

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-0132195

Owner: David Fischbeck
Owner's Address: 1054 St. Francois Hills, Doe Run, MO, 63637

Continuing Authority: Same as above
Continuing Authority's Address: Same as above

Facility Name: D and S Resources, LLC DBA Sherrys
Facility Address: 3229 Highway W, Doe Run, MO 63637

Legal Description: SW ¼, SW ¼, Sec. 9, T35N, R5E, St. Francois County
UTM Coordinates: X=720962, Y=4180919

Receiving Stream: Unnamed Tributary to Doe Run Creek (U)
First Classified Stream and ID: Doe Run Creek (C)(2885)
USGS Basin & Sub-watershed No.: (08020202-010003)

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

FACILITY DESCRIPTION

Outfall #001 – Convenience Store/Retail Stores - SIC #5411
Septic tank/Recirculating filter/sludge disposal by contract hauler.
Design population equivalent is 15.
Design flow is 1500 gallons per day.
Design sludge production is 0.11 dry tons/year.

Certified Operator Not Required

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.

May 20, 2011
Effective Date

March 29, 2013
Revised Date


Sara Parker Pauley, Director, Department of Natural Resources

May 19, 2016
Expiration Date


John Madras, Director, Water Protection Program

A. INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 2 of 8	
					PERMIT NUMBER MO0132195	
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 and remain in effect for three years. 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
Outfall #001						
Ammonia as N	mg/L	*		*	once/quarter**	Grab
Biochemical Oxygen Demand ₅	mg/L		45	30	once/quarter**	Grab
Flow	MGD	*		*	once/quarter**	24 hr. estimate
pH – Units	SU	***		***	once/quarter**	Grab
Solids, Total Suspended	mg/L		45	30	once/quarter**	Grab
Temperature	°C	*		*	once/quarter**	Grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>October 28, 2011</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS						
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective three years from issuance 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
Outfall #001						
Ammonia as N (Apr 1 – Sep 30) (Oct 1 – Mar 31)	mg/L	6.3 11.9		2.4 4.5	once/quarter**	Grab
Biochemical Oxygen Demand ₅	mg/L		45	30	once/quarter**	Grab
Flow	MGD	*		*	once/quarter**	24 hr. estimate
pH – Units	SU	***		***	once/quarter**	Grab
Solids, Total Suspended	mg/L		45	30	once/quarter**	Grab
Temperature	°C	*		*	once/quarter**	Grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>October 28, 2014</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
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.

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Sample discharge at least once for the months of:	Report is due:
January, February, March (1 st Quarter)	April 28
April, May, June (2 nd Quarter)	July 28
July, August, September (3 rd Quarter)	October 28
October, November, December (4 th Quarter)	January 28

*** 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. Permittee will cease discharge by connection to a facility with an area-wide management plan per 10 CSR 20-6.010(3)(B) within 90 days of notice of its availability.
4. 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.

5. Report as no-discharge when a discharge does not occur during the report period.
6. 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;

C. SPECIAL CONDITIONS (continued)

- (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.
7. The permittee shall comply with any applicable requirements listed in 10 CSR 20-8 and 10 CSR 20-9, unless the facility has received written notification that the Department has approved a modification to the requirements. The monitoring frequencies contained in this permit shall not be construed by the permittee as a modification of the monitoring frequencies listed in 10 CSR 20-9. If a modification of the monitoring frequencies listed in 10 CSR 20-9 is needed, the permittee shall submit a written request to the department for review and, if deemed necessary, approval.

D. SCHEDULE OF COMPLIANCE

1. Within one year of the issuance of the permit, the permittee shall retain the services of a professional engineer registered in the State of Missouri to prepare a preliminary engineering report.
2. Within 18 months of the issuance of the permit, the permittee shall submit a preliminary engineering report prepared by a Professional Engineer registered in the State of Missouri. The engineering report shall address the ability of the wastewater treatment facility to meet the effluent limitations for ammonia. The report shall recommend the actions necessary to ensure compliance.

Missouri Department of Natural Resources
Statement of Basis
#MO-0132195

D and S Resources, LLC DBA Sherrys Wastewater Treatment System

This Statement of Basis (Statement) gives pertinent information regarding minor/simple modification(s) to the above listed operating permit without the need for a public comment process.

A Statement is not an enforceable part of a Missouri State Operating Permit.

Part I – Facility Information

Outfall #001 – Convenience Store/Retail Stores - SIC #5411

Certified Operator Not Required

Septic tank/Recirculating filter/sludge disposal by contract hauler.

Design population equivalent is 15.

Design flow is 1500 gallons per day.

Design sludge production is 0.11 dry tons/year.

Part II – Modification Rationale

This operating permit is hereby modified to reflect a change in ownership and change of the name of the facility.

No other changes were made at this time.

Part III – Administrative Requirements

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

Date of Statement of Basis: March 19, 2013

Submitted by

Lacey Hirschvogel, Environmental Specialist

Domestic Wastewater Unit

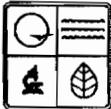
Operating Permits Section

Water Protection Program

(573)751-9391

lacey.hirschvogel@dnr.mo.gov

C 11041
AP 14718



MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH
(SEE MAP FOR APPROPRIATE REGIONAL OFFICE)
APPLICATION FOR TRANSFER OF OPERATING PERMIT

FOR AGENCY USE ONLY	
CHECK NO.	8231
DATE RECEIVED	3/4/13
FEE SUBMITTED	\$25.00 88

NOTE PLEASE READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.

1.00 - 4.00 TO BE COMPLETED BY CURRENT PERMITTEE (PRESENT OWNER/SELLER). THE FOLLOWING ITEMS PRESENTLY APPLY TO THIS FACILITY: (SEE INSTRUCTIONS FOR APPROPRIATE FEE TO BE SUBMITTED WITH APPLICATION.)

1.00 FACILITY

NAME		TELEPHONE NUMBER	
D&S RESOURCES, LLC DBA SHERRY'S		(573) 756-3539	
ADDRESS	CITY	STATE	ZIP
3229 HWY 221 PO BOX 280	DOE RUN	MO	63637

2.00 CURRENT OWNER

NAME		PHONE 573-286-3499	
Duncan Resources		E-MAIL	
ADDRESS	CITY	STATE	ZIP
3235 Hwy 221	Doe Run	MO	63637

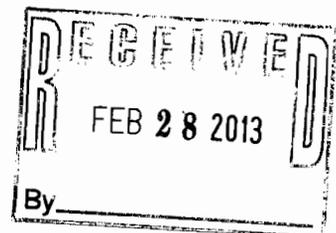
3.00 CONTINUING AUTHORITY: (If same as owner, write same.)

NAME		TELEPHONE NUMBER	
Duncans Resources		573-756-3499	
ADDRESS	CITY	STATE	ZIP
3235 Hwy 221	Doe Run	MO	63637

4.00 SIGNATURE

I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION GIVEN ABOVE, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE AND ACCURATE, AND UNTIL TRANSFER APPROVAL, I AGREE TO CONTINUE TO ABIDE BY THE MISSOURI CLEAN WATER LAW AND ALL RULES, REGULATIONS, ORDERS AND DECISIONS, SUBJECT TO ANY LEGITIMATE APPEAL AVAILABLE UNDER THE MISSOURI CLEAN WATER LAW, OF THE MISSOURI CLEAN WATER COMMISSION.

NAME AND OFFICIAL TITLE (TYPE OR PRINT)		PHONE NO. (AREA CODE & NO.)	
Robert D Duncan		573-756-3499	
SIGNATURE		DATE SIGNED	
<i>Robert D Duncan</i>		12-12-11	



THE FOLLOWING ITEMS (5.00-10-00) WILL APPLY AFTER COMPLETION OF TRANSFER (SALE) AND ARE TO BE COMPLETED BY THE APPLICANT FOR TRANSFER OF OPERATING PERMIT (BUYER) OR AUTHORIZED AGENT.

5.00 FACILITY

NAME DHS RESOURCES, LLC DBA SHERRIS		NPDES NUMBER MO-0132195	TELEPHONE NUMBER 573 756-3539	
ADDRESS 3229 HWY 221 - PO BOX 280	CITY DOE RUN	STATE MO	ZIP 63637	

6.00 FUTURE OWNER

NAME DAVID L. FISCHBECK		TELEPHONE NUMBER 573-631-8348		
ADDRESS 1054 ST FRANCIS HILLS	CITY DOE RUN	STATE MO	ZIP 63637	

7.00 CONTINUING AUTHORITY: (if same as owner, write same)

NAME SAME		TELEPHONE NUMBER		
ADDRESS	CITY	STATE	ZIP	

8.00 FACILITY CONTACT

NAME KATHY KAISER		TELEPHONE NUMBER 573-756-3539		
TITLE STORE MANAGER				

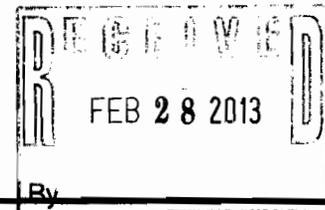
9.00 ADDITIONAL INFORMATION

ANTICIPATED EFFECTIVE DATE OF TRANSFER IN OWNERSHIP

2/13/13

ARE ANY CHANGES IN PRODUCTION, RAW MATERIALS OR IN THE QUANTITY OR QUALITY OF THE DISCHARGES FROM THIS FACILITY PLANNED OR ANTICIPATED?

YES NO IF YES EXPLAIN (IF ADDITIONAL SPACE IS REQUIRED, ATTACH SHEET)



10.00 SIGNATURE

I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION GIVEN ABOVE, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE AND ACCURATE, AND UPON TRANSFER APPROVAL, I AGREE TO ABIDE BY THE MISSOURI CLEAN WATER LAW AND ALL RULES, REGULATIONS, ORDERS AND DECISIONS, SUBJECT TO ANY LEGITIMATE APPEAL AVAILABLE UNDER THE MISSOURI CLEAN WATER LAW, OF THE MISSOURI CLEAN WATER COMMISSION.

NAME AND OFFICIAL TITLE (TYPE OR PRINT) David Fischbeck		PHONE NO. (AREA CODE & NO.) 573-756-3539
SIGNATURE David Fischbeck		DATE SIGNED 2/8/13