

STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-0001856

Owner: The Doe Run Resources Corporation d/b/a The Doe Run Company
Address: P.O. Box 500, Viburnum, Missouri 65566

Continuing Authority: Same as above
Address: Same as above

Facility Name: Doe Run, Fletcher Mine & Mill
Facility Address: Highway TT, Bunker, Missouri 63629

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

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

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

FACILITY DESCRIPTION

See Page 2 of 9.

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

November 13, 2009 October 28, 2011
Effective Date Revised Date

Sara Parker Pauley, Director, Department of Natural Resources

November 12, 2014
Expiration Date

John Madras, Director, Water Protection Program

FACILITY DESCRIPTION

Outfall #001 – Settling basin discharge - mine dewatering/storm water runoff from mining and milling of lead, zinc and copper bearing ores/transfers of process wastewater and storm water from the tailings impoundment. Water collected in the basin is combined and undergoes treatment via settling – SIC #1031

Average Flow 4.6 MGD. Maximum measured and reported flow is 13.8 MGD. Because of storm water influence, actual flow is dependent on precipitation.

Legal Description: NE ¼, SE ¼, Sec. 24, T32N, R2W, Reynolds County

UTM Coordinates: X=667409, Y=4146420

Receiving Stream: Unnamed Tributary to Bee Fork (U)

First Classified Stream and ID: Bee Fork (C) (2760)

USGS Basin & Sub-watershed No.: (11010007 – 0102)

Outfall #002 – Tailings impoundment emergency spillway discharge - process wastewater from milling of lead, zinc and copper bearing ores/truck wash water/tailings dam toe drain discharge/storm water runoff from facility and surrounding watershed.

Water collected in the impoundment is combined and undergoes treatment via settling – SIC #1031

Legal Description: NE ¼, SW ¼, Sec. 19, T32N, R1W, Reynolds County

UTM Coordinates: X=668478, Y=4146559

Receiving Stream: Unnamed Tributary to Bee Fork (U)

First Classified Stream and ID: Bee Fork (C) (2760)

USGS Basin & Sub-watershed No.: (11010007 – 0102)

Outfall #003 – Tailings impoundment toe drain basin/stormwater overflow – tailings dam toe drain/stormwater discharge. Tailings dam toe drain/stormwater overflow that cannot be pumped to the tailings impoundment – SIC #1031

Legal Description: SW ¼, SW ¼, Sec. 19, T32N, R1W, Reynolds County

UTM Coordinates: X=668174, Y=4146001

Receiving Stream: Unnamed Tributary to Bee Fork (U)

First Classified Stream and ID: Bee Fork (C) (2760)

USGS Basin & Sub-watershed No.: (11010007 – 0102)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 3 of 9	
					PERMIT NUMBER MO-0001856	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become effective upon issuance (November 13, 2009) and remain in effect until November 12, 2012. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001, 002 & 003</u>						
Flow	MGD	*		*	once/month	24 hr. estimate
Precipitation	inches	*		*	once/day	24 hr. total
Hardness, Total as CaCO ₃	mg/L	*		*	once/month	grab
pH – Units	SU	**		**	once/month	grab
Total Suspended Solids	mg/L	30		20	once/month	grab
Cadmium, Total Recoverable	µg/L	54		26	once/month	grab
Lead, Total Recoverable	µg/L	398		192	once/month	grab
Zinc, Total Recoverable	µg/L	379		188	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>December 28, 2009</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
Copper, Total Recoverable	µg/L	82.1		40.9	once/year	grab
Mercury, Total Recoverable	µg/L	2		1	once/year	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>December 28, 2012</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<u>Outfall 001</u> Whole Effluent Toxicity (WET) Test	% Survival	See Special Conditions			once/year in August	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>October 28, 2010</u> .						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I & III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 4 of 9	
					PERMIT NUMBER MO-0001856	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective November 13, 2012 and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfalls #001, 002 & 003</u>						
Flow	MGD	*		*	once/month	24 hr. estimate
Precipitation	inches	*		*	once/day	24 hr. total
Hardness, Total as CaCO ₃	mg/L	*		*	once/month	grab
pH – Units	SU	**		**	once/month	grab
Total Suspended Solids	mg/L	30		20	once/month	grab
Cadmium, Total Recoverable	µg/L	1.0		0.5	once/month	grab
Lead, Total Recoverable	µg/L	23.0		11.5	once/month	grab
Zinc, Total Recoverable	µg/L	275.5		137.3	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>December 28, 2012</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
Copper, Total Recoverable	µg/L	82.1		40.9	once/year	grab
Mercury, Total Recoverable	µg/L	2		1	once/year	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>October 28, 2013</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<u>Outfall 001</u> Whole Effluent Toxicity (WET) Test	% Survival	See Special Conditions			once/year in August	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>October 28, 2013</u> .						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I & III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * - Monitoring requirement only.
- ** - pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:
 - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (2) controls any pollutant not limited in the permit.
 - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
 - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

2. All outfalls must be clearly marked in the field.
3. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge 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; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (4) The level established in Part A of the permit by the Director.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
 - (c) That the effluent limit established in Part A of the permit will be exceeded.
4. Report as "No Discharge" when a discharge does not occur during the report period.
 5. Water Quality Standards
 - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

C. SPECIAL CONDITIONS (continued)

6. Industrial Sludge Disposal

- (a) Disposal of industrial sludge is not authorized by this permit. Industrial sludge shall be disposed at a permitted solid waste disposal facility in accordance with 10 CSR 80; or if the sludge is determined to be hazardous waste, shall be disposed at a permitted hazardous waste disposal facility pursuant to 10 CSR 25.
- (b) Non-hazardous sludge that is disposed on site or that is exempted under 10 CSR 80 must obtain applicable permits under 10 CSR 20-6.015 and 10 CSR 20-6.200.
- (c) Each effluent monitoring report shall also specify the date any sludge is removed from the facility, who removed the sludge and the number of gallons or quantity of sludge removed. The final disposal location shall be reported, including the name of the disposal facility, the solid waste or hazardous waste disposal permit number, and date of permit issuance.
- (d) This permit may (after due process) be modified, or alternatively revoked and reissued, to comply with any applicable sludge disposal standard or limitation issued or approved under Section 405(d) of the Clean Water Act.

7. The permittee shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be prepared within 90 days and implemented within 120 days of permit issuance. The SWPPP must be kept on-site and should not be sent to DNR unless specifically requested. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:

Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators, (Document number EPA 833-B-09-002) published by the United States Environmental Protection Agency (USEPA) in February 2009.

The SWPPP must include the following:

- (a) An assessment of all storm water discharges associated with the facility, including those flowing to the tailings pond. This must include a list of potential contaminants and an annual estimate of amounts that will be used in the described activities.
 - (b) A listing of specific Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter storm water.
 - (c) The SWPPP must include a schedule for a monthly site inspection and a brief written report. The inspections must include observation and evaluation of BMP effectiveness, deficiencies, and corrective measures that will be taken. Deficiencies must be corrected within seven days. Inspection reports must be kept on site with the SWPPP. These must be made available to DNR personnel upon request.
 - (d) A provision for designating an individual to be responsible for environmental matters.
 - (e) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of DNR.
8. The permittee shall adhere to the following minimum Best Management Practices:
- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or other activities and thereby prevent the contamination of storm water from these substances.
 - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to storm water or provide other prescribed BMP's such as plastic lids and/or portable spill pans to prevent the commingling of storm water with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
 - (d) Provide good housekeeping practices on the site to keep solid waste from entry into waters of the state.
 - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.

C. SPECIAL CONDITIONS (continued)

9. Whole Effluent Toxicity tests shall be conducted as follows:

SUMMARY OF WET TESTING FOR THIS PERMIT				
OUTFALL	Toxic Unit Limit	FREQUENCY	SAMPLE TYPE	MONTH
001	1.6 TUc	once/year	grab	August

Dilution Series					
100%	62.5%	25%	12.5%	6.25%	(Control) 100% upstream, if available

(a) Test Schedule and Follow-Up Requirements

- (1) All tests results shall be submitted using the Department's WET test report form #MO-780-1899 along with complete copies of the test reports as received from the laboratory, including copies of chain-of-custody forms within 14 calendar days of availability to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102. If the effluent passes the test, do not repeat the test until the next test period.
 - (a) Upstream receiving water samples, where required, shall be collected upstream from any influence of the effluent where downstream flow is clearly evident.
 - (b) Samples submitted for analysis of upstream receiving water may be collected as a grab.
 - (c) Chemical and physical analysis of the upstream control and effluent sample shall occur immediately upon being received by the laboratory, prior to any manipulation of the effluent sample beyond preservation methods consistent with federal guidelines for WET testing that are required to stabilize the sample during shipping.
 - (d) Any and all chemical or physical analysis of the effluent sample performed in conjunction with the WET test shall be performed at the 100% Effluent concentration in addition to analyses performed upon any other effluent concentration.
 - (e) All chemical analyses included in the Missouri Department of Natural Resources WET test report form #MO-780-1899 shall be performed and results shall be recorded in the appropriate field of the report form.
 - (f) Where flow-weighted composite sample is required for analysis, the samples shall be composited at the laboratory where the test is to be performed.
 - (g) Where instream testing is required downstream from the discharge, sample collection shall occur immediately below the established Zone of Initial Dilution in conjunction with or immediately following a release or discharge.
 - (h) Samples submitted for analysis of downstream receiving water may be collected as a grab.
 - (i) All instream samples, including downstream samples, shall be tested for toxicity at the 100% concentration in addition to any other assigned AEC for in-stream samples.
- (2) The WET test will be considered a failure if the Toxic Units exceed the limit in the table above.
- (3) All failing test results along with complete copies of the test reports as received from the laboratory shall be reported to the WATER PROTECTION PROGRAM within 14 calendar days of the availability of the results.
- (4) Unless waived by the Department, if the effluent fails the test, a multiple dilution test shall be performed for BOTH test species within 30 calendar days and biweekly thereafter until one of the following conditions are met:
 - (a) Three consecutive tests pass. No further tests need to be performed until next regularly scheduled test period.
 - (b) A total of three tests fail.
- (5) The permittee shall submit a summary of all test results for the test series along with complete copies of the test reports as received from the laboratory to the WATER PROTECTION PROGRAM within 14 calendar days of the third failed test.

C. SPECIAL CONDITIONS (continued)

9. Whole Effluent Toxicity tests (continued):

- (6) Additionally, upon failure of the third follow up test, the permittee shall contact the Water Protection Program within 14 calendar days from availability of the test results to ascertain as to whether a TIE or TRE is appropriate. If the Water Protection Program directs the permittee to conduct a TIE or TRE, the permittee shall submit a plan for conducting a TIE or TRE within 60 calendar days of receiving such direction. This plan for conducting the TIE or TRE must be approved by the Program before the TIE or TRE is begun. A schedule for completing the TIE or TRE shall be established in the plan approval.
 - (7) Upon DNR's approval, the TIE/TRE schedule may be modified if toxicity is intermittent during the TIE/TRE investigations. A revised WET test schedule may be established by DNR for this period.
 - (8) If a previously completed TIE has clearly identified the cause of toxicity, additional TIEs will not be required as long as effluent characteristics remain essentially unchanged and the permittee is proceeding according to a DNR approved schedule to complete a TRE and reduce toxicity. Regularly scheduled WET testing as required in the permit, without the follow-up requirements, will be required during this period.
 - (9) When WET test sampling is required to run over one DMR period, each DMR report shall contain a copy of the Department's WET test report form that was generated during the reporting period.
 - (10) Submit a concise summary in tabular format of all WET test results with the annual report.
- (b) Test Conditions
- (1) Unless more stringent methods are specified by the DNR, the procedures shall be consistent with the most current edition of Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms, EPA-821/R-02/013, and Errata for the Effluent and Receiving Water Toxicity Testing Manuals: Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms; Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms; and Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms EPA-600/R-98/182.
 - (2) The test shall be a 3-Brood *Ceriodaphnia dubia* Survival and Reproduction Test and a 7-Day Fathead Minnow (*Pimephales promelas*) Larval Survival and Growth Test. Testing with the green algae *Selenastrum* is not required.
 - (3) All tests, including repeat tests for previous failures, shall include both test species listed below unless prior approval to use only one species is granted by the department.
 - (4) Test species: *Ceriodaphnia dubia* and *Pimephales promelas* (fathead minnow). Organisms used in WET testing shall come from cultures reared for the purpose of conducting toxicity tests and cultured in a manner consistent with the most current USEPA guidelines.
 - (5) Upstream receiving stream water shall be used as dilution water. If upstream water is unavailable or if mortality in the upstream water exceeds 10%, "reconstituted" water will be used as dilution water. Reconstituted dilution/control water used will be moderately hard water as described in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms.
 - (6) Multiple-dilution tests will be run with:
 - (a) 100% receiving-stream water (if available), collected upstream of the outfall at a point beyond any influence of the effluent; and
 - (b) reconstituted water.
 - (7) If, in any control more than 10% of the test organisms die in 7 days, the test (control and effluent) is considered invalid and the test shall be repeated within two (2) weeks. Furthermore, if the results do not meet the acceptability criteria in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms, EPA-821-R-02-013 (or the most current edition), or if the required concentration-response review fails to yield a valid relationship per guidance contained in Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing, EPA-821-B-00-004 (or the most current edition), that test shall be repeated. Any test initiated but terminated before completion must also be reported along with a complete explanation for the termination.

D. SCHEDULE OF COMPLIANCE

1. The permittee must attain compliance with the final effluent limits as soon as possible, but no later than three years after issuance of this permit.
2. Within one year of issuance of this permit, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.
3. Within two years of issuance of this permit, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF MODIFICATION
OF
MO-0001856
DOE RUN, FLETCHER MINE & MILL

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

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)2.] a Factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (operating permit) listed below.

A Factsheet is not an enforceable part of an operating permit.

This Factsheet is for a Major , Minor , Industrial Facility ; Variance ;
Master General Permit ; General Permit Covered Facility ; and/or permit with widespread public interest .

Part I – Facility Information

Facility Type: Industrial process wastewater and stormwater from the mining and milling of lead ore
Facility SIC Code(s): 1031

Facility Description:

Mining and milling of lead, zinc and copper bearing ores. Process wastewaters include mine dewatering, process wastewater from milling of ores, tailings slurry, and tailings impoundment dam toe drain discharge. The facility also manages truck wash water, and storm water runoff from the facility and surrounding watershed. Process wastewater from milling of ores, tailings slurry, and tailings dam toe drainage discharge, along with truck wash water and storm water runoff from the facility and surrounding watershed receive treatment by settling in the tailings impoundment. Mine water, storm water runoff from the surrounding watershed, and water transfers of from the tailings impoundment receive treatment by settling in the settling basin. A portion of the water from the tailings impoundment is transferred to the settling basin to maintain freeboard and receives treatment by settling.

Comments:

Changes to this permit include:

- Revision of the Facility Description.
- Revision of the interim effluent limits for Copper, and revision of the final effluent limits for Copper, Lead and Zinc. This modification is the result of site specific dissolved metal translator study conducted by the permittee, under a study plan approved by the Department of Natural Resources.
- Wastewater pumping from tailings impoundments to the main facility outfall to avoid use of the emergency spillway
- Correction of the Effluent Limit Guideline citations
- The sample type for WET testing is changed from a 24 hr. composite sample to a grab sample.

OUTFALL(S) TABLE:

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
001	9.70	settling	Mine dewatering	1.4
002	0.0	settling	Process wastewater	1.5
003	0.0	settling	Process wastewater	0.7

Part II – Receiving Stream Information

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

As per Missouri’s Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into the below listed seven (7) categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall’s Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.

- Missouri or Mississippi River [10 CSR 20-7.015(2)]:
- Lake or Reservoir [10 CSR 20-7.015(3)]:
- Losing [10 CSR 20-7.015(4)]:
- Metropolitan No-Discharge [10 CSR 20-7.015(5)]:
- Special Stream [10 CSR 20-7.015(6)]:
- Subsurface Water [10 CSR 20-7.015(7)]:
- All Other Waters [10 CSR 20-7.015(8)]:

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1st classified receiving stream’s beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)].

RECEIVING STREAM(S) TABLE:

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	8-DIGIT HUC	EDU**
Bee Fork	C	2760	LLW, AQL, CLF, WBC(A)		

* - Irrigation (IRR), Livestock & Wildlife Watering (LWW), Protection of Warm Water Aquatic Life and Human Health-Fish Consumption (AQL), Cool Water Fishery(CLF), Cold Water Fishery (CDF), Whole Body Contact Recreation (WBC), Secondary Contact Recreation (SCR), Drinking Water Supply (DWS), Industrial (IND), Groundwater (GRW).

** - Ecological Drainage Unit

RECEIVING STREAM(S) LOW –FLOW TABLE:

RECEIVING STREAM (U, C, P)	LOW-FLOW VALUES (CFS)		
	1Q10	7Q10	30Q10
Bee Fork (C)	0.0	0.0	0.1

Mixing Zone: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(a)].

Zone of Initial Dilution: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(b)].

Part III – Rationale and Derivation of Effluent Limitations & Permit Conditions

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:

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

Applicable ;

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)], or is an existing facility.

ANTI-BACKSLIDING:

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

- New facility, backsliding does not apply.

- All limits in this operating permit are at least as protective as those previously established; therefore, backsliding does not apply. The effluent limit increases are as protective of instream water quality standards as the previously established limits. Adjustments to the effluent limits were made in accordance with U.S. EPA guidance on site specific dissolved metals translators. In addition, the facility is not presently in compliance with the previous effluent limits, therefore the revised effluent limits do not represent a possible decrease in performance.

- Limitations in this operating permit for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.

ANTIDegradation:

In accordance with Missouri's Water Quality Standard [10 CSR 20-7.031(2)], the Department is to document by means of Antidegradation Review that the use of a water body's available assimilative capacity is justified. Degradation is justified by documenting the socio-economic importance of a discharging activity after determining the necessity of the discharge.

- Renewal no degradation proposed and no further review necessary.

- New and/or expanded discharge, please see **APPENDIX # – ANTIDegradation ANALYSIS.**

- No degradation proposed and no further review necessary. Increased effluent limits do not represent additional loading, because the facility is not in compliance with the previous limits. The proposed final effluent limits still result in decreased loading to the stream.

COMPLIANCE AND ENFORCEMENT:

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

Applicable ;

The permittee/facility is currently under enforcement action by the U.S. EPA and the State of Missouri due to violations of the Missouri Clean Water Law and the Federal Clean Water Act.

Not Applicable ;

The permittee/facility is not currently under Water Protection Program enforcement action.

SCHEDULE OF COMPLIANCE (SOC):

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit.

Applicable ;

The time given for effluent limitations of this permit listed under Interim Effluent Limitation and Final Effluent Limitations were established in accordance with [10 CSR 20-7.031(10)].

Not Applicable ;

This permit does not contain a SOC.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP):

In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; (2) Authorized under section 402(p) of the CWA for the control of storm water discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Storm Water Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of storm water discharges.

Applicable ;

A SWPPP shall be developed and implemented for each site and shall incorporate required practices identified by the Department with jurisdiction, incorporate erosion control practices specific to site conditions, and provide for maintenance and adherence to the plan.

Not Applicable ;

At this time, the permittee is not required to develop and implement a SWPPP.

VARIANCE:

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

Applicable ;

Not Applicable ;

This operating permit is not drafted under premises of a petition for variance.

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

As per [10 CSR 20-2.010(78)], the amount of pollutant each discharger is allowed by the Department to release into a given stream after the Department has determined total amount of pollutant that may be discharged into that stream without endangering its water quality.

Applicable ;

Wasteload allocations were calculated where applicable using water quality criteria or water quality model results and the dilution equation below:

$$C = \frac{(C_s \times Q_s) + (C_e \times Q_e)}{(Q_e + Q_s)} \quad (\text{EPA/505/2-90-001, Section 4.5.5})$$

Where C = downstream concentration
Cs = upstream concentration
Qs = upstream flow
Ce = effluent concentration
Qe = effluent flow

Chronic wasteload allocations were determined using applicable chronic water quality criteria (CCC: criteria continuous concentration) and stream volume of flow at the edge of the mixing zone (MZ). Acute wasteload allocations were determined using applicable water quality criteria (CMC: criteria maximum concentration) and stream volume of flow at the edge of the zone of initial dilution (ZID).

Water quality based maximum daily and average monthly effluent limitations were calculated using methods and procedures outlined in USEPA's "Technical Support Document For Water Quality-based Toxics Control" (EPA/505/2-90-001).

Number of Samples "n":

Additionally, in accordance with the TSD for water quality-based permitting, effluent quality is determined by the underlying distribution of daily values, which is determined by the Long Term Average (LTA) associated with a particular Wasteload Allocation (WLA) and by the Coefficient of Variation (CV) of the effluent concentrations. Increasing or decreasing the monitoring frequency does not affect this underlying distribution or treatment performance, which should be, at a minimum, be targeted to comply with the values dictated by the WLA. Therefore, it is recommended that the actual planned frequency of monitoring normally be used to determine the value of "n" for calculating the AML. However, in situations where monitoring frequency is once per month or less, a higher value for "n" must be assumed for AML derivation purposes. Thus, the statistical procedure being employed using an assumed number of samples is "n = 4" at a minimum. For Total Ammonia as Nitrogen, "n = 30" is used.

Not Applicable ;

Wasteload allocations were not calculated.

WLA MODELING:

There are two general types of effluent limitations, technology-based effluent limits (TBELs) and water quality based effluent limits (WQBELs). If TBELs do not provide adequate protection for the receiving waters, then WQBEL must be used.

Applicable ;

Not Applicable ;

A WLA study was either not submitted or determined not applicable by Department staff. The dissolved metals translator study is not a wasteload allocation study, it adjusts effluent limit calculations based on the previous WLAs.

WATER QUALITY STANDARDS:

Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones.

Additionally, [40 CFR 122.44(d)(1)] directs the Department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

A WET test is a quantifiable method of determining if a discharge from a facility may be causing toxicity to aquatic life by itself, in combination with or through synergistic responses when mixed with receiving stream water.

Applicable ;

Under the federal Clean Water Act (CWA) §101(a)(3), requiring WET testing is reasonably appropriate for site-specific Missouri State Operating Permits for discharges to waters of the state issued under the National Pollutant Discharge Elimination System (NPDES). WET testing is also required by 40 CFR 122.44(d)(1). WET testing ensures that the provisions in the 10 CSR 20-6.010(8)(A)7. and the Water Quality Standards 10 CSR 20-7.031(3)(D),(F),(G),(I)2.A & B are being met. Under [10 CSR 20-6.010(8)(A)4], the Department may require other terms and conditions that it deems necessary to assure compliance with the Clean Water Act and related regulations of the Missouri Clean Water Commission. In addition the following MCWL apply: §§644.051.3 requires the Department to set permit conditions that comply with the MCWL and CWA; 644.051.4 specifically references toxicity as an item we must consider in writing permits (along with water quality-based effluent limits, pretreatment, etc...); and 644.051.5 is the basic authority to require testing conditions. WET test will be required by all facilities meeting the following criteria:

- Facility is a designated Major.
- Facility continuously or routinely exceeds its design flow.
- Facility (industrial) that alters its production process throughout the year.
- Facility handles large quantities of toxic substances, or substances that are toxic in large amounts.
- Facility has Water Quality-based Effluent Limitations for toxic substances (other than NH₃)
- Facility is a municipality or domestic discharger with a Design Flow \geq 22,500 gpd.
- Other – facility has demonstrated that its effluent is significantly toxic. Facility will pursue upgrades to wastewater treatment.

Due to the lack of variation expected in discharge quality from outfall 001, grab samples for WET are appropriate. The primary source of flow for outfall 001 is mine dewatering. Miles of tunnels and millions of square feet of surface area are exposed to groundwater discharges into the mine. Underground operations affecting the vast majority of the mine water do not change over the course of a day. The ongoing mining at the face of the mine accounts for a negligible area. Therefore, mine water can be expected to be consistent over the course of a day.

Mine water is conveyed to sump locations and then pumped to the surface. At the surface the mine water is treated by settling in basins before discharge. The hydraulic residence time in the settling basins varies at each facility but is typically greater than 24 hours. Any variability in pollutant concentrations in the mine water would be dampened as a result of significant attenuation and mixing while in the settling basins. Therefore, discharges through monitored outfalls can be expected to exhibit minimal variation over the course of a day.

Not Applicable ;

At this time, the permittee is not required to conduct WET test for this facility.

303(d) LIST & TOTAL MAXIMUM DAILY LOAD (TMDL):

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

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation.

Applicable ;

Bee Fork is on the 2006 303(d) list for Lead and Toxicity. The Fletcher Mine is considered the sole source of this impairment. Because no TMDL has been approved by the U.S. EPA, the permit must be renewed with standard water quality based effluent limits. When a TMDL is completed, this permit will be modified to include any new wasteload allocations.

Not Applicable ;

This facility does not discharge to a 303(d) listed stream.

Part V – Effluent Limits Determination

Outfalls #001, 002 & 003

Only effluent limits for Cadmium, Copper, Lead and Zinc are proposed for revision in this modification.

EFFLUENT LIMITATIONS TABLE:

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
CADMIUM, TOTAL RECOVERABLE	µg/L	2,3	1.0		0.5	NO	49/24
COPPER, TOTAL RECOVERABLE,	µg/L	2,3	82.1		40.9	YES	29.0/14.5
LEAD, TOTAL RECOVERABLE	µg/L	2,3	23.0		11.5	YES	14.0/7.0
ZINC, TOTAL RECOVERABLE	µg/L	2,3	275.5		137.3	YES	231.0/115.0

Basis for Limitations Codes:

- | | |
|--|------------------------------------|
| 1. State or Federal Regulation/Law | 7. Antidegradation Policy |
| 2. Water Quality Standard (includes RPA) | 8. Water Quality Model |
| 3. Water Quality Based Effluent Limits | 9. Best Professional Judgment |
| 4. Lagoon Policy | 10. TMDL or Permit in lieu of TMDL |
| 5. Ammonia Policy | 11. WET Test Policy |
| 6. Dissolved Oxygen Policy | 12. Antidegradation Review |

DERIVATION AND DISCUSSION OF LIMITS:

Metals

Effluent limitations for total recoverable metals were developed using methods and procedures outlined in the “Technical Support Document For Water Quality-based Toxic Controls” (EPA/505/2-90-001) and “The Metals Translator: Guidance For Calculating A Total Recoverable Permit Limit From A Dissolved Criterion” (EPA 823-B-96-007). General warm-water fishery criteria apply and a water hardness of 217 mg/L, the instream hardness for the West Fork of the Black River, is used in to calculate applicable water quality criteria.

METAL	CONVERSION FACTORS	
	ACUTE	CHRONIC
Cadmium	0.730	0.730
Copper	0.340	0.340
Lead	0.410	0.410
Zinc	0.820	0.820

Conversion factor values supplied by the permittee via a dissolved metals translator study. This study provides the site specific conditions for determining partitioning between dissolved and total recoverable metals. The plan for this study was approved by the Department.

- Cadmium, Total Recoverable** Protection of Aquatic Life Chronic Criteria = 0.42 µg/L, Acute Criteria = 10.10 µg/L
 Chronic = $0.42 / 0.730 = 0.58 \text{ µg/L}$
 Acute = $10.10 / 0.730 = 13.84 \text{ µg/L}$
 $WLA_C = 0.58 \text{ µg/L}$
 $WLA_A = 13.84 \text{ µg/L}$
 $LTA_C = 0.58 (0.527) = 0.31 \text{ µg/L}$ [CV = 0.6, 99th Percentile]
 $LTA_A = 13.84 (0.321) = 4.44 \text{ µg/L}$ [CV = 0.6, 99th Percentile]
 Use most protective number of LTA_C or LTA_A .
 $MDL = 0.31 (3.11) = 1.0 \text{ µg/L}$ [CV = 0.6, 99th Percentile]
 $AML = 0.31 (1.55) = 0.5 \text{ µg/L}$ [CV = 0.6, 95th Percentile, n = 4]

- **Copper, Total Recoverable** Protection of Aquatic Life Chronic Criteria = 17.4 µg/L, Acute Criteria = 27.9 µg/L
Chronic = 17.4 / 0.340 = 51.2 µg/L
Acute = 27.9 / 0.340 = 82.1 µg/L
WLA_C = 51.2 µg/L
WLA_A = 82.1 µg/L
LTA_C = 51.2 (0.527) = 27.0 µg/L [CV = 0.6, 99th Percentile]
LTA_A = 82.1 (0.321) = 26.4 µg/L [CV = 0.6, 99th Percentile]
Use most protective number of LTA_C or LTA_A.
MDL = 26.4 (3.11) = 82.1 µg/L [CV = 0.6, 99th Percentile]
AML = 26.4 (1.55) = 40.9 µg/L [CV = 0.6, 95th Percentile, n = 4]
- **Lead, Total Recoverable** Protection of Aquatic Life Chronic Criteria = 5.8 µg/L, Acute Criteria = 148 µg/L
Chronic = 5.8 / 0.410 = 14.1 µg/L
Acute = 148 / 0.410 = 361 µg/L
WLA_C = 14.1 µg/L
WLA_A = 361 µg/L
LTA_C = 14.1 (0.527) = 7.4 µg/L [CV = 0.6, 99th Percentile]
LTA_A = 361 (0.321) = 115.9 µg/L [CV = 0.6, 99th Percentile]
Use most protective number of LTA_C or LTA_A.
MDL = 7.4 (3.11) = 23.0 µg/L [CV = 0.6, 99th Percentile]
AML = 7.4 (1.55) = 11.5 µg/L [CV = 0.6, 95th Percentile, n = 4]
- **Zinc, Total Recoverable** Protection of Aquatic Life Chronic Criteria = 226 µg/L, Acute Criteria = 226 µg/L
Chronic = 226 / 0.820 = 276 µg/L
Acute = 226 / 0.820 = 276 µg/L
WLA_C = 276 µg/L
WLA_A = 276 µg/L
LTA_C = 276 (0.527) = 145.5 µg/L [CV = 0.6, 99th Percentile]
LTA_A = 276 (0.321) = 88.6 µg/L [CV = 0.6, 99th Percentile]
Use most protective number of LTA_C or LTA_A.
MDL = 88.6 (3.11) = 276 µg/L [CV = 0.6, 99th Percentile]
AML = 88.6 (1.55) = 137.3 µg/L [CV = 0.6, 95th Percentile, n = 4]

Outfall 001 Categorical Effluent Limits, Best Conventional Pollutant Control Technology (BCT)

Categorical effluent limits represent minimum technology based standards.

Part 440 - Ore Mining and Dressing Point Source Category
Subpart J - Copper, Lead, Zinc, Gold, Silver, and Molybdenum Ores Subcategory
40 CFR 440.102(a)

Effluent Characteristic	Maximum for any 1 day	Average of daily values for 30 consecutive days
TSS.....	30.0	20.0
Cu.....	0.30	0.15
Zn.....	1.5	0.75
Pb.....	0.6	0.3
Hg.....	0.002	0.001
pH.....	(\1)	(\1)

\1\ Within the range 6.0 to 9.0

Comparison of Water Quality Based Effluent Limits and Categorical Limits

A comparison has been made of all calculated water quality based effluent limits and the categorical effluent limits. The most protective limit below has been incorporated into this permit.

Effluent Parameter	Water Quality Based Effluent Limit	Categorical Limit
Total Suspended Solids (mg/L)	100/50	30/20
Copper, Total Recoverable (µg/L)	82.1 / 40.9	300/150
Zinc, Total Recoverable (µg/L)	275.5 / 137.5	1,500/750
Lead, Total Recoverable (µg/L)	23.0 / 11.5	600/300
Mercury, Total Recoverable (µg/L)	N/A	2/1
Cadmium, Total Recoverable (µg/L)	1.0 / 0.5	N/A
pH (SU)	6.5 - 9.0	6.0-9.0

Outfall 002 & 003 Categorical Effluent Limits, Best Conventional Pollutant Control Technology (BCT)

Categorical effluent limits represent minimum technology based standards.

Part 440 - Ore Mining and Dressing Point Source Category
Subpart J - Copper, Lead, Zinc, Gold, Silver, and Molybdenum Ores Subcategory
40 CFR 440.102(b)

Effluent Characteristic	Maximum for any 1 day	Average of daily values for 30 consecutive days
TSS.....	30.0	20.0
Cu.....	0.30	0.15
Zn.....	1.0	0.5
Pb.....	0.6	0.3
Hg.....	0.002	0.001
Cd.....	0.10	0.05
pH.....	(\1)	(\1)

\1\ Within the range 6.0 to 9.0

Comparison of Water Quality Based Effluent Limits and Categorical Limits

A comparison has been made of all calculated water quality based effluent limits and the categorical effluent limits. The most protective limit below has been incorporated into this permit.

Effluent Parameter	Water Quality Based Effluent Limit	Categorical Limit
Total Suspended Solids (mg/L)	100/50	30/20
Copper, Total Recoverable (µg/L)	82.1 / 40.9	300/150
Zinc, Total Recoverable (µg/L)	275.5 / 137.5	1,000/500
Lead, Total Recoverable (µg/L)	23.0 / 11.5	600/300
Mercury, Total Recoverable (µg/L)	N/A	2/1
Cadmium, Total Recoverable (µg/L)	1.0 / 0.5	100/50
pH (SU)	6.5 - 9.0	6.0-9.0

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.

PUBLIC NOTICE:

The Department shall give public notice that a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in and water quality concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and permittee must be notified of the denial in writing.

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

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

The Public Notice period for this operating permit modification was from September 8, 2011 to October 14, 2011. During public notice a comment was received from the permittee, which included an amended Facility Description. This is considered an amendment to the application for modification. The changes were made to the permit before issuance.

DATE OF FACT SHEET: 10-17-11

COMPLETED BY:

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