

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, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-0136646

Owner: David Cannon and Troy Jennings  
Address: P.O. Box 122, Gallatin, MO 64640

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Daviess County Livestock Market  
Address: 912 West Grand, Gallatin, MO 64640

Legal Description: SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, Sec 19, T59N, R27W, Daviess County  
UTM Coordinate: X=416859, Y=4418652

Receiving Stream: Tributary to Grand River  
First Classified Stream and ID: 8-20-13 MUDD V1.0 (C) (3960)  
USGS Basin & Sub-watershed No: 10280101-1205

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

Operation of this facility shall not cause a violation of water quality standards.

### FACILITY DESCRIPTION

Outfall #001 – Animal Waste/Livestock Auction, SIC #5154  
One earthen water control basin/dry manure storage/storm water runoff/dead animal disposal.  
Design flow is 2,597,356 gallons per year. (0.01 mgd).

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.

January 1, 2017  
Effective Date

  
Harry D. Bozbian, Director, Department of Natural Resources

December 31, 2021  
Expiration Date

  
John Madras, Director, Water Protection Program

**FACILITY DESCRIPTION (continued)**

Gallatin Livestock Auction is a beef livestock auction located in Gallatin, MO that consists of approximately 10 acres. The outdoor holding pens, which consist of fenced open dirt lots, are located to the west and south of the sale barn structure. The waste management system for this facility allows for collection of stormwater runoff from areas where cattle are confined. The system use diversions and a holding basin to divert and collect storm water from the cattle holding areas. The storm water collected in the basin is pumped through a 2" forcemain which connects with a 4" city gravity sewer line to the city sewer system. To the extent practicable, no offsite stormwater flows across or into the manure containment area and clean water is diverted from the holding basin. Solid manure is removed as needed from the roofed area and scraped from outside lots and stored within the containment area. Solid manure is sold or given away and periodically shipped to off-site locations for land application by others. Domestic wastewater from sale barn facility is discharged into the city sewer system.

**Feature #001:**

Feature Description: Earthen holding basin

Legal Description: SW ¼ NE ¼ Sec 19, T59N, R27W; Daviess County

UTM Coordinate: X = 416859 Y = 4418652

Receiving Water: Tributary to 8-20-13 MUDD V. 1.0

USGS Basin & Sub-Watershed No: 10280101-1205

Storage Structure Type: Storage Lagoon

Storage structure size (at overflow level) -

Surface Area (sq. ft.): 22,615                      Total Depth (ft.): 13.0                      Total Storage Capacity (gal.): 1,213,189

Storage structure operating levels -

Upper pumpdown level: 5.6 (feet below emergency spillway)

Lower pumpdown level: 12.6(feet below emergency spillway)

Area draining into storage basin (acres): 3.5

Design Storage (days) - 1 in 10 Year: 120

Design Storm Volume (cu. ft.)

1 in 25 yr 24 hr storm: 69,685

Wastewater Volume (gal/yr.) – Avg. year: 1,591,858                      1 in 10 Year: 2,597,356

Biosolids Volume (ton/yr.): 2282

## **B. STANDARD CONDITIONS**

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

## **C. GENERAL CONDITIONS**

1. Emergency or Unauthorized Discharge. Wastewater shall be stored, discharged to the city of Gallatin WWTP (MO0027812) and/ or land applied during suitable conditions so that there is no discharge from the storage structures or land application sites to waters of the state. An emergency discharge from wastewater storage structures may only occur in accordance with Special Condition #2 of this permit. **Discharges for any other reason from production or land application areas shall constitute a permit violation and shall be reported in accordance with Standard Conditions, Part 1, Section B.2.b.** Monitoring shall take place once per day while discharging. Test results are due on the 28<sup>th</sup> day of the following month after the cessation of the discharge. Permittee shall monitor for the following constituents:

<b>Constituent</b>	<b>Units</b>
Flow	MGD
Biochemical Oxygen Demand <sub>5</sub>	mg/L
Total Suspended Solids	mg/L
Ammonia as N	mg/L
pH – Units	SU
Dissolved Oxygen	mg/L
E. coli	#/100mL
Duration	Hours

2. Reporting of Non-Detects:
  - a. An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way that the precision and accuracy of the analyzed result can be enumerated.
  - b. The permittee shall not report a sample result as “Non-Detect” without also reporting the detection limit of the test. Reporting as “Non Detect” without also including the detection limit will be considered failure to report, which is a violation of this permit.
  - c. The permittee shall provide the “Non-Detect” sample result using the less than sign and the minimum detection limit (e.g. <10).
  - d. Where the permit contains a Minimum Level (ML) and the permittee is granted authority in the permit to report zero in lieu of the < ML for a specified parameter (conventional, priority pollutants, metals, etc.), then zero (0) is to be reported for that parameter.
  - e. See Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.
  - f. When calculating monthly averages, one-half of the minimum detection limit (MDL) should be used instead of a zero. Where all data are below the MDL, the “<MDL” shall be reported as indicated in item (C).
3. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).
4. Definitions

Definitions are as listed in the “Missouri Concentrated Animal Feeding Operation Nutrient Management Technical Standard” and in State Regulations in 10 CSR 20 Chapter 2, Chapter 6.300, and Chapter 8.300.
5. Construction Permit Requirements
  - a. A construction permit is required for the construction of an earthen storage structure to hold, convey, contain, store or treat domestic, agricultural, or industrial process wastewater.
  - b. Any point source system designed to hold, convey, contain, store or treat domestic, agricultural or industrial process waste shall be designed by a professional engineer registered in Missouri in accordance with 10 CSR 20-8.300 and constructed according to the design plans.

## 6. Water Quality Standards

- a. To the extent required by law, 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.

## 7. Reopener Clause

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 State of Missouri Statutes or Regulations.
- c. 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.
- d. 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.

## **D. SPECIAL CONDITIONS**

### 1. Effluent Limitations

The permittee is authorized to discharge process wastewater and storm water in accordance with the effluent limitations in this permit. The effluent limitations shall become effective upon issuance and remain in effect until such time this permit is no longer effective. Such discharges shall be managed, controlled, limited and monitored by the permittee as specified below.

### 2. Facility Production Area Requirements

Requirements applicable to all facility production area(s) as defined in 10 CSR 20-6.300:

- a. There shall be no discharge of manure, litter, or process wastewater into waters of the state from production area point sources except as provided in subsection c. below.
- b. A chronic weather event is a series of wet weather events and conditions that can delay planting, harvesting, and prevent land application and dewatering practices at wastewater storage structures. When wastewater storage structures are in danger of an overflow due to a chronic weather event, CAFO owners shall take reasonable steps to lower the liquid level in the structure through land application, or other suitable means, to prevent overflow from the storage structure. Reasonable steps may include, but are not limited to; following the Department's current guidance (PUB2422) entitled "Wet Weather Management Practices for CAFOs." The chronic weather determination will be based upon an evaluation of the 1 in 10 year return rainfall frequency over a 10-day, 90-day, 180-day, and 365-day operating period.

- c. Manure, litter or wastewater management activities occurring outside the production area but upon land controlled by the permittee shall be addressed in the permittee's Nutrient Management Plan (NMP). Activities that should be addressed include, but are not limited to, stockpiling of raw materials, manure, or litter or other animal feeding related items that have the potential to contribute pollutants to waters of the state. As necessary, the NMP shall identify controls, measures or BMPs to manage stormwater runoff and meet applicable water quality standards. This paragraph applies only to activities on land that is under the control of the CAFO owner or operator, whether it is owned, rented, or leased.
- d. Stockpiling of uncovered dry process waste within the production area without runoff collection is not allowed.
- e. Additional Requirements for Uncovered Liquid Storage Structures:

Whenever a precipitation related event causes an overflow of manure, litter, or process wastewater; pollutants may be discharged through the emergency spillway of the lagoon or uncovered storage structure provided:

  - (1) The storage structure is properly designed, constructed, operated and maintained to contain all manure, litter, process wastewater plus the runoff and direct precipitation from the 25-year, 24-hour design storm event for the location of the facility.
  - (2) The design storage volume is adequate to contain all manure, litter, and process wastewater accumulated during the storage period including the following:
    - (a) The volume of manure, litter, process wastewater, and other wastes accumulated during the storage period;
    - (b) 1 in 10 year 365 day annual rainfall minus evaporation during the storage period;
    - (c) 1 in 10 year 365 day normal runoff during the storage period;
    - (d) The direct precipitation from the 25-year, 24-hour storm;
    - (e) The runoff from the 25-year, 24-hour storm event;
    - (f) A minimum treatment volume for treatment lagoons.
  - (3) Discharge is allowed via overflow through the emergency spillway of the lagoon or uncovered storage structure when caused by a storm event that exceeds the design storm event(s). Only that portion of storm water flow, which exceeds the design storm event(s) may be discharged. Process wastewater discharge is not allowed by pumping, siphoning, cutting of berms, or by any other method, except as authorized herein, unless prior approval is obtained from the department.
  - (4) If a discharge occurs monitor the discharge at the point immediately prior to entering the receiving stream or at the property boundary, whichever occurs first.
  - (5) All open storage impoundments shall maintain a visual reference gauge showing the depth of liquids in the structure, the lower operating level, and the upper operating level.
  - (6) Upper and Lower Storage Operating Levels:
    - (a) During normal weather conditions, the liquid level in the storage structure shall be maintained below the upper operating level, as identified in the FACILITY DESCRIPTION, so that adequate storage capacity is available for use during adverse weather periods when conditions are not suitable for proper land application. The lower operating level shall be used as an operational guideline; however, under normal operating conditions the level should not be lower than two feet above the lagoon floor.
    - (b) The liquid level in the storage structure should be lowered on a routine schedule based on the design storage period and Nutrient Management Plan. Typically this should be accomplished prior to expected seasonal wet and winter climate periods.
    - (c) The upper operating level for uncovered storage structures is one foot below the emergency overflow level unless specified otherwise in the FACILITY DESCRIPTION.
    - (d) The operation shall be managed so that the level of liquids in the storage structure does not exceed the upper operating level except when a 25-year, 24-hour storm or a 1 in 10-year chronic storm occurs.
  - (7) Storage Safety Volume:
    - (a) When a chronic or catastrophic design storm event occurs, the "safety volume" may be used to contain the stormwater until conditions are suitable for land application.
    - (b) The required safety volume shall be maintained between the overflow level and the upper operating level.

### 3. Nutrient Management Technical Standard

The permittee shall follow Attachment B - *Missouri Concentrated Animal Feeding Operation Nutrient Management Technical Standard* (NMTS), except where otherwise stipulated in this permit. The NMTS, dated March 4, 2009, is hereby incorporated as though fully set forth herein.

#### 4. Nutrient Management Plan

- a. In accordance with 10 CSR 20-6.300(3)(G), the permittee shall implement a Nutrient Management Plan (NMP) that at a minimum addresses the following.
  - (1) Ensures adequate storage of manure, litter and process wastewater, including procedures to ensure proper operation and maintenance of the storage facilities.
  - (2) Ensures proper management of mortalities.
  - (3) Ensures that clean water is diverted from the production area.
  - (4) Prevents direct contact of confined animals with waters of the state.
  - (5) Ensures that chemicals and other contaminants handled on site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants.
  - (6) Identifies appropriate site specific conservation practices to be implemented, including as appropriate buffers or equivalent practices, to control runoff of pollutants to waters of the state.
  - (7) Identifies protocols for appropriate testing of manure, litter, process wastewater, and soil.
  - (8) Establishes protocols to land apply manure, litter, or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater.
  - (9) Identifies specific records that will be maintained.
- b. The permittee shall maintain the NMP in accordance with 10 CSR 20-6.300(3)(G)2. Revisions to the NMP must be submitted to the department for review and approval prior to implementing the revisions. NMP revisions that result in substantial changes to the terms of the NMP in Attachment A - Land Application Information of this permit will require a permit modification prior to implementing the revisions. Substantial changes include, but are not limited to, addition of new land application area(s), changes to field specific annual rate of land application, addition of any crop or other use not included in the NMP, changes to site specific component of the NMP that are likely to increase the risk of nitrogen and phosphorus loss from land application areas.

#### 5. Transfer of Manure, Litter, and Process Wastewater to Other Persons

In cases where facility-generated manure, litter, or process wastewater is sold, given away, or applied on land not under the direct control of the facility, the permittee must comply with the following conditions:

- a. Maintain records showing the date and amount of manure, litter, and/or process wastewater that leaves the permitted operation.
- b. Record the name and address of the recipient. (The recipient is the broker or end user, not merely the truck driver.)
- c. Provide the recipient(s) with representative information on the nutrient content of the manure, litter, and/or process wastewater.
- d. Provide the recipient(s) with a copy of the NMTS.
- e. These records must be retained on-site, for a period of five (5) years.

#### 6. Mortality Management

- a. Mortalities must not be disposed of in any liquid manure or process wastewater system that is not specifically designed to treat animal mortalities. Animals shall be disposed of in a manner to prevent contamination of waters of the state or creation of a public health hazard.
- b. There shall be no-discharge from dead animal collection areas or holding areas (dumpsters, holding tanks, stockpiles within livestock production buildings, refrigeration units, etc.).
- c. Operations shall first receive approval from the Department before burying significant numbers of unexpected mortalities and shall conduct the burial in accordance with the Missouri Department of Agriculture requirements. Rendering, composting, incineration, or landfilling, in accordance with Chapter 269.020 RSMo., shall be considered acceptable options and do not require prior approval.

#### 7. Inspections

The following minimum visual inspections shall be conducted by the facility operator.

- a. Daily inspections of the collection or holding areas for dead animals.
- b. Weekly inspections of all storm water diversion devices, runoff diversion structures, and devices channeling contaminated storm water to the process wastewater storage.
- c. Weekly inspections of the manure, litter, and process wastewater impoundments. The inspection will note the level in liquid impoundments as indicated by the depth marker. Inspections shall be conducted daily when the liquid level in a process wastewater impoundment is within one (1) foot of the emergency spillway.

- d. Quarterly inspections, prior to use, of equipment used for land application of manure or process wastewater.
- e. Inspections during land application as follows:
  - (1) Monitor the perimeter of the application fields to insure that applied wastewater does not run off the fields where applied.
  - (2) Monitor for drifting of spray during spray irrigation. If wind-blown spray is observed within the setback distances for features identified in the NMTS, the application equipment shall be either moved farther away or shut down.
  - (3) Hourly inspections of aboveground irrigation pipelines when in use.
  - (4) Twice daily inspections of pressurized underground lines including one inspection that should be completed immediately following startup.

Any deficiencies found as a result of inspections shall be documented and corrected as soon as practicable.

## 8. Record Keeping

The following records shall be maintained on-site by the facility operator for a period of five (5) years from the date they are created and be made available to the department upon request:

- a. A copy of this permit including a current copy of the facility's Nutrient Management Plan and documentation of changes/modifications made to the Nutrient Management Plan.
- b. The daily and weekly visual inspections required in Special Condition #7, shall be recorded once per week. This includes a once per week record of the depth of the process wastewater in the liquid impoundments as indicated by the depth marker. Report the liquid level as feet below the emergency overflow level.
- c. Records documenting any actions taken to correct deficiencies. Deficiencies not corrected within thirty (30) days shall be accompanied by an explanation of the factors preventing immediate correction.
- d. Records of the date, time, location, duration and estimated volume of any emergency or unauthorized process waste overflow from a lagoon or any spill exceeding 1000 gallons. Report flow as cubic feet per second (CFS) based on an instantaneous estimate of the flow at the time of sampling.  $CFS = \text{flow width in feet} \times \text{flow depth in feet} \times \text{flow velocity in feet per second}$ . Estimates of stream channel width and depth may be used and flow velocity can be measured by timing how many feet a floating object moves within a one-second interval. Small flows may also be estimated based on gallons per minute (GPM) measurement using a container and stop watch; 450 gpm = 1.0 CFS. Other similar means of estimating may also be used.
- e. Additional record keeping requirements are found in Attachment B, NMTS that document implementation of appropriate Nutrient Management Plan protocols. In addition to the requirements found in the Nutrient Management Technical Standard, the CAFO shall also test and record the potassium levels in the soils while testing nitrogen and phosphorus.
- f. The inches of precipitation received at the production site, recorded daily and reported for daily amounts, monthly totals, and cumulative total.

## 9. Reporting Requirements

- a. Any wastewater discharge into waters of the state or a release that crosses property boundaries shall be reported to the Department as soon as practicable but no later than 24 hours after the start of the discharge.
- b. An Annual Report shall be submitted by February 15th of each year for the previous calendar year. The report shall include:
  - (1) The average weekly cattle sale volume for the year.
  - (2) The estimated amount of manure, litter, and process wastewater generated in the previous twelve months.
  - (3) The estimated amount of manure, litter, and process wastewater transferred to other persons in the previous twelve months.
  - (4) The total number of acres under control of the operation that were used for land application of manure, litter and process wastewater in the previous twelve months.
  - (5) A summary of all manure, litter, and process wastewater discharges from the production area that have occurred in the previous twelve months, including date, time, and approximate volume. Report as no-discharge, if a discharge did not occur during the monitoring period.
  - (6) A statement indicating whether the current Nutrient Management Plan was developed or approved by a certified nutrient management planner.
  - (7) All monitoring results from an emergency or unauthorized discharge as required in General Condition #1.
- h. The reports shall include a cover sheet with an original signature of a company representative. The reports may be printed or alternatively, may be saved as pdf files or locked spreadsheets and burned onto two compact discs (CDs). The CDs may be sent via mail with the coversheet to the Northeast Regional and the Jefferson City offices.

10. Design Parameters

The facility's design flow in the Facility Description is an estimated parameter that is used to help predict nutrient generation and storage periods. The design flow is based on the maximum annual flows including storm water flows during the one-in-ten year return frequency for annual or 365 day rainfall minus evaporation. The design flow is based on the time period when the flows are generated at the production site and not when flows are land applied. Permittee may exceed the design flow when precipitation in any 365 day period exceeds the one-in-ten year annual precipitation amount. Any proposed increases may require a permit modification prior to the proposed change. Portions of the design flow may be stored and carried over into the following year for land application, as necessary.

11. Sample Collection, Preservation and Testing Methods

In field testing methods or other approved methods may be used for secondary containment monitoring. Other testing shall be in accordance with the most current version of *Standard Methods for the Examination of Waters and Wastewaters* or other approved methods listed in 10 CSR 20-7.015(9)(A).

12. Closure of Waste Storage Structures

Facilities which cease operation shall continue to maintain a valid operating permit until all lagoons and waste storage structures are properly closed according to a closure plan approved by the Department. Facilities that plan to close a lagoon or other liquid waste storage structure shall submit for Department review and approval a closure plan that complies with the following minimum closure requirements:

- a. Lagoons and waste storage structures shall be closed by removal and land application of wastewater and sludge.
- b. The removed wastewater and sludge shall be land applied at agricultural rates for fertilizer not to exceed the maximum nutrient utilization of the land application site and vegetation grown and shall be applied at controlled rates so that there will be no discharge to waters of the state; and
- c. After removal and proper land application of wastewater and sludge, the earthen basins may be demolished by removing the berms, grading, and revegetation of the site so as to provide erosion control, or the basin may be left in place for future use as a farm pond or similar uses when water quality monitoring shows such uses are attainable.

**MISSOURI DEPARTMENT OF NATURAL RESOURCES  
FACT SHEET  
FOR THE PURPOSE OF RENEWAL  
OF  
MO-0136646  
DAVISS COUNTY LIVESTOCK MARKET**

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.

**Part I – Facility Information**

Facility Type: No-discharge Concentrated Animal Feeding Operation/land application– SIC #5154

**Facility Description:**

Daviess County Livestock Market is a beef livestock auction located in Gallatin, MO that consists of approximately 10 acres. The outdoor holding pens, which consist of fenced open dirt lots, are located to the west and south of the sale barn structure. The waste management system for this facility allows for collection of stormwater runoff from areas impacted by cattle with discharge to the city sewer collection system. The system use diversions and a holding basin to divert and collect storm water from the cattle holding areas. The storm water collected in the basin is pumped through a 2” forcemain which connects with a 4” gravity sewer to the city sewer system. No offsite stormwater flows across the livestock auction property and clean water is diverted from the holding basin. Storm water runoff from the sale barn roof and parking lot is diverted away from containment area. Solid manure is removed as needed from the roofed area and scraped from outside lots and stored within in the containment area until shipped off-site for land application. Solid manure is to be hauled off-site locations for land application by others. Domestic wastewater from sale barn facility is discharged into the city sewer system.

Have any changes occurred at this facility or in the receiving water body that effects effluent limit derivation?

- No.

Application Date: 02/23/2016

Expiration Date: 07/28/2016

**PERMITTED FEATURE(S) TABLE:**

PERMITTED FEATURE	TREATMENT LEVEL	EFFLUENT TYPE
#001	Lagoon with discharge to Gallatin WWTF	Animal wastewater

**Facility Performance History:**

This facility was last inspected on 08/31/2011 and was found to be in compliance.

**Nutrient Management:**

The 2008 EPA CAFO regulation requires portions of the operations NMP be incorporated into the permit as terms of the NMP. These terms of the NMP are shown in Attachment A – Land Application Information. In addition, any revisions to the operation NMP must be submitted to the department for review. If any of the proposed revisions result in significant changes to the terms of the NMP the permit must be modified prior to implementing the revisions.

**Part II – Operator Certification Requirements**

- This facility is not required to have a certified operator.

**Part III – Receiving Stream Information**

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 1<sup>st</sup> 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(4)].

**RECEIVING STREAM(S) TABLE:**

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	DISTANCE TO CLASSIFIED SEGMENT	12-DIGIT HUC**
Tributary to 8-20-13 MUDD V. 1.0	C	3960	IRR, SCR, LWW, WBCB, AQL		102801011205

\* - 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). \*\* - Hydrologic Unit Code

**Part IV – Rationale and Derivation of Effluent Limitations & Permit Conditions**

**PERMIT COVERAGE**

This site specific permit will cover all production areas, which include the outdoor holding pens, manure storages, and handling areas, as well as the land application activities at sites that are under the ownership or control of the facility owner/operator. This permit applies only to requirements regulations promulgated under the Missouri Clean Water Law and Federal Clean Water Act and does not apply to other environmental laws and regulations. This permit does not recognize, supersede nor remove liability from compliance with county and other local ordinances.

**WHAT CONSTITUTES A DISCHARGE FROM THIS SITE:**

A discharge of process waste is the discharge of pollutants into surface waters of the state from the production area including in some circumstances the land application area(s) under the ownership or control of the facility owner/operator. Discharges prohibited by this permit include, but are not limited to, the following:

- Discharge from manure storage structures (lagoons, basins, pits, etc.), unless discharge was due to storm events exceeding the chronic or catastrophic storm events for the design storage period.\*
- Discharge of contaminated runoff from non-vegetated feedlots, stockpiled manure, and other feedstock storage;
- Discharges associated with improper land application of manure and/or wastewater activities under the control of the facility owner/operator (see Special Conditions C in the permit for more details);
- Discharges of manure and/or wastewater due to pipe breakage or equipment failure.

\*Discharge is allowed due to overflow through the emergency spillway of the lagoon or other uncovered storage structure when the overflow is caused by storm events that exceed the defined design storm event. Only that portion of storm water flow, which exceeds the design storm event, may be discharged.

Stormwater discharges from land application areas that have received manure as fertilizer are authorized under this permit. Storm water that comes from land application sites is exempt from effluent limits. The reason storm water discharges are not subject to discharge limits is because the federal definition of a point source contains a specific exclusion for agricultural storm water. This exclusion was further clarified when the U.S. Environmental Protection Agency (USEPA) promulgated the revised CAFO Regulations on February 12, 2003. The clarification stated that if the process waste is applied at agronomic rates, the storm water runoff from land application sites is not subject to effluent limitations. This determination by the USEPA was later upheld by the Second Circuit Court's ruling in *Waterkeeper Alliance, Inc. et. al. v. U.S. Environmental Protection Agency*, 399 F.3d 486 (2nd Cir. 2005). Since the State of Missouri has not enacted any laws that would differ from the EPA's determination or the subsequent court ruling, the storm water from land application sites is exempt from effluent limitations and is considered a non-point source not subject to permit requirements.

**RATIONALE FOR PROPOSED DISCHARGE LIMITATIONS, MONITORING AND TREATMENT REQUIREMENTS:**

Effluent parameters and limitations contained in this Missouri State Operating Permit are obtained from Technology Based Effluent Limits (TBEL), Missouri's Effluent Regulations [10 CSR 20-7.015], Missouri's Water Quality Standards [10 CSR 20-7.031], previous Missouri State Operating Permits, and from Permit Applications. When facilities actively operate and maintain properly designed manure and wastewater storage structures they will prevent most, if not all overflows and discharges. Because of this, the department has established Best Management Practices (BMPs) to insure proper operation and maintenance of the production area and to prevent unauthorized discharges. Because of the uncertainty that is involved in determining if runoff or overflow of process waste has led to a discharge, as well as the substantial variation of the volume and nature of the pollutants of the discharge, numeric effluent limitation guidelines to control discharges are considered infeasible. Conversely, effluent limitations in the form of BMPs are particularly suited for the regulation of facilities designed and operated as no-discharge. Controlling discharges to surface water is largely associated with controlling runoff and controlling overflows from manure storage structures.

Along with BMPs, proper nutrient management planning and mandated recordkeeping requirements for manure storage structures and land application is required under this permit. These requirements will ensure that facility applies manure, litter, and other process wastewaters at rates, and in a manner consistent with appropriate agricultural utilization of nutrients. Limits on the rate at which manure or litter can be applied and certain other constraints on application practices, such as setbacks, and application methods are widely demonstrated as achievable and are being imposed through this permit.

**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)], 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.

- 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.

- No degradation proposed and no further review necessary. Facility did not apply for authorization to increase pollutant loading or to add additional pollutants to their discharge.

**AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:**

As per [10 CSR 20-6.010(3)(B)], ...An applicant may utilize a lower preference continuing authority by submitting, as part of the application, a statement waiving preferential status from each existing higher preference authority, providing the waiver does not conflict with any area-wide management plan approved under section 208 of the Federal Clean Water Act or any other regional sewage service and treatment plan approved for higher preference authority by the Department.

**BIOSOLIDS & SEWAGE SLUDGE:**

Biosolids are solid materials resulting from domestic wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Additional information regarding biosolids and sludge is located at the following web address: <http://extension.missouri.edu/main/DisplayCategory.aspx?C=74>, items WQ422 through WQ449.

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

**COMPLIANCE AND ENFORCEMENT:**

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

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

**NUTRIENT MANAGEMENT AND LAND APPLICATION**

The agronomic rate is the amount of wastewater applied to a field to supply the amount of nutrients to meet the fertilizer recommendation. For more information on nutrient management, PAN calculations, and land application best management practices, consult the following University of Missouri Extension Guides:

**SCHEDULE OF COMPLIANCE (SOC):**

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

A SOC is not allowed:

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

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

Not Applicable ; This permit does not contain a SOC.

**SPILL REPORTING:**

Per 10 CSR 24-3.010, any emergency involving a hazardous substance must be reported to the department's 24 hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest practicable moment after discovery. The department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the Noncompliance Reporting requirement found in Standard Conditions Part I.

**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.

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

**VARIANCE:**

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

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

**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.

**40 CFR 122.41(M) - BYPASSES:**

The federal Clean Water Act (CWA), Section 402 prohibits wastewater dischargers from "bypassing" untreated or partially treated sewage (wastewater) beyond the headworks. A bypass is defined as an intentional diversion of waste streams from any portion of a treatment facility, [40 CFR 122.41(m)(1)(i)]. Additionally, Missouri regulation 10 CSR 20-2.010(11) defines a bypass as the diversion of wastewater from any portion of wastewater treatment facility or sewer system to waters of the state. Only under exceptional and specified limitations do the federal regulations allow for a facility to bypass some or all of the flow from its treatment process. Bypasses are prohibited by the CWA unless a permittee can meet all of the criteria listed in 40 CFR 122.41(m)(4)(i)(A), (B), & (C). Any bypasses from this facility are subject to the reporting required in 40 CFR 122.41(l)(6) and per Missouri's Standard Conditions I, Section B, part 2.b. Additionally, Anticipated Bypasses include bypasses from peak flow basins or similar devices designed for peak wet weather flows.

Not Applicable ; This facility does not anticipate bypassing.

**Part V – Permit Limits Determination**

**All Features – Unauthorized/Emergency Discharge**

Wastewater shall be stored, discharged to the city of Gallatin WWTP (MO0027812) and/ or land applied during suitable conditions so that there is no discharge from the storage structures or land application sites to waters of the state. An emergency discharge from wastewater storage structures may only occur in accordance with Special Condition #1 of this permit. Monitoring shall take place once per day while discharging. Test results are due on the 28<sup>th</sup> day of the following month after the cessation of the discharge. Permittee shall monitor for the following constituents:

**EMERGENCY DISCHARGE TABLE:**

PARAMETER	UNIT	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
Flow	MGD	*			NO	*
Biochemical Oxygen Demand <sub>5</sub>	mg/L	*			NO	*
Total Suspended Solids	mg/L	*			NO	*
Ammonia as N	mg/L	*			NO	*
pH	SU	*			NO	≥ 6
Dissolved Oxygen	mg/L	*			NO	*
E.coli	**	*			YES	***
Duration	hours	*			YES	

- \* - Monitoring requirement only
- \*\* - # of colonies/100mL; the Monthly Average for E. coli is a geometric mean.
- \*\*\* - Parameter not established in previous state operating permit.

• **Minimum Sampling and Reporting Frequency Requirements.**

PARAMETER	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow	once/day while discharging	Test results are due on the 28 <sup>th</sup> day of the month after the cessation of the discharge
Biochemical Oxygen Demand <sub>5</sub>	once/day while discharging	
Total Suspended Solids	once/day while discharging	
Ammonia as N	once/day while discharging	
pH	once/day while discharging	
Dissolved Oxygen	once/day while discharging	
E.coli	once/day while discharging	
Duration	once/day while discharging	

**Part VI –2013 Water Quality Criteria for Ammonia**

Upcoming changes to the Water Quality Standard for ammonia may require significant upgrades to wastewater treatment facilities.

On August 22, 2013, the U.S. Environmental Protection Agency (EPA) finalized new water quality criteria for ammonia, based on toxicity studies of mussels and gill breathing snails. Missouri’s current ammonia criteria are based on toxicity testing of several species, but did not include data from mussels or gill breathing snails. Missouri is home to 69 of North America’s mussel species, which are spread across the state. According to the Missouri Department of Conservation nearly two-thirds of the mussel species in Missouri are considered to be “of conservation concern”. Nine species are listed as federally endangered, with an additional species currently proposed as endangered and another species proposed as threatened.

The adult forms of mussels that are seen in rivers, lakes, and streams are sensitive to pollutants because they are sedentary filter feeders. They vacuum up many pollutants with the food they bring in and cannot escape to new habitats, so they can accumulate toxins in their bodies and die. But very young mussels, called glochidia, are exceptionally sensitive to ammonia in water. As a result of a citizen suit, the EPA was compelled to conduct toxicity testing and develop ammonia water quality criteria that would be protective if young mussels may be present in a waterbody. These new criteria will apply to any discharge with ammonia levels that may pose a reasonable potential to violate the standards. Nearly all discharging domestic wastewater treatment facilities (cities, subdivisions, mobile home parks, etc.), as well as certain industrial and stormwater dischargers with ammonia in their effluent, will be affected by this change in the regulations.

When new water quality criteria are established by the EPA, states must adopt them into their regulations in order to keep their authorization to issue permits under the National Pollutant Discharge Elimination System (NPDES). States are required to review their water quality standards every three years, and if new criteria have been developed they must be adopted. States may be more protective than the Federal requirements, but not less protective. Missouri does not have the resources to conduct the studies necessary for developing new water quality standards, and therefore our standards mirror those developed by the EPA; however, we will utilize any available flexibility based on actual species of mussels that are native to Missouri and their sensitivity to ammonia.

Many treatment facilities in Missouri are currently scheduled to be upgraded to comply with the current water quality standards. But these new ammonia standards may require a different treatment technology than the one being considered by the permittee. It is important that permittees discuss any new and upcoming requirements with their consulting engineers to ensure that their treatment systems are capable of complying with the new requirements. The Department encourages permittees to construct treatment technologies that can attain effluent quality that supports the EPA ammonia criteria.

Under the new EPA criteria, where mussels of the family Unionidae are present or expected to be present, the acute water quality standard for protection of aquatic life will be 8.1 mg/L. The current ammonia limit of 2.5 mg/L will be protective of this standard.

Operating permits for facilities in Missouri must be written based on current statutes and regulations. Therefore permits will be written with the existing effluent limitations until the new standards are adopted. To aid permittees in decision making, an advisory will be added to permit Fact Sheets notifying permittees of the expected effluent limitations for ammonia. When setting schedules of compliance for ammonia effluent limitations, consideration will be given to facilities that have recently constructed upgraded facilities to meet the current ammonia limitations.

For more information on this topic feel free to contact the Missouri Department of Natural Resources, Water Protection Program, Water Pollution Control Branch, Operating Permits Section at (573) 751-1300.

## **Part VII – Cost Analysis for Compliance**

Pursuant to Section 644.145, RSMo., the Department is required to determine whether a permit or decision is affordable and makes a finding of affordability for certain permitting and enforcement decisions. This requirement applies to discharges from combined or separate sanitary sewer systems or publically-owned treatment works.

Not Applicable; The Department is not required to determine findings of affordability because the permit contains no new conditions or requirements that convey a new cost to the facility.

## **Part VIII – Administrative Requirements**

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

**PERMIT SYNCHRONIZATION:**

The Department of Natural Resources is currently undergoing a synchronization process for operating permits. Permits are normally issued on a five-year term, but to achieve synchronization many permits will need to be issued for less than the full five years allowed by regulation. The intent is that all permits within a watershed will move through the Watershed Based Management (WBM) cycle together will all expire in the same fiscal year. . <http://dnr.mo.gov/env/wpp/cpp/docs/watershed-based-management.pdf>. This will allow further streamlining by placing multiple permits within a smaller geographic area on public notice simultaneously, thereby reducing repeated administrative efforts. This will also allow the department to explore a watershed based permitting effort at some point in the future. Renewal applications must continue to be submitted within 180 days of expiration, however, in instances where effluent data from the previous renewal is less than 4 years old, that data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit. This permit will become synchronized by expiring the end of the 4<sup>th</sup> quarter, 2021.

**PUBLIC NOTICE:**

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

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

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

- The Public Notice period for this operating permit was from (04/30/2016) to (05/31/2016). No responses were received.

**DATE OF FACT SHEET:** 03/25/2016

**COMPLETED BY:**

**GORDEN WRAY, ENVIRONMENTAL SPECIALIST  
MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
OPERATING PERMITS SECTION – INDUSTRIAL PERMITS UNIT  
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STANDARD CONDITIONS FOR NPDES PERMITS  
ISSUED BY  
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION  
REVISED  
AUGUST 1, 2014

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

## Part I – General Conditions

### Section A – Sampling, Monitoring, and Recording

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

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

### Section B – Reporting Requirements

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



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- b. The following shall be included as information which must be reported within 24 hours under this paragraph.
    - i. Any unanticipated bypass which exceeds any effluent limitation in the permit.
    - ii. Any upset which exceeds any effluent limitation in the permit.
    - iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit required to be reported within 24 hours.
  - c. The Department may waive the written report on a case-by-case basis for reports under paragraph 2. b. of this section if the oral report has been received within 24 hours.
3. **Anticipated Noncompliance.** The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The notice shall be submitted to the Department 60 days prior to such changes or activity.
  4. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date. The report shall provide an explanation for the instance of noncompliance and a proposed schedule or anticipated date, for achieving compliance with the compliance schedule requirement.
  5. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs 2, 3, and 6 of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 2. a. of this section.
  6. **Other Information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.
  7. **Discharge Monitoring Reports.**
    - a. Monitoring results shall be reported at the intervals specified in the permit.
    - b. Monitoring results must be reported to the Department via the current method approved by the Department, unless the permittee has been granted a waiver from using the method. If the permittee has been granted a waiver, the permittee must use forms provided by the Department.
    - c. Monitoring results shall be reported to the Department no later than the 28<sup>th</sup> 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



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

- 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.



STANDARD CONDITIONS FOR NPDES PERMITS  
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MISSOURI CLEAN WATER COMMISSION  
REVISED  
AUGUST 1, 2014

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.



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 <u>2/23/16</u>	FEE SUBMITTED <u>88</u>

**Note** ▶ PLEASE READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.

1. This application is for:

An operating permit for a new or unpermitted facility:  
 Please indicate the original Construction Permit # \_\_\_\_\_

An operating permit renewal:  
 Please indicate the permit # MO- 0136646 Expiration Date July 28, 2016

An operating permit modification:  
 Please indicate the permit # MO- \_\_\_\_\_ Modification Reason: \_\_\_\_\_

1.1 Is the appropriate fee included with the application? (See instructions for appropriate fee)  YES  NO

**2. FACILITY**

NAME <u>Daviess County Livestock Market</u>		TELEPHONE NUMBER WITH AREA CODE <u>660-663-2177</u>	
ADDRESS (PHYSICAL) <u>912 W. Grand</u>		FAX <u>660-663-2239</u>	
CITY <u>Callatin</u>	STATE <u>MO</u>	ZIP CODE <u>64640</u>	

**3. OWNER**

NAME <u>David Cannon, Troy Jennings</u>		TELEPHONE NUMBER WITH AREA CODE <u>515-442-3003</u>	
EMAIL ADDRESS <u>dclivestockmarket@gmail.com</u>		FAX <u>660-663-2239</u>	
ADDRESS (MAILING) <u>P.O. Box 122</u>		CITY <u>Callatin</u>	
STATE <u>MO</u>	ZIP CODE <u>64640</u>		

3.1 Request review of draft permit prior to public notice?  YES  NO

**4. CONTINUING AUTHORITY**

NAME <u>Same as above</u>		TELEPHONE NUMBER WITH AREA CODE	
EMAIL ADDRESS		FAX	
ADDRESS (MAILING)		STATE	ZIP CODE

**5. OPERATOR**

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

**6. FACILITY CONTACT**

NAME <u>David Cannon</u>		TITLE <u>Owner</u>		TELEPHONE NUMBER WITH AREA CODE <u>515-442-3003</u>	
E-MAIL ADDRESS <u>dclivestockmarket@gmail.com</u>		FAX			

**7. ADDITIONAL FACILITY INFORMATION**

7.1 Legal Description of Outfalls. (Attach additional sheets if necessary.)

001 NW ¼ NE ¼ Sec 19 T S9N R 27W Daviess County  
 UTM Coordinates Easting (X): 416859 Northing (Y): 4918652  
 For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

002 \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Sec \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ \_\_\_\_\_ County  
 UTM Coordinates Easting (X): \_\_\_\_\_ Northing (Y): \_\_\_\_\_

003 \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Sec \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ \_\_\_\_\_ County  
 UTM Coordinates Easting (X): \_\_\_\_\_ Northing (Y): \_\_\_\_\_

004 \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Sec \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ \_\_\_\_\_ County  
 UTM Coordinates Easting (X): \_\_\_\_\_ Northing (Y): \_\_\_\_\_

7.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.

001 - SIC \_\_\_\_\_ and NAICS \_\_\_\_\_ 002 - SIC \_\_\_\_\_ and NAICS \_\_\_\_\_  
 003 - SIC \_\_\_\_\_ and NAICS \_\_\_\_\_ 004 - SIC \_\_\_\_\_ and NAICS \_\_\_\_\_

MO 780-1479 (07-14)

RECEIVED

FEB 23 2016

**8. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION**  
(Complete all forms that are applicable.)

- A. Is your facility a manufacturing, commercial, mining or silviculture waste treatment facility? YES  NO   
If yes, complete Form C or 2F.  
(2F is the U.S. EPA's Application for Storm Water Discharges Associate with Industrial Activity.)
- B. Is application for storm water discharges only? YES  NO   
If yes, complete Form C or 2F.
- C. Is your facility considered a "Primary Industry" under EPA guidelines: YES  NO   
If yes, complete Forms C or 2F and D.
- D. Is wastewater land applied? YES  NO   
If yes, complete Form I.
- E. Is sludge, biosolids, ash or residuals generated, treated, stored or land applied? YES  NO   
If yes, complete Form R.
- F. If you are a Class IA CAFO, please disregard part D and E of this section. However, please attach any revision to your Nutrient Management Plan.
- F. Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.

**9. DOWNSTREAM LANDOWNER(S)** Attach additional sheets as necessary. See Instructions.  
(PLEASE SHOW LOCATION ON MAP. SEE 8.D ABOVE).

NAME			
ADDRESS	CITY	STATE	ZIP CODE

10. I certify that I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate, and if granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, subject to any legitimate appeal available to applicant under the Missouri Clean Water Law to the Missouri Clean Water Commission.

NAME AND OFFICIAL TITLE (TYPE OR PRINT)	TELEPHONE NUMBER WITH AREA CODE
David Connor Owner Partnership	
SIGNATURE	DATE SIGNED
	2/19/16

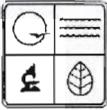
MOI/80-1479 (07-14)

**BEFORE MAILING, PLEASE ENSURE ALL SECTIONS ARE COMPLETED AND ADDITIONAL FORMS, IF APPLICABLE, ARE INCLUDED.**

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

HAVE YOU INCLUDED:

- Appropriate Fees?
- Map at 1" = 2000' scale?
- Signature?
- Form C or 2F, if applicable?
- Form D, if applicable?
- Form I (Irrigation), if applicable?
- Form R (Sludge), if applicable?
- Revised Nutrient Management Plan, if applicable?



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

FOR AGENCY USE ONLY	
CHECK NO.	
DATE RECEIVED	FEE SUBMITTED

**NOTE: DO NOT ATTEMPT TO COMPLETE THIS FORM BEFORE READING THE ACCOMPANYING INSTRUCTIONS**

1.00 NAME OF FACILITY  
Daviess County Livestock Market

1.10 THIS FACILITY IS NOW IN OPERATION UNDER MISSOURI OPERATING PERMIT NUMBER  
MO-0136646

1.20 THIS IS A NEW FACILITY AND WAS CONSTRUCTED UNDER MISSOURI CONSTRUCTION PERMIT NUMBER (COMPLETE ONLY IF THIS FACILITY DOES NOT HAVE AN OPERATING PERMIT)

2.00 LIST THE STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES APPLICABLE TO YOUR FACILITY (FOUR DIGIT CODE)

A. FIRST 5154 B. SECOND \_\_\_\_\_  
 C. THIRD \_\_\_\_\_ D. FOURTH \_\_\_\_\_

2.10 FOR EACH OUTFALL GIVE THE LEGAL DESCRIPTION.

OUTFALL NUMBER (LIST) NW 1/4 NE 1/4 SEC 19 T59N R 27W Daviess COUNTY

2.20 FOR EACH OUTFALL LIST THE NAME OF THE RECEIVING WATER

OUTFALL NUMBER (LIST) <u>#001 Animal Waste/livestock Auction</u>	RECEIVING WATER <u>Tributary to Grand River Grand River 0430 (P) 10280101-160003</u>
---	---

2.30 BRIEFLY DESCRIBE THE NATURE OF YOUR BUSINESS

Copy of description on attached page  
 -very back page -

RECEIVED PAGE 1

FEB 23 2016



**2.40 CONTINUED**

C. EXCEPT FOR STORM RUNOFF, LEAKS OR SPILLS, ARE ANY OF THE DISCHARGES DESCRIBED IN ITEMS A OR B INTERMITTENT OR SEASONAL?

YES (COMPLETE THE FOLLOWING TABLE)       NO (GO TO SECTION 2.50)

1. OUTFALL NUMBER <i>(list)</i>	2. OPERATION(S) CONTRIBUTING FLOW <i>(list)</i>	3. FREQUENCY		4. FLOW				C. DURATION <i>(in days)</i>
				A. FLOW RATE <i>(in mgd)</i>		B. TOTAL VOLUME <i>(specify with units)</i>		
		A. DAYS PER WEEK <i>(specify average)</i>	B. MONTHS PER YEAR <i>(specify average)</i>	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	4. LONG TERM DAILY	3. MAXIMUM AVERAGE	

**2.50 MAXIMUM PRODUCTION**

A. DOES AN EFFLUENT GUIDELINE LIMITATION PROMULGATED BY EPA UNDER SECTION 304 OF THE CLEAN WATER ACT APPLY TO YOUR FACILITY?

YES (COMPLETE B)       NO (GO TO SECTION 2.60)

B. ARE THE LIMITATIONS IN THE APPLICABLE EFFLUENT GUIDELINES EXPRESSED IN TERMS OF PRODUCTION (OF OTHER MEASURE OF OPERATION)?

YES (COMPLETE C)       NO (GO TO SECTION 2.60)

C. IF YOU ANSWERED "YES" TO B. LIST THE QUANTITY THAT REPRESENTS 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

1. MAXIMUM QUANTITY			2. AFFECTED OUTFALLS <i>(list outfall numbers)</i>
A. QUANTITY PER DAY	B. UNITS OF MEASURE	C. OPERATION, PRODUCT, MATERIAL, ETC. <i>(specify)</i>	

**2.60 IMPROVEMENTS**

A. ARE YOU NOW 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 THAT 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 3.00)

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

B. OPTIONAL: YOU MAY ATTACH ADDITIONAL SHEETS DESCRIBING ANY ADDITIONAL WATER POLLUTION CONTROL PROGRAMS (OR OTHER ENVIRONMENTAL PROJECTS WHICH MAY AFFECT YOUR DISCHARGES) YOU NOW HAVE UNDER WAY OR WHICH YOU PLAN. INDICATE WHETHER EACH PROGRAM IS NOW UNDER WAY OR PLANNED, AND INDICATE YOUR ACTUAL OR PLANNED SCHEDULES FOR CONSTRUCTION.

MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED.



3.10 BIOLOGICAL TOXICITY TESTING DATA

DO YOU HAVE ANY KNOWLEDGE OR REASON TO BELIEVE THAT ANY BIOLOGICAL TEST FOR ACUTE OR CHRONIC TOXICITY HAS BEEN MADE ON ANY OF YOUR DISCHARGES OR ON RECEIVING WATER IN RELATION TO YOUR DISCHARGE WITHIN THE LAST THREE YEARS?

YES (IDENTIFY THE TEST(S) AND DESCRIBE THEIR PURPOSES BELOW)  NO (GO TO 3.20)

3.20 CONTRACT ANALYSIS INFORMATION

WERE ANY OF THE ANALYSES REPORTED PERFORMED BY A CONTRACT LABORATORY OR CONSULTING FIRM?

YES (LIST THE NAME, ADDRESS AND TELEPHONE NUMBER OF AND POLLUTANTS ANALYZED BY EACH SUCH LABORATORY OR FIRM BELOW.)  NO (GO TO 3.30)

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

3.30 CERTIFICATION

I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED IN THIS APPLICATION AND ALL ATTACHMENTS AND THAT, BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, I BELIEVE THAT THE INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT.

NAME AND OFFICIAL TITLE (TYPE OR PRINT)

David Cannon Owner / Operator

TELEPHONE NUMBER WITH AREA CODE

SIGNATURE (SEE INSTRUCTIONS)

*David Cannon*

DATE SIGNED

## **FACILITY DESCRIPTION**

Daviess County Livestock market is a beef livestock auction located in Gallatin, MO that consists of approximately 10 acres. The outdoor holding pens, which consist of fenced open dirt lots, are located to the west and south of the sale barn structure. The waste management system for this facility allows for collection of stormwater runoff from areas where cattle are confined. The system use diversions and a holding basin to divert and collect storm water from the cattle holding areas. The storm water collected in the basin is pumped through a 2" forcemain which connects with a 4" city gravity sewer line to the city sewer system. To the extent practicable, no offsite stormwater flows across or into the manure containment area and clean water is diverted from the holding basin. Solid manure is removed as needed from the roofed area and scraped from outside lots and stored within the containment area. Solid manure is sold or given away and periodically shipped to off-site locations for land application by others. Domestic wastewater from sale barn facility is discharged into the city sewer system.

### **Feature #001:**

Feature Description: Earthen holding basin

Legal Description: NW ¼ NE ¼ Sec 19, T59N, R27W; Daviess County

UTM Coordinate: X = 416859 Y = 4418652

Receiving Water: Grand River 0430 (P)

USGS Basin & Sub-Watershed No: 10280101-160003

Storage Structure Type: Storage Lagoon

Storage structure size (at overflow level) -

Surface Area (sq. ft.): 22,615      Total Depth (ft.): 13.0      Total Storage Capacity (gal.): 1,213,189

Storage structure operating levels -

Upper pumpdown level: 5.6 (feet below emergency spillway)

Lower pumpdown level: 12.6(feet below emergency spillway)

Area draining into storage basin (acres): 3.5

Design Storage (days) - 1 in 10 Year: 120

Design Storm Volume (cu. ft.)

1 in 25 yr 24 hr storm: 69,685

Wastewater Volume (gal/yr.) - Avg. year: 1,591,858      1 in 10 Year: 2,597,356

Biosolids Volume (ton/yr.): 2282



Google earth

feet  
meters



—— = is line directly to city sewer

over fill comes directly off the top and  
goes to sewer