

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-0139572

Owner: Dylan and Cole Rosier
Address: 22828 Highway C, Mound City, MO 64470

Continuing Authority: Rosier Farms Distilling Co., LLC
Address: 16755 Highway 59, Mound City, MO 64470

Facility Name: Rosier Farms Distilling Company LLC
Facility Address: 16755 Highway 59, Mound City, MO 64470

Legal Description: NW¼, SE¼, Sec. 22, T62N, R39W, Holt County
UTM Coordinates: Outfall #001: X = 305648, Y = 4448609

Receiving Stream: Tributary to Wildcat Creek
First Classified Stream and ID: Wildcat Creek (C) WBID# 0259
USGS Basin & Sub-watershed No.: Old Channel Little Tarkio Creek-Missouri River 10240005-1003

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

FACILITY DESCRIPTION

Distillery; SIC # 2085; NAICS # 312140. Outfall #001: discharge of intermittent cooling water from non-contact cooling water distilling processes and dilute citric acid cleaner. Projected 3 or more distilling runs per week. Wastewater will be land applied if feasible. Infiltration basin, land application, and discharge permissible under this permit. No industrial exposure for stormwater. Grain milling (40 CFR 406) not applicable as no milling wastewater is generated. Trench drain is collected, hauled, and disposed of at accepting wastewater treatment facility.

Outfall #001 Design Flow: 0.03 MGD

Outfall #001 Average Flow: estimated maximum 0.03 MGD (unknown at time of permitting, new system)

Permitted Feature #D01: Domestic wastewater lagoon, not yet constructed, requires CP. No process wastewater, non-process wastewater, distillery floor drains, or non-contact cooling wastewater may be introduced into this system.

This permit authorizes only wastewater discharges and land application under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas.

June 1, 2021
Effective Date

Edward B. Galbraith, Director, Division of Environmental Quality

May 31, 2026
Expiration Date

Chris Wieberg, Director, Water Protection Program

FACILITY DESCRIPTION (CONTINUED)

LAND APPLICATION FIELD #LHO: designated as “Home” on the application.

Design Annual Sludge Production:	0 lbs/year
Actual Annual Sludge Production:	0 gallons per year
Receiving Stream Watershed:	gaining stream setting
Timeframe:	January through December
Total Irrigation Maximum:	5.91 MG/year
Total Irrigation Actual:	unknown, new facility
Irrigation Areas:	about 217.65 total acres available (229.11 ac total; estimated 5% ac setbacks)
Annual Loading:	hydraulic at 24 inches per acre per year max
Average per Application:	unknown, new facility
Field Slopes:	0-16%
Vegetation:	Row Crop
Application rate is based on:	Hydraulic Loading
Public Access:	none

LAND APPLICATION FIELD #LSH: designated as “SHome” on the application.

Design Annual Sludge Production:	0 lbs/year
Actual Annual Sludge Production:	0 gallons per year
Receiving Stream Watershed:	gaining stream setting
Timeframe:	January through December
Total Irrigation Maximum:	6.06 MG/year
Total Irrigation Actual:	unknown, new facility
Irrigation Areas:	about 223.3 total acres available (235.08 ac total; estimated 5% ac setbacks)
Annual Loading:	hydraulic at 24 inches per acre per year max
Average per Application:	unknown, new facility
Field Slopes:	0-10%
Vegetation:	Row Crop
Application rate is based on:	Hydraulic Loading
Public Access:	none

LAND APPLICATION FIELD #LMI: designated as “Miller” on the application.

Design Annual Sludge Production:	0 lbs/year
Actual Annual Sludge Production:	0 gallons per year
Receiving Stream Watershed:	gaining stream setting
Timeframe:	January through December
Total Irrigation Maximum:	4.1 MG/year
Total Irrigation Actual:	unknown, new facility
Irrigation Areas:	about 151.582 total acres available (159.56 ac total; estimated 5% ac setbacks)
Annual Loading:	hydraulic at 24 inches per acre per year max
Average per Application:	unknown, new facility
Field Slopes:	0-7%
Vegetation:	Row Crop
Application rate is based on:	Hydraulic Loading
Public Access:	none

FACILITY DESCRIPTION (CONTINUED)

LAND APPLICATION FIELD #LSC: designated as “Schoonover” on the application.

Design Annual Sludge Production:	0 lbs/year
Actual Annual Sludge Production:	0 gallons per year
Receiving Stream Watershed:	gaining stream setting
Timeframe:	January through December
Total Irrigation Maximum:	1.54 MG/year
Total Irrigation Actual:	unknown, new facility
Irrigation Areas:	about 57 total acres available (59.99 ac total – estimated 5% ac setbacks)
Annual Loading:	hydraulic at 24 inches per acre per year max
Average per Application:	unknown, new facility
Field Slopes:	0-12%
Vegetation:	Row Crop
Application rate is based on:	Hydraulic Loading
Public Access:	none

Minimum Setback Distances for All Application Areas:

Minimum Distance to Permanent Stream:	50 feet
Minimum Distance to Losing Stream:	300 feet
Minimum Distance to Intermittent Stream:	50 feet
Minimum Distance to Lake/Pond:	50 feet
Minimum Distance to Property Boundary:	50 feet
Minimum Distance to Dwellings:	150 feet
Minimum Distance to Water Supply Well:	300 feet

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALL #001 <i>cooling water discharges**</i>		TABLE A-1 FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS				
The facility is authorized to discharge from outfall(s) as specified. The final effluent limitations shall become effective on June 1, 2021 and remain in effect until expiration of the permit. Discharges shall be controlled, limited, and monitored by the facility as specified below:						
EFFLUENT PARAMETERS	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
LIMIT SET: Q						
PHYSICAL						
Flow	MGD	*		*	once/quarter	24 hr. total
Temperature	°F	*		*	once/quarter	measured
CONVENTIONAL						
pH †	SU	6.5 to 9.0		6.5 to 9.0	once/quarter	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>OCTOBER 28, 2021</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

PERMITTED FEATURES: #LHO, #LSH, #LMI, LSC <i>land application fields and sampling</i>		TABLE A-2 FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS				
The facility is not authorized to discharge from these features. The final requirements shall become effective on June 1, 2021 and remain in effect until expiration of the permit. This feature shall be monitored and operationally controlled by the facility as specified below:						
EFFLUENT PARAMETERS	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
LIMIT SET: OM						
pH † (monitor wastewater to be applied)	SU	*		*	DAILY ▲	measured
Application Area	acres	*		*	DAILY ▲	measured
Application Rate	inches	*		*	DAILY ▲	measured
Volume Applied	gal	*		*	DAILY ▲	measured
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>JULY 28, 2021</u> .						
LIMIT SET: A (WASTEWATER APPLIED)						
OTHER						
Chloride	mg/L	*		-	once/year	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2022</u> .						

PERMITTED FEATURE: #D01 <i>domestic wastewater no-discharge lagoon</i>		TABLE A-3 FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS				
The facility is not authorized to discharge from this feature. The final requirements shall become effective on June 1, 2021 and remain in effect until expiration of the permit. This feature shall be monitored and operationally controlled by the facility as specified below:						
EFFLUENT PARAMETERS	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MINIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
LIMIT SET: OM						
Freeboard ‡	feet	2		*	ONCE/WEEK	measured
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>JULY 28, 2021</u> . THERE SHALL BE NO DISCHARGE.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (CONTINUED)

- * Monitoring and reporting requirement only.
- ** Discharges from outfall #001 may only consist of cooling wastewater and citrate cleaner. Discharges from distilling waste, floor drains, grain milling, or domestic wastewater are not authorized.
- ▲ daily is days applied; monitoring is not required when not applying. Specific daily data is reported as an attachment in the eDMR system to the regular monthly report.
- † pH: the facility will report the minimum and maximum values; pH is not to be averaged.
- ‡ Freeboard is the distance from the top of the water level to the bottom of the discharge pipe or overflow canal
- ◇ Quarterly sampling

MINIMUM QUARTERLY SAMPLING REQUIREMENTS			
QUARTER	MONTHS	QUARTERLY EFFLUENT PARAMETERS	REPORT IS DUE
First	January, February, March	Sample at least once during any month of the quarter	April 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

B. STANDARD CONDITIONS

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

C. SPECIAL CONDITIONS

1. Spills, Overflows, and Other Unauthorized Discharges.
 - (a) Any spill, overflow, or other discharge(s) not specifically authorized above are unauthorized discharges.
 - (b) Should an unauthorized discharge cause or permit any contaminants to discharge or enter waters of the state, the unauthorized discharge must be reported to the regional office as soon as practicable but no more than 24 hours after the discovery of the discharge. If the spill or overflow needs to be reported after normal business hours or on the weekend, the facility must call the Department’s 24 hour spill line at 573-634-2436.
2. Discharge of foams or soaps is prohibited under this permit but may be land applied so long as the application does not cause phytotoxicity. The facility may discharge diluted citric acid. The facility may not discharge any other chemicals.
3. Electronic Discharge Monitoring Report (eDMR) Submission System. Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent monitoring data and any report required by the permit (unless specifically directed otherwise by the permit), shall be submitted via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data for the NPDES program. The eDMR system is currently the only Department-approved reporting method for this permit unless specified elsewhere in this permit, or a waiver is granted by the Department. The facility must register in the Department’s eDMR system through the Missouri Gateway for Environmental Management (MoGEM) before the first report is due.
4. The stormwater at the facility will be controlled through maintaining the site in such a way as to not create industrially exposed stormwater. A Stormwater Pollution Prevention Plan (SWPPP) is not required. The facility must maintain the site in accordance with the Department document 780-2828 *No Exposure Certification for Exclusion from NPDES Stormwater Permitting under Missouri Clean Water Law* (or similar). If at any time the facility or Department determines the site is not maintained according to these provisions, this permit will be re-opened to include stormwater requirements. A cost to the facility is associated with permit modification, and will be required to include stormwater requirements.
 - (a) Empty Pro Boxes and empty steel or plastic totes which are sealed to the elements are authorized for outside storage exposed to stormwater under the current provisions of this permit.
 - (b) Open piles of grain (whole or milled) are not permitted for outdoor storage.

C. SPECIAL CONDITIONS (CONTINUED)

5. Site-wide minimum Best Management Practices (BMPs). At a minimum, the facility shall adhere to the following:
 - (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, warehouse activities, and other areas, and thereby prevent the contamination of stormwater from these substances.
 - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater. Spill records should be retained on-site.
 - (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
 - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property.
6. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with 644.051.16 RSMo for permit shield, and the CWA §402(k) for toxic substances. This permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under CWA §§301(b)(2)(C) and (D), §304(b)(2), and §307(a)(2), if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not already limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause, including determination new pollutants found in the discharge not identified in the application for the new or revised permit. The filing of a request by the facility for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.
7. All outfalls must be clearly marked in the field.
8. Report no discharge when a discharge does not occur during the report period. It is a violation of this permit to report no-discharge when a discharge has occurred.
9. Changes in Discharges of Toxic Pollutant.
In addition to the reporting requirements under 40 CFR 122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
 - (a) 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) Any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
 - (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - (4) The level established by the Director in accordance with 40 CFR 122.44(f).

C. SPECIAL CONDITIONS (CONTINUED)

10. Reporting of Non-Detects.
 - (a) Compliance analysis conducted by the facility or any contracted laboratory shall be conducted in such a way the precision and accuracy of the analyzed result can be enumerated. See sufficiently sensitive test method requirements in Standard Conditions Part I, §A, No. 4 regarding proper testing and detection limits used for sample analysis. For the purposes of this permit, the definitions in 40 CFR 136 apply; method detection limit (MDL) and laboratory established reporting limit (RL) are used interchangeably in this permit.
 - (b) The facility shall not report a sample result as “non-detect” without also reporting the MDL. Reporting “non-detect” without also including the MDL will be considered failure to report, which is a violation of this permit.
 - (c) For the daily maximum, the facility shall report the highest value; if the highest value was a non-detect, use the less than “<” symbol and the laboratory’s highest method detection limit (MDL) or the highest reporting limit (RL); whichever is higher (e.g. <6).
 - (d) When calculating monthly averages, zero shall be used in place of any value(s) not detected. Where all data used in the average are below the MDL or RL, the highest MDL or RL shall be reported as “<#” for the average as indicated in item (c).
11. Failure to pay fees associated with this permit is a violation of the Missouri Clean Water Law (644.055 RSMo).
12. This permit does not cover land disturbance activities.
13. This permit does not authorize the placement of fill materials in flood plains, placement of solid materials into any waterway, the obstruction of stream flow, or changing the channel of a defined drainage course. The facility must contact the U.S. Army Corps of Engineers (Corps) to determine if a CWA §404 Department of Army permit or §401 water quality certification is required for the project.
14. All records required by this permit may be maintained electronically per 432.255 RSMo. These records should be maintained in a searchable format.
15. Renewal Application Requirements.
 - (a) This facility shall submit an appropriate and complete application to the Department no less than 180 days prior to the expiration date listed on page 1 of the permit.
 - (b) Application materials shall include a complete Form A and Form C. If the form names have changed, then the facility should ensure they are submitting the correct forms as required by regulation.
 - (c) The facility must sample for copper at least one time from the single pass cooling water during the term of the permit and submit those results with the application for renewal. The facility shall indicate to the laboratory the laboratory shall use Method 200.8 for compliance with the permit.
 - (d) This facility must submit form R for the application of sludge or wastewater.
 - (e) The facility may use the electronic submission system to submit the application to the Program, if available.

D. LAND APPLICATION CONDITIONS

1. Land application of wastewater materials listed in the Facility Description of this permit is authorized and shall be conducted according to the following conditions. These land application conditions do not apply to fertilizer products receiving a current exemption under the Missouri Clean Water Law and regulations in 10 CSR 20-6.015(3)(B)8, and are land applied in accordance with the exemption.
2. Storage Basin Minimum BMPs.
 - (a) To maintain structural integrity, basin shall be inspected at least monthly, the berms of the storage basin(s) shall be mowed and kept free of any deep-rooted vegetation, animal dens, or other potential sources of damage, any leaks or issues shall be noted.
 - (b) The basin at this facility was designed to infiltrate to recharge groundwater; maintenance activities at this site shall assure this basin remains wider than it is deep, to assure the basin does not inadvertently become an Underground Injection Well (UIC). UIC activities are not covered by this permit.
3. Land Application Equipment Minimum Requirements.
 - (a) Spray application equipment shall minimize the formation of aerosols.
 - (b) Application equipment shall be visually inspected daily during land application to check for equipment malfunctions and leaks. The application system shall be operated so as to provide uniform distribution of wastes over the entire land application site.
 - (c) Equipment shall be calibrated at least once per calendar year to ensure even distribution of wastewater.

D. LAND APPLICATION CONDITIONS (CONTINUED)

4. Land Application Field(s) Minimum Requirements.
 - (a) No land application shall occur when the soil or ground is frosted, frozen, snow covered, or saturated. Daily observation of fields is required when applying. Application activities shall cease if these conditions occur.
 - (b) There shall be no application during a precipitation event or if a precipitation event likely to create runoff is forecasted to occur within 24 hours of a planned application.
 - (c) Public Access Restrictions; this permit does not authorize application of wastewater to public use areas.
 - (d) If land application sites listed in this permit are also included as land application sites in another permit, the wastewater and sludge applications from all sources shall be included in the application rates in the facility description. Records all sources must be kept for all permits.
 - (e) Grazing and Harvesting Deferment.
 - (1) May 1 to October 31, the minimum grazing or forage harvest deferment shall be fourteen (14) days from application;
 - (2) November 1 to April 30, the minimum grazing or forage harvest deferment shall be thirty (30) days from application;
 - (3) If deferment period spans two timeframes, the minimum grazing or forage harvest deferment shall be thirty (30) days from most recent application.
 - (4) Lactating dairy animal grazing is generally not recommended for application areas unless there has been a much longer deferment period.
 - (f) Land application shall occur only during daylight hours unless night time irrigation is necessary and the Water Protection Program has approved a nighttime irrigation plan.
 - (g) Land application fields shall be checked daily during land application for runoff.
 - (h) Sites utilizing spray irrigation shall monitor for the drifting of spray across property lines. Spray drift is not permissible.
5. Application Rate(s) and Loading.
 - (a) This permit does not authorize application of materials in concentrations known to cause, or having the potential to cause, phytotoxicity in plants per 10 CSR 20-6.015(4)1. If plant stress is observed, the facility may need to reduce application of wastewaters and/or sludges. If phytotoxicity is observed, the facility shall cease land application activities and evaluate the applied substances to determine the cause of phytotoxicity.
 - (b) The application rate shall not exceed any design hydraulic loading rate.
 - (c) Wastewater application on slopes exceeding 10%:
 - (1) Initial application rate on dry soils may briefly exceed one-half (1/2) the design sustained permeability rate;
 - (2) The hourly application rate shall not exceed one-half (1/2) the design sustained permeability;
 - (3) In no case shall exceed one-half (1/2) inch per hour.
 - (d) Runoff and ponding is prohibited.
 - (e) This permit does not authorize land disposal or the application of hazardous waste.
6. Record Keeping. The following record keeping shall occur, be maintained for at least five years, be made available to the Department upon request, and shall be submitted with the application for renewal.
 - (a) Daily land application log showing, at a minimum: date(s) of application, field identified, acres used, volume applied, weather condition (sunny, overcast, air temperature, etc), soil moisture condition, days since last precipitation event, and application method;
 - (b) Monthly visual storage structure inspections (if applicable);
 - (c) Equipment inspections and calibrations;
 - (d) Land application field inspections, including runoff, saturation, and ponding;
 - (e) Record of maintenance and repairs;
 - (f) Description of any unusual operating conditions encountered, narrative summary of any problems or deficiencies identified, corrective action taken, or improvements planned;
 - (g) Annual summary for each field used for land application showing: number of days application occurred, crop grown and yield, and total amount of wastewater and/or sludge applied (gallons and/or tons per acre).

E. NOTICE OF RIGHT TO APPEAL

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

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

**MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF A NEW PERMIT FOR
MO-0139572
ROSIER FARMS DISTILLING CO., LLC**

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

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

PART I. FACILITY INFORMATION

Facility Type: Industrial: <1 MGD
SIC Code(s): 2085
NAICS Code(s): 312140
Application Date: 10/21/2020
Last Inspection: n/a new permit

FACILITY DESCRIPTION:

Small distillery on family farm for the purposes of processing local grains into various distilled alcoholic products for sale. Grain is processed, fermented, and distilled on site. Groundwater is withdrawn for the purposes of cooling the distilling equipment. A previously existing basin for agricultural purposes will be used as a catch and infiltration; the basin was recently restored to maintain greater functionality. The facility will be utilizing the wastewater to water local farm fields, as identified in this permit. Additional fields may be authorized utilizing a permit modification. The wastewater does not have any significant contaminants of concern for application fields therefore will be applied at a hydraulic loading rate.

Wastewater may also be discharged under this permit. Contaminants were reviewed, and the facility may discharge cooling wastewater and citric acid, a cleaner used for copper, in compliance with the pH limits in the permit. Citric acid will be diluted with rinse water and may be sent to the catch basin (outfall #001) for discharge or infiltration; the amount of citric acid used will not change the pH of the wastewater significantly. Other detergents, those that cause foam or scum, may not be discharged but may be land applied after mixing with cooling wastewater or precipitation. Foam is not permissible for discharge. Other detergents may be land applied but may not be discharged. Process wastewater generated from distilling or grain milling activities may not be discharged.

PERMITTED FEATURES TABLE:

No.	AVERAGE FLOW	DESIGN FLOW	TREATMENT LEVEL	EFFLUENT TYPE
#001	unknown, new	0.03 MGD	retention, settling, infiltration for groundwater recharge, discharge, or land application	cooling water, copper cleaner (citric acid)

FACILITY PERFORMANCE HISTORY & COMMENTS:

This is a new permit, there is no historical information available for review.

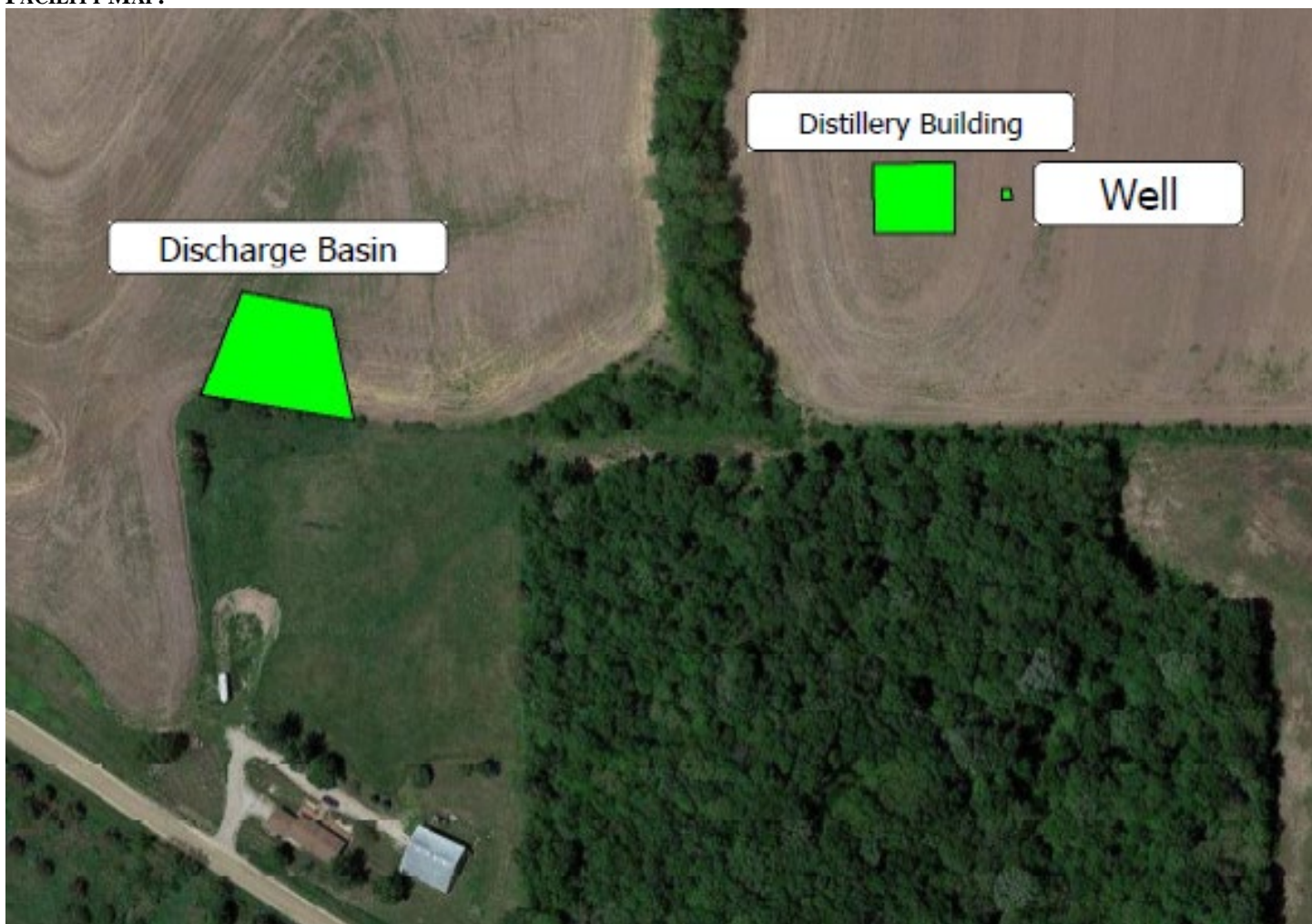
CONTINUING AUTHORITY:

The Missouri Secretary of State continuing authority charter number for this facility is LC001661623; this number was verified by the permit writer to be associated with the facility and matches the continuing authority reported by the facility.

OTHER ENVIRONMENTAL PERMITS:

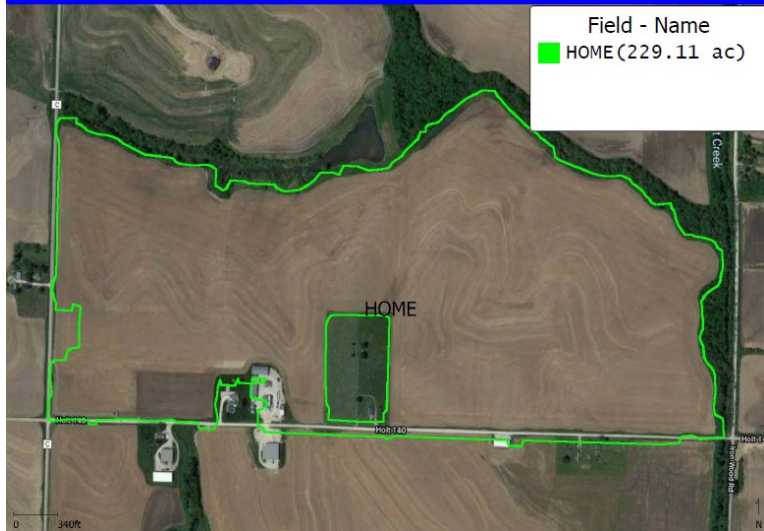
In accordance with 40 CFR 122.21(f)(6), the Department evaluated, and the facility reported, no other environmental permits currently held by this facility. This permit also serves as a no-exposure certification in accordance with 10 CSR 20-6.200(1)(C)

FACILITY MAP:

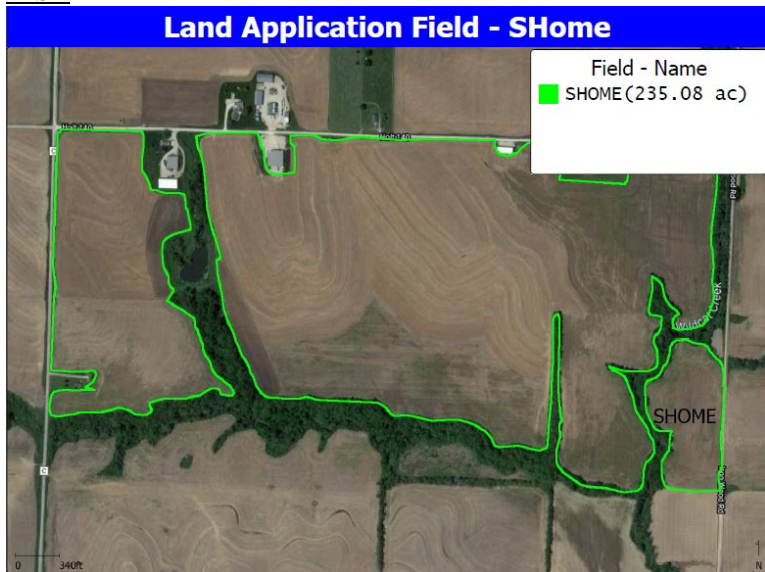


#LHO

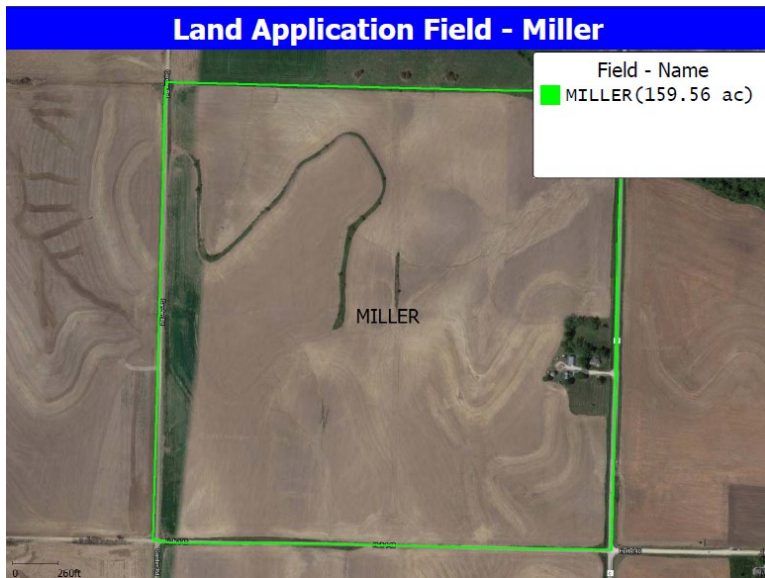
Land Application Field - Home



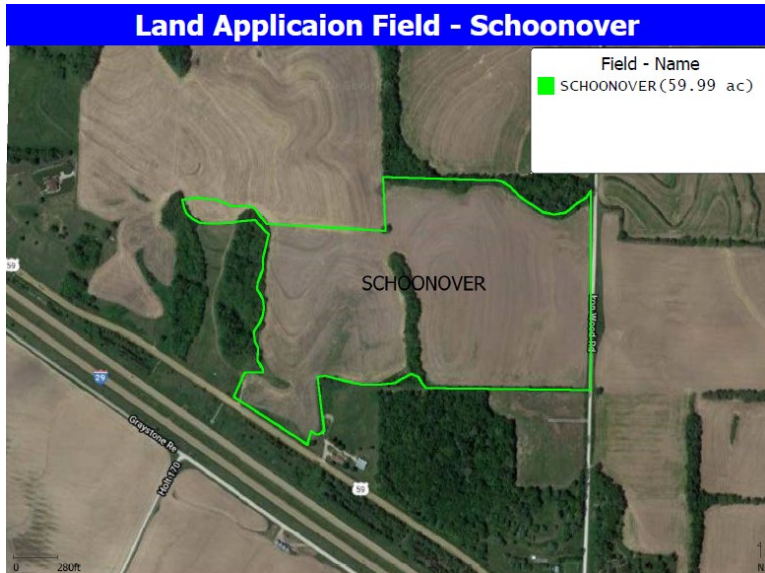
#LSH



#LMI



#LSC



PART II. RECEIVING WATERBODY INFORMATION

RECEIVING WATERBODY TABLE:

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES	DISTANCE TO SEGMENT	12-DIGIT HUC
#001	Tributary to Wildcat Creek	n/a	n/a	GEN	0.0 mi	Old Channel Little Tarkio
#001	Wildcat Creek	C	0259	GEN, HHP, IRR, LWW, SCR, WBC-B, WWH (ALP)	0.8 mi via natural channels	Creek-Missouri River 10240005-1003

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

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

HUC: Hydrologic Unit Code; TMDLs and lake nutrient criteria are the two most common watershed based limits. <https://dnr.mo.gov/env/wpp/watersheds.htm> will have additional information about the watersheds in Missouri

Designated Uses:

10 CSR 20-7.031(1)(C)1.: **ALP** = Aquatic Life Protection (formerly AQL); current uses are defined to ensure the protection and propagation of fish shellfish and wildlife, further subcategorized as: WWH = Warm Water Habitat; CLH = Cool Water Habitat; CDH = Cold Water Habitat; EAH = Ephemeral Aquatic Habitat; MAH = Modified Aquatic Habitat; LAH = Limited Aquatic Habitat. This permit uses ALP effluent limitations in 10 CSR 20-7.031 Table A1-B3 for all habitat designations unless otherwise specified.

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

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

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

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

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

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

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

IRR = irrigation for use on crops utilized for human or livestock consumption, includes aquifers per 10 CSR 20-7.031(6)(A);

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

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

IND = industrial water supply

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

10 CSR 20-7.031(4): **GEN** = general criteria; acute toxicity criteria applicable to all waters even those lacking designated uses

n/a = not applicable

WATERS OF THE STATE DESIGNATIONS:

Waters of the state are divided into seven categories per 10 CSR 20-7.015(1)(B)1 through 7. The applicable water of the state category is listed below. Missouri's technology-based effluent regulations are found in [10 CSR 20-7.015] and are implemented in 10 CSR 20-7.015(2) through (8). When implementing technology regulations, considerations are made for the facility type, discharge type, and category of waters of the state. Effluent limitations may not be applicable to certain waters of the state, facility type, or discharge type. In these cases, effluent limitations may be based on a best professional judgment evaluation. The best professional judgment evaluation will take site specific conditions into consideration; including facility type, the receiving water body classification, and type of discharge. Stormwater discharges and land application sites are not directly subject to limitations found in 10 CSR 20-7.015, but may be subject to limitations determined by the best professional judgment evaluation. Effluent limitation derivations are discussed in PART IV: EFFLUENTS LIMITS DETERMINATIONS.

✓ Missouri or Mississippi River; identified at 10 CSR 20-7.015(2)

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

EXISTING WATER QUALITY:

The immediate receiving waterbody has no relevant water quality data available. The USGS has data available for the Missouri River stream. Please visit USGS.gov to download the applicable data.

UPSTREAM OR DOWNSTREAM IMPAIRMENTS:

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

✓ This facility is located at the top of the watershed therefore no upstream is present at this facility.

- ✓ The permit writer has noted downstream of the facility the stream is on the §303(d) list and has a TMDL; see below for specific permitting information.

303(D) LIST:

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

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

TOTAL MAXIMUM DAILY LOAD (TMDL):

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

- ✓ Applicable; this facility discharges into the Missouri River watershed which is associated with the 2006 EPA approved TMDL for chlordane and PCBs; this facility is new and is not a source of these contaminants. There are no nearby TMDLs for this facility.

RECEIVING WATERBODY MONITORING REQUIREMENTS:

- ✓ No receiving water monitoring requirements are recommended at this time.

WATERBODY MIXING CONSIDERATIONS:

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

PART III. RATIONALE AND DERIVATION OF PERMIT CONDITIONS

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:

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

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

ANTIBACKSLIDING:

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

- ✓ New facility, backsliding does not apply.

ANTIDEGRADATION REVIEW:

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

- ✓ The engineering section determined an antidegradation review was not necessary because the outfall is not discharging directly into a classified stream; the email was saved as part of the permit record. The permit writer then completed a review of all the pollutants which are present at the facility and determined this facility will not be degrading due to the minimal flows and the absence of pollutants above the concentrations listed having numeric water quality standards for groundwater.

BEST MANAGEMENT PRACTICES:

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

COST ANALYSIS FOR COMPLIANCE (CAFCom):

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

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

CHANGES IN DISCHARGES OF TOXIC POLLUTANT:

This special condition reiterates the federal rules found in 40 CFR 122.44(f) for technology treatments and 122.42(a)(1) for all other toxic substances. In these rules, the facility is required to report changes in amounts of toxic substances discharged. Toxic substances are defined in 40 CFR 122.2 as "...any pollutant listed as toxic under section 307(a)(1)" or, in the case of "sludge use or disposal practices," any pollutant identified in regulations implementing section 405(d) of the CWA." Section 307 of the clean water act then refers to those parameters listed in 40 CFR 401.15 and any other toxic parameter the Department determines is applicable for reporting under these rules in the permit. The facility should also consider any other toxic pollutant in the discharge as reportable under this condition and must report all increases to the Department as soon as discovered in the effluent. The Department may open the permit to implement any required effluent limits pursuant to CWA §402(k) where sufficient data was not supplied within the application but was supplied at a later date by either the permittee or other resource determined to be representative of the discharge, such as sampling by Department personnel.

COMPLIANCE AND ENFORCEMENT:

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

- ✓ Not applicable; the facility is not currently under Water Protection Program enforcement action.

DOMESTIC WASTEWATER, SLUDGE, AND BIOSOLIDS:

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

- ✓ Applicable; this facility utilizes a non-surface-discharging lagoon as a treatment device prior to infiltrating the soil using an appropriately designed sub-surface system. Standard Conditions Part III applies to the lagoon. This facility discharges domestic wastewater subsurface with flows of 3,000 gallons per day or less as calculated in accordance with 19 CSR 20-3.060(1)(E) and tables 2A and 2B. This permit does not authorize any industrial wastewater/cooling water for introduction into the lagoon or sub-surface system.

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

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

- ✓ Applicable, the facility must land apply domestic sludge in accordance with Standard Conditions Part III.

EFFLUENT LIMITATIONS:

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

ELECTRONIC DISCHARGE MONITORING REPORT (EDMR) SUBMISSION SYSTEM:

The U.S. Environmental Protection Agency (EPA) promulgated a final rule on October 22, 2015, to modernize Clean Water Act reporting for municipalities, industries, and other facilities by converting to an electronic data reporting system. The final rule requires regulated entities and state and federal regulators to use information technology to electronically report data required by the National Pollutant Discharge Elimination System (NPDES) permit program instead of filing paper reports. To comply with the federal rule, the Department is requiring all facilities 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 facility must first submit an eDMR Waiver Request Form: <http://dnr.mo.gov/forms/780-2692-f.pdf>. A request must be made for each operating permit. An approved waiver is not

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

To assist the facility in entering data into the eDMR system, the permit describes limit sets designators in each table in Part A of the permit. The data entry personnel should use these identifiers to ensure data entry is being completed appropriately. For example, M for monthly, Q for quarterly, and others.

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

FEDERAL 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.

✓ 40 CFR 406 applies to grain milling wastewater and mills; this facility is milling small quantities of grains (corn, wheat, and rye) on site. Whole grains are delivered and milled in small batches of up to 300 pounds a day; the facility will then immediately use in the distilling process; or store the milled grains inside. Whole or milled grains are not exposed to stormwater. This facility will not be generating any wastewater associated with the washing or milling process therefore the ELG is not applied. To ensure continued compliance with this permit, the facility may not perform any of the milling activities causing wastewater to be generated which would be applicable under 40 CFR 406.

GENERAL CRITERIA CONSIDERATIONS:

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

GROUNDWATER MONITORING:

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

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

LAND APPLICATION:

Land application, or surficial dispersion of wastewater and/or sludge, is performed by facilities to maintain a basin as no-discharge. Requirements for these types of operations are found in 10 CSR 20-6.015; authority to regulate these activities is from 644.026 RSMo.

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

- The facility disclosed they apply water using a spray from a water truck or spray with a hose.
- This facility may irrigate any wastewater which has been used in the distilling process, or containing soaps or foams; the land application activity cannot cause phytotoxicity.
- Gallons per acre (as a site) per year were based on the maximum standard soil loading rate of 24 inches per acre per year. This may be increased if soils investigation report indicates the soils can have higher wastewater loading rate than established. 1 Acre-Inch is 27154.2857 gallons * acreage for each field as a maximum irrigation volume per year.

	AC	AC- setback	gallons at 24 inches/ac/year	
Home	229.11	217.6545	5910252.477	
S-Home	235.08	223.326	6064258.008	
Miller	159.56	151.582	4116100.935	
Schoonover	59.99	56.9905	1547536.319	
			17638147.74	total gallons annually
		1 ac-in is:	27154.2857	gal

- Following is a list of helpful publications; while generally geared to biosolids and domestic sludge, these documents can show operators and facilities specific best management practices which may be important to their own operations.

- Land Applications Considerations for Animal Manure (contains nutrient requirements for plant growth) <https://extension2.missouri.edu/eq202>
- State and EPA Regulations for Domestic Wastewater Sludge and Biosolids <https://extension2.missouri.edu/eq421>
- Land Application of Septage <https://extension2.missouri.edu/eq422>
- Monitoring Requirements for Biosolids Land Application <https://extension2.missouri.edu/wq423>
- Biosolids Standards for Pathogens and Vectors <https://extension2.missouri.edu/wq424>
- Biosolids Standards for Metals and Other Trace Substances <https://extension2.missouri.edu/wq425>
- Best Management Practices for Biosolids Land Application <https://extension2.missouri.edu/wq426>
- Benefits and Risks of Biosolids <https://extension2.missouri.edu/wq427>
- Activity and Movement of Plant Nutrients and Other Trace Substances <https://extension2.missouri.edu/wq428>
- Interpretation of Laboratory Analysis of Biosolids Samples <https://extension2.missouri.edu/wq429>
- Crop/Nutrient Considerations of Biosolids <https://extension2.missouri.edu/eq430>
- Collection and Storage of Biosolids <https://extension2.missouri.edu/eq431>
- Equipment for Off-Site Application of Biosolids <https://extension2.missouri.edu/wq432>
- Equipment for On-Site Land Application of Biosolids <https://extension2.missouri.edu/wq433>
- Operating Considerations for Biosolids Equipment <https://extension2.missouri.edu/wq434>
- Biosolids Glossary of Terms <https://extension2.missouri.edu/eq449>

- ✓ The facility must follow the applicable application loading rates indicated in the permit's facility description and/or special conditions. Following are an explanation of the conditions in this permit.
 - **Hydraulic Loading Rates** – wastewater needs to be land applied at rates to allow for proper soil absorption and plant uptake. In accordance with 10 CSR 20-8.200(6)(B), the hydraulic loading rate shall not exceed the soil permeability rate, resulting in a discharge of wastewater from the land application field.
- ✓ Definitions used in the land application section of the permit can be found at 644.016 RSMo, 10 CSR 20-2, and 40 CFR 503.11.
- ✓ This permit does not authorize land disposal or the application of hazardous waste.

LAND DISTURBANCE:

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

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

MAJOR WATER USER:

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

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

MODIFICATION REQUESTS:

Facilities have the option to request a permit modification from the Department at any time under RSMo 644.051.9. Requests must be submitted to the Water Protection Program with the appropriate forms and fees paid per 10 CSR 20-6.011. It is recommended facilities contact the permit writer early so the correct forms and fees are submitted, and the modification request can be completed in a timely fashion. Minor modifications, found in 40 CFR 122.63, are processed without the need for a public comment period. Major

modifications, those requests not explicitly fitting under 40 CFR 122.63, do require a public notice period. Modifications to permits should be completed when: a new pollutant is found in the discharge; operational or functional changes occur which affect the technology, function, or outcome of treatment; the facility desires alternate numeric benchmarks; or other changes are needed to the permit.

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

NUTRIENT MONITORING:

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

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

Water quality standards per 10 CSR 20-7.031(5)(N) describe nutrient criteria requirements assigned to lakes (which include reservoirs) in Missouri, equal to or greater than 10 acres during normal pool conditions. The Department's Nutrient Criteria Implementation Plan (NCIP) may be reviewed at: <https://dnr.mo.gov/env/wpp/rules/documents/nutrient-implementation-plan-final-072618.pdf> Discharges of wastewater in to lakes or lake watersheds designated as L1 (drinking water use) are prohibited per 10 CSR 20-7.015(3)(C).

✓ Not applicable; this facility does not discharge nutrients.

OIL/WATER SEPARATORS:

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

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

OPERATOR CERTIFICATION REQUIREMENTS:

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

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

PRETREATMENT:

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

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

REASONABLE POTENTIAL (RP):

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

Technical Support Document for Water Quality Based Toxics Control (TSD) methods (EPA/505/2-90-001) as found in Section 3.3.2, or may also use reasonable potential determinations (RPD) as provided in Sections 3.1.2, 3.1.3, and 3.2 of the TSD.

✓ Not applicable; mathematical calculations were not performed because this is primarily a no-discharge facility. Data were compared to phytotoxicity values of known pollutants. Additional information is found in Part IV below. Potential discharge data was reviewed, and limited accordingly.

RENEWAL REQUIREMENTS:

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

SAMPLING FREQUENCY JUSTIFICATION:

Sampling and reporting frequency was determined based on proposed flow and proposed operations in accordance with Appendix U of Missouri's Water Pollution Control Permit Manual. 40 CFR 122.45(d)(1) indicates all continuous discharges, such as wastewater discharges, shall be permitted with daily maximum and monthly average limits. Minimum sampling frequency for all parameters is annually per 40 CFR 122.44(i)(2).

SAMPLING TYPE JUSTIFICATION:

The sampling types are representative of the discharges, and are protective of water quality. Discharges with altering effluent should have composite sampling; discharges with uniform effluent can have grab samples. Parameters which must have grab sampling are: pH, ammonia, *E. coli*, total residual chlorine, free available chlorine, hexavalent chromium, dissolved oxygen, total phosphorus, volatile organic compounds, and others. For further information on sampling and testing methods see 10 CSR 20-7.015(9)(D)2.

SCHEDULE OF COMPLIANCE (SOC):

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

- For effluent limitations based on technology-based standards established in accordance with federal requirements, if the deadline for compliance established in federal regulations has passed in accordance with 40 CFR 125.3.
- For a newly constructed facility in most cases per 644.029 RSMo. Newly constructed facilities must meet all applicable effluent limitations (technology and water quality) when discharge begins. New facilities are required to install the appropriate control technologies as specified in a permit or antidegradation review. A SOC is allowed for a new water quality based effluent limit not included in a previously public noticed permit or antidegradation review, which may occur if a regulation changes during construction.
- To develop a TMDL, UAA, or other study associated with development of a site specific criterion. A facility is not prohibited from conducting these activities, but a SOC may not be specifically granted for conducting these activities.

In order to provide guidance in developing SOCs, and to attain a greater level of consistency, the Department issued a policy on development of SOCs on October 25, 2012. The policy provides guidance to permit writers on standard time frames for schedules for common activities, and guidance on factors to modify the length of the schedule.

✓ Not applicable; this permit does not contain a SOC. This is a new permit and antidegradation regulations at 10 CSR 20-7.031(3) require all pollutants discharged must meet all effluent limits upon permit issuance.

SPILLS, OVERFLOWS, AND OTHER UNAUTHORIZED DISCHARGE REPORTING:

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

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

SLUDGE – INDUSTRIAL:

Industrial sludge is solid, semi-solid, or liquid residue generated during the treatment of industrial process or non-process wastewater in a treatment works; including but not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment

process; scum and solids filtered from water supplies and backwashed; and any material derived from industrial sludge. Industrial sludge could also be derived from lagoon dredging or other similar maintenance activities.

✓ Not applicable; industrial sludge is not generated at this facility.

STANDARD CONDITIONS:

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

STORMWATER PERMITTING: LIMITATIONS AND BENCHMARKS:

Because of the fleeting nature of stormwater discharges, the Department, under the direction of EPA guidance, has determined monthly averages are capricious measures of stormwater-only discharges. The *Technical Support Document for Water Quality Based Toxics Control* (EPA/505/2-90-001; 1991) §3.1 indicates most procedures within the document apply only to water quality based approaches, not end-of-pipe technology-based controls. Hence, stormwater-only outfalls will generally only contain a maximum daily limit (MDL), a benchmark, or a monitoring requirement as dictated by site specific conditions, the BMPs in place, the BMPs proposed, past performance of the facility, and the receiving water's current quality. When a permitted feature or outfall consists of only stormwater, a benchmark may be implemented at the discretion of the permit writer, if there is no RP for water quality excursions.

✓ Not applicable; this facility does not have any industrially exposed stormwater-only outfalls as the facility has assured the facility will maintain a no-exposure site.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

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

✓ Not applicable; this facility is managing the site as no-exposure.

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:

Please review Standard Conditions Part 1, §A, No. 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 and/or 40 CFR 136 unless alternates are approved by the Department and incorporated within this permit. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is "sufficiently sensitive" when; 1) the method quantifies the pollutant below the level of the applicable water quality criterion or; 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility's discharge is high enough the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015 and or 40 CFR 136. These methods are also required for parameters listed as monitoring only, as the data collected may be used to determine if numeric limitations need to be established. A facility is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive.

UNDERGROUND INJECTION CONTROL (UIC):

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

residential septic systems used solely for sanitary waste and having the capacity to serve fewer than 20 persons a day are excluded from the UIC requirements (40 CFR 144.81(9)).

- ✓ Not applicable; this facility has disclosed sub-surface domestic wastewater system(s) are located at this site however they fall under the Department of Health jurisdiction.

VARIANCE:

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

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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

- ✓ Not applicable; wasteload allocations were either not calculated or were not based on typical TSD methods. See Part IV for specific limit derivation and methods used to calculate effluent limits.

WASTELOAD ALLOCATION (WLA) MODELING:

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

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

WATER QUALITY STANDARD REVISION:

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

- ✓ Not applicable, this is a new permit.

PART IV. EFFLUENT LIMIT DETERMINATIONS

OUTFALL #001 – COOLING BASIN DISCHARGE

EFFLUENT LIMITATIONS TABLE:

PARAMETERS	UNIT	DAILY MAX	MONTHLY AVG.	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	REPORTING FREQUENCY	SAMPLE TYPE
PHYSICAL							
FLOW	MGD	*	*	NEW	ONE/QUARTER	QUARTERLY	24 Hr. TOT
TEMPERATURE	°F	*	*	NEW	ONE/QUARTER	QUARTERLY	MEASURED
CONVENTIONAL							
pH †	SU	6.5 to 9.0	6.5 to 9.0	NEW	ONE/QUARTER	QUARTERLY	GRAB

- * monitoring and reporting requirement only
- † report the minimum and maximum pH values; pH is not to be averaged
- new parameter not established in previous state operating permit; this is a new operating permit.

DERIVATION AND DISCUSSION OF LIMITS:

PHYSICAL:

Flow

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

Temperature

In accordance with 10 CSR 20-7.031(5)(D), water contaminant sources shall not cause or contribute to stream temperature in excess of ninety degrees Fahrenheit (90 °F) or change the stream temperature by more than 5 degrees Fahrenheit. Due to the infrequent discharges, the facility is required to monitor the discharge quarterly. No limits at this time.

CONVENTIONAL:

pH

6.5 to 9.0 SU – instantaneous grab sample. Water quality limits [10 CSR 20-7.031(5)(E)] are applicable to this outfall. pH is a fundamental water quality indicator. Additionally, metals leachability and ammonia availability in wastewater is dependent on pH. Limitations in this permit will protect against aquatic organism toxicity, downstream water quality issues, human health hazard contact, and negative physical changes in accordance with the general criteria at 10 CSR 20-7.031(4) and the Clean Water Act's (CWA) goal of 100% fishable and swimmable rivers and streams. The facility reported 7.92 SU in the application.

LAND APPLICATION REQUIREMENTS

EFFLUENT LIMITATIONS TABLE:

PARAMETERS	UNIT	DAILY MAX	MONTHLY AVG.	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	REPORTING FREQUENCY	SAMPLE TYPE
OPERATIONAL MONITORING							
APPLICATION AREA	ac	*	*	NEW	DAILY ▲	MONTHLY	MEASURED
APPLICATION RATE	inches	*	*	NEW	DAILY ▲	MONTHLY	MEASURED
VOLUME APPLIED	gal	*	*	NEW	DAILY ▲	MONTHLY	MEASURED
WASTEWATER MONITORING							
pH †	SU	*	*	NEW	DAILY ▲	MONTHLY	GRAB
CHLORIDE	mg/L	*	*	NEW	ANNUAL	ANNUALLY	GRAB

- * monitoring and reporting requirement only
- † report the minimum and maximum pH values; pH is not to be averaged
- new parameter not established in previous state operating permit
- TR total recoverable
- ▲ daily is days applied; monitoring is not required when not applying. Specific daily data is reported as an attachment to the regular monthly report in the eDMR system.

DERIVATION AND DISCUSSION OF LIMITS:

PHYSICAL MEASUREMENTS AND RECORD KEEPING REQUIREMENTS:

Application Area

The facility will report the acreage used in the field for application. Monitoring requirement only. Monitoring is included to ensure compliance with 10 CSR 20-6.015(4)(A)1. This will help the permittee ensure appropriate application rates are followed and to help to prevent unauthorized discharges from land applications.

Application Rate

Inches of sludge applied per area is required to determine appropriate methods are being used for application. Monitoring requirement only. Monitoring is included to ensure compliance with 10 CSR 20-6.015(4)(A)1. This will help the permittee ensure appropriate application rates are followed and to help to prevent unauthorized discharges from land applications.

Volume Applied

Used to determine overall pollutant loading. Monitoring requirement only. Monitoring is included to ensure compliance with 10 CSR 20-6.015(4)(A)1. This will help the permittee ensure appropriate application rates are followed and to help to prevent unauthorized discharges from land applications.

CONVENTIONAL:

pH

Monitoring requirement only. Highly acidic and highly basic wastewaters have the ability to harm plant life. The facility indicated intermittent wash water will be applied to the stills, the resultant water may have traces of cleaner (citric acid) in it. pH monitoring will allow the facility opportunity to determine if the wastewater has lowered pH from the cleaner. There are no limits on the land application of the wastewater for pH, different soils and types of plants need pH which is higher or lower than typical water quality standards. The facility is only required to monitor the pH once per day on days where land application is occurring; otherwise a measurement is not required.

OTHER:

Chloride

This permit is requiring chloride monitoring for water which is land applied. Data indicate the presence of chloride; not at levels which would cause aquatic life toxicity, but possibly at levels causing phytotoxicity. Chloride is one of the very few pollutants having a lower toxicity threshold in plants than aquatic life. It is currently unknown if the chloride levels are high enough to cause plant harm, although the quantity of wastewater applied will be minimal compared to stormwater fall at the site. The facility shall monitor the wastewater at least one time annually, before applying to the land, so a future pollutant loading determination can be made.

PERMITTED FEATURE #D01 – NO-DISCHARGE DOMESTIC WASTEWATER LAGOON

EFFLUENT LIMITATIONS TABLE:

PARAMETERS	UNIT	DAILY MINIMUM	MONTHLY AVERAGE MAX	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE
PHYSICAL							
FREEBOARD	FEET	2.0		NEW	ONCE/WEEK	MONTHLY	MEASUREMENT

DERIVATION AND DISCUSSION OF LIMITS:

PHYSICAL:

Freeboard

2 foot minimum. Weekly monitoring of the freeboard in the basin is required to ensure proper operational controls. A week is Monday through Sunday. This permitted feature was determined to be no-discharge. As such, an antidegradation review was not conducted and discharge authorization has not been granted. To ensure the basin remains no-discharge, comply with all BMPs listed, monitor freeboard/liquid levels, and report highest reading monthly. Permits only authorize discharges after the facility has documented compliance with state and federal Clean Water laws and regulations, including antidegradation and construction requirements. Freeboard is the distance between the top of the liquid level and the bottom of the discharge pipe or canal. Freeboard should be measured to the nearest inch. At the time of drafting this permit, the lagoon has not yet been constructed. Submit “monitoring not required” on the discharge monitoring reports until completion. A construction permit may be required for this basin.

PART V. ADMINISTRATIVE REQUIREMENTS

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

PERMIT SYNCHRONIZATION:

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

✓ This permit is new; scheduling for watershed synchronization is not required at this time, as this permit is primarily no discharge.

PUBLIC NOTICE:

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

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

✓ The Public Notice period for this operating permit started April 23, 2021 and ended May 24, 2021. No comments were received.

DATE OF FACT SHEET: MAY 25, 2021

COMPLETED BY:

PAM HACKLER, ENVIRONMENTAL SCIENTIST
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
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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 permittees with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
3. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
5. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
6. **Permit Actions.**
- a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
- i. Violations of any terms or conditions of this permit or the law;
- ii. Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
- iii. A change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- iv. Any reason set forth in the Law or Regulations.
- b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
7. **Permit Transfer.**
- a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
- b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
- c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.
8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.



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

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PART III – BIOSOLIDS AND SLUDGE FROM DOMESTIC TREATMENT FACILITIES

SECTION A – GENERAL REQUIREMENTS

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

SECTION B – DEFINITIONS

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

SECTION C – MECHANICAL WASTEWATER TREATMENT FACILITIES

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

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

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

SECTION E – INCINERATION OF SLUDGE

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

SECTION F – SURFACE DISPOSAL SITES AND BIOSOLIDS AND SLUDGE LAGOONS

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

SECTION G – LAND APPLICATION OF BIOSOLIDS

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

TABLE 1

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

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

TABLE 2

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

- e. Annual pollutant loading rate.

Table 3

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

- f. Cumulative pollutant loading rates.

Table 4

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

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

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

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

SECTION H – SEPTAGE

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

SECTION I – CLOSURE REQUIREMENTS

1. This section applies to all wastewater facilities (mechanical and lagoons) and sludge or biosolids storage and treatment facilities. It does not apply to land application sites.
2. Permittees of a domestic wastewater facility who plan to cease operation must obtain Department approval of a closure plan which addresses proper removal and disposal of all sludges and/or biosolids. Permittee must maintain this permit until the facility is closed in accordance with the approved closure plan per 10 CSR 20 – 6.010 and 10 CSR 20 – 6.015.
3. Biosolids or sludge that are left in place during closure of a lagoon or earthen structure or ash pond shall not exceed the agricultural loading rates as follows:
 - a. Biosolids and sludge shall meet the monitoring and land application limits for agricultural rates as referenced in Section G, above.
 - b. If a wastewater treatment lagoon has been in operation for 15 years or more without sludge removal, the sludge in the lagoon qualifies as a Class B biosolids with respect to pathogens due to anaerobic digestion, and testing for fecal coliform is not required. For other lagoons, testing for fecal coliform is required to show compliance with Class B biosolids limitations. In order to reach Class B biosolids requirements, fecal coliform must be less than 2,000,000 colony forming units or 2,000,000 most probable number. All fecal samples must be presented as geometric mean per gram.
 - c. The allowable nitrogen loading that may be left in the lagoon shall be based on the plant available nitrogen (PAN) loading. For a grass cover crop, the allowable PAN is 300 pounds/acre. Alternative, site-specific application rates may be included in the closure plan for department consideration.
 - i. PAN can be determined as follows:
(Nitrate + nitrite nitrogen) + (organic nitrogen x 0.2) + (ammonia nitrogen x volatilization factor¹).
¹ Volatilization factor is 0.7 for surface application and 1 for subsurface application. Alternative volatilization factors and mineralization rates can be utilized on a case-by-case basis
4. Domestic wastewater treatment lagoons with a design treatment capacity less than or equal to 150 persons, are “similar treatment works” under the definition of septage. Therefore the sludge within the lagoons may be treated as septage during closure activities. See Section B, above. Under the septage category, residuals may be left in place as follows:
 - a. Testing for metals or fecal coliform is not required.
 - b. If the wastewater treatment lagoon has been in use for less than 15 years, mix lime with the sludge at a rate of 50 pounds of hydrated lime per 1000 gallons (134 cubic feet) of sludge.
 - c. The amount of sludge that may be left in the lagoon shall be based on the plant available nitrogen (PAN) loading. 100 dry tons/acre of sludge may be left in the basin without testing for nitrogen. If 100 dry tons/acre or more will be left in the lagoon, test for nitrogen and determine the PAN using the calculation above. Allowable PAN loading is 300 pounds/acre.
5. Biosolids or sludge left within the domestic lagoon shall be mixed with soil on at least a 1 to 1 ratio, and unless otherwise approved, the lagoon berm shall be demolished, and the site shall be graded and contain $\geq 70\%$ vegetative density over 100% of the site so as to avoid ponding of storm water and provide adequate surface water drainage without creating erosion. Alternative biosolids or sludge and soil mixing ratios may be included in the closure plan for department consideration.
6. Lagoon and earthen structure closure activities shall obtain a storm water permit for land disturbance activities that equal or exceed one acre in accordance with 10 CSR 20-6.200.
7. When closing a mechanical wastewater plant, all biosolids or sludge must be cleaned out and disposed of in accordance with the Department approved closure plan before the permit for the facility can be terminated.
 - a. Land must be stabilized which includes any grading, alternate use or fate upon approval by the Department, remediation, or other work that exposes sediment to stormwater per 10 CSR 20-6.200. The site shall be graded and contain $\geq 70\%$ vegetative density over 100% of the site, so as to avoid ponding of storm water and provide adequate

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

SECTION J – MONITORING FREQUENCY

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

TABLE 5

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

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

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

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

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

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

SECTION K – RECORD KEEPING AND REPORTING REQUIREMENTS

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

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

ATTN: Sludge Coordinator

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

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

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



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

FOR AGENCY USE ONLY	
CHECK NUMBER	
DATE RECEIVED	FEE SUBMITTED
JET PAY CONFIRMATION NUMBER	

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

IF YOUR FACILITY IS ELIGIBLE FOR A NO EXPOSURE EXEMPTION:
 Fill out the No Exposure Certification Form (Mo 780-2828): <https://dnr.mo.gov/forms/780-2828-f.pdf>

1. REASON FOR APPLICATION:

a. This facility is now in operation under Missouri State Operating Permit (permit) MO – _____, is submitting an application for renewal, and there is no proposed increase in design wastewater flow. Annual fees will be paid when invoiced and there is no additional permit fee required for renewal.

b. This facility is now in operation under permit MO – _____, is submitting an application for renewal, and there is a proposed increase in design wastewater flow. Antidegradation Review may be required. Annual fees will be paid when invoiced and there is no additional permit fee required for renewal.

c. This is a facility submitting an application for a new permit (for a new facility). Antidegradation Review may be required. New permit fee is required.

d. This facility is now in operation under Missouri State Operating Permit (permit) MO – _____ and is requesting a modification to the permit. Antidegradation Review may be required. Modification fee is required.

2. FACILITY

NAME Rosier Farms Distilling Company LLC		TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (PHYSICAL) 16755 Hwy 59	CITY Mound City	STATE MO	ZIP CODE 64470

3. OWNER

NAME Dylan and Cole Rosier		TELEPHONE NUMBER WITH AREA CODE (660) 442-6312	
EMAIL ADDRESS dylan@rfarmdistilling.com			
ADDRESS (MAILING) 22828 Hwy C	CITY Mound City	STATE MO	ZIP CODE 64470

4. CONTINUING AUTHORITY

NAME Rosier Farms Distilling Company LLC		TELEPHONE NUMBER WITH AREA CODE (660) 442-6312	
EMAIL ADDRESS dylan@rfarmdistilling.com			
ADDRESS (MAILING) 16755 Hwy 59	CITY Mound City	STATE MO	ZIP CODE 64470

5. OPERATOR CERTIFICATION

NAME	CERTIFICATE NUMBER	TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (MAILING)	CITY	STATE	ZIP CODE

6. FACILITY CONTACT

NAME Dylan Rosier	TITLE Owner	TELEPHONE NUMBER WITH AREA CODE (660) 442-6312
E-MAIL ADDRESS dylan@rfarmdistilling.com		

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

NAME			
ADDRESS	CITY	STATE	ZIP CODE

8. ADDITIONAL FACILITY INFORMATION

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

001 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
 UTM Coordinates Easting (X): _____ Northing (Y): _____

002 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
 UTM Coordinates Easting (X): _____ Northing (Y): _____

003 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
 UTM Coordinates Easting (X): _____ Northing (Y): _____

004 _____ 1/4 _____ 1/4 Sec _____ T _____ R _____ _____ County
 UTM Coordinates Easting (X): _____ Northing (Y): _____

8.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.
 Primary SIC 2085 _____ and NAICS 312140 _____ SIC _____ and NAICS _____
 SIC _____ and NAICS _____ SIC _____ and NAICS _____

9. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION

A. Is this permit for a manufacturing, commercial, mining, solid/hazardous waste, or silviculture facility? YES NO
 If yes, complete Form C.

B. Is the facility considered a "Primary Industry" under EPA guidelines (40 CFR Part 122, Appendix A) : YES NO
 If yes, complete Forms C and D.

C. Is wastewater land applied? YES NO
 If yes, complete Form I.

D. Are sludge, biosolids, ash, or residuals generated, treated, stored, or land applied? YES NO
 If yes, complete Form R.

E. Have you received or applied for any permit or construction approval under the CWA or any other environmental regulatory authority? YES NO
 If yes, please include a list of all permits or approvals for this facility.

F. Do you use cooling water in your operations at this facility? YES NO
 If yes, please indicate the source of the water: Well

G. Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.

10. ELECTRONIC DISCHARGE MONITORING REPORT (eDMR) SUBMISSION SYSTEM

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

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

12. CERTIFICATION

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT) <i>Dylan Rosier, member</i>	TELEPHONE NUMBER WITH AREA CODE <i>(660) 442-6312</i>
SIGNATURE <i>[Signature]</i>	DATE SIGNED <i>10/21/20</i>



MISSOURI DEPARTMENT OF NATURAL RESOURCES
 WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH
**FORM C – APPLICATION FOR DISCHARGE PERMIT – MANUFACTURING, COMMERCIAL,
 MINING, SILVICULTURE OPERATIONS, AND STORMWATER**

GENERAL INFORMATION (PLEASE SEE INSTRUCTIONS)				
1.0 NAME OF FACILITY Rosier Farms Distilling Company LLC				
1.1 THIS FACILITY IS OPERATING UNDER MISSOURI STATE OPERATING PERMIT (MSOP) NUMBER: N/A new application				
1.2 IS THIS A NEW FACILITY? PROVIDE CONSTRUCTION PERMIT (CP) NUMBER IF APPLICABLE. N/A				
1.3 Describe the nature of the business, in detail. Identify the goods and services provided by the business. Include descriptions of all raw, intermediate, final products, byproducts, or waste products used in the production or manufacturing process, stored outdoors, loaded or transferred and any other pertinent information for potential sources of wastewater or stormwater discharges. Rosier Farms Distilling will produce distilled spirits. Grain will be processed, fermented and distilled on site. All inputs and intermediate products will be stored in doors. A well on site will be used to supply water to the facility. The water from the well will provide cooling water to the distilling equipment. We plan on discharging the cooling water to a preexisting water management basin within the surrounding agricultural field. Rosier Farms Distilling conducted maintenance and repairs on the basin to restore it to the original level of functionality. The distilling process will produce slop that will be pumped to a contained tank and hauled out by local farmers to feed to livestock. The slop is the the residual grain and water that is left over after the fermenting and distilling process. After the distilling process the distillate will be placed in barrels or other containers and will be transfered to storage buildings for aging. Bottling of finished products will also take place at the facility. After bottling and packaging the finished goods will be hauled off site by distributors.				
FLOWS, TYPE, AND FREQUENCY				
2.0 Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in item B. Construct a water balance on the line drawing by showing average and maximum flows between intakes, operations, treatment units, evaporation, public sewers, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.				
2.1 For each outfall (1) below, provide: (2) a description of all operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, stormwater runoff, and any other process or non-process wastewater, (3) the average flow and maximum flow (put max in parentheses) contributed by each operation and the sum of those operations, (4) the treatment received by the wastewater, and (5) the treatment type code. Continue on additional sheets if necessary.				
1. OUTFALL NO.	2. OPERATION(S) CONTRIBUTING FLOW: INCLUDE ALL PROCESSES AND SUB PROCESSES AT EACH OUTFALL	3. AVERAGE FLOW AND (MAXIMUM FLOW), INCLUDE UNITS.	4. TREATMENT DESCRIPTION	5. TREATMENT CODES FROM TABLE A
1	Cooker Cooling Water - 4 hour cook	21 gal/min (25)	Non-Contact Cooling Water	1-U, 3-F, 4-A
2	Fermenters - 3 day ferment, 1000 gal/day	1000 gal/day (1000)	Non-Contact Cooling Water	1-U, 3-F, 4-A
3	Deflamater - 5 hour distillation run	2.5 gal/min (2.5)	Non-Contact Cooling Water	1-U, 3-F, 4-A
4	Low Wine Condenser - 5 hour distillation run	5.5 gal/min (5.5)	Non-Contact Cooling Water	1-U, 3-F, 4-A
	Total for one distillation run	10540 gal/run		
	Projected 3 runs per week	31620 gal/week		
Attach additional pages if necessary.				

2.2 INTERMITTENT DISCHARGES

Except for stormwater runoff, leaks, or spills, are any of the discharges described in items 2.0 or 2.1 intermittent or seasonal?

Yes (complete the following table) No (go to section 2.3)

1. OUTFALL NUMBER	2. OPERATION(S) CONTRIBUTING FLOW	3. FREQUENCY		4. FLOW				C. DURATION (in days)
		A. DAYS PER WEEK (specify average)	B. MONTHS PER YEAR (specify average)	A. FLOW RATE (in mgd)		B. TOTAL VOLUME (specify with units)		
				1. MAXIMUM DAILY	2. LONG TERM AVERAGE	4. LONG TERM DAILY	3. MAXIMUM AVERAGE	
1-4	Cooling water	3	12	.01054		10540 gal	10540	1

2.3 PRODUCTION

A. Does an effluent limitation guideline (ELG) promulgated by EPA under section 304 of the Clean Water Act apply to your facility? Indicate the part and subparts applicable.

Yes 40 CFR _____ Subpart(s) _____ No (go to section 2.5)

B. Are the limitations in the effluent guideline(s) expressed in terms of production (or other measure of operation)? Describe in C below.

Yes (complete C.) No (go to section 2.5)

C. If you answered "yes" to B, list the quantity representing an actual measurement of your maximum level of production, expressed in the terms and units used in the applicable effluent guideline and indicate the affected outfalls.

A. OUTFALL(S)	B. QUANTITY PER DAY	C. UNITS OF MEASURE	D. OPERATION, PRODUCT, MATERIAL, ETC. (specify)

2.4 IMPROVEMENTS

A. Are you required by any federal, state, or local authority to meet any implementation schedule for the construction, upgrading, or operation of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.

Yes (complete the following table) No (go to 2.6)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS	3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COMPLIANCE DATE	
			A. REQUIRED	B. PROJECTED

B. Optional: provide below or attach additional sheets describing water pollution control programs or other environmental projects which may affect discharges. Indicate whether each program is underway or planned, and indicate actual or planned schedules for construction. This may include proposed bmp projects for stormwater.

2.5 SLUDGE MANAGEMENT

Describe the removal of any industrial or domestic biosolids or sludges generated at your facility. Include names and contact information for any haulers used. Note the frequency, volume, and methods (incineration, landfilling, composting, etc) used. See Form A for additional forms which may need to be completed.

DATA COLLECTION AND REPORTING REQUIREMENTS FOR APPLICANTS

3.0 EFFLUENT (AND INTAKE) CHARACTERISTICS (SEE INSTRUCTIONS)

A. & B. See instructions before continuing – complete one Table 1 for **each outfall** (and intake) – annotate the outfall (intake) number or designation in the space provided. The facility is not required to complete intake data unless required by the department or rule.

C. Use the space below to list any pollutants listed in the instructions section 3.0 C. Table B which you know or have reason to believe is discharged or may be discharged from any outfall not listed in parts 3.0 A or B on Table 1. For every pollutant listed, briefly describe the reasons you believe it to be present and report any analytical data in your possession.

1. POLLUTANT	2. SOURCE	3. OUTFALL(S)	4. ANALYTICAL RESULTS (INCLUDE UNITS)
We do not expect any	pollutants to be present.		

3.1 Whole Effluent Toxicity Testing

A. To your knowledge, have any Whole Effluent Toxicity (WET) tests been performed on the facility discharges (or on receiving waters in relation to your discharge) within the last three years?

- Yes (go to 3.1 B) No (go to 3.2)

3.1 B

Disclose wet testing conditions, including test duration (chronic or acute), the organisms tested, and the testing results. Provide any results of toxicity identification evaluations (TIE) or toxicity reduction evaluations (TRE) if applicable. Please indicate the conclusions of the test(s) including any pollutants identified as causing toxicity and steps the facility is taking to remedy the toxicity.

3.2 CONTRACT ANALYSIS INFORMATION

Were any of the analyses reported herein, above, or on Table 1 performed by a contract laboratory or consulting firm?

- Yes (list the name, address, telephone number, and pollutants analyzed by each laboratory or firm.) No (go to 4.0)

A. LAB NAME	B. ADDRESS	C. TELEPHONE (area code and number)	D. POLLUTANTS ANALYZED (list or group)

4.0 STORMWATER

4.1
 Do you have industrial stormwater discharges from the site? If so, attach a site map outlining drainage areas served by each outfall. Indicate the following attributes within each drainage area: pavement or other impervious surfaces; buildings; outdoor storage areas; material loading and unloading areas; outdoor industrial activities; structural stormwater control measures; hazardous waste treatment, storage, and disposal units; and wells or springs in the area.

OUTFALL NUMBER	TOTAL AREA DRAINED (PROVIDE UNITS)	TYPES OF SURFACES (VEGETATED, STONE , PAVED, ETC)	BEST MANAGEMENT PRACTICES EMPLOYED; INCLUDE STRUCTURAL BMPs AND TREATMENT DESIGN FLOW FOR BMPs DESCRIBE HOW FLOW IS MEASURED
			We will honor the no-exposure certification and will have no industrial
			stormwater.

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

SIGNATORY REQUIREMENTS

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT)	TELEPHONE NUMBER WITH AREA CODE
<i>Dylan Rosier, member</i>	<i>(660) 442-6312</i>
SIGNATURE (SEE INSTRUCTIONS)	DATE SIGNED
<i>[Signature]</i>	<i>10/21/20</i>