applies. When a facility exceeds the TU established in the permit, three additional follow-up tests are triggered. The follow up test results do not negate the initial testing result. If the facility is within the prescribed TU limit for all three follow up tests, then no further testing is required until the next regularly scheduled tests. If one or more additional tests exceed the TU limit, the facility may consider beginning the Toxicity Identification Evaluation (TIE) and Toxicity Identification Reduction (TRE) processes instead of waiting for three consecutive TU exceedances. The TIE and TRE process can take up to two years, especially when toxicity is variable or transient. We urge facilities to work closely with their WET testing laboratory to follow nationwide guidance for determining causes of toxicity and curative activities to remove toxicity. Additional wastewater controls may be necessary; and while, generally, no Construction Permit (CP) is required for adding treatment at industrial facilities, the facility may check with the Engineering Section to determine a plan of action.

If WET testing failures are from a known toxic parameter, and the facility is working with the Department to alleviate that pollutant's toxicity in the discharge, please contact the Department prior to conducting follow-up WET testing. Under certain conditions, follow-up testing may be waived when the facility is already working to reduce and eliminate toxicity in the effluent. For the purposes of reporting, the laboratory may supply either the TU value, the LC₅₀, or the NOEC. If the laboratory only supplied the LC₅₀ or the NOEC value, the toxic unit is calculated by 100/LC₅₀ for acute tests, or 100/NOEC for chronic tests. The TU value is entered in the eDMR system. Reports showing no toxicity are usually entered as <1.

✓ Not applicable; WET testing was not implemented in this permit because this is a no-discharge facility.

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

Permits are normally issued on a five-year term, but to achieve watershed synchronization some permits will need to be issued for less than the full five years as 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. This will allow the Department to explore a watershed based permitting effort at some point in the future.

✓ Industrial permits are not being synchronized.

PUBLIC NOTICE

The Department shall give public notice a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in or with concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and facility must be notified of the denial in writing. <https://dnr.mo.gov/water/what-were-doing/public-notices> The Department must issue public notice of a pending operating permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit.

For persons wishing to submit comments regarding this proposed operating permit, please refer to the Public Notice page located at the front of this draft operating permit. The Public Notice page gives direction on how and where to submit appropriate comments. All comments must be in written form.

✓ The Public Notice period for this operating permit started December 23, 2022 and ended January 23, 2023. No comments were received.

DATE OF FACT SHEET: NOVEMBER 28, 2022

COMPLETED BY:

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

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

Part I – General Conditions

Section A – Sampling, Monitoring, and Recording

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

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

Section B – Reporting Requirements

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



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- b. The following shall be included as information which must be reported within 24 hours under this paragraph.
 - i. Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - ii. Any upset which exceeds any effluent limitation in the permit.
 - iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit required to be reported within 24 hours.
 - c. The Department may waive the written report on a case-by-case basis for reports under paragraph 2. b. of this section if the oral report has been received within 24 hours.
3. **Anticipated Noncompliance.** The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The notice shall be submitted to the Department 60 days prior to such changes or activity.
 4. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date. The report shall provide an explanation for the instance of noncompliance and a proposed schedule or anticipated date, for achieving compliance with the compliance schedule requirement.
 5. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs 2, 3, and 6 of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 2. a. of this section.
 6. **Other Information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.
 7. **Discharge Monitoring Reports.**
 - a. Monitoring results shall be reported at the intervals specified in the permit.
 - b. Monitoring results must be reported to the Department via the current method approved by the Department, unless the permittee has been granted a waiver from using the method. If the permittee has been granted a waiver, the permittee must use forms provided by the Department.
 - c. Monitoring results shall be reported to the Department no later than the 28th day of the month following the end of the reporting period.
- b. Notice.
 - i. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
 - ii. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section B – Reporting Requirements, paragraph 5 (24-hour notice).
 - c. Prohibition of bypass.
 - i. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The permittee submitted notices as required under paragraph 2. b. of this section.
 - ii. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three (3) conditions listed above in paragraph 2. c. i. of this section.
3. **Upset Requirements.**
 - a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 3. b. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - b. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - i. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - ii. The permitted facility was at the time being properly operated; and
 - iii. The permittee submitted notice of the upset as required in Section B – Reporting Requirements, paragraph 2. b. ii. (24-hour notice).
 - iv. The permittee complied with any remedial measures required under Section D – Administrative Requirements, paragraph 4.
 - c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

Section C – Bypass/Upset Requirements

1. **Definitions.**
 - a. *Bypass*: the intentional diversion of waste streams from any portion of a treatment facility, except in the case of blending.
 - b. *Severe Property Damage*: substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - c. *Upset*: an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. **Bypass Requirements.**
 - a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.

Section D – Administrative Requirements

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



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- imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.
- d. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 of the Missouri Clean Water Law or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 of the Missouri Clean Water Law or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed \$10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.
2. **Duty to Reapply.**
- a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
- c. A permittee with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
3. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
5. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
6. **Permit Actions.**
- a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
- i. Violations of any terms or conditions of this permit or the law;
- ii. Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
- iii. A change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- iv. Any reason set forth in the Law or Regulations.
- b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
7. **Permit Transfer.**
- a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
- b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
- c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.
8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.



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

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PART III – BIOSOLIDS AND SLUDGE FROM DOMESTIC TREATMENT FACILITIES

SECTION A – GENERAL REQUIREMENTS

1. PART III Standard Conditions pertain to biosolids and sludge requirements under the Missouri Clean Water Law and regulations for domestic and municipal wastewater and also incorporates federal sludge disposal requirements under 40 CFR Part 503 for domestic wastewater. The Environmental Protection Agency (EPA) has principal authority for permitting and enforcement of the federal sludge regulations under 40 CFR Part 503 for domestic biosolids and sludge.
2. PART III Standard Conditions apply only to biosolids and sludge generated at domestic wastewater treatment facilities, including public owned treatment works (POTW) and privately owned facilities.
3. Biosolids and Sludge Use and Disposal Practices:
 - a. The permittee is authorized to operate the biosolids and sludge generating, treatment, storage, use, and disposal facilities listed in the facility description of this permit.
 - b. The permittee shall not exceed the design sludge/biosolids volume listed in the facility description and shall not use biosolids or sludge disposal methods that are not listed in the facility description, without prior approval of the permitting authority.
 - c. For facilities operating under general operating permits that incorporate Standard Conditions PART III, the facility is authorized to operate the biosolids and sludge generating, treatment, storage, use and disposal facilities identified in the original operating permit application, subsequent renewal applications or subsequent written approval by the department.
4. Biosolids or Sludge Received from other Facilities:
 - a. Permittees may accept domestic wastewater biosolids or sludge from other facilities as long as the permittee's design sludge capacity is not exceeded and the treatment facility performance is not impaired.
 - b. The permittee shall obtain a signed statement from the biosolids or sludge generator or hauler that certifies the type and source of the sludge
5. Nothing in this permit precludes the initiation of legal action under local laws, except to the extent local laws are preempted by state law.
6. This permit does not preclude the enforcement of other applicable environmental regulations such as odor emissions under the Missouri Air Pollution Control Law and regulations.
7. This permit may (after due process) be modified, or alternatively revoked and reissued, to comply with any applicable biosolids or sludge disposal standard or limitation issued or approved under Section 405(d) of the Clean Water Act or under Chapter 644 RSMo.
8. In addition to Standard Conditions PART III, the Department may include biosolids and sludge limitations in the special conditions portion or other sections of a site specific permit.
9. Exceptions to Standard Conditions PART III may be authorized on a case-by-case basis by the Department, as follows:
 - a. The Department may modify a site-specific permit following permit notice provisions as applicable under 10 CSR 20-6.020, 40 CFR § 124.10, and 40 CFR § 501.15(a)(2)(ix)(E).
 - b. Exceptions cannot be granted where prohibited by the federal sludge regulations under 40 CFR Part 503.

SECTION B – DEFINITIONS

1. Best Management Practices are practices to prevent or reduce the pollution of waters of the state and include agronomic loading rates (nitrogen based), soil conservation practices, spill prevention and maintenance procedures and other site restrictions.
2. Biosolids means organic fertilizer or soil amendment produced by the treatment of domestic wastewater sludge.
3. Biosolids land application facility is a facility where biosolids are spread onto the land at agronomic rates for production of food, feed or fiber. The facility includes any structures necessary to store the biosolids until soil, weather, and crop conditions are favorable for land application.
4. Class A biosolids means a material that has met the Class A pathogen reduction requirements or equivalent treatment by a Process to Further Reduce Pathogens (PFRP) in accordance with 40 CFR Part 503.
5. Class B biosolids means a material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with 40 CFR Part 503.
6. Domestic wastewater means wastewater originating from the sanitary conveniences of residences, commercial buildings, factories and institutions; or co-mingled sanitary and industrial wastewater processed by a (POTW) or a privately owned facility.
7. Feed crops are crops produced primarily for consumption by animals.
8. Fiber crops are crops such as flax and cotton.
9. Food crops are crops consumed by humans which include, but is not limited to, fruits, vegetables and tobacco.
10. Industrial wastewater means any wastewater, also known as process wastewater, not defined as domestic wastewater. Per 40 CFR Part 122.2, process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Land application of industrial wastewater, residuals or sludge is not authorized by Standard Conditions PART III.
11. Mechanical treatment plants are wastewater treatment facilities that use mechanical devices to treat wastewater, including, sand filters, extended aeration, activated sludge, contact stabilization, trickling filters, rotating biological contact systems, and other similar facilities. It does not include wastewater treatment lagoons or constructed wetlands for wastewater treatment.
12. Plant Available Nitrogen (PAN) is nitrogen that will be available to plants during the growing seasons after biosolids application.
13. Public contact site is land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.
14. Sludge is the solid, semisolid, or liquid residue removed during the treatment of wastewater. Sludge includes septage removed from septic tanks or equivalent facilities. Sludge does not include carbon coal byproducts (CCBs), sewage sludge incinerator ash, or grit/screenings generated during preliminary treatment of domestic sewage.
15. Sludge lagoon is part of a mechanical wastewater treatment facility. A sludge lagoon is an earthen or concrete lined basin that receives sludge that has been removed from a wastewater treatment facility. It does not include a wastewater treatment lagoon or sludge treatment units that are not a part of a mechanical wastewater treatment facility.
16. Septage is the sludge pumped from residential septic tanks, cesspools, portable toilets, Type III marine sanitation devices, or similar treatment works such as sludge holding structures from residential wastewater treatment facilities with design populations of less than 150 people. Septage does not include grease removed from grease traps at a restaurant or material removed from septic tanks and other similar treatment works that have received industrial wastewater. The standard for biosolids from septage is different from other sludges. See Section H for more information.

SECTION C – MECHANICAL WASTEWATER TREATMENT FACILITIES

1. Biosolids or sludge shall be routinely removed from wastewater treatment facilities and handled according to the permit facility description and the requirements of Standard Conditions PART III or in accordance with Section A.3.c., above.
2. The permittee shall operate storage and treatment facilities, as defined by Section 644.016(23), RSMo, so that there is no biosolids or sludge discharged to waters of the state. Agricultural storm water discharges are exempt under the provisions of Section 644.059, RSMo.
3. Mechanical treatment plants shall have separate biosolids or sludge storage compartments in accordance with 10 CSR 20, Chapter 8. Failure to remove biosolids or sludge from these storage compartments on the required design schedule is a violation of this permit.

SECTION D – BIOSOLIDS OR SLUDGE DISPOSED AT OTHER TREATMENT FACILITY OR BY CONTRACT HAULER

1. Permittees that use contract haulers, under the authority of their operating permit, to dispose of biosolids or sludge, are responsible for compliance with all the terms of this permit. Contract haulers that assume the responsibility of the final disposal of biosolids or sludge, including biosolids land application, must obtain a Missouri State Operating Permit unless the hauler transports the biosolids or sludge to another permitted treatment facility.
2. Testing of biosolids or sludge, other than total solids content, is not required if biosolids or sludge are hauled to a permitted wastewater treatment facility, unless it is required by the accepting facility.

SECTION E – INCINERATION OF SLUDGE

1. Please be aware that sludge incineration facilities may be subject to the requirements of 40 CFR Part 503 Subpart E, Missouri Air Conservation Commission regulations under 10 CSR 10, and solid waste management regulations under 10 CSR 80, as applicable.
2. Permittee may be authorized under the facility description of this permit to store incineration ash in lagoons or ash ponds. This permit does not authorize the disposal of incineration ash. Incineration ash shall be disposed in accordance with 10 CSR 80; or, if the ash is determined to be hazardous, with 10 CSR 25.
3. In addition to normal sludge monitoring, incineration facilities shall report the following as part of the annual report, mass of sludge incinerated and mass of ash generated. Permittee shall also provide the name of the ash disposal facility and permit number if applicable.

SECTION F – SURFACE DISPOSAL SITES AND BIOSOLIDS AND SLUDGE LAGOONS

1. Please be aware that surface disposal sites of biosolids or sludge from wastewater treatment facilities may be subject to other laws including the requirements in 40 CFR Part 503 Subpart C, Missouri Air Conservation Commission regulations under 10 CSR 10, and solid waste management regulations under 10 CSR 80, as applicable.
2. Biosolids or sludge storage lagoons are temporary facilities and are not required to obtain a permit as a solid waste management facility under 10 CSR 80. In order to maintain biosolids or sludge storage lagoons as storage facilities, accumulated biosolids or sludge must be removed routinely, but not less than once every two years unless an alternate schedule is approved in the permit. The amount of biosolids or sludge removed will be dependent on biosolids or sludge generation and accumulation in the facility. Enough biosolids or sludge must be removed to maintain adequate storage capacity in the facility.
 - a. In order to avoid damage to the lagoon seal during cleaning, the permittee may leave a layer of biosolids or sludge on the bottom of the lagoon, upon prior approval of the Department; or
 - b. Permittee shall close the lagoon in accordance with Section I.

SECTION G – LAND APPLICATION OF BIOSOLIDS

1. The permittee shall not land apply biosolids unless land application is authorized in the facility description, the special conditions of the issued NPDES permit, or in accordance with Section A.3.c., above.
2. This permit only authorizes “Class A” or “Class B” biosolids derived from domestic wastewater to be land applied onto grass land, crop land, timber, or other similar agricultural or silviculture lands at rates suitable for beneficial use as organic fertilizer and soil conditioner.
3. Class A Biosolids Requirements: Biosolids shall meet Class A requirements for application to public contact sites, residential lawns, home gardens or sold and/or given away in a bag or other container.
4. Class B biosolids that are land applied to agricultural and public contact sites shall comply with the following restrictions:
 - a. Food crops that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of biosolids.
 - b. Food crops below the surface of the land shall not be harvested for 20 months after application of biosolids when the biosolids remain on the land surface for four months or longer prior to incorporation into the soil.
 - c. Food crops below the surface of the land shall not be harvested for 38 months after application of biosolids when the biosolids remain on the land surface for less than four months prior to incorporation into the soil.
 - d. Animal grazing shall not be allowed for 30 days after application of biosolids.
 - e. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of biosolids.
 - f. Turf shall not be harvested for one year after application of biosolids if used for lawns or high public contact sites in close proximity to populated areas such as city parks or golf courses.
 - g. After Class B biosolids have been land applied to public contact sites with high potential for public exposure, as defined in 40 CFR § 503.31, such as city parks or golf courses, access must be restricted for 12 months.
 - h. After Class B biosolids have been land applied public contact sites with low potential for public exposure as defined in 40 CFR § 503.31, such as a rural land application or reclamation sites, access must be restricted for 30 days.
5. Pollutant limits
 - a. Biosolids shall be monitored to determine the quality for regulated pollutants listed in Table 1, below. Limits for any pollutants not listed below may be established in the permit.
 - b. The number of samples taken is directly related to the amount of biosolids or sludge produced by the facility (See Section J, below). Samples should be taken only during land application periods. When necessary, it is permissible to mix biosolids with lower concentrations of biosolids as well as other suitable Department approved material to achieve pollutant concentration below those identified in Table 1, below.
 - c. Table 1 gives the ceiling concentration for biosolids. Biosolids which exceed the concentrations in Table 1 may not be land applied.

TABLE 1

| Biosolids ceiling concentration | |
|---------------------------------|------------------------------------|
| Pollutant | Milligrams per kilogram dry weight |
| Arsenic | 75 |
| Cadmium | 85 |
| Copper | 4,300 |
| Lead | 840 |
| Mercury | 57 |
| Molybdenum | 75 |
| Nickel | 420 |
| Selenium | 100 |
| Zinc | 7,500 |

- d. Table 2 below gives the low metal concentration for biosolids. Because of its higher quality, biosolids with pollutant concentrations below those listed in Table 2 can safely be applied to agricultural land, forest, public contact sites, lawns, home gardens or be given away without further analysis. Biosolids containing metals in concentrations above the low metals concentrations but below the ceiling concentration limits may be land applied but shall not exceed the annual loading rates in Table 3 and the cumulative loading rates in Table 4. The permittee is required to track pollutant loading onto application sites for parameters that have exceeded the low metal concentration limits.

TABLE 2

| Biosolids Low Metal Concentration | |
|-----------------------------------|------------------------------------|
| Pollutant | Milligrams per kilogram dry weight |
| Arsenic | 41 |
| Cadmium | 39 |
| Copper | 1,500 |
| Lead | 300 |
| Mercury | 17 |
| Nickel | 420 |
| Selenium | 100 |
| Zinc | 2,800 |

- e. Annual pollutant loading rate.

Table 3

| Biosolids Annual Loading Rate | |
|-------------------------------|--------------------------|
| Pollutant | Kg/ha (lbs./ac) per year |
| Arsenic | 2.0 (1.79) |
| Cadmium | 1.9 (1.70) |
| Copper | 75 (66.94) |
| Lead | 15 (13.39) |
| Mercury | 0.85 (0.76) |
| Nickel | 21 (18.74) |
| Selenium | 5.0 (4.46) |
| Zinc | 140 (124.96) |

- f. Cumulative pollutant loading rates.

Table 4

| Biosolids Cumulative Pollutant Loading Rate | |
|---|-----------------|
| Pollutant | Kg/ha (lbs./ac) |
| Arsenic | 41 (37) |
| Cadmium | 39 (35) |
| Copper | 1500 (1339) |
| Lead | 300 (268) |
| Mercury | 17 (15) |
| Nickel | 420 (375) |
| Selenium | 100 (89) |
| Zinc | 2800 (2499) |

6. Best Management Practices. The permittee shall use the following best management practices during land application activities to prevent the discharge of biosolids to waters of the state.
- Biosolids shall not be applied to the land if it is likely to adversely affect a threatened or endangered species listed under § 4 of the Endangered Species Act or its designated critical habitat.
 - Apply biosolids only at the agronomic rate of nitrogen needed (see 5.c. of this section).
 - The applicator must document the Plant Available Nitrogen (PAN) loadings, available nitrogen in the soil, and crop

nitrogen removal when either of the following occurs: 1) When biosolids are greater than 50,000 mg/kgTN; or 2) When biosolids are land applied at an application rate greater than two dry tons per acre per year.

- i. PAN can be determined as follows:
(Nitrate + nitrite nitrogen) + (organic nitrogen x 0.2) + (ammonia nitrogen x volatilization factor¹).
¹ Volatilization factor is 0.7 for surface application and 1 for subsurface application. Alternative volatilization factors and mineralization rates can be utilized on a case-by-case basis.
- ii. Crop nutrient production/removal to be based on crop specific nitrogen needs and realistic yield goals. **NOTE:** There are a number of reference documents on the Missouri Department of Natural Resources website that are informative to implement best management practices in the proper management of biosolids, including crop specific nitrogen needs, realistic yields on a county by county basis and other supporting references.
- iii. Biosolids that are applied at agronomic rates shall not cause the annual pollutant loading rates identified in Table 3 to be exceeded.
- d. Buffer zones are as follows:
 - i. 300 feet of a water supply well, sinkhole, water supply reservoir or water supply intake in a stream;
 - ii. 300 feet of a losing stream, no discharge stream, stream stretches designated for whole body contact recreation, wild and scenic rivers, Ozark National Scenic Riverways or outstanding state resource waters as listed in the Water Quality Standards, 10 CSR 20-7.031;
 - iii. 150 feet of dwellings or public use areas;
 - iv. 100 feet (35 feet if biosolids application is down-gradient or the buffer zone is entirely vegetated) of lake, pond, wetlands or gaining streams (perennial or intermittent);
 - v. 50 feet of a property line. Buffer distances from property lines may be waived with written permission from neighboring property owner.
 - vi. For the application of dry, cake or liquid biosolids that are subsurface injected, buffer zones identified in 5.d.i. through 5.d.iii above, may be reduced to 100 feet. The buffer zone may be reduced to 35 feet if the buffer zone is permanently vegetated. Subsurface injection does not include methods or technology reflective of combination surface/shallow soil incorporation.
- e. Slope limitation for application sites are as follows:
 - i. For slopes less than or equal to 6 percent, no rate limitation;
 - ii. Applied to a slope 7 to 12 percent, the applicator may apply biosolids when soil conservation practices are used to meet the minimum erosion levels;
 - iii. Slopes > 12 percent, apply biosolids only when grass is vegetated and maintained with at least 80 percent ground cover at a rate of two dry tons per acre per year or less.
 - iv. Dry, cake or liquid biosolids that are subsurface injected, may be applied on slopes not to exceed 20 percent. Subsurface injection does not include the use of methods or technology reflective of combination surface/shallow soil incorporation.
- f. No biosolids may be land applied in an area that it is reasonably certain that pollutants will be transported into waters of the state.
- g. Biosolids may be land applied to sites with soil that are snow covered, frozen, or saturated with liquid when site restrictions or other controls are provided to prevent pollutants from being discharged to waters of the state during snowmelt or stormwater runoff. During inclement weather or unfavorable soil conditions use the following management practices:
 - i. A maximum field slope of 6% and a minimum 300 feet grass buffer between the application site and waters of the state. A 35 feet grass buffer may be utilized for the application of dry, cake or liquid biosolids that are subsurface injected. Subsurface injection does not include the use of methods or technology reflective of combination surface/shallow soil incorporation;
 - ii. A maximum field slope of 2% and 100 feet grass buffer between the application site and waters of the state. A 35 feet grass buffer may be used for the application of dry, cake or liquid biosolids that are subsurface injected. Subsurface injection does not include the use of methods or technology reflective of combination surface/shallow soil incorporation;
 - iii. Other best management practices approved by the Department.

SECTION H – SEPTAGE

1. Haulers that land apply septage must obtain a state permit. An operating permit is not required for septage haulers who transport septage to another permitted treatment facility for disposal.
2. Do not apply more than 30,000 gallons of septage per acre per year or the volume otherwise stipulated in the operating permit.
3. Septic tanks are designed to retain sludge for one to three years which will allow for a larger reduction in pathogens and vectors, as compared to mechanical treatment facilities.
4. Septage must comply with Class B biosolids regarding pathogen and vector attraction reduction requirements before it may be applied to crops, pastures or timberland. To meet required pathogen and vector reduction requirements, mix 50 pounds of hydrated lime for every 1,000 gallons of septage and maintain a septage pH of at least 12 pH standard units for 30 minutes or more prior to application.
5. Lime is to be added to the pump truck and not directly to the septic tanks, as lime would harm the beneficial bacteria of the septic tank.
6. As residential septage contains relatively low levels of metals, the testing of metals in septage is not required.

SECTION I– CLOSURE REQUIREMENTS

1. This section applies to all wastewater facilities (mechanical and lagoons) and sludge or biosolids storage and treatment facilities. It does not apply to land application sites.
2. Permittees of a domestic wastewater facility who plan to cease operation must obtain Department approval of a closure plan which addresses proper removal and disposal of all sludges and/or biosolids. Permittee must maintain this permit until the facility is closed in accordance with the approved closure plan per 10 CSR 20 – 6.010 and 10 CSR 20 – 6.015.
3. Biosolids or sludge that are left in place during closure of a lagoon or earthen structure or ash pond shall not exceed the agricultural loading rates as follows:
 - a. Biosolids and sludge shall meet the monitoring and land application limits for agricultural rates as referenced in Section G, above.
 - b. If a wastewater treatment lagoon has been in operation for 15 years or more without sludge removal, the sludge in the lagoon qualifies as a Class B biosolids with respect to pathogens due to anaerobic digestion, and testing for fecal coliform is not required. For other lagoons, testing for fecal coliform is required to show compliance with Class B biosolids limitations. In order to reach Class B biosolids requirements, fecal coliform must be less than 2,000,000 colony forming units or 2,000,000 most probable number. All fecal samples must be presented as geometric mean per gram.
 - c. The allowable nitrogen loading that may be left in the lagoon shall be based on the plant available nitrogen (PAN) loading. For a grass cover crop, the allowable PAN is 300 pounds/acre. Alternative, site-specific application rates may be included in the closure plan for department consideration.
 - i. PAN can be determined as follows:
$$(\text{Nitrate} + \text{nitrite nitrogen}) + (\text{organic nitrogen} \times 0.2) + (\text{ammonia nitrogen} \times \text{volatilization factor}^1).$$
¹ Volatilization factor is 0.7 for surface application and 1 for subsurface application. Alternative volatilization factors and mineralization rates can be utilized on a case-by-case basis.
4. Domestic wastewater treatment lagoons with a design treatment capacity less than or equal to 150 persons, are “similar treatment works” under the definition of septage. Therefore the sludge within the lagoons may be treated as septage during closure activities. See Section B, above. Under the septage category, residuals may be left in place as follows:
 - a. Testing for metals or fecal coliform is not required.
 - b. If the wastewater treatment lagoon has been in use for less than 15 years, mix lime with the sludge at a rate of 50 pounds of hydrated lime per 1000 gallons (134 cubic feet) of sludge.
 - c. The amount of sludge that may be left in the lagoon shall be based on the plant available nitrogen (PAN) loading. 100 dry tons/acre of sludge may be left in the basin without testing for nitrogen. If 100 dry tons/acre or more will be left in the lagoon, test for nitrogen and determine the PAN using the calculation above. Allowable PAN loading is 300 pounds/acre.
5. Biosolids or sludge left within the domestic lagoon shall be mixed with soil on at least a 1 to 1 ratio, and unless otherwise approved, the lagoon berm shall be demolished, and the site shall be graded and contain $\geq 70\%$ vegetative density over 100% of the site so as to avoid ponding of storm water and provide adequate surface water drainage without creating erosion. Alternative biosolids or sludge and soil mixing ratios may be included in the closure plan for department consideration.
6. Lagoon and earthen structure closure activities shall obtain a storm water permit for land disturbance activities that equal or exceed one acre in accordance with 10 CSR 20-6.200.
7. When closing a mechanical wastewater plant, all biosolids or sludge must be cleaned out and disposed of in accordance with the Department approved closure plan before the permit for the facility can be terminated.
 - a. Land must be stabilized which includes any grading, alternate use or fate upon approval by the Department, remediation, or other work that exposes sediment to stormwater per 10 CSR 20-6.200. The site shall be graded and contain $\geq 70\%$ vegetative density over 100% of the site, so as to avoid ponding of storm water and provide adequate

- surface water drainage without creating erosion.
- b. Hazardous Waste shall not be land applied or disposed during mechanical plant closures unless in accordance with Missouri Hazardous Waste Management Law and Regulations pursuant to 10 CSR 25.
 - c. After demolition of the mechanical plant, the site must only contain clean fill defined in Section 260.200.1(6) RSMo as uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the Department for fill, reclamation, or other beneficial use. Other solid wastes must be removed.
8. If biosolids or sludge from the domestic lagoon or mechanical treatment plant exceeds agricultural rates under Section G and/or I, a landfill permit or solid waste disposal permit must be obtained if the permittee chooses to seek authorization for on-site sludge disposal under the Missouri Solid Waste Management Law and regulations per 10 CSR 80, and the permittee must comply with the surface disposal requirements under 40 CFR Part 503, Subpart C.

SECTION J – MONITORING FREQUENCY

1. At a minimum, biosolids or sludge shall be tested for volume and percent total solids on a frequency that will accurately represent sludge quantities produced and disposed. Please see the table below.

TABLE 5

| Biosolids or Sludge produced and disposed (Dry Tons per Year) | Monitoring Frequency (See Notes 1, and 2) | | |
|---|--|---|----------------------------------|
| | Metals, Pathogens and Vectors, Total Phosphorus, Total Potassium | Nitrogen TKN, Nitrogen PAN ¹ | Priority Pollutants ² |
| 319 or less | 1/year | 1 per month | 1/year |
| 320 to 1650 | 4/year | 1 per month | 1/year |
| 1651 to 16,500 | 6/year | 1 per month | 1/year |
| 16,501+ | 12/year | 1 per month | 1/year |

¹ Calculate plant available nitrogen (PAN) when either of the following occurs: 1) when biosolids are greater than 50,000 mg/kg TN; or 2) when biosolids are land applied at an application rate greater than two dry tons per acre per year.

² Priority pollutants (40 CFR 122.21, Appendix D, Tables II and III) are required only for permit holders that must have a pre-treatment program. Monitoring requirements may be modified and incorporated into the operating permit by the Department on a case-by-case basis.

Note 1: Total solids: A grab sample of sludge shall be tested one per day during land application periods for percent total solids. This data shall be used to calculate the dry tons of sludge applied per acre.

Note 2: Table 5 is not applicable for incineration and permit holders that landfill their sludge.

2. Permittees that operate wastewater treatment lagoons, peak flow equalization basins, combined sewer overflow basins or biosolids or sludge lagoons that are cleaned out once a year or less, may choose to sample only when the biosolids or sludge is removed or the lagoon is closed. Test one composite sample for each 319 dry tons of biosolids or sludge removed from the lagoon during the reporting year or during lagoon closure. Composite sample must represent various areas at one-foot depth.
3. Additional testing may be required in the special conditions or other sections of the permit.
4. Biosolids and sludge monitoring shall be conducted in accordance with federal regulation 40 CFR § 503.8, Sampling and analysis.

SECTION K – RECORD KEEPING AND REPORTING REQUIREMENTS

1. The permittee shall maintain records on file at the facility for at least five years for the items listed in Standard Conditions PART III and any additional items in the Special Conditions section of this permit. This shall include dates when the biosolids or sludge facility is checked for proper operation, records of maintenance and repairs and other relevant information.
2. Reporting period
 - a. By February 19th of each year, applicable facilities shall submit an annual report for the previous calendar year period for all mechanical wastewater treatment facilities, sludge lagoons, and biosolids or sludge disposal facilities.
 - b. Permittees with wastewater treatment lagoons shall submit the above annual report only when biosolids or sludge are removed from the lagoon during the report period or when the lagoon is closed.
3. Report Form. The annual report shall be prepared on report forms provided by the Department or equivalent forms approved by the Department.
4. Reports shall be submitted as follows:
Major facilities, which are those serving 10,000 persons or more or with a design flow equal to or greater than 1 million gallons per day or that are required to have an approved pretreatment program, shall report to both the Department and EPA if the facility land applied, disposed of biosolids by surface disposal, or operated a sewage sludge incinerator. All other facilities shall maintain their biosolids or sludge records and keep them available to Department personnel upon request. State reports shall be submitted to the address listed as follows:

DNR regional or other applicable office listed in the
permit (see cover letter of permit)
ATTN: Sludge Coordinator

Reports to EPA must be electronically submitted online via the Central Data Exchange at: <https://cdx.epa.gov/> Additional information is available at: <https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws>

5. Annual report contents. The annual report shall include the following:
 - a. Biosolids and sludge testing performed. If testing was conducted at a greater frequency than what is required by the permit, all test results must be included in the report.
 - b. Biosolids or sludge quantity shall be reported as dry tons for the quantity produced and/or disposed.
 - c. Gallons and % solids data used to calculate the dry ton amounts.
 - d. Description of any unusual operating conditions.
 - e. Final disposal method, dates, and location, and person responsible for hauling and disposal.
 - i. This must include the name and address for the hauler and sludge facility. If hauled to a municipal wastewater treatment facility, sanitary landfill, or other approved treatment facility, give the name of that facility.
 - ii. Include a description of the type of hauling equipment used and the capacity in tons, gallons, or cubic feet.
 - f. Contract Hauler Activities:

If using a contract hauler, provide a copy of a signed contract from the contractor. Permittee shall require the contractor to supply information required under this permit for which the contractor is responsible. The permittee shall submit a signed statement from the contractor that he has complied with the standards contained in this permit, unless the contract hauler has a separate biosolids or sludge use permit.
 - g. Land Application Sites:
 - i. Report the location of each application site, the annual and cumulative dry tons/acre for each site, and the landowners name and address. The location for each spreading site shall be given as a legal description for nearest ¼, ¼, Section, Township, Range, and county, or UTM coordinates. The facility shall report PAN when either of the following occurs: 1) When biosolids are greater than 50,000 mg/kg TN; or 2) when biosolids are land applied at an application rate greater than two dry tons per acre per year.
 - ii. If the “Low Metals” criteria are exceeded, report the annual and cumulative pollutant loading rates in pounds per acre for each applicable pollutant, and report the percent of cumulative pollutant loading which has been reached at each site.
 - iii. Report the method used for compliance with pathogen and vector attraction requirements.
 - iv. Report soil test results for pH and phosphorus. If no soil was tested during the year, report the last date when tested and the results.



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

FOR AGENCY USE ONLY

CHECK NUMBER

DATE RECEIVED

FEE SUBMITTED

JET PAY CONFIRMATION NUMBER

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

IF YOUR FACILITY IS ELIGIBLE FOR A NO EXPOSURE EXEMPTION:

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

1. REASON FOR APPLICATION:

- ☒ a. This facility is now in operation under Missouri State Operating Permit (permit) MO – 0134244 is submitting an application for renewal, and there is no proposed increase in design wastewater flow. Annual fees will be paid when invoiced and there is no additional permit fee required for renewal.
- ☐ b. This facility is now in operation under permit MO – _____, is submitting an application for renewal, and there is a proposed increase in design wastewater flow. Antidegradation Review may be required. Annual fees will be paid when invoiced and there is no additional permit fee required for renewal.
- ☐ c. This is a facility submitting an application for a new permit (for a new facility). Antidegradation Review may be required. New permit fee is required.
- ☐ d. This facility is now in operation under Missouri State Operating Permit (permit) MO – _____ and is requesting a modification to the permit. Antidegradation Review may be required. Modification fee is required.

2. FACILITY

| | | | |
|--|------------------------------|--|--------------------------|
| NAME <u>OZARKS KAT AND K9</u> | | TELEPHONE NUMBER WITH AREA CODE <u>573-374-2629</u> | |
| ADDRESS (PHYSICAL) <u>17290 Highway 5 North</u> | CITY <u>Sunrise Beach</u> | STATE <u>Mo</u> | ZIP CODE <u>65079</u> |

3. OWNER

| | | | |
|---|------------------------------|--|--------------------------|
| NAME <u>Society for the Treatment of Abandoned and Fractured Friends</u> | | TELEPHONE NUMBER WITH AREA CODE <u>573-374-2629</u> | |
| EMAIL ADDRESS <u>shelter.manager@ozarkskatandk9.com</u> | | | |
| ADDRESS (MAILING) <u>P.O. Box 338</u> | CITY <u>Sunrise Beach</u> | STATE <u>Mo</u> | ZIP CODE <u>65079</u> |

4. CONTINUING AUTHORITY

| | | | |
|------------------------------|------|---------------------------------|----------|
| NAME <u>Same as above</u> | | TELEPHONE NUMBER WITH AREA CODE | |
| EMAIL ADDRESS | | | |
| ADDRESS (MAILING) | CITY | STATE | ZIP CODE |

5. OPERATOR CERTIFICATION

| | | | | |
|--|--|------------------------------------|--|--------------------------|
| NAME <u>Waste Water Operation & Service</u> | | CERTIFICATE NUMBER <u>10453</u> | TELEPHONE NUMBER WITH AREA CODE <u>573-569-5580</u> | |
| ADDRESS (MAILING) <u>13430 Wren Rd.</u> | | CITY <u>Versailles</u> | STATE <u>Mo</u> | ZIP CODE <u>65084</u> |

6. FACILITY CONTACT

| | | | | |
|--|--|---------------------------------|--|--|
| NAME <u>Angi Uber</u> | | TITLE <u>Shelter Manager</u> | TELEPHONE NUMBER WITH AREA CODE <u>573-374-2629</u> | |
| EMAIL ADDRESS <u>shelter.manager@ozarkskatandk9.com</u> | | | | |

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

| | | | | |
|---------|--|------|-------|----------|
| NAME | | | | |
| ADDRESS | | CITY | STATE | ZIP CODE |

8. ADDITIONAL FACILITY INFORMATION

- 8.1 Legal Description of Outfalls. (Attach additional sheets if necessary.)
For Universal Transverse Mercator (UTM), use Zone 15 North referenced to North American Datum 1983 (NAD83)
- 001 SW 1/4 SW 1/4 NW 1/4 Sec 34 T 40N R 17W Camden County
UTM Coordinates Easting (X): 517017 Northing (Y): 4226471
- 002 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
UTM Coordinates Easting (X): _____ Northing (Y): _____
- 003 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
UTM Coordinates Easting (X): _____ Northing (Y): _____
- 004 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
UTM Coordinates Easting (X): _____ Northing (Y): _____

Include all subsurface discharges and underground injection systems for permit consideration.

- 8.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.
Primary SIC 0752 and NAICS 812910 SIC _____ and NAICS _____
SIC _____ and NAICS _____ SIC _____ and NAICS _____

9. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION

- A. Is this permit for a manufacturing, commercial, mining, solid/hazardous waste, or silviculture facility? YES ☐ NO ☒
If yes, complete Form C.
- B. Is the facility considered a "Primary Industry" under EPA guidelines (40 CFR Part 122, Appendix A)? YES ☐ NO ☒
If yes, complete Forms C and D.
- C. Is wastewater land applied? YES ☒ NO ☐
If yes, complete Form I.
- D. Are sludge, biosolids, ash, or residuals generated, treated, stored, or land applied? YES ☐ NO ☒
If yes, complete Form R.
- E. Have you received or applied for any permit or construction approval under the CWA or any other environmental regulatory authority? YES ☐ NO ☒
If yes, please include a list of all permits or approvals for this facility:
Environmental Permits for this facility: _____
- F. Do you use cooling water in your operations at this facility? YES ☐ NO ☒
If yes, please indicate the source of the water: _____
- G. Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.

10. ELECTRONIC DISCHARGE MONITORING REPORT (eDMR) SUBMISSION SYSTEM

Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data. **One of the following must be checked in order for this application to be considered complete.** Please visit <https://dnr.mo.gov/env/wpp/edmr.htm> for information on the Department's eDMR system and how to register.

- ☐ - I will register an account online to participate in the Department's eDMR system through the Missouri Gateway for Environmental Management (MoGEM) before any reporting is due, in compliance with the Electronic Reporting Rule.
- ☐ - I have already registered an account online to participate in the Department's eDMR system through MoGEM.
- ☐ - I have submitted a written request for a waiver from electronic reporting. See instructions for further information regarding waivers.
- ☒ - The permit I am applying for does not require the submission of discharge monitoring reports.

11. FEES

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

For new permits: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/591>

For modifications: <https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/596>

12. CERTIFICATION

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT)

ANGI UBER, SHELTER MANAGER

TELEPHONE NUMBER WITH AREA CODE

573-374-2629

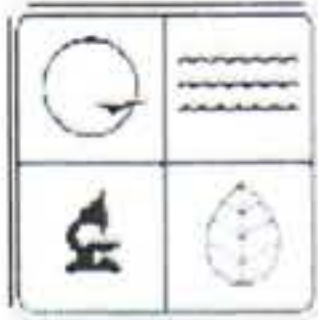
SIGNATURE

Angi Uber

DATE SIGNED

6-28-22

MO 780-1479-104-211



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

FOR AGENCY USE ONLY

PERMIT NUMBER

MO -

DATE RECEIVED

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

1. FACILITY INFORMATION

1.1 Facility Name S.T.A.F.F. Animal Rescue
DBA: OZARKS KAT AND K9

1.2 Permit Number
MO- 0134244

1.3 Type of wastewater to be irrigated: ☐ Domestic ☐ Municipal ☐ State/National Park ☐ Seasonal business
☐ Municipal with Pretreatment Program or Significant Industrial Users ☒ Other (explain) dog kennels
SIC Codes (list all that apply, in order of importance) _____

1.4 Months when the business or enterprise will operate or generate wastewater:
☒ 12 months per year ☐ Part of year (list Months): _____

1.5 This system is designed for:
☒ No-discharge ☐ Partial irrigation when feasible and discharge rest of time.
☐ Irrigation during recreation season (April – October) and discharge during November – March.
☐ Other (explain) _____

1.6 List the Facility outfalls which will be applicable to the irrigation system.
Outfall Numbers: 001

2. STORAGE BASINS

2.1 Number of storage basins: 1
Type of basin: ☐ Steel ☒ Concrete ☐ Fiberglass ☐ Earthen
☐ Earthen with membrane liner

3. LAND APPLICATION SYSTEM

3.1 Number of irrigation sites 1 Total Acres _____
Location: SW 1/4, SW 1/4, NW 1/4 Sec 34 T 40N R 17W Camden County _____ Acres
Location: _____ 1/4, _____ 1/4, _____ 1/4, Sec _____ T _____ R _____ County _____ Acres
Attach pages as needed.

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

3.3 Type of vegetation: ☐ Grass hay ☐ Pasture ☒ Timber ☐ Row crops ☐ Other (describe) _____

3.4 Wastewater flow (dry weather) gallons/day:
Average annual: 1,300 Seasonal _____ Off-season _____
Months of seasonal flow: 12

3. LAND APPLICATION SYSTEM (continued)

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

Design: _____ inches/year _____ inches/hour _____ inches/day _____ inches/week

Actual: _____ inches/year _____ inches/hour _____ inches/day _____ inches/week

Total Irrigation per year (gallons): _____ Design _____ Actual

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

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

3.6 Land Application Rate is based on:

☐ Nutrient Management Plan (N&P)

☐ Hydraulic Loading

☐ Other (describe) _____

3.7 Equipment type: ☐ Sprinklers ☐ Gated pipe ☐ Center pivot ☐ Traveling gun ☐ Other (describe) _____

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

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

☒ Site is Fenced ☐ Wastewater disinfection prior to irrigation ☐ Site is not for public use

☐ Other (describe) _____

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

_____ Permanent flowing stream _____ Losing Stream _____ Intermittent (wet weather) stream _____ Lake or pond

_____ Property boundary _____ Dwellings _____ Water supply well _____ Other (describe) _____

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

Date of O&M Plan: _____

4. CERTIFICATION

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

OWNER OR AUTHORIZED REPRESENTATIVE

ANGI UBER

OFFICIAL TITLE

SHELTER MANAGER

EMAIL ADDRESS

shelter.manager@ozarkskatandk9.com

TELEPHONE NUMBER WITH AREA CODE

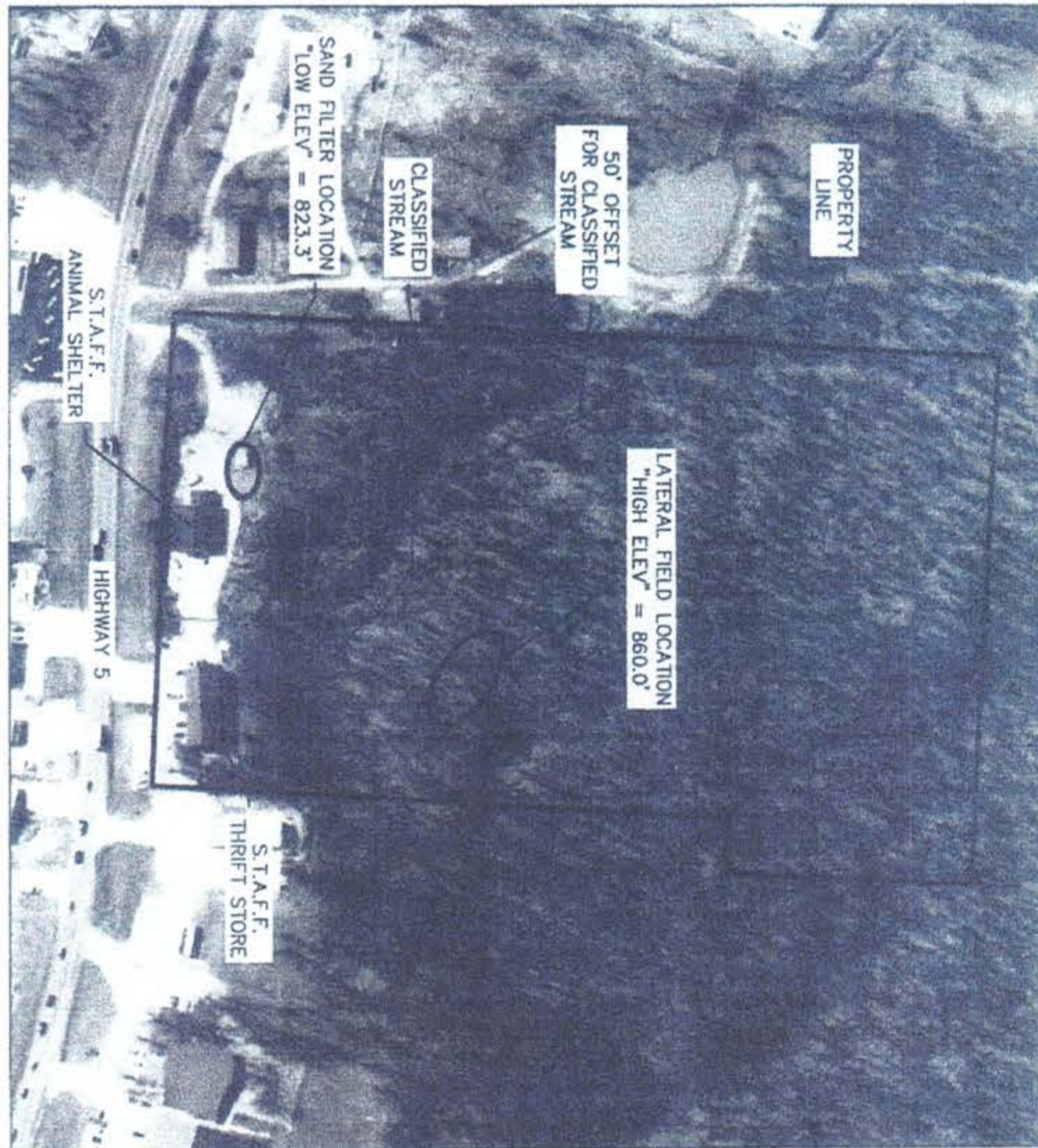
573-374-2629

SIGNATURE

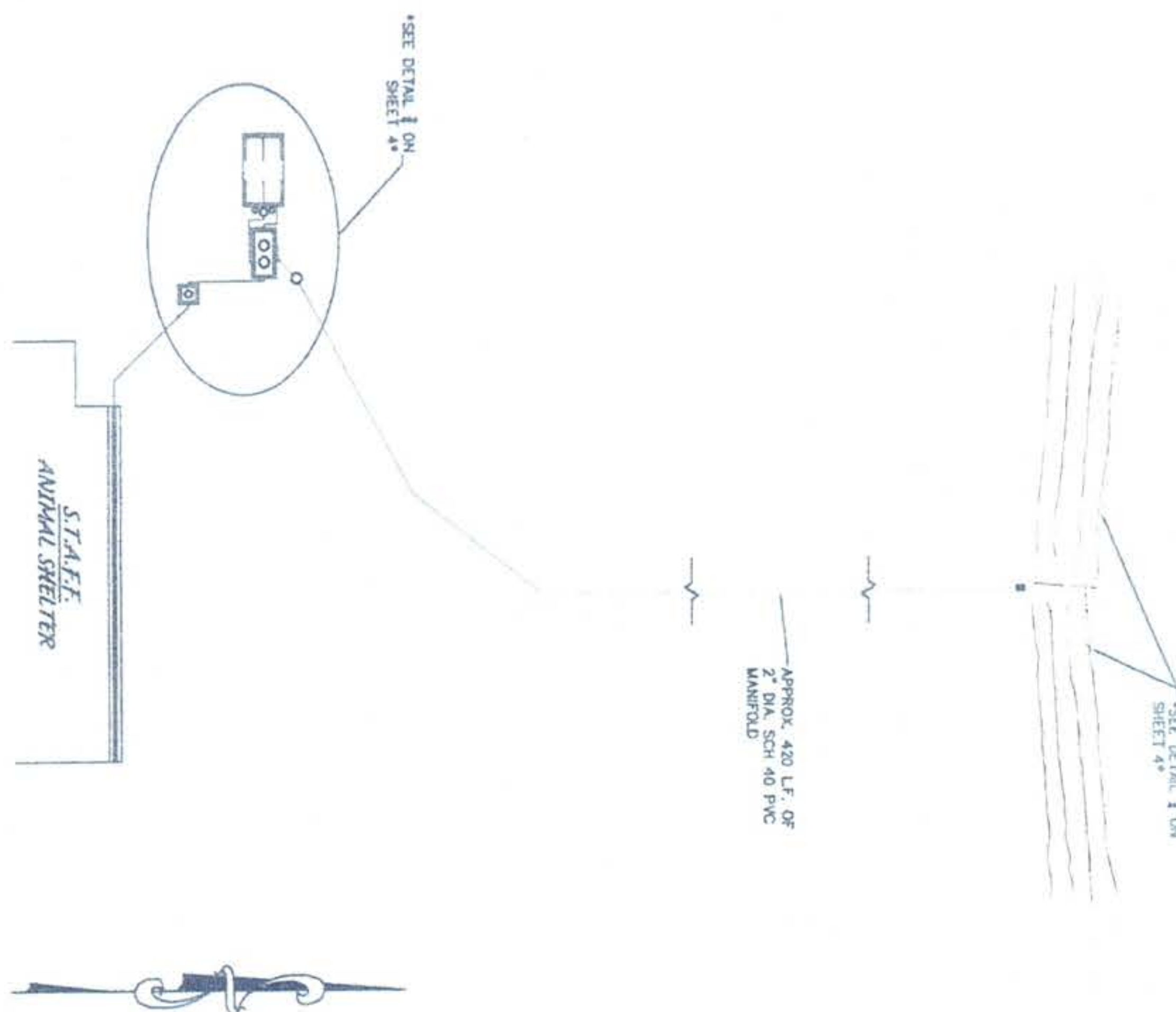
Angi Uber

DATE SIGNED

6-28-22



- ABSORPTION FIELD NOTES.**
- 1.) OWNER SHALL OBTAIN A CONSTRUCTION PERMIT AND COORDINATE WITH THE CAMDEN COUNTY HEALTH DEPARTMENT.
 - 2.) 1" SCH. 40 PVC LATERALS WITH 5/32" ORIFICES ON 5'-0" CENTERS WERE INSTALLED.
 - 3.) THERE IS A SUITABLE LOCATION FOR A REPLACEMENT SYSTEM. IF THE SYSTEM WOULD FAIL, HOLDING TANKS WOULD BE THE REPLACEMENT SYSTEM.
 - 4.) NO VARIANCE IS REQUIRED. PROJECT MEETS ALL SETBACK STANDARDS SET FORTH BY MODNR.
 - 5.) SYSTEM IS TIMED DOSED. (APPROXIMATELY 1.9 DOSES PER DAY.)
 - 6.) REDUNDANT OFF FLOAT INSTALLED ON PUMP TO AVOID TANK BEING PUMPED DRY.



PROJECT LOCATION/
SITE PLAN

08/04/2016 AutoCAD Civil 3D
Designed by: JWW Surveyed by: CCS
Checked by: JWW Drawn by: CCS
Project #: 750301 Sheet Size: 11X17
File: S.T.A.F.F. LPP As-Built.dwg

S.T.A.F.F. LPP ON-SITE SEWER SYSTEM AS-BUILTS

CAMDEN COUNTY, MISSOURI



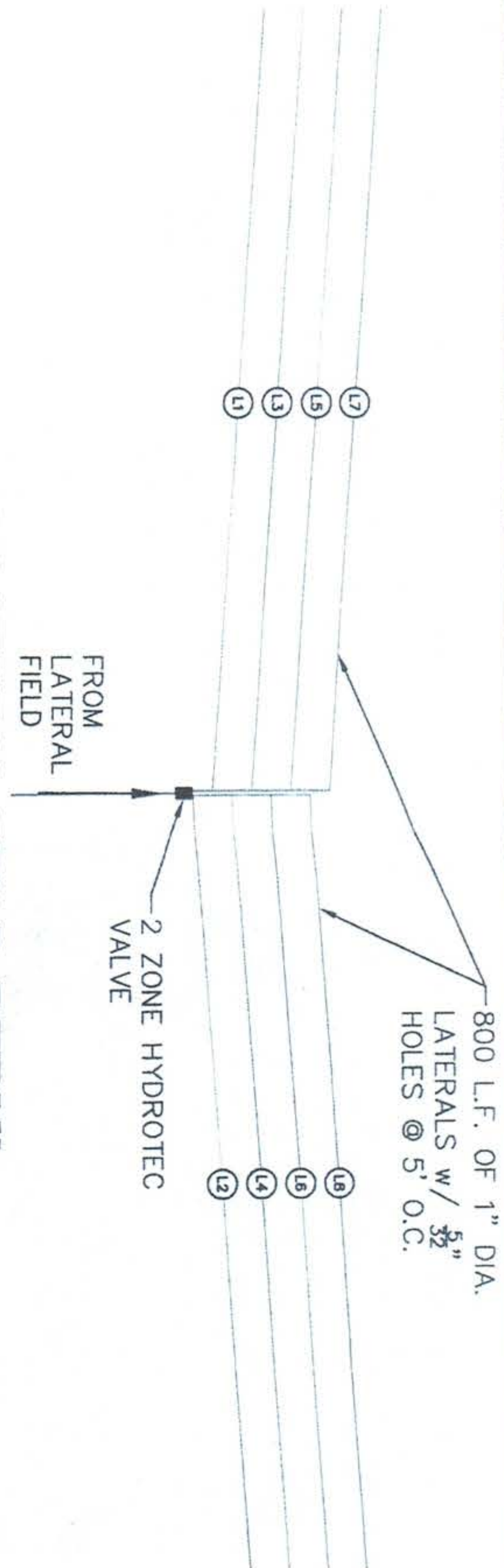
SS
Schultz Surveying &
Engineering

Southeast Missouri Office - (573) 685-0806
Doniphan Office - (573) 996-4447
Lake of the Ozarks Office - (573) 365-2003
Branson Office - (417) 337-8920
New Orleans, LA Office - (504) 467-6009
www.schultzengineering.com

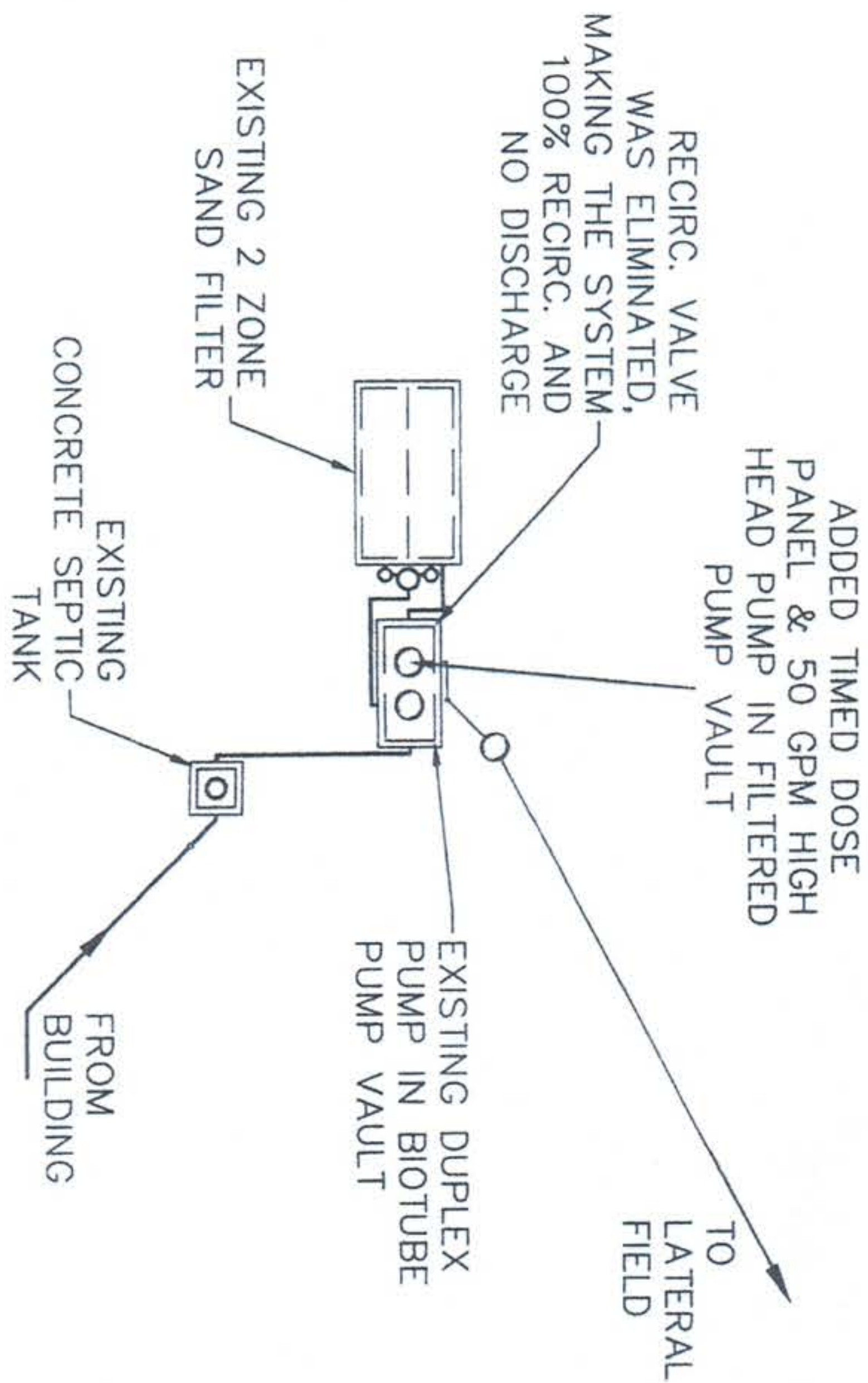
Civil Engineering - Land Surveying - Materials Testing

SHEET

3



1
4
N.T.S. **LATERAL FIELD DETAIL**



2
4
N.T.S. **TANK LAYOUT DETAIL**



DETAILS

08/04/2016 AutoCAD Civil 3D
Designed by: JWW Surveyed by: CCS
Checked by: JWW Drawn by: CCS
Project #: 750301 Sheet Size: 11X17
File: S.T.A.F.F. LPP As-Built.dwg

**S.T.A.F.F. LPP ON-SITE SEWER
SYSTEM AS-BUILTS**

CAMDEN COUNTY, MISSOURI



Southeast Missouri Office - (573) 696-0806
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Civil Engineering - Land Surveying - Materials Testing