

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-0139009

Owner: ZMDR, LLC
Address: 1921 W. 50 Hwy., Lone Jack, MO 64070

Continuing Authority: Same as above
Address: Same as above

Facility Name: Republic Foods Facility
Facility Address: 1921 W. 50 Hwy., Lone Jack, MO 64070

Legal Description: See Page 2
UTM Coordinates: See Page 2

Receiving Stream: See Page 2
First Classified Stream and ID: See Page 2
USGS Basin & Sub-watershed No.: See Page 2

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 Facility – SIC #2011, 2015, 2013

See page 2.

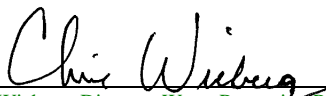
This permit authorizes only land application of wastewater and sludge under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

November 1, 2019 April 1, 2020
Effective Date Modification Date



Edward B. Galbraith, Director, Division of Environmental Quality

March 31, 2021
Expiration Date



Chris Wieberg, Director, Water Protection Program

FACILITY DESCRIPTION (CONTINUED)

Earthen storage basin, no discharge, septic tanks, pump tank, subsurface absorption

PERMITTED FEATURE #001 – Two cell earthen storage basin

Legal Description: N ½, N ½, Sec. 22, T 47N, R29W, Johnson County

UTM Coordinate: X = 404025, Y = 4303506

Receiving Water: Tributary to East Branch Crawford Creek

First Classified Stream and ID: 8-20-13 MUDD V1.0 (C) (3960)

USGS Basin & Sub-Watershed No: (10290108-0303)

Design Flow, Dry Weather (gallons per day): 5715

Design Flow, 1-in-10 Year Wet Weather (gallons per day): 6532

Total Depth (feet): 9.5

Maximum Operating Depth (feet): 7.5

Total Volume (gallons): 876,466

Maximum Operating Storage Volume (gallons): 469,586

Storage Capacity, 1-in-10 Year Wet Weather (days): +90

PERMITTED FEATURE #002 – Drip irrigation site 2.0 acres.

Legal Description: N ½, N ½, Sec. 22, T 47N, R29W, Johnson County

UTM Coordinate: X = 404211, Y = 4303356

Receiving Water: Tributary to East Branch Crawford Creek

First Classified Stream and ID: 8-20-13 MUDD V1.0 (C) (3960)

USGS Basin & Sub-Watershed No: (10290108-0303)

Wastewater

Application Rate Basis Hydraulic Loading

Hydraulic loading rate (gal/ft²/day) 0.15

Minimum dispersal area (ft²) 54,300

Number of zones 6

Area per zone (ft²) 9050

Line spacing (ft) 2

Emitter spacing 2

Flow rate per emitter (gal/hr) 0.53

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

PERMITTED FEATURE #001	TABLE A-1 STORAGE BASIN LIMITATIONS AND MONITORING REQUIREMENTS				
	The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:				
EFFLUENT PARAMETERS	UNITS	FINAL EFFLUENT LIMITATIONS		MONITORING REQUIREMENTS	
		DAILY MAXIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
STORAGE BASINS					
Freeboard Φ	Feet	*	-	once/month	measured
Precipitation	Inches	*	-	once/month	measured
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>DECEMBER 28, 2019</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.					

- * Monitoring requirement only
- Φ Storage Basin freeboard shall be reported as Storage Basin water level in feet below the overflow level.
- ¥ Report as “No Application” when land application does not occur during the report period.
- Ψ Wastewater that is land applied shall be sampled at the irrigation pump, wet well, or application equipment prior to land application.
- \diamond See table below for quarterly sampling

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

C. 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.

D. SPECIAL CONDITIONS

1. This permit does not authorize the discharge of wastewater or sludge, except during emergency discharge conditions. Other materials, chemicals and substances not considered wastewater or sludge being treated and disposed of by the land application system are not authorized to be discharged regardless of weather conditions.

D. SPECIAL CONDITIONS (Continued)

2. Emergency and Unauthorized Discharges.

- (a) Monitoring. Any emergency or unauthorized discharge shall be monitored for the parameters in the table below at least once during the discharge event. Additional monitoring may be required by the Department on a case-by-case basis. The facility shall submit test results, along with the number of days the storage basin(s) has discharged during the month, via the Electronic Discharge Monitoring Report (eDMR) Submission System by the 28th day of the month after the discharge ceases. Permittee shall monitor for the following constituents:

Constituent	Units
Effluent Flow	MGD
Biochemical Oxygen Demands	mg/L
Total Suspended Solids	mg/L
Ammonia as N	mg/L
pH – Units	SU
Oil & Grease	mg/L
E. Coli*	#/100mL

*Sampling for E. coli is only required during the recreational months of April – October. / Sampling for E. coli is required year round.

- (b) Emergency Discharges. An emergency discharge from wastewater storage structures may only occur if rainfall exceeds the 10-year 365-day rainfall event (chronic) or the 25-year 24-hour rainfall event (catastrophic). The facility shall make all reasonable attempts to return the water level in the lagoon to below the maximum operating level. Design Storm Maps and Tables can be found at http://ag3.agebb.missouri.edu/design_storm/.
- (c) Unauthorized Discharges. Discharge for any other reason than what is stated in 1(b) of this Special Condition shall constitute a permit violation and shall be reported in accordance with Standard Conditions Part 1 Section B.2. Unauthorized discharges are to be reported to the Kansas City Regional Office during normal business hours or the Environmental Emergency Response spill-line at 573-634-2436 outside of normal business hours.

3. Electronic Discharge Monitoring Report (eDMR) Submission System.

Once the permittee is activated in the eDMR system:

- (a) Discharge Monitoring Reporting Requirements. The permittee must electronically submit compliance monitoring data via the eDMR system. In regards to Standard Conditions Part I, Section B, #7, the eDMR system is currently the only Department approved reporting method for this permit.
- (b) Programmatic Reporting Requirements. The following reports (if required by this permit) 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:
- (1) Wastewater Irrigation Annual Reports;
 - (2) Any additional report required by the permit excluding bypass reporting.
- 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.
- (c) Other actions. 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);
- (d) Electronic Submissions. To access the eDMR system, use the following link in your web browser: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>.
- (e) Waivers from Electronic Reporting. 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 that the approved electronic reporting waiver is effective.

D. SPECIAL CONDITIONS (Continued)

4. Reporting of Non-Detects:
 - (a) An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way that the precision and accuracy of the analyzed result can be enumerated.
 - (b) The permittee shall not report a sample result as “Non-Detect” without also reporting the detection limit of the test. Reporting as “Non-Detect” without also including the detection limit will be considered failure to report, which is a violation of this permit.
 - (c) The permittee shall report the “Non-Detect” result using the less than sign and the minimum detection limit (e.g. <10).
 - (d) Where the permit contains a Minimum Level (ML) and the permittee is granted authority in the permit to report zero in lieu of the < ML for a specified parameter (conventional, priority pollutants, metals, etc.), then zero (0) is to be reported for that parameter.
 - (e) See Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.
 - (f) When calculating monthly averages, one-half of the minimum detection limit (MDL) should be used instead of a zero. Where all data are below the MDL, the “<MDL” shall be reported as indicated in item (C).
5. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).
6. Hazardous waste regulated under the Missouri Hazardous Waste Law and regulations shall not be land applied under this permit.
7. Release of a hazardous substance must be reported to the department in accordance with 10 CSR 24-3.010. A record of each reportable spill shall be retained with the permit and made available to the department upon request.
8. Permittee shall adhere to the following minimum BMPs:
 - (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of storm water 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 that these materials are not exposed to storm water or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of storm water 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.
 - (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. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
9. Changes in Discharges of Toxic Pollutant
In addition to the reporting requirements under §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 §122.21(g)(7).
 - (4) The level established by the Director in accordance with §122.44(f).

D. SPECIAL CONDITIONS (Continued)

10. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit.
11. All permitted features, including emergency outfalls, must be clearly marked in the field. The permitted features and land application fields shall also be marked on the aerial or topographic site map included with the Operation and Maintenance manual.
12. The permittee shall develop, maintain and implement an Operation and Maintenance (O&M) Manual that includes all necessary items to ensure the operation and integrity of the waste handling and land application systems, including key operating procedures, an aerial or topographic site map with the permitted features, land application fields, and irrigation buffer zones marked, and a brief summary of the operation of the facility. The O & M manual shall be made available to the operator and available to the department upon request. The O&M Manual shall be reviewed and updated at least every five years.
13. An all-weather access road shall be provided to the treatment facility.

E. SUBSURFACE APPLICATION CONDITIONS

1. Storage Basin.
 - (a) 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 to the berms.
 - (b) The facility shall ensure that adequate provisions are provided to prevent surface water intrusion into the storage basin(s) and to divert stormwater runoff around the storage basin(s) and protect embankments from erosion.
 - (c) The minimum and maximum operating water levels for the storage basin(s) shall be clearly marked. Each storage basin shall be operated so that the maximum water elevation does not exceed upper operating level except due to exceedances of the 1-in-10 year or 25-year, 24-hour storm events. Storage basins shall be lowered to the minimum operating level prior to November 30 each year. Storage basins shall be inspected monthly for structural integrity and leaks.
 - (d) A least one gate, constructed of materials comparable to the fence, must be provided to access any storage basin and provide for maintenance and mowing. The gate shall remain locked except when opened by the permittee to perform maintenance or mowing.
 - (e) At least one sign shall appear on the fence on each side of each facility. Minimum wording shall be “SEWAGE TREATMENT FACILITY – KEEP OUT”, in letters at least 2 inches high.
 - (f) Earthen storage basins shall have an emergency spillway to protect the structural integrity of earthen structures during operation at near full water levels and in the event of overflow conditions. The spillway shall be at least one foot below top of berm. 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.
2. Subsurface Application Equipment.
 - (a) Subsurface application equipment shall be visually inspected daily to check for equipment malfunctions and leaks.
 - (b) Subsurface application equipment shall be calibrated at least once annually.
3. Subsurface Application Area.
 - (a) This special condition does not apply to fertilizer products that are exempted under the Missouri Clean Water Law and regulations, 10 CSR 20-6.015(3)(B)8.
 - (b) If subsurface application sites listed in this permit are also included as subsurface application sites in another permit, the wastewater and sludge applications from other sources shall be included in the application rates in the facility description. Records of the amount and application rate of wastewater or sludge from other sources must be kept.
 - (c) Setback distances from sensitive features. There shall be no subsurface application within:
 - (1) 300 feet of any well, sinkhole, losing stream, wetland, or cave entrance, water supply impoundment or stream intake;
 - (2) 150 feet of an occupied residence, public building, or public use area;
 - (3) 50 feet of gaining perennial or intermittent stream, public or privately owned pond or lake;
 - (4) 50 feet of property line or public road.

E. SUBSURFACE APPLICATION CONDITIONS (Continued)

4. Subsurface dispersion systems under this permit are Class V wells if they have the capacity to serve 20 or more people and shall comply with the reporting requirements of 40 CFR 144.26. In addition, an inventory form shall be submitted to the Department of Natural Resources' Missouri Geological Survey for these wells, as required under Federal regulations. Questions about whether a subsurface dispersion system is a Class V well can be directed to the Missouri Geological Survey's Energy Resources Unit at 573-368-2100.
5. Record Keeping
 - (a) A record of monthly visual storage structure inspections shall be maintained.
 - (b) A record of subsurface application equipment inspections and calibrations as well as subsurface application field inspections shall be maintained.
 - (c) All records and monitoring results shall be maintained for at least five years and shall be made available to the department upon request.
6. Annual Report on Subsurface Application. An annual report is required in addition to other reporting requirements under Section A of this permit. The annual report shall be submitted by January 28 of each year. The report shall include, but is not limited to, a summary of the following:
 - (a) Record of maintenance and repairs during the year, average number of times per month the facility is checked to see if it is operating properly, and description of any unusual operating conditions encountered during the year.
 - (b) The number of days the storage structure discharged during the year, the discharge flow, reason the discharge occurred and effluent analysis performed.
 - (c) Narrative summary of any problems or deficiencies identified, corrective action taken and improvements planned.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
STATEMENT OF BASIS
MO-0139009
REPUBLIC FOODS FACILITY

This Statement of Basis (Statement) gives pertinent information regarding modification 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: Categorical Industrial

Facility Description: This is a meat processing facility that slaughters beef from an adjacent cattle feedlot. Animal wastes from the feedlot are not stored or treated at this facility. Domestic wastewater and industrial process wastewater are generated on site. Domestic wastewater and industrial process wastewater are treated by a no-discharge wastewater treatment facility on site. Domestic wastewater flows from a septic tank into an earthen storage basin and industrial process wastewater flows from a septic tank into a separate earthen storage basin. These basins are interconnected and outlet to a subsurface land application system. Discharges as a result of chronic/catastrophic storms will go through an emergency spillway.

Part II – Modification Rationale

This operating permit is hereby modified to reflect a change in ownership.

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 FACT SHEET: 2/21/2020

COMPLETED BY:

GORDEN WRAY, ENVIRONMENTAL SPECIALIST III
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - DOMESTIC WASTEWATER UNIT
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**MISSOURI DEPARTMENT OF NATURAL RESOURCES
 FACT SHEET**

**MO-0139009
 VALLEY OAKS STEAK COMPANY**

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollution 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.

This Factsheet is for Industrial Land Application activity.

Part I FACILITY INFORMATION

Facility Type: Categorical Industrial
 Facility SIC Code(s): 2011, 2013
 Facility NAICS Code: 424470
 Application Date: 5/29/2018
 Last Inspection: Facility has not been inspected

FACILITY DESCRIPTION:

This is a meat processing facility that slaughters beef from an adjacent cattle feedlot. Animal wastes from the feedlot are not stored or treated at this facility and are covered under MO-G010872. Domestic wastewater and industrial process wastewater are generated on site. Domestic wastewater and industrial process wastewater are treated by a no-discharge wastewater treatment facility on site. Domestic wastewater flows from a septic tank into an earthen storage basin and industrial process wastewater flows from a septic tank into a separate earthen storage basin. These basins are interconnected and outlet to a subsurface land application system. Discharges as a result of chronic/catastrophic storms will go through an emergency spillway.

This site-specific operating permit has replaced the general permit previously covering this facility. Site-specific operating permit conditions and effluent limitations are more stringent than the general permit conditions. Construction of this facility was completed under permit number CP0001963 and a statement of work complete was received October 21, 2019.

PERMITTED FEATURE(S) TABLE:

PERMITTED FEATURE	STORAGE CAPACITY / DESIGN FLOW	EFFLUENT TYPE
#001	469,586 gal	Industrial wastewater/sludge Domestic wastewater/sludge
#002	5715 gpd	Industrial wastewater/sludge Domestic wastewater/sludge

*gpd = gallons per day

FACILITY PERFORMANCE HISTORY & COMMENTS:

Facility was previously covered under MOG822236 and has only been permitted since August 1, 2017.

FACILITY MAP:



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 Statutes Chapter 256.400 Geology, Water Resources and Geodetic Survey Section). <https://dnr.mo.gov/pubs/pub2337.htm>

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

Part II RECEIVING STREAM INFORMATION

RECEIVING WATER BODY'S WATER QUALITY:

The receiving stream has no concurrent water quality data available.

303(D) LIST:

Section 303(d) of the federal Clean Water Act requires that each state identify waters that are 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 waters that are impaired but not addressed by normal water pollution control programs. <http://dnr.mo.gov/env/wpp/waterquality/303d/303d.htm>

✓ Not applicable; this facility does not discharge to an impaired segment of a 303(d) listed stream.

TOTAL MAXIMUM DAILY LOAD (TMDL):

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

✓ Applicable; Tributary to East Branch Crawford Creek is associated with the 2002 EPA Approved Big Creek sediment TMDL for sediment.

✓ This facility is not considered to be a source of the above listed pollutant(s) or considered to contribute to the impairment of Big Creek.

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

✓ As per Missouri’s Effluent Regulations [10 CSR 20-7.015(1)(B)], the waters of the state are divided into the following seven categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall’s Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.

- Missouri or Mississippi River:
- Lake or Reservoir:
- Losing:
- Metropolitan No-Discharge:
- Special Stream:
- Subsurface Water:
- All Other Waters:

RECEIVING STREAMS TABLE:

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	DISTANCE TO SEGMENT (MILES)	12-DIGIT HUC
All	Tributary to East Branch Crawford Creek	n/a	n/a	GEN	0.1	10290108-0303
All	8-20-13 MUDD V1.0	C	3960	HHP, IRR, LWW, SCR, WBC-B, WWH (AQL)	0.1	

n/a not applicable

WBID Waterbody ID: Missouri Use Designation Dataset 8-20-13 MUDD V1.0 data can be found as an ArcGIS shapefile on MSDIS at http://msdis.missouri.edu/pub/Inland_Water_Resources/MO_2014_WQS_Stream_Classifications_and_Use_shp.zip

* As per 10 CSR 20-7.031 Missouri Water Quality Standards, the department defines the Clean Water Commission’s water quality objectives in terms of “water uses to be maintained and the criteria to protect those uses.” The receiving stream and 1st classified receiving stream’s beneficial water uses to be maintained are in the receiving stream table in accordance with [10 CSR 20-7.031(1)(C)].

Uses which may be found in the receiving streams table, above:

10 CSR 20-7.031(1)(C)1.:

AQL = Protection of aquatic life (Current narrative use(s) are defined to ensure the protection and propagation of fish shellfish and wildlife, which is 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 AQL effluent limitations in 10 CSR 20-7.031 Table A 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 that supports swimming uses and has public access;

WBC-B = Whole body contact recreation that supports swimming;

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;

IRR = Irrigation for use on crops utilized for human or livestock consumption;

LWW = Livestock and wildlife watering (Current narrative use is defined as LWP = Livestock and Wildlife Protection);

DWS = Drinking Water Supply;

IND = Industrial water supply

10 CSR 20-7.031(1)(C)8-11.:. Wetlands (10 CSR 20-7.031 Table A 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

Part III RATIONALE & DERIVATION OF LIMITATIONS & 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 a no-discharge system that does not discharge to a Losing Stream as defined by [10 CSR 20-2.010(36)] & [10 CSR 20-7.031(1)(O)], or is an existing facility.

ANTI-BACKSLIDING:

A provision in the Federal Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(l)] that requires a reissued permit to be as stringent as the previous permit with some exceptions.

✓ All limits in this operating permit are at least as protective as those previously established; therefore, backsliding does not apply.

ANTIDegradation:

In accordance with Missouri's Water Quality Standard [10 CSR 20-7.031(3)], the Department is to document by means of Antidegradation Review that the use of a water body's available assimilative capacity is justified. Degradation is justified by documenting the socio-economic importance of a discharging activity after determining the necessity of the discharge.

- ✓ Not Applicable; No degradation proposed and no further review necessary. This is a no-discharge system and antidegradation does not apply.

BIOSOLIDS & SEWAGE SLUDGE:

Biosolids are solid materials resulting from domestic wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sewage sludge is solids, semi-solids, 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 a 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. Additional information regarding biosolids and sludge is located at the following web address: <http://extension.missouri.edu/main/DisplayCategory.aspx?C=74>, items WQ422 through WQ449.

- ✓ Not applicable; this condition is not applicable to the permittee for this facility.

COMPLIANCE AND ENFORCEMENT:

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

- ✓ Not Applicable; The permittee/facility is not currently under Water Protection Program enforcement action.

EFFLUENT 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.

GROUNDWATER MONITORING:

Groundwater is a water of the state according to 10 CSR 20-7.015(1)11, and 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.

REASONABLE POTENTIAL (RP):

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that 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 that pollutant [40 CFR Part 122.44(d)(1)(iii)].

- ✓ Not applicable; an RPA was not conducted for this facility.

DOMESTIC SLUDGE:

Biosolids are solid materials resulting from domestic wastewater treatment meeting federal and state criteria for beneficial use (i.e. fertilizer). 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. Additional information: <http://extension.missouri.edu/main/DisplayCategory.aspx?C=74> (WQ422 through WQ449).

- ✓ Not applicable; this condition is not applicable to the permittee for this facility.

INDUSTRIAL SLUDGE:

Industrial sludge is solids, semi-solids, or liquid residue generated during the treatment of industrial 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 a material derived from industrial sludge.

- ✓ Not applicable; this condition is not applicable to the permittee for this facility.

NO-DISCHARGE LAND APPLICATION:

Land application of wastewater or sludge shall comply with the all applicable no-discharge requirements listed in 10 CSR 20-6.015 and all facility operations and maintenance requirements listed in 10 CSR 20-8.020(15). These requirements ensure appropriate operation of the no-discharge land application systems and prevent unauthorized and illicit discharges to waters of the state. Land applications by a contract hauler on fields that the permittee has a spreading agreement on are not required to be in this permit. A spreading agreement does not constitute the field being rented or leased by the permittee as they do not have any control over management of the field.

✓ Applicable; This permit authorizes operation of a no-discharge land application system to treat wastewater or sludge.

SCHEDULE OF COMPLIANCE (SOC):

Per 644.051.4 RSMo, a permit may be issued with a Schedule of Compliance (SOC) to provide time for a facility to come into compliance with new state or federal effluent regulations, water quality standards, or other requirements. Such a schedule is not allowed if the facility is already in compliance with the new requirement, or if prohibited by other statute or regulation. A SOC includes an enforceable sequence of interim requirements (actions, 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. *See also* Section 502(17) of the Clean Water Act, and 40 CFR §122.2. For new effluent limitations, the permit includes interim monitoring for the specific parameter to demonstrate the facility is not already in compliance with the new requirement. Per 40 CFR § 122.47(a)(1) and 10 CSR 20-7.031(10), compliance must occur as soon as possible. If the permit provides a schedule for meeting new water quality based effluent limits, a SOC must include an enforceable, final effluent limitation in the permit even if the SOC extends beyond the life of the permit.

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 that was 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 to Permit Writers in developing SOCs, and attain a greater level of consistency, on October 25, 2012 the department issued a policy on development of SOCs. This policy provides guidance to Permit Writers on the standard time frames for schedules for common activities, and guidance on factors that may modify the length of the schedule such as an affordability analysis.

✓ Not applicable; this permit does not contain a SOC.

SPILL REPORTING:

Per 10 CSR 24-3.010, 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.

STORMWATER PERMITTING:

A standard mass-balance equation cannot be calculated for stormwater from this facility because the stormwater flow and flow in the receiving stream cannot be determined for conditions on any given day. The amount of stormwater discharged from the facility will vary based on 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, amount of surfaces with reduced permeability (houses, parking lots, and the like) in the watershed, hydrogeology, topography, etc. Decreased permeability increases the flash of the stream.

It is likely sufficient rainfall to cause a discharge for four continuous days from a facility will also cause some significant amount of flow in the receiving stream. Chronic WQSs are based on a four-day exposure (except ammonia, which is based on a thirty day exposure). In the event a discharge does occur from this facility for four continuous days, some amount of flow will occur in the receiving stream. This flow will dilute stormwater discharges from a facility. For these reasons, most industrial stormwater facilities have limited potential to cause a violation of chronic water quality standards in the receiving stream.

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 WQSs are based on a one hour of exposure, and must be protected at all times in unclassified streams, and within mixing zones of class P streams [10 CSR 20-7.031(4) and (5)(4)4.B.]. Therefore, industrial stormwater facilities with toxic contaminants do have the potential to cause a violation of acute WQSs if those toxic contaminants occur in sufficient amounts.

It is due to the items stated above staff are unable to perform statistical Reasonable Potential Analysis (RPA). However, staff will use their best professional judgment in determining if a facility has a potential to violate Missouri's Water Quality Standards.

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*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], 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.

A SWPPP must be prepared by the permittee if the SIC code is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2). A SWPPP may be required of other facilities where stormwater has been identified as necessitating better management. The purpose of a SWPPP is to comply with all applicable stormwater regulations by creating an adaptive management plan to control and mitigate stream pollution from stormwater runoff. Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged during storm events. The following paragraph outlines the general steps the 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 that are reasonable and cost effective. The AA evaluation should include practices that are 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 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; the application is found at: <http://dnr.mo.gov/forms/index.html>.

✓ Not applicable; at this time, the permittee is not required to develop and implement a SWPPP.

VARIANCE:

As 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 shall be 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 operating permit is not drafted under premises of a petition for variance.

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

As per [10 CSR 20-2.010(78)], 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 waters, then the other must be used.

✓ Not applicable; wasteload allocations were not calculated.

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.

Part IV PERMIT LIMITS & MONITORING DETERMINATION

Effluent limitations derived and established for this permit are based on current operations of the facility. Effluent means both process water and stormwater. Any flow through the outfall is considered a discharge and must be sampled and reported as provided below. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

GENERAL CRITERIA CONSIDERATIONS:

In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants which have been determined to cause, have the reasonable potential to cause, or to contribute to an excursion above any State water quality standard, including State narrative criteria for water quality. The rule further states pollutants which have been determined to cause, have the reasonable potential to cause, or contribute to an excursion above a narrative criterion within an applicable State water quality standard, the permit shall contain a numeric effluent limitation to protect that narrative criterion. The previous permit included the narrative criteria as specific prohibitions placed upon the discharge. These prohibitions were included in the permit absent any discussion of the discharge's reasonable potential to cause or contribute to an excursion of the criterion. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether the discharge has reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). These specific requirements are listed below followed by derivation and discussion (the lettering matches that of the rule itself, under 10 CSR 20-7.031(4)). In instances where reasonable potential exists, the permit includes numeric limitations to address the reasonable potential. In instances where reasonable potential does not exist the permit includes monitoring of the discharges potential to impact the receiving stream's narrative criteria. Finally, all of the previous permit narrative criteria prohibitions have been removed from the permit given they are addressed by numeric limits where reasonable potential exists. It should also be noted that Section 644.076.1, RSMo as well as Section D – Administrative Requirements of Standard Conditions Part I of this permit state that it shall be unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri that is 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.

- (A) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses.
- For all outfalls, there is no RP for putrescent bottom deposits preventing full maintenance of beneficial uses because nothing disclosed by the permittee at renewal for these outfalls indicates putrescent wastewater would be discharged from the facility.
 - For all outfalls, there is no RP for unsightly or harmful bottom deposits preventing full maintenance of beneficial uses because all outfalls have TSS limitations; however, they are all based on technology for the processes involved; values discharged from all outfalls are typically below WQ limitations, therefore no RP.
- (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 nothing disclosed by the permittee at renewal or during prior sampling for DMR requirements for these outfalls indicates oil will be present in sufficient amounts to impair beneficial uses.

- For all outfalls, there is no RP for scum and floating debris in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing disclosed by the permittee at renewal for these outfalls indicates scum and floating debris will be present in sufficient amounts to impair beneficial uses
- (C) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses.
- For all outfalls, there is no RP for unsightly color or turbidity in sufficient amounts preventing full maintenance of beneficial uses because nothing disclosed by the permittee at renewal for these outfalls indicates unsightly color or turbidity will be present in sufficient amounts to impair beneficial uses.
 - For all outfalls, there is no RP for offensive odor in sufficient amounts preventing full maintenance of beneficial uses because nothing disclosed by the permittee at renewal for these outfalls indicates offensive odor will be present in sufficient amounts to impair beneficial uses.
- (D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
- This facility has numeric effluent limitations for WET testing; specific toxic pollutants are discussed below in Derivation and Discussion of Limits, and where appropriate, numeric effluent limitations added.
 - The permit writer considered specific toxic pollutants when writing this permit. Numeric effluent limitations are included for those pollutants that could be discharged in toxic amounts. These effluent limitations are protective of human health, animals, and aquatic life.
- (E) There shall be no significant human health hazard from incidental contact with the water.
- It is the permit writer's opinion that this criterion is the same as (D).
- (F) There shall be no acute toxicity to livestock or wildlife watering.
- It is the permit writer's opinion that this criterion is the same as (D).
- (G) 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 that would impair the natural biological community because nothing disclosed by the permittee at renewal for these outfalls indicates physical changes that would impair the natural biological community.
 - For all outfalls, there is RP for chemical changes that would impair the natural biological community because DMR data and sampling for permit renewal show RP for aluminum and ammonia therefore limits are imposed for these parameters; limitations on WET testing provide protection for any synergistic effects discharged pollutants may incur.
 - For all outfalls, there is no RP for chemical changes that would impair the natural biological community because nothing disclosed by the permittee at renewal for these outfalls indicates chemical changes that would impair the natural biological community.
 - For all outfalls, there is no RP for hydrologic changes that would impair the natural biological community because nothing disclosed by the permittee at renewal for these outfalls indicates physical changes that would impair the natural biological community.
- (H) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
- There are no solid waste disposal activities or any operation that has reasonable potential to cause or contribute to the materials listed above being discharged through any outfall.

PERMITTED FEATURE #001 – Storage Basins/Lagoons

Limitations derived and established in the below Storage Basin Limitations Table are based on current operations of the facility. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

STORAGE BASIN LIMITATIONS TABLE:

PARAMETERS	UNIT	DAILY MAX	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE
STORAGE BASIN						
FREEBOARD	Feet	*	new	once/month	once/month	measured
PRECIPITATION	Inches	*	new	once/month	once/month	measured

* - Monitoring requirement only

PERMITTED FEATURE #001 – DERIVATION AND DISCUSSION OF LIMITS:

STORAGE BASIN:

Freeboard

Monitoring requirement only. In order to determine compliance with 10 CSR 20-8.020(15)(F)2., monitoring of freeboard in the storage basin is required.

Precipitation

Monitoring requirement only. In order to determine compliance with 10 CSR 20-8.020(15)(F)2., monitoring of freeboard in the storage basin is required. Additionally, precipitation monitoring allows the permittee to operate the land application activity to prevent over application during saturated conditions that may result in a discharge.

Part V SAMPLING & REPORTING REQUIREMENTS

Refer to each outfall’s derivation and discussion of limits section to review individual sampling and reporting frequencies and sampling type.

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. This 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 non-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.

- ✓ The permittee/facility is not currently using the eDMR data reporting system. The permittee has submitted an eDMR Permit Holder and Certifier Registration form.

Part VI 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 that 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 three years old, that data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit.

✓ This permit will maintain synchronization by expiring the end of the 1st quarter, 2021.

PUBLIC NOTICE:

The Department shall give public notice that a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in and 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 August 24, 2018 to September 24, 2018. No responses received.

DATE OF FACT SHEET: JULY 20, 2018

COMPLETED BY:

**DIANE REINHARDT, ENVIRONMENTAL ENGINEER
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
ENGINEERING SECTION – CONSTRUCTION PERMITS UNIT
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STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

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

Part I – General Conditions

Section A – Sampling, Monitoring, and Recording

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

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

Section B – Reporting Requirements

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



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

Section C – Bypass/Upset Requirements

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

Section D – Administrative Requirements

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



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

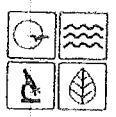


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10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this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

RECEIVED
DEC. 23 2019

34178



MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
APPLICATION FOR TRANSFER OF OPERATING PERMIT

FOR AGENCY USE ONLY	
CHECK NO.	
DATE RECEIVED 12-23-19	FEE SUBMITTED \$100.00
JETPAY CONFIRMATION NUMBER 20013558	

THE FOLLOWING ITEMS (1 - 4) ARE TO BE COMPLETED BY THE CURRENT OWNER.
SEE INSTRUCTIONS FOR APPROPRIATE FEE TO BE SUBMITTED WITH APPLICATION.

1. FACILITY

NAME Valley Oaks Steak Company, LLC		TELEPHONE NUMBER WITH AREA CODE 816-786-0033	
ADDRESS (PHYSICAL) 1921 NW US Highway 50		CITY Lone Jack	STATE MO
PERMIT NUMBER #MO- 0139009		COUNTY Jackson	ZIP 64070

2. CURRENT OWNER

NAME Valley Oaks Steak Company, LLC		TELEPHONE NUMBER WITH AREA CODE 816-786-0033	
ADDRESS 1120 NE Eagle Ridge Boulevard		CITY Grain Valley	STATE MO
EMAIL ADDRESS jake@safetyministorage.com		ZIP 64029	

3. CONTINUING AUTHORITY

NAME		TELEPHONE NUMBER WITH AREA CODE	
ADDRESS		CITY	STATE
			ZIP

4. 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) Tony Ward - member		OFFICAL TITLE member		TELEPHONE NUMBER WITH AREA CODE 816-786-0033	
SIGNATURE 				DATE SIGNED 11/25/19	

THE FOLLOWING ITEMS (5 – 10) WILL APPLY AFTER THE COMPLETION OF TRANSFER (SALE) AND ARE TO BE COMPLETED BY THE APPLICANT FOR TRANSFER OF OPERATING PERMIT (BUYER) OR AUTHORIZED AGENT.

5. FACILITY (IF DIFFERENT THAN ABOVE)

NAME	TELEPHONE NUMBER WITH AREA CODE
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6. FUTURE OWNER

NAME ZMDR, LLC	EMAIL ADDRESS mzimmerman@republic-foods.com	TELEPHONE NUMBER WITH AREA CODE 817-697-1839	
ADDRESS 1921 NW US Highway 50	CITY Lone Jack	STATE MO	ZIP 64070

Is the owner PSC regulated? Yes No If YES, please provide your Certificate of Convenience and Necessity.

7. CONTINUING AUTHORITY

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

8. FACILITY CONTACT

NAME Jeremy Robinson	TITLE Manager	TELEPHONE NUMBER WITH AREA CODE 816-697-1839	
EMAIL ADDRESS jrobinson@republic-foods.com	ADDRESS 1921 NW US Highway 50	CITY Lone Jack	STATE MO
			ZIP 64070

9. ADDITIONAL INFORMATION

- 9.1 Anticipated effective date of transfer of ownership: December 1, 2019
- 9.2 Are any changes in production, in raw materials, or in the quantity of discharges from this facility planned or anticipated?
 Yes No If yes, explain (Attach sheets as necessary)

10. ELECTRONIC DISCHARGE MONITORING REPORT (eDMR) SUBMISSION SYSTEM

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

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

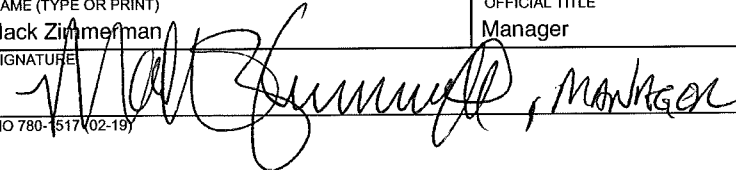
11. JETPAY

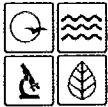
Permit fees may be payed online by credit card or eCheck through a system called JetPay. Use the URL provided to access JetPay and make an online payment.

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

12. CERTIFICATION

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

NAME (TYPE OR PRINT) Mack Zimmerman	OFFICIAL TITLE Manager	TELEPHONE NUMBER WITH AREA CODE 816-697-1839
SIGNATURE 		DATE SIGNED 11/25/19



MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM

ELECTRONIC DISCHARGE MONITORING REPORT (eDMR) SYSTEM REGISTRATION

Complete this form to register a permit for electronic reporting. This form should also be used to identify or change authorized representatives assigned an electronic signature for the department's eDMR system.

A. PERMIT INFORMATION

PERMIT NUMBER MO- 0139009	FACILITY NAME ZMDR, LLC		
ADDRESS 1921 NW US Highway 50	CITY Lone Jack	STATE MO	ZIP CODE 64070
PERMIT ACCOUNT ACTION <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Revised Permit or Account Information <input type="checkbox"/> Request for Reactivation			

B. USER ACCOUNT INFORMATION

USER ACCOUNT ACTION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete	ACCOUNT TYPE <input checked="" type="checkbox"/> Viewer <input checked="" type="checkbox"/> Preparer <input checked="" type="checkbox"/> Certifier		
LAST NAME Robinson	FIRST NAME Jeremy	MIDDLE INITIAL L	
JOB TITLE Manager	EMPLOYER'S NAME ZMDR, LLC		
EMAIL jrobinson@republic-foods.com	TELEPHONE NUMBER WITH AREA CODE 816-697-1839		
ADDRESS 1921 NW US Highway 50	CITY Lone Jack	STATE MO	ZIP CODE 64070

USER ACCOUNT ACTION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete	ACCOUNT TYPE <input checked="" type="checkbox"/> Viewer <input checked="" type="checkbox"/> Preparer <input checked="" type="checkbox"/> Certifier		
LAST NAME Gallenbeck	FIRST NAME Cody	MIDDLE INITIAL	
JOB TITLE Director of Engineering	EMPLOYER'S NAME ZMDR, LLC		
EMAIL cgallenbeck@republic-foods.com	TELEPHONE NUMBER WITH AREA CODE 816-697-1839		
ADDRESS 1921 NW US Highway 50	CITY Lone Jack	STATE MO	ZIP CODE 64070

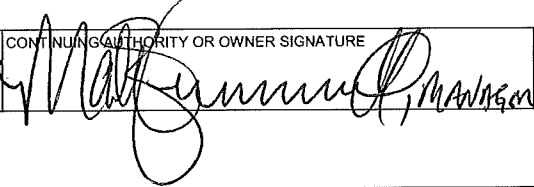
USER ACCOUNT ACTION <input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete	ACCOUNT TYPE <input checked="" type="checkbox"/> Viewer <input checked="" type="checkbox"/> Preparer <input checked="" type="checkbox"/> Certifier		
LAST NAME Daniel	FIRST NAME Chris	MIDDLE INITIAL	
JOB TITLE General Manager	EMPLOYER'S NAME ZMDR, LLC		
EMAIL cdaniel@republic-foods.com	TELEPHONE NUMBER WITH AREA CODE 816-697-1839		
ADDRESS 1921 NW US Highway 50	CITY Lone Jack	STATE MO	ZIP CODE 64070

C. PERMIT REGISTRATION

I request the above identified permit be registered for electronic reporting and request any department initiated minor permit revisions (where no fee is required) that may be necessary to allow use of the department's eDMR system. As the permit holder, I agree the authorized representatives will follow permit requirements and the procedures for the electronic submission of DMR forms and reports, as described in the permit holder participation package.

Please establish or revise the above user accounts in accordance with the information provided for each identified account. The person(s) identified as certifier(s) are hereby designated as the authorized representatives for all reporting purposes. I understand each person to receive a certifier account on the eDMR system must complete Part D and must sign in the presence of a Notary Public.

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.

CONTINUING AUTHORITY OR OWNER NAME (TYPE OR PRINT)	CONTINUING AUTHORITY OR OWNER SIGNATURE	DATE
Mack Zimmerman, Manager of ZMDR, LLC		11/25/19
OFFICIAL TITLE (TYPE OR PRINT)		
Manager		

D. CERTIFIER REGISTRATION


The continuing authority or owner and certifier intend to have the submission of eDMRs be the functional equivalent of the paper submissions required by a permit issued in accordance with the Missouri Clean Water Law, Chapter 644, RSMo and/or the Clean Water Act, 33 U.S.C. § 1251, *et seq.* The certifier will use a validly issued PIN as a signature when submitting eDMRs. The continuing authority or owner and certifier agree not to contest the validity of eDMRs submitted under an authorized PIN based on the fact such submissions were completed electronically. The continuing authority or owner and certifier further agree the provisions of the Uniform Electronic Transactions Act, Sections 432.200 through 432.295, RSMo, shall apply, except as otherwise stated herein.

The continuing authority or owner and certifier agree:

1. Any eDMR submitted under the PIN specific to the certifier shall be considered a "writing" or "in writing;" and any such records shall be deemed for all purposes:
 - a. To have been "signed" by the certifier.
 - b. To constitute an "original" when printed from electronic files or records.
2. Electronic DMRs constitute admissible evidence in any judicial or administrative proceeding.

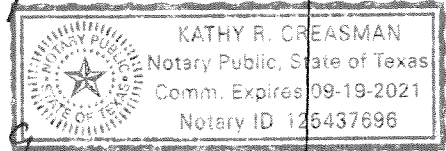
An electronically submitted DMR will not satisfy a reporting requirement until it has been received and accepted by the department. If an electronically submitted DMR is rejected, the permit holder shall take the necessary steps to properly resubmit such DMR within 24 hours of the notice of rejection.

By signing below, the continuing authority or owner and certifier agree with the terms and conditions of Part D.



Certifier (must sign in the presence of Notary)
Jeremy ROBINSON

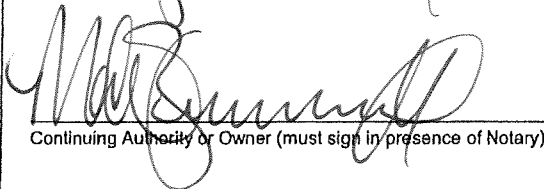
12/6/19
Date





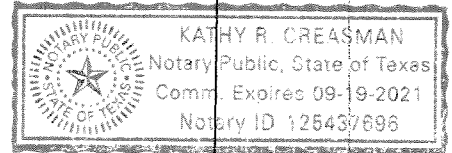
Notary Public 1

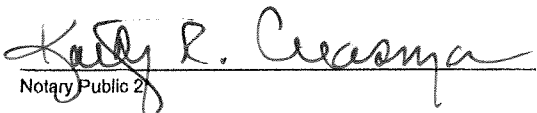
12/6/19
Date



Continuing Authority or Owner (must sign in presence of Notary)

12/6/19
Date





Notary Public 2

12/6/19
Date

- * Notary Public 1 is for use if the continuing authority or owner and the certifier both sign in the presence of the same notary; however, if the notary so desires they may sign and stamp both locations.
 - If the certifier and the continuing authority or owner do not sign at the same time, then Notary Public 1 is specific to the certifier and Notary Public 2 is specific to the continuing authority or owner.
 - In cases when the certifier and the continuing authority or owner are not in the same location, the certifier must complete the application to the best of their ability (including signature and Notary Public 1) and send the document to the continuing authority or owner to be completed (including signature and Notary Public 2).

D. CERTIFIER REGISTRATION

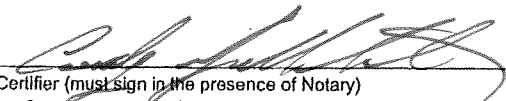
The continuing authority or owner and certifier intend to have the submission of eDMRs be the functional equivalent of the paper submissions required by a permit issued in accordance with the Missouri Clean Water Law, Chapter 644, RSMo and/or the Clean Water Act, 33 U.S.C. § 1251, *et seq.* The certifier will use a validly issued PIN as a signature when submitting eDMRs. The continuing authority or owner and certifier agree not to contest the validity of eDMRs submitted under an authorized PIN based on the fact such submissions were completed electronically. The continuing authority or owner and certifier further agree the provisions of the Uniform Electronic Transactions Act, Sections 432.200 through 432.295, RSMo, shall apply, except as otherwise stated herein.

The continuing authority or owner and certifier agree:

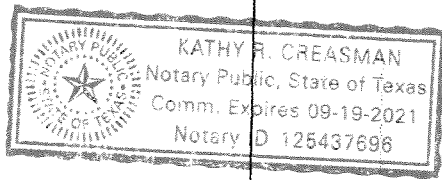
1. Any eDMR submitted under the PIN specific to the certifier shall be considered a "writing" or "in writing," and any such records shall be deemed for all purposes:
 - a. To have been "signed" by the certifier.
 - b. To constitute an "original" when printed from electronic files or records.
2. Electronic DMRs constitute admissible evidence in any judicial or administrative proceeding.

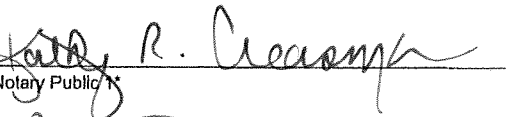
An electronically submitted DMR will not satisfy a reporting requirement until it has been received and accepted by the department. If an electronically submitted DMR is rejected, the permit holder shall take the necessary steps to properly resubmit such DMR within 24 hours of the notice of rejection.

By signing below, the continuing authority or owner and certifier agree with the terms and conditions of Part D.

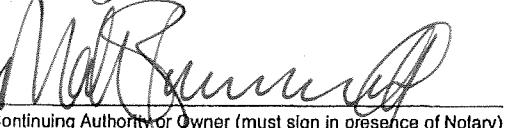

Certifier (must sign in the presence of Notary)
CODY GALLENBECK

12/6/19
Date

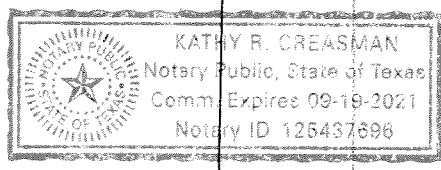


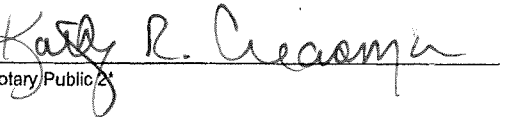

Notary Public 1

12/6/19
Date


Continuing Authority or Owner (must sign in presence of Notary)

12/6/19
Date




Notary Public 2

12/6/19
Date

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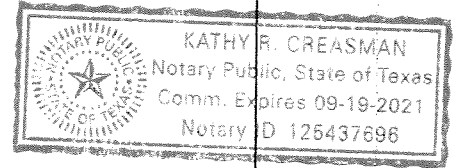
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By signing below, the continuing authority or owner and certifier agree with the terms and conditions of Part D.



Certifier (must sign in the presence of Notary)
CHRIS DANIEL

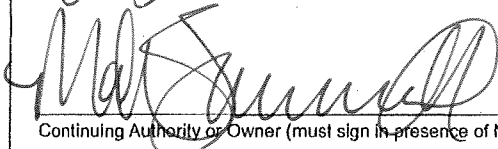
12/6/19
Date





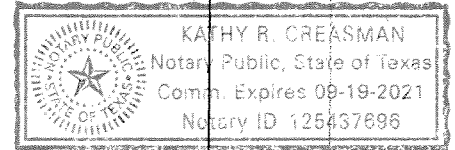
Notary Public

12/6/19
Date



Continuing Authority or Owner (must sign in presence of Notary)

12/6/19
Date





Notary Public 2*

12/6/19
Date

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