MISSOURI STATE OPERATING PERMIT

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

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>MO-0136646</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner:</td>
<td>David Cannon and Troy Jennings</td>
</tr>
<tr>
<td>Address:</td>
<td>P.O. Box 122, Gallatin, MO  64640</td>
</tr>
<tr>
<td>Continuing Authority:</td>
<td>Daviess County Livestock Market LLC</td>
</tr>
<tr>
<td>Address:</td>
<td>P.O. Box 122, Gallatin, MO  64640</td>
</tr>
<tr>
<td>Facility Name:</td>
<td>Daviess County Livestock Market</td>
</tr>
<tr>
<td>Facility Address:</td>
<td>912 West Grand, Gallatin, MO  64640</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>See page two</td>
</tr>
<tr>
<td>UTM Coordinates:</td>
<td>See page two</td>
</tr>
<tr>
<td>Receiving Stream:</td>
<td>See page two</td>
</tr>
<tr>
<td>First Classified Stream and ID:</td>
<td>See page two</td>
</tr>
<tr>
<td>USGS Basin &amp; Sub-watershed No.:</td>
<td>See page two</td>
</tr>
</tbody>
</table>

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

FACILITY DESCRIPTION

See page two.

This permit authorizes only land application of wastewater under the Missouri Clean Water Law; it does not apply to other regulated areas.

January 1, 2022
Effective Date

December 31, 2026
Expiration Date

Chris Wieberg, Director, Water Protection Program
FACILITY DESCRIPTION (CONTINUED)

SIC Code #5154. This facility is a livestock auction consisting of uncovered holding lots and covered holding pens. Runoff from the uncovered lots is diverted to the storage lagoon. Wastewater from the storage lagoon can be pumped to the City of Gallatin or land applied. Manure from covered holding pens is handled as dry process and is typically taken directly to land application sites but may be stored within the containment area. Dry process waste is transferred to others for land application at third party sites or land applied on permitted sites. Domestic wastewater from the facility is discharged to the City of Gallatin.

Permitted Feature #001: No-Discharge Storage basin
Legal Description: SW¼, NE¼, Sec 19, T59N, R27W, Daviess County
UTM Coordinates: X=416859, Y=4418652
Receiving Stream: Tributary to Grand River
First Classified Stream and ID: 100K Extent-Remaining Streams (C) (3960)
USGS Basin & Sub-watershed No: 10280101-1205
Total Storage Capacity (gal.): 1,213,189
Storage structure operating levels -
    Upper pumpdown level: 5.6 (feet below emergency spillway)
    Lower pumpdown level: 12.6 (feet below emergency spillway)
Area draining into storage basin (acres): 3.5
Design Storage (days) - 1 in 10 Year: 120
Design Storm Volume (cu. ft.)
    1 in 25 yr 24 hr storm: 69,685
Wastewater Volume (gal/yr.) – Avg. year: 1,591,858; 1 in 10 Year: 2,597,356 (0.01 MGD)
Biosolids Volume (ton/yr.): 2282

Permitted Feature #002: Land application field.
Legal Description: SW¼, NE¼, Sec 19, T59N, R27W, Daviess County
UTM Coordinates: X=416859, Y=4418652
Receiving Stream: Tributary to Grand River
First Classified Stream and ID: 100K Extent-Remaining Streams (C) (3960)
USGS Basin & Sub-watershed No: 10280101-1205
A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

### Table A-1

<table>
<thead>
<tr>
<th>OUTFALL #001</th>
<th>FINAL LIMITATIONS AND MONITORING REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storage basin</td>
<td></td>
</tr>
</tbody>
</table>

The permittee is authorized to land apply from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such applications shall be controlled, limited and monitored by the permittee as specified below:

<table>
<thead>
<tr>
<th>EFFLUENT PARAMETERS</th>
<th>UNITS</th>
<th>FINAL EFFLUENT LIMITATIONS</th>
<th>MONITORING REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>DAILY maximum</td>
<td>MONTHLY average</td>
</tr>
<tr>
<td>STORAGE BASINS MONITORING</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freeboard $\Phi$</td>
<td>feet</td>
<td>*</td>
<td>-</td>
</tr>
<tr>
<td>Precipitation</td>
<td>inches</td>
<td>*</td>
<td>-</td>
</tr>
</tbody>
</table>

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2022. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBL E FOAM IN OTHER THAN TRACE AMOUNTS.

### Table A-2

<table>
<thead>
<tr>
<th>PERMITTED FEATURE #002</th>
<th>FINAL LIMITATIONS AND MONITORING REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land application fields</td>
<td></td>
</tr>
</tbody>
</table>

The permittee is authorized to land apply to permitted feature(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such applications shall be controlled, limited and monitored by the permittee as specified below:

<table>
<thead>
<tr>
<th>EFFLUENT PARAMETERS</th>
<th>UNITS</th>
<th>FINAL EFFLUENT LIMITATIONS</th>
<th>MONITORING REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>DAILY maximum</td>
<td>MONTHLY average</td>
</tr>
<tr>
<td>WASTEWATER APPLICATION $\Delta$</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application Area</td>
<td>acres</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Application Rate</td>
<td>inches/acre</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Irrigation Period</td>
<td>hours</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Volume Irrigated</td>
<td>gallons</td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

MONITORING REPORTS SHALL BE SUBMITTED BY THE 28TH DAY OF THE MONTH FOLLOWING LAND APPLICATION. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBL E FOAM IN OTHER THAN TRACE AMOUNTS.

* Monitoring and reporting requirement only

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

$\Phi$ Storage Basin freeboard shall be reported as Storage Basin water level in feet below the overflow level.

$\Psi$ If land application does not occur during the reporting period Report as “No Discharge”.

$\Psi$ Wastewater that is land applied shall be sampled at the irrigation pump, wet well, or application equipment prior to land application.

$\Delta$ Reporting is only required for permitted features where land application occurred during the month. If no land application occurs at a permitted feature, no reporting is required. These are unscheduled parameters.
Once per event means the facility must take a sample at least once per discharge event. If there was no discharge, a report is not necessary; if a discharge occurred, the facility must report all results of sampling into the eDMR system by the 28th day of the month following the completion of the discharge.

B. STANDARD CONDITIONS

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

C. SPECIAL CONDITIONS

1. Spills, Overflows, and Other Unauthorized Discharges.
   (a) Any spill, overflow, or other discharge(s) not specifically authorized are unauthorized discharges.
   (b) Should an unauthorized discharge cause or permit any contaminants to discharge or enter waters of the state, the unauthorized discharge must be reported to the regional office as soon as practicable but no more than 24 hours after the discovery of the discharge. If the spill or overflow needs to be reported after normal business hours or on the weekend, the facility must call the Department’s 24 hour spill line at 573-634-2436.

2. No-Discharge Wastewater Holding Structure(s) Minimum Best Management Practices (BMPs):
   (a) To prevent unauthorized discharges, the no-discharge wastewater structure must be properly designed, operated, and maintained to contain all wastewater plus run-in and direct precipitation.
   (b) During normal weather conditions, the liquid level in the storage structure shall be maintained below the upper operating level, so adequate storage capacity is available for use during adverse weather periods. The liquid level in the storage structure should be lowered on a routine schedule based on the design storage period. Typically this should be accomplished prior to expected seasonal wet and winter climate periods.
   (c) Maintain liquid level in the no-discharge wastewater structure at least 2.0 feet from the bottom of the discharge pipe, top of the basin, or the bottom of the overflow canal, whichever is lowest.
   (d) Weekly inspection of no-discharge wastewater basin(s) shall occur. Inspection notes will be kept at the facility and made available to the Department upon request. Electronic records retention is acceptable.
   (e) The inspections will note any issues with the no-discharge structure and will record the level of liquid as indicated by the depth marker.

3. Electronic Discharge Monitoring Report (eDMR) Submission System. Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent monitoring data and any report required by the permit (unless specifically directed otherwise by the permit), shall be submitted via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data for the NPDES program. The eDMR system is currently the only Department-approved reporting method for this permit unless specified elsewhere in this permit, or a waiver is granted by the Department. The facility must register in the Department’s eDMR system through the Missouri Gateway for Environmental Management (MoGEM) before the first report is due.

4. Site-wide minimum Best Management Practices (BMPs). At a minimum, the facility shall adhere to the following:
   (a) Provide good housekeeping practices on the site to keep trash from entry into waters of the state. Dumpster should remain closed when not in use.
   (b) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, warehouse activities, and other areas, to prevent the contamination of stormwater from these substances.
   (c) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
   (d) Store all paint, solvents, petroleum products, petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater. Spill records should be retained on-site.
   (e) Wash water for vehicles, building(s), or pavement must be handled in a no-discharge manner (infiltration, hauled off-site, etc.). Describe the no-discharge method used and include all pertinent information (quantity/frequency, soap use, effluent destination, BMPs, etc.) in the application for renewal. If wash water is not produced, note this instead.
   (f) Fire protection test water must be handled in a no-discharge manner (infiltration, hauled off-site, etc.). Describe the no-
C. SPECIAL CONDITIONS (CONTINUED)

discharge method used and include all pertinent information (quantity/frequency, source water, effluent destination, BMPs, etc.) in the application for renewal. If fire protection test water is not produced, note this instead.

(g) After snow or ice, if the facility applies sand/salt to the pavement of parking lots, sidewalks, or stairs, the facility shall sweep the lots to remove sand/salt as soon as possible after snow or ice melt, collect excess solids, and minimize and control the discharge of solids into stormwater inlets. Salt and sand shall be stored in a manner minimizing mobilization in stormwater (for example: under roof, in covered container, in secondary containment, under tarp, etc.).

5. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with 644.051.16 RSMo for permit shield, and the CWA §402(k) for toxic substances. This permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under CWA §§301(b)(2)(C) and (D), §304(b)(2), and §307(a)(2), if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not already limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause, including determination new pollutants found in the discharge not identified in the application for the new or revised permit. The filing of a request by the facility for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.

6. All outfalls and permitted features must be clearly marked in the field.

7. Report no discharge when a discharge does not occur during the report period. It is a violation of this permit to report no-discharge when a discharge has occurred.

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

9. Failure to pay fees associated with this permit is a violation of the Missouri Clean Water Law (644.055 RSMo).

10. This permit does not cover land disturbance activities.

11. This permit does not allow stream channel or wetland alterations unless approved by Clean Water Act §404 permitting authorities.

12. 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.

13. Changes in Discharges of Toxic Pollutant.
    In addition to the reporting requirements under 40 CFR 122.41, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director per 40 CFR 122.42(a)(1) and (2) as soon as recognizing:
    (a) An activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
        (1) One hundred micrograms per liter (100 µg/L);
        (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;
        (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
        (4) One milligram per liter (1 mg/L) for antimony;
        (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
        (6) The notification level established by the Department in accordance with 40 CFR 122.44(f).
C. SPECIAL CONDITIONS (CONTINUED)

(b) Any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:

1. Five hundred micrograms per liter (500 µg/L);
2. One milligram per liter (1 mg/L) for antimony;
3. Ten (10) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
4. The level established by the Director in accordance with 40 CFR 122.44(f).

(c) Authorization of new or expanded pollutant discharges may be required under a permit modification or renewal, and may require an antidegradation review.

14. This permit does not authorize the facility to accept, treat, or discharge wastewater from other sources unless explicitly authorized herein. 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.

15. Any discharges (or qualified activities such as land application) not expressly authorized in this permit, and not clearly disclosed in the permit application, cannot become authorized or shielded from liability under CWA section 402(k) or Section 644.051.16, RSMo, by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including any other permit applications, funding applications, the SWPPP, discharge monitoring reporting, or during an inspection. Submit a permit modification application, as well as an antidegradation determination if appropriate, to request authorization of new or expanded discharges.

16. Renewal Application Requirements.
(a) This facility shall submit an appropriate and complete application to the Department no less than 180 days prior to the expiration date listed on page 1 of the permit.
(b) Application materials shall include complete Form A. If the form names have changed, the facility should ensure they are submitting the correct forms as required by regulation.
(c) This facility must submit Form I/R for land application of wastewater/industrial solids.
(d) The facility may use the electronic submission system to submit the application to the Program, if available.
(e) This facility must submit all soil testing with the application for permit renewal.

17. Mortalities must not be disposed of in any liquid manure or process wastewater system that is not specifically designed to treat animal mortalities. Animals shall be disposed of in a manner to prevent contamination of waters of the state or creation of a public health hazard.
D. LAND APPLICATION CONDITIONS

1. Land application of wastewater and/or sludge materials listed in the Facility Description of this permit is authorized and shall be conducted according to the following conditions. These land application conditions do 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.

2. Storage Basin Minimum BMPs.
   (a) To maintain structural integrity, basins shall be inspected at least monthly, the berms of the storage basin(s) shall be mowed and kept free of any deep-rooted vegetation, animal dens, or other potential sources of damage, any leaks or issues shall be noted.
   (b) The facility shall ensure adequate provisions are provided to prevent surface water intrusion and run-in into the storage basin(s), to divert stormwater runoff from around the storage basin(s), and protect embankments from erosion.
   (c) The minimum and maximum operating water levels for the storage basin(s) shall be clearly marked.
   (d) Each storage basin shall be operated and maintained to achieve and maintain no discharge status; including maximum water elevations up to the operating level of the 1-in-10 year or 25-year, 24-hour storm events.
   (e) Storage basins shall be lowered to the minimum operating level prior to November 30 each year.
   (f) At least one sign shall appear on the fence on each side of each basin. Minimum wording shall be “WASTEWATER – KEEP OUT”, in letters at least 2 inches high.
   (g) A least one gate, constructed of materials comparable to the fence, must be provided to access any storage basin for maintenance and mowing. The gate shall remain locked except during maintenance or mowing.
   (h) It is a violation of this permit to place material in the emergency spillway or otherwise cause it to cease to function properly, as this may result in a catastrophic failure of the storage basin.

3. Land Application Equipment Minimum Requirements.
   (a) Spray application equipment shall minimize the formation of aerosols.
   (b) Application equipment shall be visually inspected daily during land application to check for equipment malfunctions and leaks. The application system shall be operated so as to provide uniform distribution of wastes over the entire land application site.
   (c) Equipment shall be calibrated at least once per calendar year to ensure even distribution of wastewater.

4. Land Application Field(s) Minimum Requirements.
   (a) No land application shall occur when the soil or ground is frosted, frozen, snow covered, or saturated. Daily observation of fields is required. Application activities shall cease if these conditions occur.
   (b) There shall be no application during a precipitation event or if a precipitation event likely to create runoff is forecasted to occur within 24 hours of a planned application.
   (c) Public Access Restrictions; this permit does not authorize application of wastewater to public use areas.
   (d) Grazing and Harvesting Deferment.
      (1) May 1 to October 31, the minimum grazing or forage harvest deferment shall be fourteen (14) days from application;
      (2) November 1 to April 30, the minimum grazing or forage harvest deferment shall be thirty (30) days from application;
      (3) If deferment period spans two timeframes, the minimum grazing or forage harvest deferment shall be thirty (30) days from most recent application.
      (4) Lactating dairy animal grazing is generally not recommended for application areas unless there has been a much longer deferment period.
   (e) Land application shall occur only during daylight hours unless night time irrigation is necessary and the Water Protection Program has approved a nighttime irrigation plan.
   (f) Land application fields shall be checked daily during land application for runoff.
   (g) Sites utilizing spray irrigation shall monitor for the drifting of spray across property lines. Spray drift is not permissible.
   (h) Setback distances from sensitive features per 10 CSR 20-8.200(6)(B). There shall be no land application within:
      (1) The 10 year floodplain;
      (2) 50 feet inside of the property line;
      (3) 100 feet of any classified or unclassified gaining perennial or intermittent stream, any wetland, or any public or privately owned pond or lake;
      (4) 150 feet of any dwelling, residence, public building, or public use area (excluding roadways);
      (5) 300 feet of any potable water supply well not located on the property, adequate protections shall be implemented and maintained for any potable water supply well located within the application area;
      (6) 300 feet from any sinkhole, losing stream, or any other physiographic structure with a conduit to groundwater;
D. LAND APPLICATION CONDITIONS (CONTINUED)

5. Application Rate(s) and Loading.
   (a) This permit does not authorize application of materials in concentrations known to cause, or having the potential to cause, phytotoxicity in plants per 10 CSR 20-6.015(4)1. If plant stress is observed, the facility may need to reduce application of wastewaters and/or sludges. If phytotoxicity is observed, the facility shall cease land application activities and evaluate the applied substances to determine the cause of phytotoxicity.
   (b) Wastewater application on slopes exceeding 10%:
      (1) Initial application rate on dry soils may briefly exceed one-half (1/2) the design sustained permeability rate;
      (2) The hourly application rate shall not exceed one-half (1/2) the design sustained permeability;
      (3) In no case shall exceed one-half (1/2) inch per hour.
   (c) Applications shall not exceed any agronomic rates listed in the facility description to ensure plant use of nutrients and prevent contamination of surface and groundwater. The agronomic rate is the amount of wastewater applied to a field to meet the fertilization needs of the plants.
   (d) Runoff and ponding is prohibited.
   (e) This permit does not authorize land disposal or the application of hazardous waste.
   (f) The facility must maintain a record of all fertilizer products applied to fields; even exempted products, to determine total nutrient loading.
   (g) The fertilizer recommendation shall be based on all of the following:
      (1) The nutrient recommendation (nitrogen or phosphorus) for each crop. Recommendations can be found in University of Missouri Extension Guide EQ202 Crop/Nutrient Considerations for Biosolids or from publications by other land grant universities in adjoining states,
      (2) Realistic yield goal for each crop. Yield goals should be based on actual crop yield records from multiple years for each field. Good judgment should be used to counteract unusually high or low yields. If a field’s yield history is not available the USDA county wide average or other approved source may be used, and
      (3) The most recent soil test.
   (h) Applications shall be conducted according to one the following nutrient based management practices. The chosen method is required to be the most stringent (not over-applying one pollutant).
      (1) Nitrogen:
         i. Plant Available Nitrogen (PAN) based application. This method can be used when soil test phosphorus (P) levels are 120 pounds or less per acre using Bray P-1 test method, or if the field has been assessed by Missouri Phosphorus Index (P-index) with a low or medium rating. The amount of wastewater and/or sludge to be applied shall be adjusted annually based on the PAN calculation using the current wastewater and/or sludge nutrient analysis and the following:
            ii. For non-legume crops, the nitrogen fertilizer recommendation shall be adjusted to account for nitrogen credits from a preceding legume crop and residual nitrogen from the previous year’s application. Nitrogen removal rates can be found in WQ430.
            iii. For legume crops, the nitrogen removal capacity of the legume crops should be based on the estimated nitrogen content of the harvested crop as defined in WQ430 and a realistic yield goal. The estimated nitrogen content of the crop must be adjusted using nitrogen credits for residual nitrogen fertilizer from the previous year’s application.
            iv. \[ PAN = [\text{Ammonia Nitrogen x volatilization factor}^*] + [\text{Organic Nitrogen x 0.2}] + [\text{Nitrate Nitrogen}] \]
               *Volatilization factor is 0.7 for surface application and 1 for subsurface application.
            v. The amount of wastewater and/or sludge applied shall not exceed the nitrogen fertilizer recommendation or the estimated nitrogen removal capacity of the planned crop during the year of the application;
      (2) Phosphorus:
         i. This method must be used when soil test phosphorus (P) levels are above 120 pounds per acre using Bray P-1 test method, or if the P-index rating is high. The amount of wastewater and/or sludge to be applied shall be adjusted annually based on the phosphorus content of the current wastewater and/or sludge nutrient analysis and may be applied according to one of the following methods;
         ii. The annual amount of phosphorus applied shall not exceed the planned crop’s phosphorus removal estimate from WQ430, or from publications by other land grant universities in adjoining states; or,
         iii. Multi-year phosphorus applications. Wastewater and/or sludge applications can exceed the annual planned phosphate removal estimate for the crop when a multi-year phosphorus application is utilized. The multi-year application must comply with the following conditions:
            iv. The amount of phosphorus banked shall not exceed four years of the estimated crop removal rate for the planned crop rotation;
            v. The actual application rate shall not exceed the multi-year application rate; and
            vi. No additional applications shall occur until the applied phosphorus has been removed from the field by crop removal or harvest.
         vii. No land application can occur if the P-index rating for a field is very high.
D. LAND APPLICATION CONDITIONS (CONTINUED)

   (a) Composite soil samples shall be collected every five years from each field listed in this permit where land application has
       occurred in the last 12 months. No land application shall occur on fields listed in this permit if soil sample results are more
       the five years old.
   (b) Soil sampling shall be in accordance with University of Missouri (MU) Guides G9215, Soil Sampling Pastures or G9217,
       Soil Sampling Hayfields and Row Crops or other methods approved by the Department. The recommendation of one
       composite sample per 20 acres in G9215 and G9217 is not required by this permit, however, this is a useful method to
       identify soil fertility fluctuations in large fields due to past management practices, soil type, and variability of crop yields.
       There shall be at least one composite sample per 80 acres.
   (c) Testing shall conform to Recommended Chemical Soil Testing Procedures for North Central Region (North Central Regional
       Research Publication 221 Revised), or Soil Testing in Missouri (MU Extension Guide EC923), or other methods approved by
       the Department.

7. Record Keeping. The following record keeping shall occur, be maintained for at least five years, be made available to the
   Department upon request, and shall be submitted with the application for renewal.
   (a) Daily land application log showing, at a minimum: date(s) of application, field identified, acres used, volume applied,
       weather condition (sunny, overcast, air temperature, etc), soil moisture condition, days since last precipitation event, and
       application method;
   (b) Monthly visual storage structure inspections (if applicable);
   (c) Equipment inspections and calibrations;
   (d) Land application field inspections, including runoff, saturation, and ponding;
   (e) Record of maintenance and repairs;
   (f) Description of any unusual operating conditions encountered, narrative summary of any problems or deficiencies identified,
       corrective action taken, or improvements planned;
   (g) The number of days the storage structure discharged during the year, the discharge flow, reason the discharge occurred, and
       effluent analysis performed including analytical result laboratory pages and any clean-up actions taken.
   (h) Annual samples for each wastewater source shall be obtained and submitted to the department with the application for
       renewal materials. The samples required shall contain all parameters listed in the table above and any other parameters
       sampled. The submission must include the date of sampling and have the wastewater identified. Submission of laboratory
       results sheets will likely meet this requirement.
   (i) To ensure the soil does not exceed the cumulative loading rate, all records shall be maintained from the initial application
       date and for at least five years after application activities have ceased.
   (j) Annual summary for each field used for land application showing: number of days application occurred, crop grown and
       yield, and total amount of wastewater and/or sludge applied (gallons and/or tons per acre).

E. NOTICE OF RIGHT TO APPEAL

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

   Administrative Hearing Commission
   U.S. Post Office Building, Third Floor
   131 West High Street, P.O. Box 1557
   Jefferson City, MO 65102-1557
   Phone: 573-751-2422
   Fax: 573-751-5018
   Website: https://ahc.mo.gov
MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF RENEWAL OF
MO-0136646
DAVISS COUNTY LIVESTOCK MARKET

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: <1 MGD
SIC Code(s): 5154
NAICS Code(s): 424520
Application Date: 03/21/2021
Expiration Date: 12/31/2021
Last Inspection: 06/08/2016 not in compliance

FACILITY DESCRIPTION:
This facility is a livestock auction consisting of uncovered holding lots and covered holding pens. Runoff from the uncovered lots is diverted to the storage lagoon. Wastewater from the storage lagoon can be pumped to the City of Gallatin or land applied. Manure from covered holding pens is handled as dry process and is typically taken directly to land application sites but may be stored within the containment area. Dry process waste is transferred to others for land application at third party sites or land applied on permitted sites. Domestic wastewater from the facility is discharged to the City of Gallatin.

PERMITTED FEATURES TABLE:

<table>
<thead>
<tr>
<th>OUTFALL</th>
<th>AVERAGE FLOW</th>
<th>DESIGN FLOW</th>
<th>TREATMENT LEVEL</th>
<th>EFFLUENT TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>#001</td>
<td>## MGD</td>
<td>## MGD</td>
<td>Lagoon with discharge to Gallatin WWTF and land application</td>
<td>Animal manure</td>
</tr>
</tbody>
</table>


**FACILITY PERFORMANCE HISTORY & COMMENTS:**
During the last inspection the facility was found in non-compliance for failure to maintain records, failure to conduct site inspections, failure to submit annual report, failure to develop a nutrient management plan (NMP). The facility addressed all violations and was determined to have returned to compliance. Annual reports have been submitted and are reviewed by the regional office.

**CONTINUING AUTHORITY:**
The Missouri Secretary of State continuing authority charter number for this facility is LC001423848; this number was verified by the permit writer to be associated with the facility and precisely matches the continuing authority reported by the facility.

**OTHER ENVIRONMENTAL PERMITS:**
In accordance with 40 CFR 122.21(f)(6), the Department evaluated/the facility reported other environmental permits currently held by this facility. This facility holds no other permits.

**PART II. RECEIVING WATERBODY INFORMATION**

**RECEIVING WATERBODY TABLE:**

<table>
<thead>
<tr>
<th>OUTFALL</th>
<th>WATERBODY NAME</th>
<th>CLASS</th>
<th>WBID</th>
<th>DESIGNATED USES</th>
<th>DISTANCE TO SEGMENT</th>
<th>12-DIGIT HUC</th>
</tr>
</thead>
<tbody>
<tr>
<td>#001</td>
<td>Tributary to Grand River</td>
<td>n/a</td>
<td>n/a</td>
<td>GEN</td>
<td>0.0 mi</td>
<td></td>
</tr>
<tr>
<td>#001</td>
<td>100K Extent-Remaining Stream</td>
<td>C</td>
<td>3960</td>
<td>GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)</td>
<td>0.6 mi</td>
<td>102801011205</td>
</tr>
</tbody>
</table>

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

HUC: Hydrologic Unit Code; https://dnr.mo.gov/env/wpp/watersheds.htm has additional information about the watersheds in Missouri

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 HFF) – 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 20-7.015(1)(B)1 through 7. The applicable water of the state category is listed below. Missouri’s technology-based effluent regulations are found in [10 CSR 20-7.015] and are implemented in 10 CSR 20-7.015(2) through (8). When implementing technology regulations, considerations are made for the facility type, discharge type, and category of waters of the state. Effluent limitations may not be applicable to certain waters of the state, facility type, or discharge type.

In these cases, effluent limitations may be based on a best professional judgment evaluation. The best professional judgment evaluation will take site specific conditions into consideration; including facility type, the receiving water body classification, and type of discharge. Stormwater discharges and land application sites are not directly subject to limitations found in 10 CSR 20-7.015, but may be subject to limitations determined by the best professional judgment evaluation. Effluent limitation derivations are discussed in PART IV: EFFLUENTS LIMITS DETERMINATIONS.

All other waters; identified at 10 CSR 20-7.015(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. http://dnr.mo.gov/env/wpp/tmdl/ 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. http://dnr.mo.gov/env/wpp/waterquality/303d/303d.htm 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.

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

WATERBODY MONITORING REQUIREMENTS:
No waterbody monitoring requirements are recommended at this time.

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.

40 CFR 122.44(l)(i)(B)(2); the Department determined technical mistakes or mistaken interpretations of law were made in issuing the permit under CWA §402(a)(1)(b).
Previous permit included requirements for concentrated animal feeding operations (CAFO) for definitions, production area requirements, *Missouri Concentrated Animal Feeding Operations Nutrient Management Technical Standard*, nutrient management plan, manure transfers, inspections, record keeping, reporting, and design parameters. This facility does not meet the definition of a CAFO. Many of these requirements were inappropriately applied to this facility. Requirements that are appropriate to the facility have been incorporated into the permit in other sections.

The previous permit special conditions contained a specific set of prohibitions related to general criteria (GC) found in 10 CSR 20-7.031(4); however, there was no determination as to whether the discharges have reasonable potential to cause or contribute to excursion of those general water quality criteria in the previous permit. This permit assesses each general criteria as listed in the previous permit’s special conditions. Federal regulations 40 CFR 122.44(d)(1)(iii) requires instances where reasonable potential (RP) to cause or contribute to an exceedance of a water quality standard exists, a numeric limitation must be included in the permit. Rather than conducting the appropriate RP determination, the previous permit simply placed the prohibitions in the permit. These conditions were removed from the permit. Appropriate reasonable potential determinations were conducted for each general criterion listed in 10 CSR 20-7.031(4)(A) through (I) and effluent limitations were placed in the permit for those general criteria where it was determined the discharge had reasonable potential to cause or contribute to excursions of the general criteria. Specific effluent limitations were not included for those general criteria where it was determined the discharges will not cause or contribute to excursions of general criteria. Removal of the prohibitions does not reduce the protections of the permit or allow for impairment of the receiving stream. The permit maintains sufficient effluent limitations, monitoring requirements and best management practices to protect water quality while maintaining permit conditions applicable to facility disclosures and in accordance with 10 CSR 20-7.031(4) where no water contaminant by itself or in combination with other substances shall prevent the water of the state from meeting the following conditions:

(A) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses.

(B) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses.
   - For all outfalls, there is no RP for putrescent bottom deposits preventing full maintenance of beneficial uses because the permit does not allow manure, litter, or process wastewater to be discharged from the facility.
   - For all outfalls, there is no RP for unsightly or harmful bottom deposits preventing full maintenance of beneficial the permit does not allow manure, litter, or process wastewater to be discharged from the facility.

(C) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.
   - For all outfalls, there is no RP for oil in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because the permit does not allow manure, litter, or process wastewater to be discharged from the facility.
   - For all outfalls, there is no RP for scum and floating debris in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates scum and floating debris will be present in sufficient amounts to impair beneficial uses.

(D) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses.
   - For all outfalls, there is no RP for unsightly color or turbidity in sufficient amounts preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates unsightly color or turbidity will be present in sufficient amounts to impair beneficial uses.
   - For all outfalls, there is no RP for offensive odor in sufficient amounts preventing full maintenance of beneficial uses because nothing disclosed by the permittee indicates offensive odor will be present in sufficient amounts to impair beneficial uses.

(E) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
   - For all outfalls, there is no RP for toxicity to human, animal or aquatic life because the permit does not allow manure, litter, or process wastewater to be discharged from the facility

(F) Waters shall maintain a level of water quality at their confluences to downstream waters that provides for the attainment and maintenance of the water quality standards of those downstream waters, including waters of another state.
   - This criteria was not assessed for antibacksliding as this is a new requirement, approved by the EPA on July 30, 2019.

(G) There shall be no significant human health hazard from incidental contact with the water.
   - This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.

(H) There shall be no acute toxicity to livestock or wildlife watering.
   - This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.

(I) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community.
For all outfalls, there is no RP for physical changes impairing the natural biological community because nothing disclosed by the permittee indicates this is occurring.

For all outfalls, there is no RP for hydrologic changes impairing the natural biological community because nothing disclosed by the permittee indicates this is occurring.

(J) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

There are no solid waste disposal activities or any operation which has reasonable potential to cause or contribute to the materials listed above being discharged through any outfall.

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

This permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) which must include an alternative analysis (AA) of the BMPs. The SWPPP must be developed, implemented, updated, and maintained at the facility. Failure to implement and maintain the chosen alternative, is a permit violation. The AA is a structured evaluation of BMPS to determine which are reasonable and cost effective. Analysis should include practices designed to be 1) non-degrading, 2) less degrading, or 3) degrading water quality. The chosen BMP will be the most reasonable and cost effective while ensuring the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The analysis must demonstrate why “no discharge” or “no exposure” are not feasible alternatives at the facility. Existing facilities with established SWPPPs and BMPs need not conduct an additional alternatives analysis unless new BMPs are established to address BMP failures or benchmark exceedances. For assistance in determining the analysis, the EPA has provided examples of BMP analysis; https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/BMP-Performance-Analysis-Report.pdf and https://www.epa.gov/sites/production/files/2015-10/documents/optimal-sw-mgmt-plan-alternatives.pdf may be helpful to the facility. This structured analysis of BMPs serves as the antidegradation review, fulfilling the requirements of 10 CSR 20-7.015(9)(A)5 and 7.031(3). For stormwater discharges with new, altered, or expanding discharges, the stormwater BMP chosen for the facility, through the AA performed by the facility, must be implemented and maintained at the facility. Failure to implement and maintain the chosen BMP alternative is a permit violation; see SWPPP. https://www.epa.gov/npdes/industrial-stormwater-guidance

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

BEST MANAGEMENT PRACTICES:
Minimum site-wide best management practices are established in this permit to 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.

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 should 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 permittee 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 historic data, the Department’s database has a publically facing search engine, available at [https://apps5.mo.gov/mocwis_public/dmrDisclaimer.do](https://apps5.mo.gov/mocwis_public/dmrDisclaimer.do)

Registration and other information regarding MoGEM can be found at [https://dnr.mo.gov/mogem](https://dnr.mo.gov/mogem). Information about the eDMR system can be found at [https://dnr.mo.gov/env/wpp/edmr.htm](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](https://apps5.mo.gov/mogems/welcome.action) For assistance using the eDMR system, contact [edmr@dnr.mo.gov](mailto:edmr@dnr.mo.gov) or call 855-789-3889 or 573-526-2082. 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: [http://dnr.mo.gov/forms/780-2692-f.pdf](http://dnr.mo.gov/forms/780-2692-f.pdf). A request must be made for each operating permit. An approved waiver is not transferable. The Department must review and notify the facility within 120 calendar days of receipt if the waiver request has been approved or rejected [40 CFR 124.27(a)]. During the Department review period as well as after a waiver is granted, the facility must continue submitting a hard-copy of any reports required by their permit. The Department will enter data submitted in hard-copy from those facilities allowed to do so, and electronically submit the data to the EPA on behalf of the facility.

- This facility has not been granted a waiver, nor would this facility qualify for a waiver.

**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.

- Not applicable; this facility discharges domestic wastewater to an off-site permitted wastewater treatment facility (POTW).

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 does not manage domestic wastewater on-site.

**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 WASTLOAD 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).
FEDERAL EFFLUENT LIMITATION GUIDELINES:
Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. These are limitations established by the EPA based on the SIC code and the type of work a facility is conducting. Most ELGs are for process wastewater and some address stormwater. 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. Should Reasonable Potential be established for any particular parameter, and water-quality derived effluent limits are more protective of the receiving water’s quality, the WQS will be used as the limiting factor in accordance with 40 CFR 122.44(d) and 10 CSR 20-7.015(9)(A).

GENERAL CRITERIA CONSIDERATIONS:
In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants determined to cause, have reasonable potential to cause, or to contribute to, an excursion above any water quality standard, including narrative water quality criteria. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether discharges have reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). In instances where reasonable potential exists, the permit includes limitations 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 facility at all times. Should Reasonable Potential be established for any particular parameter, and water-quality derived effluent limits are more protective of the receiving water’s quality, the WQS 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.

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.

The 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. Requirements for these types of operations are found in 10 CSR 20-6.015; authority to regulate these activities is from 644.026 RSMo.

Applicable, the facility shall comply with all applicable land application requirements listed in this permit. These requirements incorporated into this permit pursuant to 10 CSR 20-6.015(4) ensure appropriate minimum operational controls of the no-discharge land application systems. When operated correctly these permit conditions will prevent unauthorized and illicit discharges to waters of the state; and will protect soils, vegetation, surface water, groundwater, and public health. These requirements also ensure application activities fall within a productive use demonstration (agricultural use), prevent plant phytotoxicity, and prevent and protect soils loading of specified pollutants. The minimum requirements established in the permit are to meet, not only DNRs requirements, but to also ensure the exemptions for agricultural stormwater runoff in 10 CSR 20-6.200(1)(B)5 or 10 CSR 20-6.300(2)(D)2 continue to be met. When the facility follows all permit requirements, discharge monitoring requirements found at 10 CSR 20-6.200(2)(B)3.B. for will be excused.

• Following is a list of helpful publications; while generally geared to biosolids and domestic sludge, these documents can show operators and facilities specific best management practices which may be important to their own operations.
  ▪ Land Applications Considerations for Animal Manure (contains nutrient requirements for plant growth) https://extension2.missouri.edu/eq202
  ▪ State and EPA Regulations for Domestic Wastewater Sludge and Biosolids https://extension2.missouri.edu/eq421
  ▪ Land

Application of all pollutants must consider cumulative and average limits based on how the pollutant responds in the soil environment. Limits or monitoring requirements may reflect different monthly calculations based on pollutant behavior.

The facility must follow the applicable application loading rates indicated in the permit’s facility description and/or special conditions. Following are an explanation of the conditions in this permit.

• Nitrogen Loading Rates – wastewater application rates should not exceed a nitrogen application rate of 150 pounds total nitrogen per acre per year, and the applied wastewater should not exceed 10 mg/L of nitrate nitrogen as N at any time.

Fertilizer recommendations can also be obtained by using one of the following tools:
  ▪ The University of Missouri Extension online fertilizer recommendation calculator at http://soilplantlab.missouri.edu/soil/scripts/manualentry.aspx
  ▪ University of Missouri Nutrient Management Home Page: http://nmplanner.missouri.edu/
LAND DISTURBANCE:
Land disturbance, sometimes called construction activities, are actions which cause disturbance of the root layer or soil; these include clearing, grading, and excavating of the land. 40 CFR 122.26(b)(14) and 10 CSR 20-6.200(3) requires permit coverage for these activities. Coverage is not required for facilities when only providing maintenance of original line and grade, hydraulic capacity, or to continue the original purpose of the facility.

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

MAJOR WATER USER:
Any surface or groundwater user with a water source and the equipment necessary to withdraw or divert 100,000 gallons (or 70 gallons per minute) or more per day combined from all sources from any stream, river, lake, well, spring, or other water source is considered a major water user in Missouri. https://dnr.mo.gov/geology/wrc/majorwaterusers.htm All major water users are required by law to register water use annually (Missouri Revised Statues Chapter 256.400 Geology, Water Resources and Geodetic Survey Section). https://dnr.mo.gov/pubs/pub2236.htm

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

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

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

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.

- Not applicable; the total design flow is less than 0.1 MGD for all wastewater outfalls.

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/env/wpp/rules/documents/nutrient-implementation-plan-final-072618.pdf 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).

- Not applicable; this facility does not discharge in a lake watershed or the lake is less than 10 acres.

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

- Not applicable; the facility has not disclosed the use of any oil water separators they wish to include under the NPDES permit at this facility and therefore oil water separator tanks are not authorized by this permit.
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:
Enforceable conditions, generally called permit shield, are found under CWA section 402(k) or Section 644.051.16, RSMo. All permits issued by the State of Missouri protect both the permittee and issuer from legal intervention, but only when all discharges and activities are clearly divulged by the facility; and when the issuer evaluates all discharges and activities during the renewal (or modification) process. During the facility review of the permit draft, it is both the facility’s and Department’s responsibility to ensure all types of effluent the facility wishes to discharge, or qualified activities the facility wishes to perform (such as land application), are authorized in some manner. Authorization may be either through an outfall established in the permit under the facility description heading, or after reviewing the fact sheet which should include a mention of the discharge (or activity) and endorsing the discharge (or activity) as de minimis or through some other described determination. The Department must issue a legally binding and enforceable permit, which can only be completed through a thorough review from both parties.

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 discharges wastewater to a POTW but reported the discharge is not subject to pretreatment effluent limitations.

REASONABLE POTENTIAL (RP):
Regulations per 10 CSR 20-7.015(9)(A)2 and 40 CFR 122.44(d)(1)(i) requires effluent limitations for all pollutants which are (or may be) discharged at a level causing or have the reasonable potential to cause (or contribute to) an in-stream excursion above narrative or numeric water quality standards. Per 10 CSR 20-7.031(4), general criteria shall be applicable to all waters of the state at all times; however, acute toxicity criteria may be exceeded by permit in zones of initial dilution, and chronic toxicity criteria may be exceeded by permit in mixing zones. If the permit writer determines any given pollutant has the reasonable potential to cause or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for the pollutant per 40 CFR Part 122.44(d)(1)(iii) and the most stringent limits per 10 CSR 20-7.031(9)(A).

Permit writers use reasonable potential determinations (RPD) as provided in Sections 3.1.2, 3.1.3, and 3.2 of the TSD. An RPD consists of evaluating visual observations, non-numeric information, or small amounts of numerical data (such as 1 data point supplied in the application). A stormwater RPD consists of reviewing application data and/or discharge monitoring data and comparing those data to narrative or numeric water quality criteria. RPD decisions are based on minimal numeric samples, the type of effluent proposed for discharge, or the unavailability of numerical RPA for a parameter, such as pH, or oil and grease. Absent effluent data, effluent limits 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). Permit writers use the Department’s permit writer’s manual (http://dnr.mo.gov/env/wpp/permits/manual/permit-manual.htm), the EPA’s permit writer’s manual (https://www.epa.gov/npdes/npdes-permit-writers-manual), program policies, and best professional judgment. For each parameter in each permit, the permit writer carefully considers all applicable information regarding: technology based effluent limitations, effluent limitation guidelines, water quality standards, inspection reports, stream flows and uses, and all applicable site specific information and data gathered by the facility through discharge monitoring reports and renewal (or new) application sampling. Best professional judgment is based on the experience of the permit writer, cohorts in the Department and resources at the EPA, research, and maintaining continuity of permits if necessary. For stormwater permits, the permit writer is required per 10 CSR 6.200(6)(B)2 to consider: A. application and other information supplied by the facility; B. effluent guidelines; C. best professional judgment of the permit writer; D. water quality; and E. BMPs. Part IV provides specific decisions related to this permit.

Secondly, Permit writers use mathematical reasonable potential analysis (RPA) using the Technical Support Document for Water Quality Based Toxics Control (TSD) methods (EPA/505/2-90-001) as found in Section 3.3.2 using an RPA calculator. RPAs cannot be performed on stormwater as the flow is intermittent.
✓ Not applicable; An RPA was not conducted for this no discharge facility.
RENEWAL REQUIREMENTS:
The renewal special condition permit requirement is designed to guide the facility to prepare and include all relevant and applicable information in accordance with 10 CSR 20-6.010(7)(A)-(C), and if applicable, federal regulations. The special condition may not include all requirements and requests for additional information may be made at the time of permit renewal under 644.051.13(5) RSMo and 40 CFR 122.21(h). Prior to submittal, the facility must review the entire submittal to confirm all required information and data is provided; it is the facility’s responsibility to discern if additional information is required. Failure to fully disclosure applicable information with the application or application addendums may result in a permit revocation per 10 CSR 20-6.010(8)(A) and may result in the forfeiture of permit shield protection authorized in 644.051.16 RSMo. Forms are located at: https://dnr.mo.gov/forms/#WaterPollution

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

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

SCHEDULE OF COMPLIANCE (SOC):
A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, effluent limits, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. SOCs are allowed under 40 CFR 122.47 and 10 CSR 20-7.031(11) providing certain conditions are met. An SOC is not allowed:
 ✓ Not applicable; this permit does not contain a SOC. Limits have not become more restrictive. No SOC is allowed because the facility is already capable of meeting the new effluent limits.

SPILLS, OVERFLOWS, AND OTHER UNAUTHORIZED DISCHARGE REPORTING:
Per 260.505 RSMo, any emergency involving a hazardous substance must be reported to the Department’s 24 hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest 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. http://dnr.mo.gov/env/esp/spillbill.htm

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

SLUDGE – INDUSTRIAL:
Industrial sludge is solid, semi-solid, or liquid residue generated during the treatment of industrial process or non-process wastewater in a treatment works; including but not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment process; scum and solids filtered from water supplies and backwashed; and any material derived from industrial sludge. Industrial sludge could also be derived from lagoon dredging or other similar maintenance activities.
 ✓ Not applicable; industrial sludge is not generated at this facility.

STANDARD CONDITIONS:
The standard conditions Part I attached to this permit incorporate all sections of 10 CSR 20-6.010(8) and 40 CFR 122.41(a) through (n) by reference as required by law. These conditions, in addition to the conditions enumerated within the standard conditions should be reviewed by the facility to ascertain compliance with this permit, state regulations, state statues, 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 at the discretion of the permit writer, if there is no RP for water quality excursions.

- Not applicable; this facility’s SIC code does not require stormwater monitoring per 40 CFR 122.26(b)(14) or 10 CSR 20-6.200.

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

In accordance with 40 CFR 122.44(k), Best Management Practices (BMPs) must be used to control or abate the discharge of pollutants when: 1) Authorized under §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 [https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf], BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to 1) identify sources of pollution or contamination, and 2) select and carry out actions which prevent or control the pollution of storm water discharges. Additional information can be found in *Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* (EPA 832-R-92-006; September 1992).

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

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

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

Alternative Analysis (AA) evaluation of the BMPs is a structured evaluation of BMPs which are reasonable and cost effective. The AA evaluation should include practices designed to be: 1) non-degrading; 2) less degrading; or 3) degrading water quality. The glossary of AIP defines these three terms. The chosen BMP will be the most reasonable and effective management strategy while ensuring the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The AA evaluation must demonstrate why “no discharge” or “no exposure” is not a feasible alternative at the facility. This structured analysis of BMPs serves as the antidegradation review, fulfilling the requirements of 10 CSR 20-7.031(3) Water Quality Standards and *Antidegradation Implementation Procedure (AIP)*, §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 should contain adequate documentation of BMPs employed, failed BMPs, corrective actions, and all other required information. This will allow the Department to conduct a cost analysis on control measures and actions taken by the facility to determine cost-effectiveness of BMPs.
The request shall be submitted in the form of an operating permit modification, which includes an appropriate fee; the application is found at: https://dnr.mo.gov/forms/#WaterPollution

Not applicable; this facility’s SIC code does not require stormwater monitoring per 40 CFR 122.26(b)(14). The land applied industrial wastewater is not from a facility with a SIC code in 10 CSR 20-6.200(B). However, this permit does contain BMP for land application that would fulfill SWPPP requirements.

**SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:**

Please review Standard Conditions Part 1, §A, No. 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 and/or 40 CFR 136 unless alternates are approved by the Department and incorporated within this permit. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is “sufficiently sensitive” when: 1) the method quantifies the pollutant below the level of the applicable water quality criterion or; 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility’s discharge is high enough the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015 and or 40 CFR 136. These methods are also required for parameters listed as monitoring only, as the data collected may be used to determine if the discharge 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 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: http://dnr.mo.gov/forms/780-1774-f.pdf Single family residential septic systems and non-residential septic systems used solely for sanitary waste and having the capacity to serve fewer than 20 persons a day are excluded from the UIC requirements (40 CFR 144.81(9)).

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

**VARIANCE:**

Per the Missouri Clean Water Law §644.061.4, variances shall be granted for such period of time and under such terms and conditions as specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than that 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.

Applicable; wasteload allocations for toxic parameters were calculated using water quality criteria or water quality model results and by applying the dilution equation below; WLAs are calculated using the Technical Support Document For Water Quality-Based Toxics Control or “TSD” EPA/505/2-90-001; 3/1991, §4.5.5.

\[
C = \frac{(Cs \times Qs) + (Ce \times Qe)}{(Qe + Qs)}
\]

Where  
\begin{align*}
C &= \text{downstream concentration} \\
Cs &= \text{upstream concentration} \\
Qs &= \text{upstream flow} \\
Ce &= \text{effluent concentration} \\
Qe &= \text{effluent flow}
\end{align*}

Not applicable, this is a no-discharge permit therefore WLAs were not calculated.
**Waste Load 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.
**PART IV. EFFLUENT LIMIT DETERMINATIONS**

**OUTFALL #001 – STORAGE LAGOON**

**EFFLUENT LIMITATIONS TABLE:**

<table>
<thead>
<tr>
<th>PARAMETERS</th>
<th>UNIT</th>
<th>DAILY MAX</th>
<th>PREVIOUS PERMIT LIMITS</th>
<th>MINIMUM SAMPLING FREQUENCY</th>
<th>MINIMUM REPORTING FREQUENCY</th>
<th>SAMPLE TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LAGOON</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Freeboard</td>
<td>Feet</td>
<td>*</td>
<td>SAME</td>
<td>ONCE/MONTH</td>
<td>ONCE/MONTH</td>
<td>MEASURED</td>
</tr>
<tr>
<td>Precipitation</td>
<td>Inches</td>
<td>*</td>
<td>SAME</td>
<td>ONCE/MONTH</td>
<td>ONCE/MONTH</td>
<td>MEASURED</td>
</tr>
<tr>
<td><strong>IRRIGATED WASTEWATER</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Nutrients</td>
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<tr>
<td>Nitrogen, Total Kjeldahl</td>
<td>mg/L</td>
<td>*</td>
<td>NEW</td>
<td>ONCE/YEAR</td>
<td>ONCE/YEAR</td>
<td>GRAB</td>
</tr>
<tr>
<td>Ammonia, Nitrogen</td>
<td>mg/L</td>
<td>*</td>
<td>NEW</td>
<td>ONCE/YEAR</td>
<td>ONCE/YEAR</td>
<td>GRAB</td>
</tr>
<tr>
<td>Phosphorus, Total</td>
<td>mg/L</td>
<td>*</td>
<td>NEW</td>
<td>ONCE/YEAR</td>
<td>ONCE/YEAR</td>
<td>GRAB</td>
</tr>
</tbody>
</table>

* Monitoring requirement only  
 NEW - Parameter not previously established in previous state operating permit.  
 ∞ - Limits associated with a benchmark

**DERIVATION AND DISCUSSION OF LIMITS:**

**LAGOON:**

**Freeboard**  
Monitoring requirement to verify adequate freeboard is maintained, so as to avoid an overflow of the storage basin. Previously was required as part of inspection procedures, but now incorporated in electronic reporting.

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

**IRRIGATED WASTEWATER:**

**Nitrogen, Total Kjeldahl**  
Monitoring requirement only. Monitoring nutrient content of the applied wastewater is to ensure compliance with 10 CSR 20-6.015(4)(A)1. and determining application rates to ensure appropriate nutrient utilization.

**Ammonia, Nitrogen**  
Monitoring requirement only. Monitoring nutrient content of the applied wastewater is to ensure compliance with 10 CSR 20-6.015(4)(A)1. and determining application rates to ensure appropriate nutrient utilization.

**Phosphorous, Total**  
Monitoring requirement only. Monitoring nutrient content of the applied wastewater is to ensure compliance with 10 CSR 20-6.015(4)(A)1. and determining application rates to ensure appropriate nutrient utilization.

**PERMITTED FEATURE #002 – LAND APPLICATION FIELDS**

**EFFLUENT LIMITATIONS TABLE:**

<table>
<thead>
<tr>
<th>PARAMETERS</th>
<th>UNIT</th>
<th>DAILY MAX</th>
<th>PREVIOUS PERMIT LIMITS</th>
<th>MINIMUM SAMPLING FREQUENCY</th>
<th>MINIMUM REPORTING FREQUENCY</th>
<th>SAMPLE TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WASTEWATER APPLICATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application Area</td>
<td>Acres</td>
<td>*</td>
<td>SAME</td>
<td>ONCE/DAY</td>
<td>ONCE/MONTH</td>
<td>MEASURED</td>
</tr>
<tr>
<td>Application Rate</td>
<td>Inches/Acre</td>
<td>*</td>
<td>SAME</td>
<td>ONCE/DAY</td>
<td>ONCE/MONTH</td>
<td>MEASURED</td>
</tr>
<tr>
<td>Irrigation Period</td>
<td>Hours</td>
<td>*</td>
<td>SAME</td>
<td>ONCE/DAY</td>
<td>ONCE/MONTH</td>
<td>MEASURED</td>
</tr>
<tr>
<td>Volume Irrigated</td>
<td>Gallons</td>
<td>*</td>
<td>SAME</td>
<td>ONCE/DAY</td>
<td>ONCE/MONTH</td>
<td>MEASURED</td>
</tr>
</tbody>
</table>

* Monitoring requirement only
DERIVATION AND DISCUSSION OF LIMITS:

WASTEWATER APPLICATIONS:

**Application Area, Application Rate, Irrigation Period, and Volume Irrigated**
Monitoring requirement only. Monitoring is included to ensure compliance with 10 CSR 20-6.015(4)(A)1. This will help the permittee ensure appropriate application rates are followed and to help to prevent unauthorized discharges from land applications.

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. [http://dnr.mo.gov/env/wpp/cpp/docs/watershed-based-management.pdf](http://dnr.mo.gov/env/wpp/cpp/docs/watershed-based-management.pdf). This will allow the Department to explore a watershed based permitting effort at some point in the future. Renewal applications must continue to be submitted within 180 days of expiration, however, in instances where effluent data from the previous renewal is less than two years old, such data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit.

- If the Department issues the permit at this time, the effective period of the permit would be less than one year in length. To ensure efficient use of Department staff time, reduce the Department’s permitting back log, and to provide better service to the facility by avoiding another renewal application to be submitted in such a short time period, this operating permit will be issued for the maximum timeframe of five years and synced with other permits in the watershed at a later date.

PUBLIC NOTICE:
The Department shall give public notice a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in or with concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and facility must be notified of the denial in writing. [http://dnr.mo.gov/env/wpp/permits/pn/index.html](http://dnr.mo.gov/env/wpp/permits/pn/index.html) The Department must issue public notice of a pending operating permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit.

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

- The Public Notice period for this operating permit started November 12, 2021 and ended December 13, 2021. No comments were received.

DATE OF FACT SHEET: SEPTEMBER 10th, 2021
COMPLETED BY:
KAITLIN KEMPKER, ENVIRONMENTAL ANALYST
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - INDUSTRIAL UNIT
(573) 751-1398
kaitlin.kempker@dnr.mo.gov
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 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; or
      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; or
      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.

   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.
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.

Section C – Bypass/Upset Requirements

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

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

b. Notice.
   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).

3. 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 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
imposed in a pretreatment program approved under section 402(a)(3) 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 396(c)(3)(B)(vii) 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.

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 for the assessment of a penalty not to exceed $10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

2. Duty to Reapply.

a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

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

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 term.

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.
10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

11. **Inspection and Entry.** The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
   a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
   d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Federal Clean Water Act or Missouri Clean Water Law, any substances or parameters at any location.

12. **Closure of Treatment Facilities.**
   a. Persons who cease operation or plan to cease operation of waste, wastewater, and sludge handling and treatment facilities shall close the facilities in accordance with a closure plan approved by the Department.
   b. Operating Permits under 10 CSR 20-6.010 or under 10 CSR 20-6.015 are required until all waste, wastewater, and sludges have been disposed of in accordance with the closure plan approved by the Department and any disturbed areas have been properly stabilized. Disturbed areas will be considered stabilized when perennial vegetation, pavement, or structures using permanent materials cover all areas that have been disturbed. Vegetative cover, if used, shall be at least 70% plant density over 100% of the disturbed area.

13. **Signatory Requirement.**
   a. All permit applications, reports required by the permit, or information requested by the Department shall be signed and certified. (See 40 CFR 122.22 and 10 CSR 20-6.010)
   b. The Federal Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.
   c. The Missouri Clean Water Law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

14. **Severability.** The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
FORM A – APPLICATION FOR NONDOMESTIC PERMIT UNDER MISSOURI
CLEAN WATER LAW

PLEASE READ ALL THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.
SUBMITAL 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 – 0136646, 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
Davies County Livestock Market LLC
ADDRESS (PHYSICAL)
912 W Grand
CITY
Gallatin
STATE
MO
ZIP CODE
64640

TELEPHONE NUMBER WITH AREA CODE
660-863-2177

3. OWNER

NAME
David Cannon (50%)
EMAIL ADDRESS
barcranch2@yahoo.com
ADDRESS (MAILING)
35325 E State Hwy 13
CITY
Bethany
STATE
MO
ZIP CODE
64640

TELEPHONE NUMBER WITH AREA CODE
515-442-3003

4. CONTINUING AUTHORITY

NAME
Troy Jennings (50% owner)
EMAIL ADDRESS
dclivestockmarket@gmail.com
ADDRESS (MAILING)
PO Box 122
CITY
Gallatin
STATE
MO
ZIP CODE
64640

TELEPHONE NUMBER WITH AREA CODE
660-373-1995

5. OPERATOR CERTIFICATION

NAME

CERTIFICATE NUMBER

TELEPHONE NUMBER WITH AREA CODE

6. FACILITY CONTACT

NAME
Lisa Cannon
EMAIL ADDRESS
dclivestockmarket@gmail.com
ADDRESS

TITLE
Office Manager
TELEPHONE NUMBER WITH AREA CODE
660-863-2177

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

NAME
all self contained waste
ADDRESS

STATE
ZIP CODE

MO 780-1479 (02-19)
8. ADDITIONAL FACILITY INFORMATION

8.1 Legal Description of Outfalls. (Attach additional sheets if necessary.)
For Universal Transverse Mercator (UTM), use Zone 15 North referenced to North American Datum 1983 (NAD83)

001 NW ¼ NE ¼ Sec 19 T 59N R 27W Daviess County
UTM Coordinates Easting (X): 416859 Northing (Y): 4418682
002 NW ¼ NE ¼ Sec 19 T 59N R 27W Daviess County
UTM Coordinates Easting (X): Northing (Y):
003 NW ¼ NE ¼ Sec 19 T 59N R 27W Daviess County
UTM Coordinates Easting (X): Northing (Y):
004 NW ¼ NE ¼ Sec 19 T 59N R 27W Daviess County
UTM Coordinates Easting (X): Northing (Y):

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

9. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION

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

10. ELECTRONIC DISCHARGE MONITORING REPORT (eDMR) SUBMISSION SYSTEM

Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data. One of the following must be checked in order for this application to be considered complete. Please visit http://drh.mo.gov/env/wppl/dmr.htm to access the Facility Participation Package.

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

11. FEES

Permit fees may be paid by attaching a check, or online by credit card or eCheck through the JetPay system. Use the URL provided to access JetPay and make an online payment: https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/

12. CERTIFICATION

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT)
Lisa Cannon

SIGNATURE
Lisa Cannon

TELEPHONE NUMBER WITH AREA CODE
660-663-2177

DATE SIGNED
03-15-2021
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
eDMR WAIVER REQUEST FORM

READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM

PART A. FACILITY INFORMATION

<table>
<thead>
<tr>
<th>PERMIT NUMBER</th>
<th>COUNTY</th>
</tr>
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<tbody>
<tr>
<td>MO- 0136546</td>
<td>Daviess</td>
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<table>
<thead>
<tr>
<th>FACILITY NAME</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daviess County Livestock Market LLC</td>
<td>Gallatin</td>
<td>MO</td>
<td>64640</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDRESS (PHYSICAL)</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>912 W Grand Street</td>
<td><a href="mailto:dclivestockmarket@gmail.com">dclivestockmarket@gmail.com</a></td>
</tr>
</tbody>
</table>

PART B. OWNER INFORMATION

NAME: David Cannon

<table>
<thead>
<tr>
<th>ADDRESS (MAILING)</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>35325 E State Highway 13</td>
<td>Bethany</td>
<td>MO</td>
<td>64424</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>TELEPHONE NUMBER WITH AREA CODE</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>515-442-3003</td>
<td></td>
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</table>

PART C. FACILITY CONTACT

☐ If same as Owner Information.

<table>
<thead>
<tr>
<th>NAME</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP</th>
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| ADDRESS (MAILING) | CITY | STATE | ZIP |
|                  |      |       |     |

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PART D. REASON FOR WAIVER REQUEST

Check the box for the reason that best applies to you or your facility:

☐ Facility owned or operated by members of a religious community that choose not use certain modern technologies, such as computers and/or internet.

☐ Facility is located in areas with limited broadband access. The National Telecommunications and Information Administration (NTIA) in collaboration with the Federal Communications Commission (FCC) have created a broadband internet availability map: http://www.broadbandmap.gov/.

☐ Facility commits to terminating permit within 1 year.

☐ Use of a computer application to facilitate electronic reporting has yet to be developed by the department.

☐ Other: We cannot record the amount of water pumped out of the lagoon as it goes directly into the sewer system, approved by the City of Gallatin.

PART E. CERTIFICATION

I certify I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate.

<table>
<thead>
<tr>
<th>NAME (TYPE OR PRINT)</th>
<th>OFFICIAL TITLE</th>
<th>TELEPHONE NUMBER WITH AREA CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Cannon</td>
<td>Owner</td>
<td>(515) 442-3003</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNATURE</th>
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<tbody>
<tr>
<td>David Cannon</td>
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MO 780-2692 (10-16)

DATE SIGNED: 3/15/21