STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION

MISSOURI STATE OPERATING PERMIT

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

Permit No.	MO-0137707
Owner:	Laminin Farms, LLC
Address:	7364 Newkirk Road, Mountain Grove, MO 65711
Continuing Authority:	Same as above
Address:	Same as above
Facility Name:	Laminin Farms LLC
Facility Address:	7364 Newkirk Road, Mountain Grove, MO 65711
Legal Description:	See following pages
UTM Coordinates:	See following pages
Receiving Stream:	See following page(s)
First Classified Stream and ID:	See following page(s)
USGS Basin & Sub-watershed No.:	See following page(s)

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

FACILITY DESCRIPTION

Industrial no-discharge and land application; formerly SIC 2011, 2099. Facility was formerly used for reclamation of off-spec and outdated human food products to produce animal food. Oil was recovered from process wastewater and tote washing. Site is no longer in operation, but is undergoing corrective action to address contamination from previous owner's operational practices. This permit authorizes land application of wastewater and sludge meeting the conditions contained herein. Discharge from the wastewater basin is not authorized. This facility is not currently in operation; domestic wastewater is currently be handled through temporary on-site toilets. This facility does not require a certified wastewater operator.

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

August 1, 2020
Effective Date

September 1, 2023
Modification Date

September 30, 2024
Expiration Date

John Hoke, Director, Water Protection Program

FACILITY DESCRIPTION (CONTINUED)

PERMITTED FEATURE #001 –Process Wastewater storage lagoon; discharge is prohibited.
Storage lagoon- wastewater and sludge meeting the conditions and limitations contained herein may be land-applied. pH adjustment required for any wastewater below 5.5 SU prior to land application activities. Wastewater may also be hauled to Springfield WWTF.

Legal Description:	Sec.4, T28N, R13W, Wright County
UTM Coordinates:	X = 555653, Y = 4111052
Receiving Waterbody:	Tributary to Absher Prong; Losing
First Classified Waterbody and ID:	100K Extent-Remaining Streams (C) WBID# 3960
USGS Basin & Sub-watershed No.:	(10290201-0107)
Design Flow:	0.062 MGD
Average Flow:	0.017 MGD
Upper operating Level:	2 feet below spillway or overflow

PERMITTED FEATURE #002 – Eliminated in 2020. Previously manure storage pits for beef cattle feeding area.
Facility previously included beef cattle feeding area, but that portion of the property has been portioned off and is no longer co-owned with this property. As such, this permitted feature has been removed from this permit.

UTM Coordinates:	X = 555955, Y = 4111152

LAND APPLICATION – ALL FIELDS
All Land Application Fields: land applied wastewater, sludge, or solids must meet an agronomic use as identified below; any application not meeting the below conditions would remove the exemption for agricultural return flows. Stormwater discharges will then be permitted accordingly.

Application Rate Basis:	Hydraulic Loading
Vegetation Type:	Hay/Pasture
Equipment Type:	Terragators
Application Rates, Maximum:	0.2 inch/hour/ 0.5 inch/day; 1.0 inches/week/ 24.0 inches/year
Irrigation Volume, Maximum	8,716,541 gallons per year
Irrigation Area:	397.5 acres at design loading

PERMITTED FEATURE #004 – Land Application Field- Grisham Tract 2, 39.5 acres.

Legal Description:	Sec. 5, T28N, R13W, Wright County
UTM Coordinates (Centroid):	X = 555022, Y = 4111532
USGS Basin & Sub-watershed No.:	(1029021-0107)

PERMITTED FEATURE #005 – Land Application Field- Grisham Tract 3, 31 acres.

Legal Description:	Sec. 6, T28N, R13W, Wright County
UTM Coordinates (Centroid):	X = 553471, Y = 4111269
USGS Basin & Sub-watershed No.:	(1029021-0107)

PERMITTED FEATURE #006 – Land Application Field- Smith Tract, 87 acres.

Legal Description:	Sec. 7, T28N, R13W, Wright County
UTM Coordinates (Centroid):	X = 553359, Y = 4108774
USGS Basin & Sub-watershed No.:	(1029021-0107)

PERMITTED FEATURE #007 – Land Application Field- McGilliard Tract, 46 acres.

Legal Description:	Sec. 7, T28N, R13W, Wright County
UTM Coordinates (Centroid):	X = 552725, Y = 4109445
USGS Basin & Sub-watershed No.:	(1029021-0107)

PERMITTED FEATURE #008 – Land Application Field- Grisham Tract 4, 159 acres.

Legal Description:	Sec. 32, T29N, R13W, Wright County
UTM Coordinates (Centroid):	X = 554813, Y = 4112262
USGS Basin & Sub-watershed No.:	(1029021-0107)

PERMITTED FEATURE #013 – Land Application Field- Grisham Tract 7, 35 acres.

Legal Description:	Sec. 5, T28N, R13W, Wright County
UTM Coordinates (Centroid):	X = 560756, Y = 4114295
USGS Basin & Sub-watershed No.:	(1029021-0106)

PERMITTED FEATURE #003, #009, #010, #011, AND #012 – Land Application Fields – Removed in 2020

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

PERMITTED FEATURE #001 *No-discharge basin*	**TABLE A-2** **STORAGE BASIN LIMITATIONS AND MONITORING REQUIREMENTS**

The permittee is authorized to conduct irrigation of wastewater and sludge as specified in the application for this permit. The final limitations shall become effective on **August 1, 2020** and remain in effect until expiration of the permit. The irrigation of wastewater shall be controlled, limited and monitored by the permittee as specified below:

MONITORING PARAMETERS	UNITS	FINAL LIMITATIONS		MONITORING REQUIREMENTS	
		DAILY MINIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
STORAGE BASIN **SB**					
Freeboard †	Feet	2		once/week	measured

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE SEPTEMBER 28, 2020.
DISCHARGES ARE PROHIBITED.

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

MONITORING PARAMETERS	UNITS	FINAL LIMITATIONS		MONITORING REQUIREMENTS	
		DAILY MAXIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
WASTEWATER LAND APPLIED (††) **WL**					
pH ▼	SU	5.5 – 9.0		once/quarter ◊	grab
Nitrate as N	mg/L	*		once/quarter ◊	grab
Total Kjeldahl Nitrogen	mg/L	*		once/quarter ◊	grab
Total Phosphorus	mg/L	*		once/quarter ◊	grab
Potassium	mg/L	*		once/quarter ◊	grab
Chromium (III), TR	mg/L	*		once/quarter ◊	grab
Chromium (VI), Dissolved	mg/L	*		once/quarter ◊	grab
Nickel	mg/L	*		once/quarter ◊	grab
Zinc	mg/L	*		once/quarter ◊	grab
Chloride	mg/L	*		once/quarter ◊	grab
SLUDGE LAND APPLIED (⁂) **SL**					
pH ▼	SU	5.5 – 9.0		once/application ∞	grab
Nitrate as N	mg/kg	*		once/application ∞	grab
Total Kjeldahl Nitrogen	mg/kg	*		once/application ∞	grab
Total Phosphorus	mg/kg	*		once/application ∞	grab
Arsenic	mg/kg	41		once/application ∞	grab
Cadmium	mg/kg	39		once/application ∞	grab
Chromium (Total)	mg/kg	50		once/application ∞	grab
Copper	mg/kg	1500		once/application ∞	grab
Lead	mg/kg	300		once/application ∞	grab
Mercury	mg/kg	17		once/application ∞	grab
Nickel	mg/kg	420		once/application ∞	grab
Selenium	mg/kg	100		once/application ∞	grab
Zinc	mg/kg	2,800		once/application ∞	grab
Chloride	mg/kg	*		once/application ∞	grab
Solids	%	*		once/application ∞	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE OCTOBER 28, 2020.
THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (CONTINUED)

PERMITTED FEATURES #004-#008 & #013	TABLE A-2 LAND APPLICATION FIELD LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to conduct land application of wastewater and sludge as specified in the application for this permit. The final limitations shall become effective on **August 1, 2020** and remain in effect until expiration of the permit. The land application of wastewater and sludge shall be controlled, limited and monitored by the permittee as specified below:

LAND APPLICATION MONITORING	UNITS	MONITORING REQUIREMENTS			
		DAILY MAXIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
WASTEWATER APPLICATION					
Application Area	Acres	*		once/day	measured
Application Rate	Inches/Acre	*		once/day	measured
Irrigation Period	Hours	*		once/day	measured
Volume Irrigated	Gallons	*		once/day	measured
MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE SEPTEMBER 28, 2020. .					
INDUSTRIAL SLUDGE APPLICATION					
Application Area	Acres	*		once/application ∞	measured
Application Rate	Tons/Acre	*		once/application ∞	measured
MONITORING REPORTS SHALL BE SUBMITTED BY THE 28TH DAY OF THE MONTH FOLLOWING LAND APPLICATION.					

* Monitoring requirement only

† Storage Basin freeboard shall be reported as Storage Basin water level in feet below the overflow level.

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

TR Total Recoverable

▼ pH must monitored prior to every application to ensure adequate pH adjustment. pH must be between 5.5-9.0 SU prior to land application. In the quarterly report, please provide the lowest pH result during the reporting period. Soil pH shall be maintained in a range that is optimal for plant growth.

⁑ Sludge that is land applied shall be sampled at the storage basin or application equipment prior to land application. Report as "Conditional Monitoring- Not required this Period" when land application of sludge does not occur during the report period.

∞ Reporting is only required when sludge application occurred during the month. If no land application of sludge occurs at a permitted feature, no reporting is required. These are unscheduled parameters. Sludge sampling shall be a representative sample collected prior to application to the field.

◊ See table below for quarterly sampling

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

B. STANDARD CONDITIONS

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

C. SPECIAL CONDITIONS

1. This permit does not authorize any discharge of wastewater or sludge to waters of the state. All wastewater and sludge must be land applied in accordance with this permit or must be properly disposed of in accordance with all applicable regulations. Wastewater may continue to be hauled to a permitted wastewater treatment facility, with facility permission and full disclosure of all pollutants.

2. Spills, Overflows, and Other Unauthorized Discharges.
   (a) Any spill, overflow, or other discharge(s) not specifically authorized above are unauthorized discharges.
   (b) Should an unauthorized discharge cause or permit any contaminants to discharge or enter waters of the state, the unauthorized discharge must be reported to the regional office as soon as practicable but no more than 24 hours after the discovery of the discharge. If the spill or overflow needs to be reported after normal business hours or on the weekend, the facility must call the Department's 24 hour spill line at 573-634-2436.
   (c) If the unauthorized discharge was from an overflow from a no-discharge wastewater basin, the report must include all records confirming operation and maintenance records documenting proper maintenance in accordance with conditions found in Land Application Conditions (3) below.

3. Electronic Discharge Monitoring Report (eDMR) Submission System.
   (a) Discharge Monitoring Reporting Requirements. The permittee must electronically submit compliance monitoring data via the eDMR system. Standard Conditions Part I, Section B, #7 indicates the eDMR system is currently the only Department approved reporting method for this permit.
   (b) The permittee shall submit an eDMR Permit Holder and Certifier Registration form within **60 days** of the effective date of this permit. 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 a timely, complete, accurate, and nationally-consistent set of data. Visit http://dnr.mo.gov/pubs/pub2474.pdf to access the Facility Participation Package which contains the eDMR Permit Holder and Certifier Registration form.
   (c) Programmatic Reporting Requirements. All reports must be electronically submitted as an attachment to the eDMR system until such a time when the current or a new system is available to allow direct input of the data. After such a system has been made available by the Department, required data shall be directly input into the system by the next report due date
      (1) Any additional report required by the permit excluding bypass reporting.
   (d) The following shall be submitted electronically after such a system has been made available by the Department:
      (1) General Permit Applications/Notices of Intent to discharge (NOIs);
      (2) Notices of Termination (NOTs);
      (3) No Exposure Certifications (NOEs);
      (4) Low Erosivity Waivers, and Other Waivers from Stormwater Controls (LEWs).
   (e) Electronic Submission: access the eDMR system via: https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx
   (f) Electronic Reporting Waivers. The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the Department in compliance with 40 CFR Part 127. The permittee may obtain an electronic reporting waiver by first submitting an eDMR Waiver Request Form: http://dnr.mo.gov/forms/780-2692-f.pdf. The Department will either approve or deny this electronic reporting waiver request within 120 calendar days. Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period the approved electronic reporting waiver is effective.

4. Site-wide minimum Best Management Practices (BMPs). At a minimum, the permittee shall adhere to the following:
   (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, warehouse activities, and other areas, and thereby prevent the contamination of stormwater from these substances.
   (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
   (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so 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.
   (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
   (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property.

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 RSMo 644.051.16, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with

C. SPECIAL CONDITIONS (CONTINUED)

any applicable effluent standard or limitation issued or approved under Clean Water Act Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2), if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.

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. Also report as no discharge when land application activities do not occur during the quarter. It is a violation of this permit to report no-discharge when a discharge or land application activities have occurred.

8. Changes in Discharges of Toxic Pollutant.
   In addition to the reporting requirements under 40 CFR 122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
   (a) That an activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
      (1) One hundred micrograms per liter (100 µg/L);
      (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;
      (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
      (4) One milligram per liter (1 mg/L) for antimony;
      (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
      (6) The notification level established by the Department in accordance with 40 CFR 122.44(f).
   (b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
      (1) Five hundred micrograms per liter (500 µg/l);
      (2) One milligram per liter (1 mg/l) for antimony;
      (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
      (4) The level established by the Director in accordance with 40 CFR 122.44(f).

9. Reporting of Non-Detects.
   (a) Compliance analysis conducted by the permittee or any contracted laboratory shall be conducted in such a way the precision and accuracy of the analyzed result can be enumerated. See sufficiently sensitive test method requirements in Standard Conditions Part I, Section A, #4 regarding proper testing and detection limits used for sample analysis. For the purposes of this permit, the definitions in 40 CFR 136 apply; method detection limit (MDL) and laboratory established reporting limit (RL) are used interchangeably in this permit.
   (b) The permittee shall not report a sample result as "non-detect" without also reporting the MDL. Reporting "non-detect" without also including the MDL will be considered failure to report, which is a violation of this permit.
   (c) For the daily maximum, the permittee shall report the highest value; if the highest value was a non-detect, use the less than "<" symbol and the laboratory's highest method detection limit (MDL) or the highest reporting limit (RL); whichever is higher (e.g. <6).
   (d) When calculating monthly averages, zero shall be used in place of any value(s) not detected. Where all data used in the average are below the MDL or RL, the highest MDL or RL shall be reported as "<#" for the average as indicated in item (c).

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

11. This permit does not authorize outdoor storage of scrap metal or any other materials for recycling. This permit does not authorize outdoor storage of any human food products, animal products or oil in unsealed or leaking containers, totes, or trailers.

12. This permit does not authorize any new discharges, wastewater, or animal waste runoff into the earthen basin, except direct rainfall.

13. This permit does not authorize the placement of fill materials in flood plains, placement of solid materials into any waterway, the obstruction of stream flow, or changing the channel of a defined drainage course. The facility must contact the U.S. Army Corps of Engineers (Corps) to determine if a CWA §404 Department of Army permit or §401 water quality certification is required for the project.

C. SPECIAL CONDITIONS (CONTINUED)

14. Closure of Earthen Basin
Permittee indicated intent to permanently close former wastewater earthen basin. Proper lagoon closure requires:
(a) This permit authorizes land application of wastewater removed from this basin. After all wastewater has been removed, any additional rainwater into the basin must also be land applied or disposed of in accordance with this permit until closure activities are completed.
(b) All sludge left in place or removed from the basin must be sampled, with results submitted to the Southwest Regional Office (SWRO). SWRO must approve sludge land application or leaving sludge in place prior to closure.
(c) Berms should be broken and area must be completely filled, graded, and shaped to prevent settling and ponding of water.
(d) The closure plan has already been submitted. Basin closure is authorized in accordance with the Department's approval guidance and this permit.

15. Nothing in this permit is intended to contradict or supersede any enforcement orders or letters issued by the Department.

D. LAND APPLICATION CONDITIONS

1. pH must maintained between 5.5 – 9.0 standard units (SU) for any wastewater or sludge land applied. pH must be monitored after all pH adjustment activities. The quarterly wastewater and sludge monitoring reports must include the lowest pH detected during the reporting cycle. Wastewater to be land applied may not have observable petroleum layer or sheen.

2. 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.

3. No-Discharge Storage Basin Minimum BMPs.
(a) To prevent unauthorized discharges, the no-discharge wastewater basin must be properly operated and maintained to contain all wastewater plus run-in and direct precipitation. 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. 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 lower.
(b) Weekly inspection of no-discharge wastewater basins shall occur. The inspections will note any issues with the no-discharge structure and will record the level of liquid as indicated by the depth marker. Inspection notes will be kept at the facility and made available to the Department upon request.
(c) To maintain structural integrity, basins shall be inspected at least weekly, 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. Inspection notes will be kept at the facility and made available to the Department upon request.
(d) 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.
(e) 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.
(f) This permit authorizes removal of liquids from this basin. This permit does not authorize continued use of this basin or the intentional introduction of wastewater or pollutants.
(g) It is a violation of this permit to place material in the emergency spillway or otherwise cause it to cease to function properly, as this may result in a catastrophic failure of the storage basin.

4. 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.

5. 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.

D. LAND APPLICATION CONDITIONS (CONTINUED)

(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) If land application sites listed in this permit are also included as land application sites in another permit, the wastewater and sludge applications from all sources shall be included in the application rates in the facility description. Records all sources must be kept for all permits.
(d) No land application on grazing or foraging fields .
(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;

6. 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) The application rate shall not exceed any design hydraulic loading rate listed in the facility description.
(c) 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.
(d) Runoff and ponding is prohibited.
(e) This permit does not authorize land disposal or the application of hazardous waste.

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. Records may be maintained electronically per RSMo 432.255.
(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 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 Sections 621.250 and 644.051.6 RSMo. To appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Any appeal should be directed to:

Administrative Hearing Commission
U.S. Post Office Building, Third Floor
131 West High Street, P.O. Box 1557
Jefferson City, MO 65102-1557
Phone: 573-751-2422
Fax: 573-751-5018
Website: https://ahc.mo.gov

MISSOURI DEPARTMENT OF NATURAL RESOURCES
STATEMENT OF BASIS
MO-0137707
LAMININ FARMS LLC

This Statement of Basis (Statement) gives pertinent information regarding minor modification(s) to the above listed operating permit without the need for a public comment process. A Statement is not an enforceable part of a Missouri State Operating Permit.

Part I – Facility Information

Facility Type and Description: Industrial no-discharge and land application; formerly SIC 2011, 2099. Facility was formerly used for reclamation of off-spec and outdated human food products to produce animal food. Oil was recovered from process wastewater and tote washing. Site is no longer in operation, but is undergoing corrective action to address contamination from previous owner's operational practices. This permit authorizes land application of wastewater and sludge meeting the conditions contained herein. Discharge from the wastewater basin is not authorized. This facility is not currently in operation; domestic wastewater is currently be handled through temporary on-site toilets. This facility does not require a certified wastewater operator.

Part II – Modification Rationale

This operating permit is hereby modified to reflect a change in ownership from HomePride Bank to Laminin Farms, LLC and facility name change from Former Grisham Farms Products site to Laminin Farms LLC.

No other changes were made at this time.

Part III – 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.

DATE OF STATEMENT OF BASIS: 08/30/2023

COMPLETED BY:

PAIGE MASSEY
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MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF RENEWAL, MODIFICATION, VARIANCE
OF
MO-0137707
FORMER GRISHAM FARMS PRODUCTS SITE

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

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

PART I. FACILITY INFORMATION

Facility Type: Industrial Land Application
SIC Code(s): 2011; 2099 (formerly)
Application Date: 04/23/2020
Expiration Date: 09/30/2019
Last Inspection: 11/26/2019

FACILITY DESCRIPTION:
Facility was formerly used to reclaim off-spec and outdated human food products to produce animal food. Oil and solids from commercial chicken frying operations and other feed stocks are separated and recovered, and used as feedstock in the production of animal food. The bank has taken possession of the property and this facility is no longer operational in the processing aspect, but is instead undergoing remediation to address waste, wastewater and other contaminants or potential contaminants left on-site.

The facility also used to have a beef cattle feeding area that was washed off into the lagoon. These two parcels have been separated and this area is no longer part of this permit. This washing and discharging is no longer routed to the lagoon.

The charter number for the continuing authority for this facility is K0000116; this number was verified by the permit writer to be associated with the facility and precisely matches the continuing authority reported by the facility.

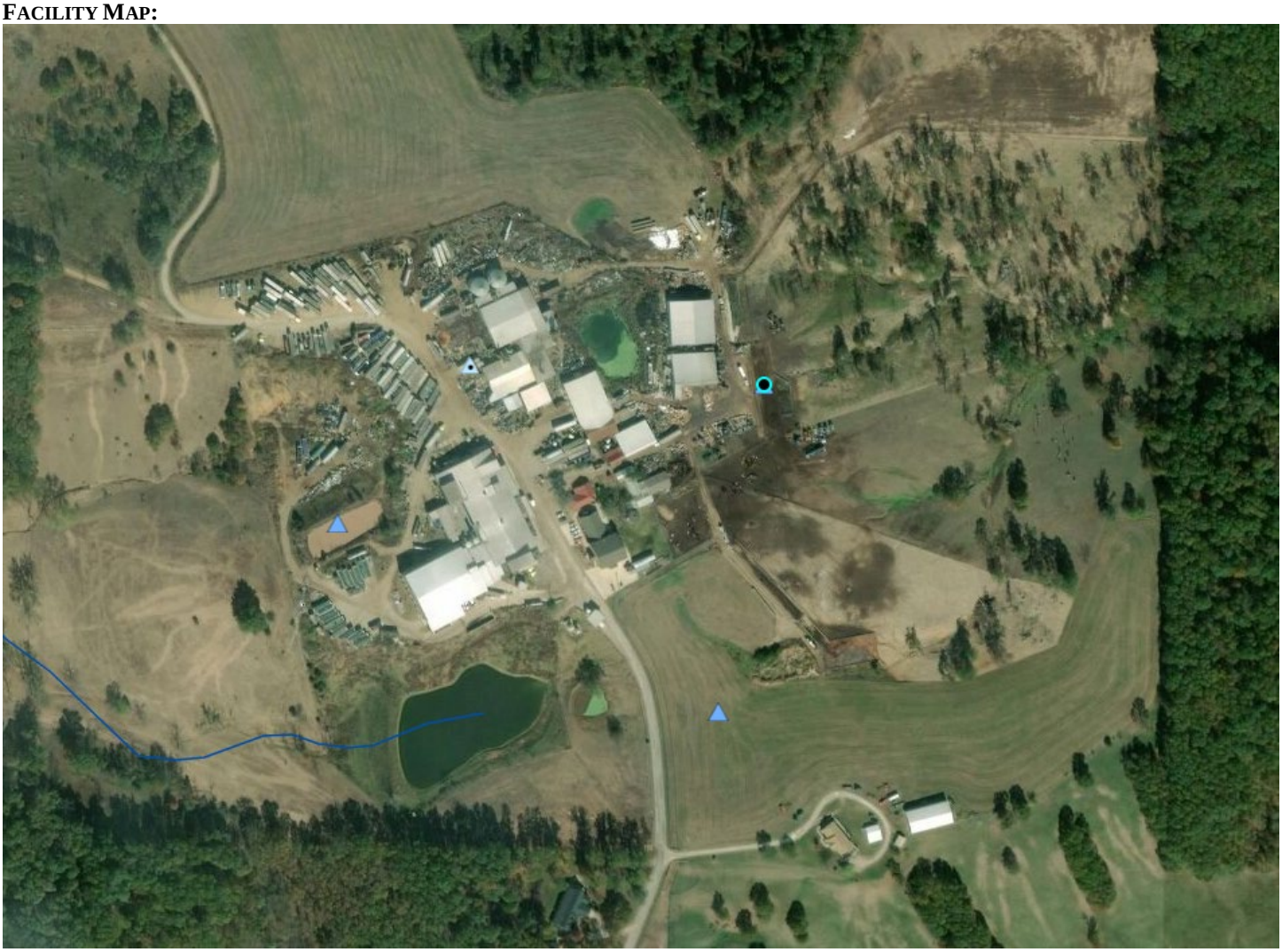
PERMITTED FEATURES TABLE:

OUTFALL	AVERAGE FLOW	DESIGN FLOW	TREATMENT LEVEL	EFFLUENT TYPE
#001	0.017 MGD	0.062 MGD	Lagoon	Land Application of wastewater and sludge from former industrial activities
All Land Application Fields	Dependent on application and precipitation	8,716,541 gallons/year	Land application	Land Application of wastewater and sludge from former industrial activities

FACILITY PERFORMANCE HISTORY & COMMENTS:
This facility is currently under enforcement review and compliance measures. Facility had waste products stored uncovered outside, with wastewater and impacted stormwater running off the site. The lagoon was also not being maintained and was discharging. Discharge area showed signs of phytotoxicity, stressed vegetation and sampling indicated pH levels below 4.0 SU. The most recent site visit was November 26, 2029 which was a follow-up visit to review the previous non-compliance issues cited after the May 10, 2018 inspection and associated June 14, 2018 Letter of Warning for pollution of waters of the state. The facility was referred to the

Enforcement Section on April 2, 2019. Based on the most recent information available, the solid waste on the site is being removed and wastewater is being removed from the lagoon and hauled to the Springfield WWTF, to prevent further discharges from the lagoon.

FACILITY MAP:



PART II. RECEIVING WATERBODY INFORMATION

RECEIVING WATERBODY TABLE:

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES	DISTANCE TO SEGMENT	12-DIGIT HUC
All	Tributary to Absher Prong (losing)	n/a	n/a	GEN	0.0 mi	10290201-0107 Upper Gasconade
#001	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.2 mi	
#004	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.05 mi	
#005	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.02 mi	
#006	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.75 mi	

#007	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.21 mi	
#008	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.13 mi	
#013	100K Extent-Remaining Stream	C	3960	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.02 mi	

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: wetland. Losing streams are defined in 10 CSR 20-7.031(1)(O) and are designated on the Losing Stream dataset or determined by the Department to lose 30% or more of flow to the subsurface.

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

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 = Whole Body Contact recreation where the entire body is capable of being submerged;
WBC-A = whole body contact recreation supporting swimming uses and has public access;
WBC-B = whole body contact recreation not included in WBC-A;
SCR = Secondary Contact Recreation (like fishing, wading, and boating)
10 CSR 20-7.031(1)(C)3. to 7.:
HHP (formerly HHF) = Human Health Protection as it relates to the consumption of fish and drinking of water;
IRR = irrigation for use on crops utilized for human or livestock consumption
LWW = Livestock and Wildlife Watering (current narrative use is defined as LWP = Livestock and Wildlife Protection);
DWS = Drinking Water Supply, includes aquifers per 10 CSR 20-7.031(5)
IND = industrial water supply
10 CSR 20-7.031(1)(C)8. to 11.: Wetlands (10 CSR 20-7.031 Tables A1-B3 currently does not have corresponding habitat use criteria for these defined uses): WSA = storm- and flood-water storage and attenuation; WHP = habitat for resident and migratory wildlife species; WRC = recreational, cultural, educational, scientific, and natural aesthetic values and uses; WHC = hydrologic cycle maintenance.
10 CSR 20-7.031(6): **GRW** = Groundwater
20 CSR 20-7.031(4): GEN = general criteria; acute toxicity criteria applicable to all waters even those lacking designated uses
n/a = not applicable

EXISTING WATER QUALITY:
The receiving waterbody has no relevant water quality data available.

303(D) LIST:
Section 303(d) of the federal Clean Water Act requires each state identify waters not meeting water quality standards and for which adequate water pollution controls have not been required. Water quality standards protect such beneficial uses of water as whole body contact (such as swimming), maintaining fish and other aquatic life, and providing drinking water for people, livestock, and wildlife. The 303(d) list helps state and federal agencies keep track of impaired waters not addressed by normal water pollution control programs. http://dnr.mo.gov/env/wpp/waterquality/303d/303d.htm

✓ Not applicable; this facility does not discharge to an impaired segment of a 303(d) listed stream. The nearest 303(d) listed stream is over 3 miles downstream.

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

✓ Not applicable; this facility does not discharge to a waterbody/watershed with a TMDL.

UPSTREAM OR DOWNSTREAM IMPAIRMENTS:
The permit writer has reviewed upstream and downstream stream segments of this facility for impairments.

✓ The permit writer has noted downstream of the facility the stream is on the 303(d) list/has a TMDL for dissolved oxygen. Per 10 CSR 20-7.031(4)(E), this permit is protective of downstream uses as this permit does not authorize any discharges to waters of the state.

DESIGNATION OF WATERS OF THE STATE:
Per Missouri's technology-based effluent regulations [10 CSR 20-7.015], waters of the state are divided into seven categories [10 CSR 20-7.015(2) through (8)]. If the discharges at the site are stormwater only, or this is a land application only permit, effluent limitations may not be developed based on the designations of the receiving stream, rather are based on a best professional judgment evaluation, which takes the designation of the receiving water body into consideration. Effluent limitations derived on a site specific basis are discussed in PART IV: EFFLUENTS LIMITS DETERMINATIONS.

- ✓ Losing
- ✓ All other waters
- ✓ This is a land application only permit.

LAKE NUMERIC NUTRIENT CRITERIA:
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 nutrients.

RECEIVING WATERBODY MONITORING REQUIREMENTS:
No receiving water monitoring requirements are recommended at this time.

PART III. RATIONALE AND DERIVATION OF PERMIT CONDITIONS

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

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

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

- ✓ Limitations in this operating permit for the reissuance conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
  - ✓ The Department determined technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
    - The previous permit special conditions contained a specific set of prohibitions related to general criteria (GC) found in 10 CSR 20-7.031(4); however, there was no determination as to whether the discharges have reasonable potential to cause or contribute to excursion of those general water quality criteria in the previous permit. This permit assesses each general criteria as listed in the previous permit's special conditions. Federal regulations 40 CFR 122.44(d)(1)(iii) requires instances where reasonable potential (RP) to cause or contribute to an exceedance of a water quality standard exists, a numeric limitation must be included in the permit. Rather than conducting the appropriate RP determination, the previous permit simply placed the prohibitions in the permit. These conditions were removed from the permit. Appropriate reasonable potential determinations were conducted for each general criterion listed in 10 CSR 20-7.031(4)(A) through (I) and effluent limitations were placed in the permit for those general criteria where it was determined the discharge had reasonable potential to cause or contribute to excursions of the general criteria. Specific effluent limitations were not included for those general criteria where it was determined the discharges will not cause or contribute to excursions of general criteria. Removal of the prohibitions does not reduce the protections of the permit or allow for impairment of the receiving stream. The permit maintains sufficient effluent limitations, monitoring requirements and best management practices to protect water quality while maintaining permit conditions applicable to permittee disclosures and in accordance with 10 CSR 20-7.031(4) where no water contaminant by itself or in combination with other substances shall prevent the water of the state from meeting the following conditions:
      (A) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses.
        - For all outfalls, there is no RP for putrescent bottom deposits preventing full maintenance of beneficial uses because this is a no-discharge permit.
        - For all outfalls, there is no RP for unsightly or harmful bottom deposits preventing full maintenance of beneficial uses because this is a no-discharge permit.

(B) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.
- For all outfalls, there is no RP for oil in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because this is a no-discharge permit.
- 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 this is a no-discharge permit.

(C) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses.
- For all outfalls, there is no RP for unsightly color or turbidity in sufficient amounts preventing full maintenance of beneficial uses because this is a no-discharge permit.
- For all outfalls, there is no RP for offensive odor in sufficient amounts preventing full maintenance of beneficial uses because this is a no-discharge permit.

(D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
- The permit writer considered specific toxic pollutants when writing this permit. As this permit does not authorized discharge, these permit conditions are protective of human health, animals, and aquatic life.

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

(F) There shall be no significant human health hazard from incidental contact with the water.
- Much like the condition above, the permit writer considered specific toxic pollutants when writing this permit, but as this permit does not authorized discharge, these permit conditions are protective including those pollutants could cause human health hazards.

(G) There shall be no acute toxicity to livestock or wildlife watering.
- The permit writer considered specific toxic pollutants when writing this permit, but as this permit does not authorized discharge, these permit conditions are protective of livestock and wildlife watering.

(H) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community.
- For all outfalls, there is no RP for physical changes impairing the natural biological community because this is a no-discharge permit.
- For all outfalls, there is no RP for hydrologic changes impairing the natural biological community because this is a no-discharge permit.

(I) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
- As enforcement actions are already requiring removal of all solid waste materials on-site, and as there are no authorized solid waste disposal activities or any operation which have reasonable potential to cause or contribute to the materials listed above being discharged through any outfall.

- The previous permit special condition stated: "Any pesticide discharge from any point source shall comply with the requirements of Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 136 et. seq.) and the use of such pesticides shall be in a manner consistent with its label."
  The permit writer has determined this special condition was outside the scope of NPDES permitting and was removed.
- The previous permit special condition indicated spills from hazardous waste substances must be reported to the department. However, this condition is covered under standard conditions therefore was removed from special conditions.
- The previous permit included Standard Conditions III. The current version of Standard Conditions III, though, is for domestic wastewater only. As such, land application limitations and conditions are outlined within this permit and are least as stringent as the previous Standard Conditions III.

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

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

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

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

BEST MANAGEMENT PRACTICES:

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

COST ANALYSIS FOR COMPLIANCE (CAFCOM):

Pursuant to Section 644.145, RSMo, when incorporating a new requirement for discharges from publicly owned facilities, or when enforcing provisions of this chapter or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq., pertaining to any portion of a publicly owned facility, the Department of Natural Resources 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 Federal Water Pollution Control Act. This process is completed through a cost analysis for compliance. 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) and 122.42(a)(1). In these rules, the facility is required to report changes in amounts of toxic substances discharged. Toxic substances are defined in 40 CFR 122.2 as "…any pollutant listed as toxic under section 307(a)(1) or, in the case of "sludge use or disposal practices," any pollutant identified in regulations implementing section 405(d) of the CWA." Section 307 of the clean water act then refers to those parameters found in 40 CFR 401.15. The permittee should also consider any other toxic pollutant in the discharge as reportable under this condition.

COMPLIANCE AND ENFORCEMENT:

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

✓ Applicable; the permittee/facility is currently under enforcement action due to pollution of waters of the state. The permit does not authorized discharge of pollutants to waters of the state.

DOMESTIC WASTEWATER, SLUDGE, AND BIOSOLIDS:

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

✓ Not applicable; this facility is not active. Temporary on-site toilets are being used for domestic waste and will not discharge on-site.

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

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

✓ Not applicable; the facility does not manage domestic wastewater on-site.

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

EFFLUENT LIMITATION GUIDELINE:
Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. These are limitations established by the EPA based on the SIC code and the type of work a facility is conducting. Most ELGs are for process wastewater and some address stormwater. All are technology based limitations which must be met by the applicable facility at all times.
✓ The facility does not have an associated ELG.

ELECTRONIC DISCHARGE MONITORING REPORT (EDMR) SUBMISSION SYSTEM:
The U.S. Environmental Protection Agency (EPA) promulgated a final rule on October 22, 2015, to modernize Clean Water Act reporting for municipalities, industries, and other facilities by converting to an electronic data reporting system. The final rule requires regulated entities and state and federal regulators to use information technology to electronically report data required by the National Pollutant Discharge Elimination System (NPDES) permit program instead of filing paper reports. To comply with the federal rule, the Department is requiring all permittees to begin submitting discharge monitoring data and reports online.

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

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

To assist the facility in entering data into the eDMR system, the permit describes limit sets in each table in Part A of the permit. The data entry personnel should use these identifiers to ensure data entry is being completed appropriately.
✓ The permittee/facility is not currently using the eDMR data reporting system. The permittee shall submit an eDMR Permit Holder and Certifier Registration form within **60 days** of the effective date of this permit.

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

GROUNDWATER MONITORING:
Groundwater is a water of the state according to RSMo 644.016(27), is subject to regulations at 10 CSR 20-7.015(7) and 10 CSR 20-7.031(6), and must be protected accordingly.
✓ This facility is not required to monitor groundwater for the water protection program.

LAND APPLICATION:
Land application, or surficial dispersion of wastewater and/or sludge, is performed by facilities to maintain a basin as no-discharge. Requirements for these types of operations are found in 10 CSR 20-6.015; authority to regulate these activities is from RSMo 644.026.
✓ 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 permittees 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 Septage https://extension2.missouri.edu/eq422
  - Monitoring Requirements for Biosolids Land Application https://extension2.missouri.edu/wq423
  - Biosolids Standards for Pathogens and Vectors https://extension2.missouri.edu/wq424
  - Biosolids Standards for Metals and Other Trace Substances https://extension2.missouri.edu/wq425
  - Best Management Practices for Biosolids Land Application https://extension2.missouri.edu/wq426
  - Benefits and Risks of Biosolids https://extension2.missouri.edu/wq427
  - Activity and Movement of Plant Nutrients and Other Trace Substances https://extension2.missouri.edu/wq428
  - Interpretation of Laboratory Analysis of Biosolids Samples https://extension2.missouri.edu/wq429
  - Crop/Nutrient Considerations of Biosolids https://extension2.missouri.edu/eq430
  - Collection and Storage of Biosolids https://extension2.missouri.edu/eq431
  - Equipment for Off-Site Application of Biosolids https://extension2.missouri.edu/wq432
  - Equipment for On-Site Land Application of Biosolids https://extension2.missouri.edu/wq433
  - Operating Considerations for Biosolids Equipment https://extension2.missouri.edu/wq434
  - Biosolids Glossary of Terms https://extension2.missouri.edu/eq449

✓ 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.
- **Hydraulic Loading Rates** – wastewater needs to be land applied at rates to allow for proper soil absorption and plant uptake. In accordance with 10 CSR 20-8.200(6)(B), the hydraulic loading rate shall not exceed the soil permeability rate, resulting in a discharge of wastewater from the land application field.

✓ This permit does not authorize land disposal or the application of hazardous waste.

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. 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 permittee cannot withdraw water from the state in excess of 70 gpm/0.1 MGD.

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

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

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

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

REASONABLE POTENTIAL (RP):
Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants which are (or may be) discharged at a level causing or have the reasonable potential to cause (or contribute to) an in-stream excursion above narrative or numeric water quality standards. Per 10 CSR 20-7.031(4), general criteria shall be applicable to all waters of the state at all times; however, acute toxicity criteria may be exceeded by permit in zones of initial dilution, and chronic toxicity criteria may be exceeded by permit in mixing zones. If the permit writer determines any given pollutant has the reasonable potential to cause or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for the pollutant per 40 CFR Part 122.44(d)(1)(iii) and the most stringent limits per 10 CSR 20-7.031(9)(A). Permit writers may use mathematical reasonable potential analysis (RPA) using the Technical Support Document for Water Quality Based Toxics Control (TSD) methods (EPA/505/2-90-001) as found in Section 3.3.2, or .
✓ Not applicable; a mathematical RPA was not conducted for this no-discharge facility.

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

Sampling frequency is to monitor land application activities. As such, quarterly sampling is appropriate.

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

SCHEDULE OF COMPLIANCE (SOC):
A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, effluent limits, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. SOCs are allowed under 40 CFR 122.47 and 10 CSR 20-7.031(11) providing certain conditions are met.
A SOC is not allowed:

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

In order to provide guidance in developing SOCs, and to attain a greater level of consistency, the Department issued a policy on development of SOCs on October 25, 2012. The policy provides guidance to permit writers on standard time frames for schedules for common activities, and guidance on factors to modify the length of the schedule.
✓ Not applicable; this permit does not contain a SOC. Limits have not become more restrictive.

SPILLS, OVERFLOWS, AND OTHER UNAUTHORIZED DISCHARGE REPORTING:
Per 260.505 RSMo, any emergency involving a hazardous substance must be reported to the Department's 24 hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest practicable moment after discovery. The Department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill

results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the noncompliance reporting requirement found in Standard Conditions Part I. http://dnr.mo.gov/env/esp/spillbill.htm

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

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

- ✓ Applicable; this permit authorizes land application of industrial sludge in accordance with Part A and Special Conditions of this permit; see additional information below in Part IV.

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

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

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

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

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

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

40 CFR 122.44(b)(1) requires the permit implement the most stringent limitations for each discharge, including industrially exposed stormwater; and 40 CFR 122.44(d)(1)(i) and (iii) requires the permit to include water-quality based effluent limitations where reasonable potential has been found. However, because of the non-continuous nature of stormwater discharges, staff are unable to

perform statistical Reasonable Potential Analysis (RPA) under most stormwater discharge scenarios. Reasonable potential determinations (RPDs; see REASONABLE POTENTIAL above) using best professional judgment are performed.

Benchmarks require the facility to monitor, and if necessary, replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark exceedance, therefore, is not a permit violation; however, failure to take corrective action is a violation of the permit. Benchmark monitoring data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective actions may be necessary to comply with the conditions of the permit.

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

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

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

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

In accordance with 40 CFR 122.44(k), Best Management Practices (BMPs) must be used to control or abate the discharge of pollutants when: 1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; 2) Authorized under section 402(p) of the CWA for the control of stormwater discharges; 3) Numeric effluent limitations are infeasible; or 4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (EPA 833-B-09-002) published by the EPA in 2015 https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf, BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to 1) identify sources of pollution or contamination, and 2) select and carry out actions which prevent or control the pollution of storm water discharges. Additional information can be found in *Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* (EPA 832-R-92-006; September 1992).

Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged during storm events. The following paragraph outlines the general steps the permittee should take to determine which BMPs will work to achieve the benchmark values or limits in the permit. This section is not intended to be all encompassing or restrict the use of any physical BMP or operational and maintenance procedure assisting in pollution control. Additional steps or revisions to the SWPPP may be required to meet the requirements of the permit.

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

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

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

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

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

✓ Applicable; a SWPPP is required for this facility, but the requirements outlined within this permit for the land application activities satisfy the SWPPP requirements. As such, development of an additional SWPPP is not required.

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:

Please review Standard Conditions Part 1, section A, number 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 and/or 40 CFR 136 unless alternates are approved by the Department 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 numeric limitations need to be established. A permittee is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive.

UNDERGROUND INJECTION CONTROL (UIC):

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

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

VARIANCE:

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

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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

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

WASTELOAD ALLOCATION (WLA) MODELING:
Permittees may submit site specific studies to better determine the site specific wasteload allocations applied in permits.
✓ Not applicable; a WLA study was either not submitted or determined not applicable by Department staff.

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

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

PART IV. EFFLUENT LIMITS AND MONITORING DETERMINATIONS

PERMITTED FEATURE #001 – NO-DISCHARGE BASIN

WASTEWATER/SLUDGE LIMITATIONS AND MONITORING TABLE:

PARAMETERS	UNIT	DAILY MAX	MONTHLY AVG.	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	REPORTING FREQUENCY	SAMPLE TYPE
PHYSICAL							
FREEBOARD	Feet	2 (MINIMUM)			ONCE/WEEK	ONCE/WEEK	MEASURED
WASTEWATER/SLUDGE							
pH †	SU	5.5-9.0		MONITORING ONLY	ONCE/QUARTER	ONCE/QUARTER	GRAB
NITRATE AS N	mg/L	*		SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
TOTAL KJELDAHL NITROGEN	mg/L	*		SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
PHOSPHORUS, TOTAL	mg/L	*		SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
POTASSIUM	mg/L	*		NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
CHROMIUM (III), TR	mg/L	*		NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
CHROMIUM (VI), DISSOLVED	mg/L	*		NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
NICKEL, TR	mg/L	*		NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
ZINC, TR	mg/L	*		NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
CHLORIDE	mg/L	*		NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB

* monitoring and reporting requirement only
† report the minimum and maximum pH values; pH is not to be averaged
new parameter not established in previous state operating permit
TR total recoverable

DERIVATION AND DISCUSSION OF LIMITS:

PHYSICAL:

Freeboard
Routine monitoring of the freeboard in the basin is required to ensure proper operational controls, specifically to prevent discharge. After precipitation, freeboard should be checked to ensure there is always adequate space, 2 feet of freeboard, to prevent overflows.

WASTEWATER/SLUDGE FOR LAND APPLICATION:

pH
5.5 to 9.0 SU. pH must be maintained at a level to prevent phytotoxicity in accordance with 10 CSR 20-6.015(4)(A). As the wastewater overflows from the earthen basin were visually observed to be causing phytotoxicity during Department inspections, and as pH was the only noted pollutant of concern at a level likely to cause this phytotoxicity, this pH limit is warranted and appropriate for land application activities.

Nitrate as N
Land application rates may not exceed agriculture needs or an agronomic rate, in accordance with 10 CSR 20-6.015. Food waste products are primarily organic wastes and, as such, are expected to contain nutrients. Nutrients may be pollutants in water, but are beneficial in agricultural development. As this is a short term project, and as the nutrient levels noted in the wastewater sample results, monitoring only for Nitrate as Nitrogen is appropriate to determine final nutrient loading rates.

Total Kjeldahl Nitrogen
Land application rates may not exceed agriculture needs or an agronomic rate, in accordance with 10 CSR 20-6.015. Food waste products are primarily organic wastes and, as such, are expected to contain nutrients. Nutrients may be pollutants in water, but are beneficial in agricultural development. As this is a short term project, and as the nutrient levels noted in the wastewater sample results, monitoring only for Total Kjeldahl Nitrogen is appropriate to determine final nutrient loading rates.

Total Phosphorus
Land application rates may not exceed agriculture needs or an agronomic rate, in accordance with 10 CSR 20-6.015. Food waste products are primarily organic wastes and, as such, are expected to contain nutrients. Nutrients may be pollutants in water, but are beneficial in agricultural development. As this is a short term project, and as the nutrient levels noted in the wastewater sample results, monitoring only for Phosphorus is appropriate to determine final nutrient loading rates.

Potassium
Land application rates may not exceed agriculture needs or an agronomic rate, in accordance with 10 CSR 20-6.015. Food waste products are primarily organic wastes and, as such, are expected to contain nutrients. Nutrients may be pollutants in water, but are beneficial in agricultural development. As this is a short term project, and as the nutrient levels noted in the wastewater sample results, monitoring only for potassium is appropriate to determine final nutrient loading rates.

Wastewater Metals- Total Recoverable Chromium, Nickel, Zinc
These metals were noted at low concentrations in the most recent sample from the wastewater earthen basin. Prior to the commencement of remediation activities, the facility had significant outdoor storage of a variety of solid waste materials. Furthermore, waste products were processed and reclaimed within the facility. The exact nature of the processed materials, processing chemicals, cleaning chemicals, and all waste materials previously stored on-site is unknown. As such, quarterly monitoring was added for all metals noted above detection levels. These metals, though, were all detected at extremely low levels, well below concentrations causing phytotoxicity. The pH in the basin, though, was extremely low, which may cause leaching of metals. As such, quarterly monitoring is warranted.

Sludge Metals- Arsenic, Cadmium, Total Chromium, Copper, Lead, Mercury, Nickel, Selenium, Zinc
Sludge from the bottom of the earthen basin has not yet been sampled.. Prior to the commencement of remediation activities, the facility had significant outdoor storage of a variety of solid waste materials. Furthermore, waste products were processed and reclaimed within the facility. The exact nature of the processed materials, processing chemicals, cleaning chemicals, and all waste materials previously stored on-site is unknown. As such, quarterly monitoring was added for all metals noted above detection levels. While some of the metals were noted in the wastewater in low concentrations and some were non-detect, the pH in the basin was extremely low, which may cause leaching of metals. The limits established herein are based low concentration limits established in 40 CFR 503 for domestic wastewater; while this wastewater is not subject to 40 CFR 503, the permit writer determined that the limitations were established to prevent contamination and phytotoxicity through land application of wastewater, and are based on science that will be equally protective at this site. Sludge sampling is required prior to any land application activities.

Chloride
Chloride is a pollutant commonly found in food products and food processing waste. Chloride may by phytotoxic to some plants, but chloride toxicity concentrations are highly variable depending on plant response and soil conditions. As such, limits are not established beyond the general prohibition of phytotoxicity in land application. But, as this is a pollutant of concern for this wastewater, and as this pollutant may cause phytotoxicity, monitoring is warranted.

PERMITTED FEATURES #004-#008 & #013 – LAND APPLICATION FIELDS

LAND APPLICATION MONITORING TABLE- WASTEWATER/SLUDGE:

PARAMETERS	UNIT	DAILY MAXIMUM LIMIT	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	REPORTING FREQUENCY	SAMPLE TYPE
APPLICATION AREA	Acres	*	SAME	ONCE PER DAY/APPLICATION	ONCE/MONTH	MEASURED
APPLICATION RATE	Inches/acres	*	SAME	ONCE PER DAY/APPLICATION	ONCE/MONTH	MEASURED
IRRIGATION PERIOD	hours	*	SAME	ONCE PER DAY/APPLICATION	ONCE/MONTH	MEASURED
VOLUME IRRIGATED	gallons	*	SAME	ONCE PER DAY/APPLICATION	ONCE/MONTH	MEASURED
SOLIDS	%	*	NEW	ONCE PER DAY/APPLICATION	ONCE/MONTH	MEASURED

DERIVATION AND DISCUSSION OF LIMITS:

Application Area, Application Rate, Irrigation Period, Volume Irrigated and % Solids

All of these land application monitoring parameters are used to calculate nutrient and pollutant loading rates, to ensure compliance with the land application requirements in 10 CSR 20-6.015(4). Land application activities may not over-apply wastewater or sludge, which may result in elevated nutrient levels. An overabundance of nutrient may lead to nutrient-laden runoff, impacting waters of the state. Furthermore, excess nutrients may result in phytotoxicity. Metal and other pollutant concentrations must also be monitored and calculated, as metals do not readily bio-degrade and may, therefore, build up in the soil. Pollutant loading may be calculated, when needed, using these monitoring parameters and the sampling results required above. As such, monitoring these parameters is necessary to ensure compliance with 10 CSR 20-6.015.

PART V. ADMINISTRATIVE REQUIREMENTS

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

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

- ✓ This permit is not being synchronized at this time because the permitted activity authorized herein is temporary corrective action, expected to be completed within the five-year permit cycle. If industrial activities are proposed in the future, this permit will require modification and, if discharge is proposed, synchronization will be considered at that time.

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

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

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

- ✓ The Public Notice period for this operating permit was from June 26, 2020 through July 27, 2020. No comments were received.

DATE OF FACT SHEET: MAY 21, 2020
COMPLETED BY:
HEATHER PETERS, ENVIRONMENTAL SUPERVISOR
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - INDUSTRIAL UNIT
(573) 526-5449
heather.peters@dnr.mo.gov

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

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

Part I – General Conditions
Section A – Sampling, Monitoring, and Recording

1. **Sampling Requirements.**
   a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
   b. All samples shall be taken at the outfall(s) or Missouri Department of Natural Resources (Department) approved sampling location(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.

2. **Monitoring Requirements**.
   a. Records of monitoring information shall include:
      i. The date, exact place, and time of sampling or measurements;
      ii. The individual(s) who performed the sampling or measurements;
      iii. The date(s) analyses were performed;
      iv. The individual(s) who performed the analyses;
      v. The analytical techniques or methods used; and
      vi. The results of such analyses.
   b. If the permittee monitors any pollutant more frequently than required by the permit at the location specified in the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reported to the Department with the discharge monitoring report data (DMR) submitted to the Department pursuant to Section B, paragraph 7.

3. **Sample and Monitoring Calculations.** Calculations for all sample and monitoring results which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

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

5. **Record Retention.** Except for records of monitoring information required by the permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

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

Section B – Reporting Requirements

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

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

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

2. **Bypass Requirements.**
   a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.
   b. Notice.
      i. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
      ii. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section B – Reporting Requirements, paragraph 5 (24-hour notice).
   c. Prohibition of bypass.
      i. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
         1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
         2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
         3. The permittee submitted notices as required under paragraph 2. b. of this section.
      ii. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three (3) conditions listed above in paragraph 2. c. i. of this section.

3. **Upset Requirements.**
   a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 3. b. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
   b. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
      i. An upset occurred and that the permittee can identify the cause(s) of the upset;
      ii. The permitted facility was at the time being properly operated; and
      iii. The permittee submitted notice of the upset as required in Section B – Reporting Requirements, paragraph 2. b. ii. (24-hour notice).
      iv. The permittee complied with any remedial measures required under Section D – Administrative Requirements, paragraph 4.
   c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

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

c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.

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

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

7. **Permit Transfer.**
   a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
   b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
   c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.

8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

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.

rec'd 5/19/2023

AP 42300

MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM

APPLICATION FOR CHANGE OF NAME OR ADDRESS FOR YOUR MISSOURI STATE OPERATING PERMIT

FOR AGENCY USE ONLY	
APPLICATION ID NUMBER	DATE RECEIVED
CHECK NUMBER / JETPAY CONFIRMATION NUMBER	

READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. THIS APPLICATION IS FOR:

- [x] Owner change of name or address
- [ ] Continuing Authority change of name or address
- [ ] Facility change of name or address

1.1 Is the appropriate fee included with the application? [ ] Yes [x] No

Permit fees may be payed online by credit card or eCheck through a system called JetPay. Use the URL provided to access JetPay and make an online payment. https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/596/

2. PERMIT

PERMIT NUMBER	COUNTY
#MO- 013707 MO0137707	Wright

3. ADDITIONAL INFORMATION

ANTICIPATED DATE OF NAME OR ADDRESS CHANGE: 7/28/2022

4. INFORMATION TO CHANGE

PREVIOUS INFORMATION FOR OWNER			REVISED INFORMATION FOR OWNER		
OWNER NAME: HomePride Bank			OWNER NAME: Laminin Farms, LLC		
ADDRESS (MAILING): P.O. Box 138			ADDRESS (MAILING): 7364 Newkirk Road		
CITY: Mansfield	STATE: MO	ZIP CODE: 65704	CITY: Mountain Grove	STATE: MO	ZIP CODE: 65711
TELEPHONE NUMBER WITH AREA CODE: 417-924-3211			TELEPHONE NUMBER WITH AREA CODE: 417-926-2784		

PREVIOUS INFORMATION FOR CONTINUING AUTHORITY			REVISED INFORMATION FOR CONTINUING AUTHORITY		
CONTINUING AUTHORITY NAME			CONTINUING AUTHORITY NAME		
ADDRESS (MAILING)			ADDRESS (MAILING)		
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE
TELEPHONE NUMBER WITH AREA CODE			TELEPHONE NUMBER WITH AREA CODE		

PREVIOUS INFORMATION FOR FACILITY			REVISED INFORMATION FOR FACILITY		
FACILITY NAME			FACILITY NAME		
ADDRESS (PHYSICAL LOCATION)			ADDRESS (PHYSICAL LOCATION)		
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE
TELEPHONE NUMBER WITH AREA CODE			TELEPHONE NUMBER WITH AREA CODE		

5. FACILITY CONTACT

NAME	TITLE		
EMAIL	TELEPHONE NUMBER WITH AREA CODE		
ADDRESS	CITY	STATE	ZIP CODE

6. CERTIFICATION

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

NAME (TYPE OR PRINT)	OFFICIAL TITLE	TELEPHONE NUMBER WITH AREA CODE
Joseph C Coday	President	417-924-3211
SIGNATURE		DATE SIGNED: May 5, 2023

MO 780-2697 (02-19)

Instructions for Completing Application for Change of Name or Address

Important: This application is only to be used for either the name or address change of a facility, continuing authority, or owner. If ownership is being transferred, this is not the appropriate application. Submit an *Application for Transfer of Operating Permit*, which is available at dnr.mo.gov/forms/780-1517-f.pdf.

Additionally, this application cannot be used for land disturbance permits.

All blanks must be filled in when the application is submitted to the Missouri Department of Natural Resources. This includes the required signature.

1. Check the appropriate box. Multiple boxes may be checked if applicable.

1.1. Fees Information – Permit modifications, including name and address changes are subject to the following non-substantive fees per 10 CSR 20-6.011, which are available at http://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf;

Public Sewer Systems (city, public sewer district, public water district) – $200 each.
All others – $100 each.

Applicants can pay fees online by credit card or eCheck through a system called JetPay.

- Per Section 37.001, RSMo, a transaction fee will be included. The transaction fee is paid to the third party vendor JetPay, not the Department of Natural Resources.
- Be sure to select the correct fee type and corresponding URL to ensure your payment is applied appropriately. If you are unsure what type of fee to pay, contact the Water Protection Program's Budget, Fees and Grants Management Unit by phone at 573-522-1485 for assistance.
- Upon successful completion of your payment, JetPay provides a payment confirmation. Submit this form with a copy of the payment confirmation if requesting a new permit or a permit modification. For permit renewals of active permits, the department will invoice fees annually in a separate request.
- If you are unable to make your payment online, but want to pay with credit card, you may email your name, phone number and invoice number, if applicable, to **WPPFees@dnr.mo.gov**. The Budget, Fees and Grants Management Unit will contact you to assist with the credit card payment. **Do not include your credit card information in the email.**
- Applicants can find fee rates in 10 CSR 20-6.011 (dnr.mo.gov/pubs/pub2564.htm).

Modification Fee: https://magic.collectorsolutions.com/magic-ui/payments/mo-natural-resources/596/.

2. Permit – Provide the permit number of the permit to be modified, the facility name listed on the permit and the county of the facility. If the contact information change will affect multiple permits, attach an addendum with this information listed for each permitted facility. Each permit requires a separate fee to be modified.

3. Current Information – Provide the current (or previous if already changed) mailing address and telephone number for the entity.

4. Future Information – Provide the future (or current if already changed) mailing address and telephone number for the entity.

Continuing Authority – A continuing authority is a company, business, entity or person(s) that will be operating the facility or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified operator or analytical laboratory. To access the regulatory requirement regarding continuing authority, 10 CSR 20-6.010(2), visit https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf. A continuing authority's name must be listed exactly as it appears on the Missouri Secretary of State's (SoS's) webpage: https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0, unless the continuing authority is an individual(s), government, or otherwise not required to register with the SoS.

5. Facility Contact – Provide the name, title, mailing address, work phone number and email address of a person who is thoroughly familiar with the operation of the facility and the facts reported in this application who can be contacted by the department.

6. Additional Information – Provide the date of the name or address change.

7. Certification
Signature - All applications must be signed as follows and the signatures must be **original**:
   a. For a corporation, by an officer having responsibility for the overall operation of the regulated facility or activity or for environmental matters.
   b. For a partnership or sole proprietorship, by a general partner or the proprietor.
   c. For a municipal, state, federal or other public facility, by either a principal executive officer or by an individual having overall responsibility for environmental matters at the facility.

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

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

Site-Specific Permits	General Permits (MOR or MOG)
Department of Natural Resources Water Protection Program Attn: Operating Permits Section P.O. Box 176 Jefferson City, MO 65102-0176	Send to the appropriate Department of Natural Resources' regional office. A map of regional offices with addresses and phone numbers is available at dnr.mo.gov/regions/.

If there are any questions concerning this form, contact the appropriate regional office or the Department of Natural Resources, Water Protection Program, Operating Permits Section at 800-361-4827 or 573-522-4502.