



## PUBLIC NOTICE

### DRAFT MISSOURI STATE OPERATING PERMIT MODIFICATION

DATE: April 12, 2017

In accordance with the state Clean Water Law, Chapter 644, RSMo, Missouri Clean Water Commission regulation 10 CSR 20-6.010, and the Federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state, or to operate a no-discharge wastewater treatment facility. The proposed modification(s) of the permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031).

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

Persons wishing to comment on the proposed modification are invited to submit them in writing to: Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: NPDES Operating Permits/Permit Comments. **Please include the permit number in all comment letters.**

Comments should be confined to the issues relating to the proposed modification action and permit(s) and the effect on water quality. The department may not consider as relevant comments or objections to a permit based on issues outside the authority of the Missouri Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be received or postmarked by 5:00 p.m. on May 12, 2017. The department will consider all written comments, including e-mails, faxes and letters, in the formulation of all final determinations regarding the applications. E-mail comments will be accepted at the following address: [publicnoticenpdes@dnr.mo.gov](mailto:publicnoticenpdes@dnr.mo.gov). If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at the department's Website: <http://www.dnr.mo.gov/env/wpp/permits/permit-pn.htm>, or at the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

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-R22C000

Owner:  
Address:

Continuing Authority:  
Address:

Facility Name:  
Facility Address:

Legal Description:  
UTM Coordinates:

Receiving Stream:  
First Classified Stream and ID:  
USGS Basin and Sub-watershed No.:

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

### FACILITY DESCRIPTION

All Outfalls – SIC Codes 2426, 2429, 2431-2439, 2441-2452, 2493-2499, 25XX, 2861

Stormwater runoff from facilities engaged in secondary processing and manufacturing of lumber and wood products.

This permit authorizes only stormwater 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 RSMo Section 621.250, 640.013, and 644.051.6; 10 CSR 20-1.020 and 20-6.020 of the Law.

November 1, 2013      XXXX 2017  
Effective Date      Modification Date

\_\_\_\_\_  
Steven Feeler, Acting Director, Division of Environmental Quality

October 31, 2018  
Expiration Date

\_\_\_\_\_  
David J. Lamb, Acting Director, Water Protection Program

APPLICABILITY

1. This permit authorizes the discharge of stormwater runoff from facilities that produce lumber & wood products from cut wood stock including but not limited to facilities with the following Primary Standard Industrial Classification (SIC) codes:

<u>SIC Code</u>	<u>Activity</u>
2426	Hardwood Dimension & Flooring
2429	Special Products Mills
2431-2439	Millwork to Structural Wood Members
2441-2452	Wood Containers to Prefabricated Wood Buildings, including Pallets & Skids
2493-2499	Reconstituted Wood Products to Wood Products, Not Elsewhere Classified
25XX	Furniture and Fixtures
2861	Gum and Wood Chemicals (Charcoal only)

Any facility with one of the above listed SIC codes that produces lumber & wood products from roundwood or whole logs is not eligible for this general permit and should contact the Missouri Department of Natural Resources (Department) for permitting requirements.

2. Facilities that recycle, reuse, or otherwise dispose of all sawdust, scrap lumber, etc., within 90 days of generation are exempt from stormwater permitting. Facilities with sawdust, scrap lumber, etc. present greater than 90 days in any given 12 month period will not qualify for a recycle, reuse, and disposal exemption and are required to obtain a permit. This applies to facilities with sawdust, scrap lumber, etc. present for any 90 days, those days do not have to be consecutive.
3. This permit applies only to charcoal manufacturing under SIC code 2861, it does not apply to any other manufacturing under 2861 and does not apply to facilities which engage in chemical wood treating.
4. Holders of current individual State Operating Permits who desire to apply for inclusion under this general permit should contact the Department for application requirements.
5. This permit does not authorize the discharge of waters other than stormwaters.
6. If at any time the Department determines that the quality of waters of the state may be better protected by requiring the owner of a lumber and wood products operation or disposal site to apply for an individual State Operating Permit, the Department may do so.
7. If at any time the owner of a lumber and wood products operation should desire to apply for an individual State Operating Permit, the owner may do so.
8. This permit **does not authorize** stormwater discharges:
  - (a) Within 1,000 feet of streams identified as a losing stream<sup>1</sup>, sinkhole or other direct conduit to groundwater,
  - (b) Within 1,000 feet of streams or lakes listed as an Outstanding State Resource Water<sup>1</sup> (OSRW),
  - (c) Within 1,000 feet of reservoirs or lakes used for public drinking water supplies (class L1)<sup>1</sup>,
  - (d) Within 1,000 feet of streams, lakes, or reservoirs identified as critical habitat for endangered species<sup>1</sup>.
  - (e) Within 100 feet of a permanent stream (class P)<sup>1</sup> or major reservoir (class L2)<sup>1</sup>,
  - (f) Within two stream miles upstream of biocriteria reference locations\*, or
9. This permit authorizes no-discharge facilities [as defined in 10 CSR 20-6.015(1)(B)7] to operate within the watershed of an Outstanding National Resource Water (ONRW)<sup>1</sup>, which includes the Ozark National Scenic Riverways and the National Wild and Scenic Rivers System. This permit does not authorize a no-discharge facility to discharge stormwater. Any discharge from a no-discharge facility will be considered a violation of this permit unless a catastrophic or chronic storm event [as defined in 10 CSR 20-6.015(1)(B)] occurs. In the event of a catastrophic or chronic storm event, the no-discharge facility is authorized to release only the amount of stormwater required to prevent damage to the facility or to established Best Management Practices (BMPs).

<sup>1</sup> Identified or described in 10 CSR 20, Chapter 7. These regulations are available at many libraries and may be purchased from MDNR by calling the Water Protection Program, or on the Internet at: [www.sos.mo.gov/adrules/csr/current/10csr/10c20-7a.pdf](http://www.sos.mo.gov/adrules/csr/current/10csr/10c20-7a.pdf).

10. ONRW waters are protected against any degradation in quality as defined in 10 CSR 20-7.031(1)(S). This permit authorizes facilities to discharge stormwater within the watershed of an ONRW. However, if a stormwater discharge within the watershed of an ONRW exceeds any of the benchmarks set forth in this permit, the discharge is considered to cause degradation in water quality of the ONRW and the facility must take corrective action to meet the benchmarks. Failure to take corrective action to address a benchmark exceedance and failure to make tangible progress towards achieving compliance with the benchmarks is a permit violation. More detailed requirements concerning stormwater discharges are found in the Stormwater Pollution Prevention Plan (SWPPP) section of this permit. If exceedances of benchmarks continue to occur, the department may require the facility to operate as a no-discharge facility under this permit or to apply for a site-specific permit.
11. Facilities that discharge directly to a combined sewer system are exempt from permit requirements.

### STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Part I standard conditions dated October 1, 1980 and hereby incorporated as though fully set forth herein.

### REQUIREMENTS

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

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

2. All outfalls must be clearly marked in the field.
3. Water Quality Standards
- (a) To the extent required by law, discharges to waters of the state shall not cause a violation of Missouri Water Quality Standards (10 CSR 20-7.031), including both specific and general criteria.
  - (b) General Criteria. The following 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 Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200-260.247, RSMo.

4. Changes in Discharges of Toxic Substances  
The permittee shall notify the Director as soon as it knows or has reason to believe:
  - (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
    - (4) The level established by the Director in accordance with 40 CFR 122.44(f).
  - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
5. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).
6. The permittee shall implement a SWPPP. The SWPPP must be prepared and implemented upon permit issuance. The SWPPP must be kept on-site and should not be sent to the Department unless specifically requested. The SWPPP must be reviewed and updated, if needed, every five (5) years or as site conditions change. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:  
Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators, (Document number EPA 833-B-09-002) published by the United States Environmental Protection Agency (USEPA) in February 2009.
7. The SWPPP must include the following:
  - (a) A listing of specific Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter stormwater.
  - (b) The SWPPP must include a schedule for twice per month site inspections and brief written reports. The inspections must include observation and evaluation of BMP effectiveness. Deficiencies must be corrected within seven (7) days and the actions taken to correct the deficiencies shall be included with the written report, including photographs. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to Department personnel upon request.
  - (c) A provision for designating an individual to be responsible for environmental matters.
  - (d) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of the Department.
8. Permittee shall adhere to the following minimum Best Management Practices:
  - (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of stormwater from these substances.
  - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
  - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMP's such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
  - (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
  - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
9. The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state and corrective actions must be taken in order to comply with this permit. A corrective action means the facility took steps to eliminate the deficiency.

10. Before releasing water that has accumulated in secondary containment areas it must be examined for hydrocarbon odor and presence of sheen. When the presence of hydrocarbons is indicated, and at a minimum of once/quarter, this water must be tested for Total Petroleum Hydrocarbons (TPH). The suggested analytical method for testing TPH is non-Halogenated Organic by Gas Chromatography method 8015 (also known as OA1 and OA2). However, if the permittee so desires to use other approved testing methods (i.e. EPA 1664), they may do so. If the concentration for TPH exceeds 10mg/L, the water shall be taken to a WWTP for treatment.
11. Release of a hazardous substance must be reported to the Department in accordance with 10 CSR 24-3.010. A record of each reportable spill shall be retained with the SWPPP and made available to the Department upon request.

#### STORMWATER REQUIREMENTS AND BENCHMARKS

1. There are no regular sampling requirements in this permit. Benchmarks listed in Requirement 4 are to assist in the evaluation of BMPs. The Department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or evidence of off-site impacts from activities at the facility. If such an action is needed, the Department will specify in writing the sampling requirements, including such information as location and extent. It is a violation of this permit to fail to comply with said written notification to sample.
2. Stormwater samples should be collected within the first 60 minutes of discharge occurring as a result of precipitation events of 0.1 inches or greater. Precipitation events include rainfall as well as run-off from the melting of frozen precipitation.
3. This permit stipulates pollutant benchmarks applicable to the facility's discharge. The benchmarks do not constitute direct numeric effluent limitations. Not meeting a benchmark is not a permit violation. Failure to improve BMPs or take corrective action to address a benchmark exceedance and failure to make tangible progress towards achieving a benchmark is a permit violation. Benchmark evaluation is primarily for the facility's use to determine the overall effectiveness of the SWPPP and to assist the facility in knowing when additional corrective action may be necessary to protect water quality. If a sample does not meet a benchmark, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce that pollutant in the stormwater discharge(s). Exceedances believed to be the result of legacy chemical use at the facility are not exempted from this requirement. Facilities are encouraged to contact the department to formulate a plan for investigation and clean-up if legacy chemical use is suspected to be the cause of exceedances.
4. The following benchmarks are considered necessary to protect water quality. The BMPs at the facility should be designed to meet these benchmarks during rainfall events up to the 10 year, 24 hour rain event.

<b>Parameter</b>	<b>Daily Maximum Benchmark</b>
Chemical Oxygen Demand	120 mg/L
Total Suspended Solids	100 mg/L
pH	6.5(minimum)-9.0 Standard Units

5. Stormwater samples should be collected prior to or at the property boundary, or before the discharge enters waters of the state on the property.
6. If data becomes available that indicates existing water quality will be protected by alternative Benchmark Limitations specific to this industry, the Department will propose to incorporate those values into this permit as part of a permit modification. Such data must be approved by the Department as appropriate and representative before it can be considered.
7. All conditions in this permit and those in Standard Conditions Part I must be complied with. At no time shall any discharge result in a violation of Water Quality Standards [10 CSR 20-7.031]. A facility will be required to obtain a site-specific permit if the department determines that a site-specific permit is necessary to protect water quality.

#### PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

### TERMINATION

In order to terminate this permit, the permittee shall notify the Department by submitting Form H, included with the State Operating Permit. The permittee shall complete Form H and mail it to the Department at the address noted in the cover letter of this permit. Proper closure of any storage structure is required prior to permit termination.

### PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than thirty (30) days prior to the permit's expiration date. Failure to apply for renewal may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.

### DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

This permit authorizes only the activities described in this permit. Compliance with this permit may not be considered a shield from compliance with any local ordinance, State Regulation or State Law.

DRAFT

**Missouri Department of Natural Resources**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-R22C000**

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

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

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

This Factsheet is for a Master General Permit.

**Part I – Facility Information**

Facility location information shall appear on the coverage document issued to a General Permit Covered Facility.

Facility Type:	Industrial
Facility SIC Code(s):	2426, 2429, 2431-2439, 2441-2452, 2493-2499, 25XX, 2861
Facility Description:	Stormwater runoff from facilities engaged in secondary processing and manufacturing of lumber and wood products.

**PERMIT MODIFICATION- APRIL 2017**

This is a modification of an existing Master General Permit for Secondary Lumber Processing, Furniture and Fixtures, and Lumber and Wood Products. The previous version of this permit included quarterly monitoring and reporting of benchmark values. The program has re-evaluated and determined that proper BMPs deployment will ensure that benchmarks are met and that water quality will be protected and thus this is not a substantive change in the permit. Monitoring and reporting may still be required of facilities that show evidence of significant noncompliance and benchmark evaluation data must be retained by the facility and made available to the program upon request.

The following changes have been made:

- Monitoring and reporting requirements for benchmarks have been removed.

**PERMIT MODIFICATION - APRIL 2014:**

This permit has been modified in regard to discharging within the watershed of an Outstanding National Resource Waters (ONRW). The previous version of this permit had the following statement: "This permit does not authorize stormwater discharges within the watershed of an ONRW". This statement has been revised with new language that outlines several options for facilities within the watershed of an ONRW. The added language can be found in the Applicability Section of the permit (#9 and #10). Facilities within the watershed of an ONRW can operate as a no-discharge facility or as a discharge facility whose discharge cannot cause degradation in water quality of an ONRW. Additional guidance in regard to discharging within the watershed of an ONRW can be found below in the comments section of this Factsheet.

**CLARIFICATION:**

Coverage under this general permit may be issued to facilities with SIC codes other than those listed on page 2 of this permit if they are engaged in similar activities and not prohibited by any other condition in this permit. The facility must not be engaged in chemical treating of wood. Extension of such coverage shall be at the discretion of the Department.



Benchmark values have been modified to be consistent with industry requirements throughout the country.

Outstanding National Resource Waters - At permit renewal, the department will examine monitoring reports submitted by a facility located within the watershed of an Outstanding National Resource Water to determine if this permit is still appropriate for the facility. If degradation of water quality has occurred, the department may require the facility to begin operating as a no-discharge facility under this permit or to apply for a site-specific permit.

## **Part II – Receiving Stream Information**

A full description of the receiving stream shall appear on the coverage document issued to a General Permit Covered Facility.

### **APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:**

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

Missouri or Mississippi River [10 CSR 20-7.015(2)]:   
Lake or Reservoir [10 CSR 20-7.015(3)]:   
Metropolitan No-Discharge [10 CSR 20-7.015(5)]:   
All Other Waters [10 CSR 20-7.015(8)]:

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses."

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

### **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. The settleable solids limit was removed because the TSS analysis is sufficient to assess the quantity of solids in the discharges. The 45mg/L Biochemical Oxygen Demand (BOD) benchmark was established in error, this value is appropriate for a continuous discharge of domestic waste but is unrealistic for industrial stormwater discharges. In place of BOD, this renewal establishes a Chemical Oxygen Demand (COD) benchmark. Benchmark monitoring and reporting has been reassessed and removed from the permit. The department has deemed that of the implementation of adequate BMPs and maintenance of a SWPPP will ensure that benchmarks are met and water quality will be protected. Monitoring and reporting may be required from any facility where there is evidence of noncompliance.

### **ANTIDEGRADATION:**

Antidegradation policies are such to ensure protection of water quality for a particular water body where the water quality exceeds levels necessary to protect fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as outstanding natural resource waters. Antidegradation plans are adopted by each State to minimize adverse effects on water.

- Applicable: The pollutants of concern in this permit are Chemical Oxygen Demand, pH, and Total Suspended Solids, Compliance with the benchmarks established in this permit for the protection of General Criteria, along with the evaluation and implementation of BMPs as documented in the SWPPP, meets the requirements of Missouri's Antidegradation Review [10 CSR 20-7.031(3) and Table A and 10 CSR 20-7.015(9)(A)5].

### **STORMWATER 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 stormwater discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (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 Stormwater Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of stormwater discharges.

Other guidance regarding the development and implementation of a SWPPP can be found at: [dnr.mo.gov/env/wpp/stormwater/sw-industrial-permits.htm](http://dnr.mo.gov/env/wpp/stormwater/sw-industrial-permits.htm)

**Maintenance:** Maintenance related to BMPs at a facility are activities done regularly to keep the BMPs in good condition and working order.

**Corrective Action:** Are activities that are done to correct a deficiency in BMPs related to an exceedance of the established pollutant benchmarks, violations of the water quality standard, or violations of permit conditions.

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

**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.

**WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:**

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

- Not Applicable; Wasteload allocations were not calculated.

**WHOLE EFFLUENT TOXICITY (WET) TEST:**

As per [10 CSR 20-7.031(1)(CC)], a toxicity test conducted under specified laboratory conditions on specific indicator organism; and as per [40 CFR §122.2], the aggregate toxic effect of an effluent measured directly by a toxicity test.

- Not Applicable; The permittee is not required to conduct WET test for this facility.

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

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

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation. Applications for coverage under Master General Permits in the watersheds of bodies of water with a TMDL are evaluated on a case by case basis.

- Not Applicable; This facility does not discharge to a 303(d) listed stream.

## **Part IV – Benchmark Determination**

Benchmark concentrations are not effluent limitations; benchmark exceedance, therefore, is not a permit violation. Failure to modify BMPs and make tangible progress toward meeting the benchmark is a permit violation. However, benchmark exceedance which causes degradation to an ONRW [10 CSR 20-7.031(3)(C)] may be in violation of water quality standards. Benchmark evaluation is used to determine the overall effectiveness of control measures and to assist the facility in knowing when additional corrective action(s) may be necessary to comply with the technology based effluent limitations (TBEL). These TBELs are addressed through implementation of the SWPPP and associated BMPs. If the facility fails to adequately protect water quality through monitoring the benchmarks to ensure compliance with the SWPPP and BMPs, the department may require the facility to more actively monitor the benchmarks and/or update their SWPPP and BMPs. Failure to take corrective action is a violation of the permit.

### **BENCHMARK TABLE FOR EACH OUTFALL:**

PARAMETER	UNIT	BASIS FOR BENCHMARK	BENCHMARK	PREVIOUS PERMIT LIMITATIONS
COD	MG/L	9	120	*
TSS	MG/L	9	100	50
pH	SU	1	6.5-9.0	6.0-9.0

\* - Parameter not previously established in previous state operating permit

#### **Basis for Limitations Codes:**

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

### **DERIVATION AND DISCUSSION OF LIMITS:**

**Total Suspended Solids (TSS):** The benchmark for TSS is a best professional judgment value established to verify the effectiveness of stormwater BMPs. This benchmark is consistent with other industrial stormwater facilities. These benchmarks have been demonstrated attainable with existing technology and are deemed protective of instream water quality.

- **Chemical Oxygen Demand (COD):** The benchmark for COD is a best professional judgment value established to verify the effectiveness of stormwater BMPs. This benchmark is consistent with other industrial stormwater facilities. These benchmarks have been demonstrated attainable with existing technology and are deemed protective of instream water quality.
- **Biochemical Oxygen Demand (BOD):** The previous BOD limit of 45 mg/L is more appropriate for domestic wastewater than industrial stormwater. BOD was removed from this permit because COD was deemed a more appropriate parameter for this type of facility.

**pH:** 10 CSR 20-7.031(4)(E) requires a pH range of 6.5-9.0.

## **Part V – Administrative Requirements**

### **PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY**

The need for an individual public notification process shall be determined and identified in the general permit. [10 CSR 20-6.020(1)(C)5.] Public Notice of **reissuance** of coverage is not required unless the facility has been found to be in significant noncompliance [10 CSR 20-6.020(1)(C)4.].

- Not Applicable; Public notice is not required for issuance of initial coverage under this Master General Permit to individual facilities. Public notice of reissuance of coverage for individual facilities is not required unless the facility has been found to be in significant noncompliance {10 CSR 20-6.020(1)(C)4.].

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

### **PUBLIC NOTICE:**

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. 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 05/24/2013 to 06/24/2013 and 07/12/2013 to 08/12/2013 and date to date..

**DATE OF FACT SHEET:** 08-22-2013

**DATE OF MODIFICATION:** **APRIL 7, 2017**

### **COMPLETED BY:**

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**DATE OF PERMIT MODIFICATION:** 04-22-2014

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