

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-0048305

Owner: City of Kansas City – Water Services Department  
Address: 4800 East 63<sup>rd</sup> Street, Kansas City, MO 64130

Continuing Authority: Same as above  
Address: Same as above

Facility Name: KC, Rocky Branch Sewage Treatment Plant  
Address: 500 NE 132<sup>nd</sup> Street, Kansas City, MO 64165

Legal Description: SW ¼, NE ¼, Sec. 11, T52N, R33W, Clay County  
UTM Coordinates: X=364257, Y=4355337

Receiving Stream: Rocky Branch Creek (C)  
First Classified Stream and ID: Rocky Branch Creek (C)(03326) 303(d)  
USGS Basin & Sub-watershed No.: (10240012-0708)

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

**FACILITY DESCRIPTION**

See Page Two (2). The use or operation of this facility shall be by or under the supervision of a **Certified C Operator**.

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.

March 5, 2012  
Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

March 4, 2017  
Expiration Date

John Madras, Director, Water Protection Program

**FACILITY DESCRIPTION (continued):**

Outfall #002 – POTW – SIC #4952

Discharges from this outfall is no longer authorized, and shall be subject to 40 CFR 122.41(m) and reported according to 40 CFR 122.41(m)(3)(i) & (ii).

Outfall #003 – POTW - SIC #4952

Extended aeration/ultraviolet disinfection/ sedimentation/sludge may be hauled to another permitted facility, land applied, landfilled or incinerated.

Design population equivalent is 20,000.

Design flow is 2.8 MGD, Actual flow is 1.57 MGD.

Design sludge production is 426 dry tons/year.

Outfall #S1 Instream Monitoring Eliminated

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 3 of 8	
					PERMIT NUMBER MO-0048305	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #003</u>						
Flow (Note 1)	MGD	*		*	once/weekday	24 hr. total
Biochemical Oxygen Demand <sub>5</sub>	mg/L		20	10	once/week	24 hr. composite**
Total Suspended Solids	mg/L		25	15	once/week	24 hr. composite**
<i>E. coli</i> (Note 2)	#/100 mL		1030	206	once/week	grab
Ammonia as N (April 1 – Sept 30) (Oct 1 – March 31)	mg/L	3.7 7.5		1.4 2.9	once/month	grab
Oil & Grease	mg/L	15		10	once/month	grab
Dissolved Oxygen	mg/L	*		*	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>April 28, 2012</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
Whole Effluent Toxicity (WET) test	% Survival	See Special Conditions			once/year	24 hr. composite**
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>September 28, 2012</u> .						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I, II, &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 4 of 8	
					PERMIT NUMBER MO-0048305	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become effective upon issuance and remain in effect until <b>364 days</b> after the effective date of this permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH – Units	SU	***		***	once/week	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>April 28, 2012</u> .						
<b>FINAL EFFLUENT LIMITS BELOW</b>						
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective <b>one (1) year</b> from the effective date of this permit and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH – Units	SU	****		****	once/week	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>April 28, 2013</u> .						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>PARTS I, II &amp; III</u> STANDARD CONDITIONS DATED <u>OCTOBER 1, 1980</u> and <u>AUGUST 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

<b>C. INFLUENT MONITORING REQUIREMENTS</b>			
The facility is required to meet a removal efficiency of 85% or more as a monthly average. The monitoring requirements shall become effective upon issuance and remain in effect until expiration of the permit. To determine removal efficiencies, the influent wastewater shall be monitored by the permittee as specified below:			
SAMPLING LOCATION AND PARAMETER(S)	UNITS	MONITORING REQUIREMENTS	
		MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Influent</u>			
Biochemical Oxygen Demand <sub>5</sub>	mg/L	once/month	24 hr. composite**
Total Suspended Solids	mg/L	once/month	24 hr. composite**
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>April 28, 2012</u> .			

MO 780-0010 (8/91)

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)**

- \* Monitoring requirement only.
- \*\* A 24-hour composite sample is composed of 48 aliquots (subsamples) collected at 30 minute intervals by an automatic sampling device.
- \*\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.
- \*\*\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.

Note 1 - Once each weekday means: Monday, Tuesday, Wednesday, Thursday & Friday except nine Federal legal holidays (New Years, Martin Luther King Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, and Christmas).

Note 2 - Final limitations and monitoring requirements for *E. coli* are applicable only during the recreational season from April 1 through October 31. The Monthly Average Limit for *E. coli* is expressed as a geometric mean. The Weekly Average for *E. coli* will be expressed as a geometric mean if more than one (1) sample is collected during a calendar week (Sunday through Saturday).

D. SPECIAL CONDITIONS

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

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

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

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

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
    - (4) The level established in Part A of the permit by the Director.
  - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
4. Report as no-discharge when a discharge does not occur during the report period.
  5. Water Quality Standards
    - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
    - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
      - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
      - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
      - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
      - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
      - (5) There shall be no significant human health hazard from incidental contact with the water;
      - (6) There shall be no acute toxicity to livestock or wildlife watering;
      - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
      - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
  6. The permittee shall comply with any applicable requirements listed in 10 CSR 20-8 and 10 CSR 20-9, unless the facility has received written notification that the Department has approved a modification to the requirements. The monitoring frequencies contained in this permit shall not be construed by the permittee as a modification of the monitoring frequencies listed in 10 CSR 20-9. If a modification of the monitoring frequencies listed in 10 CSR 20-9 is needed, the permittee shall submit a written request to the department for review and, if deemed necessary, approval.

D. SPECIAL CONDITIONS (continued)

7. The permittee shall develop and implement a program for maintenance and repair of the collection system. The permittee shall submit a report annually by March 31<sup>st</sup> per the requirements of the Administrative Order of Consent (Civil Action No. 4:10-cv-0497-GAF).
8. Bypasses are not authorized at this facility and are subject to 40 CFR 122.41(m). If a bypass occurs, the permittee shall report in accordance to 40 CFR 122.41(m)(3)(i), and with Standard Condition Part I, Section B, subsection 2.b. Bypasses are to be reported to the Kansas City Regional Office.
9. Whole Effluent Toxicity (WET) Test shall be conducted as follows:

SUMMARY OF ACUTE WET TESTING FOR THIS PERMIT				
OUTFALL	AEC	FREQUENCY	SAMPLE TYPE	MONTH
003	100%	once/year	24 hr. composite**	August

Dilution Series							
AEC%	100% effluent	50% effluent	25% effluent	12.5% effluent	6.25% effluent	(Control) 100% upstream, if available	(Control) 100% Lab Water, also called synthetic water

(a) Test Schedule and Follow-Up Requirements

- (1) Perform a MULTIPLE-dilution acute WET test in the months and at the frequency specified above. For tests which are successfully passed, submit test results using the Department's WET test report form #MO-780-1899 along with complete copies of the test reports as received from the laboratory, including copies of chain-of-custody forms within 30 calendar days of availability to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102. If the effluent passes the test, do not repeat the test until the next test period.
  - (a) Chemical and physical analysis of the upstream control and effluent sample shall occur immediately upon being received by the laboratory, prior to any manipulation of the effluent sample beyond preservation methods consistent with federal guidelines for WET testing that are required to stabilize the sample during shipping.
  - (b) Any and all chemical or physical analysis of the effluent sample performed in conjunction with the WET test shall be performed at the 100% Effluent concentration in addition to analysis performed upon any other effluent concentration.
  - (c) All chemical analyses included in the Missouri Department of Natural Resources WET test report form #MO-780-1899 shall be performed and results shall be recorded in the appropriate field of the report form.
- (2) The WET test will be considered a failure if mortality observed in effluent concentrations for either specie, equal to or less than the AEC, is significantly different (at the 95% confidence level;  $p = 0.05$ ) than that observed in the upstream receiving-water control sample. Where upstream receiving water is not available, synthetic laboratory control water may be used.
- (3) All failing test results along with complete copies of the test reports as received from the laboratory, INCLUDING THOSE TESTS CONDUCTED UNDER CONDITION (3) BELOW, shall be reported to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102 within 14 calendar days of the availability of the results.
- (4) If the effluent fails the test for BOTH test species, a multiple dilution test shall be performed for BOTH test species within 30 calendar days and biweekly thereafter (for storm water, tests shall be performed on the next and subsequent storm water discharges as they occur, but not less than 7 days apart) until one of the following conditions are met: Note: Written request regarding single species multiple dilution accelerated testing will be address by THE WATER PROTECTION PROGRAM on a case by case basis.
  - (i) THREE CONSECUTIVE MULTIPLE-DILUTION TESTS PASS. No further tests need to be performed until next regularly scheduled test period.
  - (ii) A TOTAL OF THREE MULTIPLE-DILUTION TESTS FAIL.
- (5) Follow-up tests do not negate an initial failed test.
- (6) The permittee shall submit a summary of all test results for the test series along with complete copies of the test reports as received from the laboratory to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102 within 14 calendar days of the third failed test.

D. SPECIAL CONDITIONS (continued)

9. Wet Test (continued)

- (7) Additionally, the following shall apply upon failure of the third follow up MULTIPLE DILUTION test The permittee should contact THE WATER PROTECTION PROGRAM within 14 calendar days from availability of the test results to ascertain as to whether a TIE or TRE is appropriate. If the permittee does not contact THE WATER PROTECTION PROGRAM upon the third follow up test failure, a toxicity identification evaluation (TIE) or toxicity reduction evaluation (TRE) is automatically triggered. The permittee shall submit a plan for conducting a TIE or TRE to the WATER PROTECTION PROGRAM within 60 calendar days of the date of the automatic trigger or DNR's direction to perform either a TIE or TRE. This plan must be approved by DNR before the TIE or TRE is begun. A schedule for completing the TIE or TRE shall be established in the plan approval.
- (8) Upon DNR's approval, the TIE/TRE schedule may be modified if toxicity is intermittent during the TIE/TRE investigations. A revised WET test schedule may be established by DNR for this period.
- (9) If a previously completed TIE has clearly identified the cause of toxicity, additional TIEs will not be required as long as effluent characteristics remain essentially unchanged and the permittee is proceeding according to a DNR approved schedule to complete a TRE and reduce toxicity. Regularly scheduled WET testing as required in the permit, without the follow-up requirements, will be required during this period.
- (10) When WET test sampling is required to run over one DMR period, each DMR report shall contain a copy of the Department's WET test report form that was generated during the reporting period.
- (11) Submit a concise summary in tabular format of all WET test results with the annual report.

(b) Test Conditions

- (1) Test Type: Acute Static non-renewal
- (2) All tests, including repeat tests for previous failures, shall include both test species listed below unless approved by the department on a case by case basis.
- (3) Test species: Ceriodaphnia dubia and Pimephales promelas (fathead minnow). Organisms used in WET testing shall come from cultures reared for the purpose of conducting toxicity tests and cultured in a manner consistent with the most current USEPA guidelines. All test animals shall be cultured as described in the most current edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms.
- (4) Test period: 48 hours at the "Allowable Effluent Concentration" (AEC) specified above.
- (5) Upstream receiving stream water shall be used as dilution water. If upstream water is unavailable or if mortality in the upstream water exceeds 10%, "reconstituted" water will be used as dilution water. Procedures for generating reconstituted water will be supplied by the MDNR upon request.
- (6) Tests will be run with 100% receiving-stream water (if available), collected upstream of the outfall at a point beyond any influence of the effluent, and reconstituted water.
- (7) If reconstituted-water control mortality for a test species exceeds 10%, the entire test will be rerun.
- (8) If upstream control mortality exceeds 10%, the entire test will be rerun using reconstituted water as the dilutant.
- (9) Whole-effluent-toxicity test shall be consistent with the most current edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms

10. Sewer Extension Authority

- (a) The Department has approved the Sewer Extension Program for Kansas City to regulate and approve construction of sanitary sewers which are owned and/or operated by Kansas City.
- (b) The approval of the Sewer Extension Program may be modified or revoked by the Department if the sewage collection, transportation, and receiving treatment facility reach their respective design capacity, or if the Department determines that this program is causing or contributing to chronic non-compliance of the receiving treatment facility, or if the permittee fails to follow the terms and conditions of the submitted and approved program.
- (c) The Sewer Extension Program Special Condition may be reopened and modified and reissued, or alternatively revoked to incorporate new or modified conditions to the sewer construction permit authority, if information or regulation or statute indicates changes are necessary to assure compliance with Missouri's Clean Water Law and associated regulations.
- (d) If items b or c of the Sewer Extension Program occur, the permittee will be notified to any modification to this operating permit.

D. SPECIAL CONDITIONS (continued)

10. Sewer Extension Authority (continued)

- (e) The Permittee, as part of their Sewer Extension Program, shall submit an annual report by March 31<sup>st</sup> of each year, to the Missouri Department of Natural Resources' Kansas City Regional Office. The report shall include, but is not limited to, the following:
  - (1) A list of the name of each individual project and their respective:
  - (2) Length of sewer and force main
  - (3) Capacity of the lift stations constructed under the sewer extension (if applicable);
  - (4) Inspections made of the construction and the findings of each;
  - (5) Results of leakage and deflection test;
  - (6) Population or number of lots to be served by this extension; and
  - (7) Type of wastewater (i.e., domestic or industrial);
  - (8) An annual summary of
    - (a) Number of construction permits issued
    - (b) Number of inspections completed
    - (c) Number of sewer lines tested and/or inspected with Closed Circuit Television
    - (d) Number of warnings, violations, or notices given
    - (e) Capacity remaining at the treatment plant
- (f) The Sewer Extension Authority is valid the length of this operating permit. Upon renewal of the permit, the Sewer Extension Authority for Kansas City will be reevaluated.

- 11. The permittee shall implement and enforce its approved pretreatment program in accordance with the requirements of 40 CFR Part 403. The approved pretreatment program is hereby incorporated by reference.

**Missouri Department of Natural Resources**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-048305**  
**KANSAS CITY, ROCKY BRANCH**

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

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

A Factsheet is not an enforceable part of an operating permit. This Factsheet is for a Major .

**Part I – Facility Information**

Facility Type: POTW  
Facility SIC Code(s): 4952

**Facility Description:**

Kansas City Rocky Branch STP is a 2.8 MGD extended aeration facility with ultraviolet disinfection. The facility was built in 2005, in part due to the TMDL for Rocky Branch. The facility was rerated from 2.0 MGD to 2.8 MGD in the spring 2011.

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

Yes: Ammonia effluent limits were recalculated based on the department's Ammonia Policy. The monthly average Ammonia effluent limits were lowered slightly from 1.9 mg/L to 1.4 mg/L for summer and from 3.7 mg/L to 2.9 mg/L for winter, per the department's August 2007 Ammonia Implementation Guidance. From discharge monitoring reports, it appears the facility can meet the more protective effluent limits without a schedule of compliance. Facility has a year to come into compliance with the new pH requirements. pH effluent limits have changed from a minimum of 6.0 to a minimum of 6.5 standard units. No receiving water monitoring requirements required at this time. Previous permit limited downstream monitoring to that permit cycle if the receiving stream data achieved water quality standards for ammonia and dissolved oxygen. The required sampling showed that the stream was achieving water quality standards over the previous permit cycle.

Application Date: 04/18/2011  
Expiration Date: 10/12/2011  
Last Inspection: 05/18/2010 In Compliance

**OUTFALL(S) TABLE:**

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
003	4.34	secondary	municipal	0.0

Outfall #001 – Eliminated with the construction of the new treatment facility in 2005.

Outfall #002- Eliminated- Discharges from this outfall is no longer authorized.

Legal Description: SW ¼, NE ¼, Sec. 11, T52N, R33W

UTM Coordinates: x= 364285; y= 4355635

Receiving Stream: Rocky Branch (C)

First Classified Stream and ID: Rocky Branch (C) (3326)

USGS Basin & Sub-watershed No.: (10240012-0708)

**Outfall #003**

Legal Description: SW ¼, NE ¼, Sec. 11, T52N, R33W, Clay County

UTM Coordinates: X=364257, Y=4355337

Receiving Stream: Rocky Branch Creek (C)

First Classified Stream and ID: Rocky Branch Creek (C)(03326) 303(d)

USGS Basin & Sub-watershed No.: (10240012-0708)

Receiving Water Body's Water Quality & Facility Performance History:

In review of the facility's discharge monitoring reports, discharges through the emergency bypass (Outfall 002) occurred in 10/2009. From the treatment plant, the facility had a BOD<sub>5</sub> and Ammonia exceedance in 01/2008, an Ammonia exceedance 03/2010 and a TSS exceedance in 06/2010.

Comments:

For information on the Administrative Order of Consent (Civil Action No. 4:10-cv-0497-GAF) and the actions to be taken in the Northern Watersheds of Kansas City under the Overflow Control Plan, please visit Kansas City's website for a copy of the plan, Consent Decree, and proposed schedule. Treatment plants in the Northern Watersheds include Rocky Branch, Fishing River, Todd Creek, and Northland Mobile Home Park: <http://www.kcmo.org/CKCMO/Depts/WaterServices/index.htm>.

**Part II – Operator Certification Requirements**

As per [10 CSR 20-6.010(8) Terms and Conditions of a Permit], permittees shall operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permit conditions and regulations. Operators or supervisors of operations at regulated wastewater treatment facilities shall be certified in accordance with [10 CSR 20-9.020(2)] and any other applicable state law or regulation. As per [10 CSR 20-9.010(2)(A)], requirements for operation by certified personnel shall apply to all wastewater treatment systems, if applicable, as listed below:

- Owned or operated by or for:
  - Municipalities



Each of the above entities are only applicable if they have a Population Equivalent greater than two hundred (200) and/or fifty (50) or more service connections.

This facility currently requires an operator with a C Certification Level. Please see **Appendix A: Classification Worksheet**. Modifications made to the wastewater treatment facility may cause the classification to be modified.

Operator's Name: Randy Williams  
Certification Number: 8660  
Certification Level: A

The listing of the operator above only signifies that staff drafting this operating permit have reviewed appropriate Department records and determined that the name listed on the operating permit application has the correct and applicable Certification Level.

**Part III – Receiving Stream Information**

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

As per Missouri’s Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into 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.

All Other Waters [10 CSR 20-7.015(8)]:

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 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(3)].

**RECEIVING STREAM(S) TABLE:**

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	8-DIGIT HUC	EDU**
Rocky Creek	C	3326	AQL, LWW, WBC (B)***	10240012	Central Plains/ Nishnabotna/Platte

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

\*\* - Ecological Drainage Unit

\*\*\* - UAA conducted in March 2005 and October 2008 to retain WBC and add SCR.

**RECEIVING STREAM(S) LOW-FLOW VALUES TABLE:**

RECEIVING STREAM (U, C, P)	LOW-FLOW VALUES (CFS)		
	1Q10	7Q10	30Q10
Rocky Creek	0.0	0.0	0.0

**MIXING CONSIDERATIONS TABLE:**

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

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

**RECEIVING STREAM MONITORING REQUIREMENTS:**

No receiving water monitoring requirements required at this time. Previous permit limited downstream monitoring to that permit cycle if the receiving stream data achieved water quality standards for ammonia and dissolved oxygen. The required sampling showed that the stream was achieving water quality standards over the previous permit cycle.

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

**ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:**

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

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.

- All limits in this operating permit are at least as protective as those previously established; therefore, backsliding does not apply.

**ANTIDegradation:**

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

- Renewal no degradation proposed and no further review necessary.

**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://dnr.mo.gov/env/wpp/pub/index.html>, items WQ422 through WQ449.

Applicable : Permittee land applies biosolids in accordance with Standard Conditions III and a Department approved biosolids management plan. The facility takes the sludge to the Blue River WWTP (MO-0024911) for incineration or land application.

**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.

**PRETREATMENT PROGRAM:**

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a Publicly Owned Treatment Works [40 CFR Part 403.3(q)].

Pretreatment programs are required at any POTW (or combination of POTW operated by the same authority) and/or municipality with a total design flow greater than 5.0 MGD and receiving industrial wastes that interfere with or pass through the treatment works or are otherwise subject to the pretreatment standards. Pretreatment programs can also be required at POTWs/municipals with a design flow less than 5.0 MGD if needed to prevent interference with operations or pass through. Several special conditions pertaining to the permittee's pretreatment program may be included in the permit, and are as follows:

- Implementation and enforcement of the program,
- Annual pretreatment report submittal,
- Submittal of list of industrial users,
- Technical evaluation of need to establish local limitations, and
- Submittal of the results of the evaluation

Applicable : Kansas City has an approved pretreatment program in accordance with the requirements of [40 CSR Part 403] and [10 CSR 20-6.100] and is expected to implement and enforce its approved program. Rocky Branch does not currently receive flows from an industrial user.

**REASONABLE POTENTIAL ANALYSIS (RPA):**

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standard. In accordance with [40 CFR Part 122.44(d)(iii)] if the permit writer determines that any give pollutant has the reasonable potential to cause, or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for that pollutant.

Not Applicable : A RPA was not conducted for this facility. Independent application was used for determining there was reasonable potential to exceed Water Quality Standards for ammonia. When reviewing DMR data from the previous permit cycle, there was a large variability in effluent values, from 0.1 mg/L to over 9 mg/L.

**REMOVAL EFFICIENCY:**

Removal efficiency is a method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD<sub>5</sub>) and Total Suspended Solids (TSS) for Publicly Owned Treatment Works (POTWs)/municipals.

Applicable : Secondary Treatment is 85% removal [40 CFR Part 133.102(a)(3) & (b)(3)].

**SANITARY SEWER OVERFLOWS (SSO) AND INFLOW AND INFILTRATION (I&I):**

Sanitary Sewer Overflows (SSOs) are defined as an untreated or partially treated sewage release are considered bypassing under state regulation [10 CSR 20-2.010(11)] and should not be confused with the federal definition of bypass. SSO's have a variety of causes including blockages, line breaks, and sewer defects that allow excess storm water and ground water to (1) enter and overload the collection system, and (2) overload the treatment facility. Additionally, SSO's can be also be caused by lapses in sewer system operation and maintenance, inadequate sewer design and construction, power failures, and vandalism. SSOs also include overflows out of manholes and onto city streets, sidewalks, and other terrestrial locations. Additionally, Missouri RSMo §644.026.1 mandates that the Department require proper maintenance and operation of treatment facilities and sewer systems and proper disposal of residual waste from all such facilities.

- In accordance with Missouri RSMo §644.026.1(15) and 40 CFR Part 122.41(e), the permittee is required to develop and/or implement a program for maintenance and repair of the collection system and shall be required in this operating permit by either means of a Special Condition or Schedule of Compliance. In addition, the Department considers the development of this program as an implementation of this condition. Additionally, 40 CFR Part 403.3(o) defines a POTW to include any device and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW Treatment Plant.

At this time, the Department recommends the US EPA's Guide for Evaluating Capacity, Management, Operation and Maintenance (CMOM) Programs At Sanitary Sewer Collection Systems (Document # EPA 305-B-05-002). The CMOM identifies some of the criteria used by the EPA to evaluate a collection system's management, operation, and maintenance and was intended for use by the EPA, state, regulated community, and/or third party entities. The CMOM is applicable to small, medium, and large systems; both public and privately owned; and both regional and satellite collection systems. The CMOM does not substitute for the Clean Water Act, the Missouri Clean Water Law, and both federal and state regulations, as it is not a regulation.

City of Kansas City has developed maintenance and repair plan to address SSO which is documented in the Kansas City, Missouri Overflow Control Plan dated January 30, 2009. On April 14, 2010 the Missouri Department of Natural Resources approved the Overflow Control Plan and the Western District Court of Missouri approved the OCP as memorialized in a US EPA/DOJ Consent Decree on September 27, 2010. The CMOM plan is Appendix C of the Consent Decree. A copy of the requirements of the CMOM report and the overall OCP is available on Kansas City's webpage: <http://www.kcmo.org/CKCMO/Depts/WaterServices/index.htm>.

**SCHEDULE OF COMPLIANCE (SOC):**

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

Applicable : The time given for effluent limitations of this permit listed under Interim Effluent Limitation and Final Effluent Limitations were established in accordance with [10 CSR 20-7.031(10)]. The facility has a schedule of compliance to meet the more stringent pH requirements.

**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.

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

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

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

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

Where C = downstream concentration  
C<sub>s</sub> = upstream concentration  
Q<sub>s</sub> = upstream flow  
C<sub>e</sub> = effluent concentration  
Q<sub>e</sub> = effluent flow

Chronic wasteload allocations were determined using applicable chronic water quality criteria (CCC: criteria continuous concentration) and stream volume of flow at the edge of the mixing zone (MZ). Acute wasteload allocations were determined using applicable water quality criteria (CMC: criteria maximum concentration) and stream volume of flow at the edge of the zone of initial dilution (ZID). Water quality based maximum daily and average monthly effluent limitations were calculated using methods and procedures outlined in USEPA's "Technical Support Document For Water Quality-based Toxics Control" (EPA/505/2-90-001).

Number of Samples "n":

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

**WLA MODELING:**

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

Not Applicable : A WLA study was either not submitted or determined not applicable by Department staff.

**WATER QUALITY STANDARDS:**

Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, [40 CFR 122.44(d)(1)] directs the Department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

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

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

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

- Facility is a designated Major.
- Facility is a municipality or domestic discharger with a Design Flow  $\geq$  22,500 gpd.

**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, which includes blending, 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(1)(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.

- The permittee has meet the criteria as established in 40 CFR 122.41(m)(4)(i)(A), (B), and (C). Outfall 002 is no longer authorized to discharge as it is a Bypass. For more information on how Kansas City plans to address peak flows at the treatment plants along with sanitary sewer overflows prior to the facility headworks, please visit the Kansas City’s website for the Overflow Control Plan, its schedule, and the Consent Decree. <http://www.kcmo.org/CKCMO/Depts/WaterServices/index.htm>.

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

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

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

Applicable  Rocky Branch is listed on the 2002 Missouri 303(d) List for biochemical oxygen demand.

- This facility is considered to be a source of or has the potential to contribute to the above listed pollutant(s). In 2005, Kansas City constructed a new wastewater treatment plant and received stringent permit limits in lieu of a TMDL. The approval letter for the permit-in-lieu of a TMDL was issued on July 20, 2006. (<http://dnr.mo.gov/env/wpp/tmdl/3326-rocky-br-record.htm>)

**Part V – Effluent Limits Determination**

**Outfall #003 – Main Facility Outfall**

Effluent limitations derived and established in the below Effluent Limitations Table are based on current operations of the facility. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

**EFFLUENT LIMITATIONS TABLE:**

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	GPD	1	*		*	N	
BOD <sub>5</sub>	MG/L	10		20	10	N	
TSS	MG/L	10		25	15	N	
pH	SU	2,3	**		**	Y	6.0-9.0
AMMONIA AS N (APRIL 1 – SEPT 30)	MG/L	3	3.7		1.4	Y	3.7/1.9
AMMONIA AS N (OCT 1 – MARCH 31)	MG/L	3	7.5		2.9	Y	7.5/3.7
DISSOLVED OXYGEN (DO)	MG/L	10	*		*	N	
ESCHERICHIA COLI	***	1,2		1030	260	Y	FECAL
OIL & GREASE (MG/L)	MG/L	1,2	15		10	Y	
WHOLE EFFLUENT TOXICITY (WET) TEST	% Survival	11	Please see WET Test in the Derivation and Discussion Section below.				

\* - Monitoring requirement only.

\*\* - pH shall be maintained between 6.5-9.0 SU. pH shall not be averaged.

\*\*\* - # of colonies/100mL; the Monthly Average for *E. coli* is a geometric mean.

\*\*\*\* - 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. Antidegradation Review                |                                    |

**OUTFALL #003 – DERIVATION AND DISCUSSION OF LIMITS:**

- **Flow.** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the Department, which may require the submittal of an operating permit modification.
- **Biochemical Oxygen Demand (BOD<sub>5</sub>).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream’s Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.** Weekly average= 20 mg/L; Monthly average =10 mg/L,
- **Total Suspended Solids (TSS).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream’s Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.** Weekly average= 25 mg/L; Monthly average =15 mg/L,
- **pH.** Facility has a year to come into compliance with the new pH effluent limits. pH shall be maintained between 6.5-9.0 standard units after the first year. [10 CSR 20-7.015(8)(A)3A.].

- **Total Ammonia Nitrogen.** Early Life Stages Present Total Ammonia Nitrogen criteria apply [10 CSR 20-7.031(4)(B)7.C. & Table B3] default pH 7.8 SU Background total ammonia nitrogen = 0.01 mg/L .

Season	Temp (°C)	pH (SU)	Total Ammonia Nitrogen CCC (mg/L)	Total Ammonia Nitrogen CMC (mg/L)
Summer	26	7.8	1.5	12.1
Winter	6	7.8	3.1	12.1

Summer: April 1 – September 30

Chronic WLA:  $C_e = ((4.33 + 0.0)1.5 - (0.0 * 0.01))/4.33$   
 $C_e = 1.5 \text{ mg/L}$

Acute WLA:  $C_e = ((4.33 + 0.0)12.1 - (0.0 * 0.01))/4.33$   
 $C_e = 12.1 \text{ mg/L}$

$LTA_c = 1.5 \text{ mg/L (0.780)} = \mathbf{1.2 \text{ mg/L}}$

$LTA_a = 12.1 \text{ mg/L (0.321)} = 3.9 \text{ mg/L}$

$MDL = 1.2 \text{ mg/L (3.11)} = 3.7 \text{ mg/L}$

$AML = 1.2 \text{ mg/L (1.19)} = 1.4 \text{ mg/L}$

[CV = 0.6, 99<sup>th</sup> Percentile, 30 day avg.]

[CV = 0.6, 99<sup>th</sup> Percentile]

[CV = 0.6, 99<sup>th</sup> Percentile]

[CV = 0.6, 95<sup>th</sup> Percentile, n=30]

Winter: October 1 – March 31

Chronic WLA:  $C_e = ((4.33 + 0.0)3.1 - (0.0 * 0.01))/4.33$   
 $C_e = 3.1 \text{ mg/L}$

Acute WLA:  $C_e = ((4.33 + 0.0)12.1 - (0.0 * 0.01))/4.33$   
 $C_e = 12.1 \text{ mg/L}$

$LTA_c = 3.1 \text{ mg/L (0.780)} = \mathbf{2.4 \text{ mg/L}}$

$LTA_a = 12.1 \text{ mg/L (0.321)} = 3.9 \text{ mg/L}$

$MDL = 2.4 \text{ mg/L (3.11)} = 7.5 \text{ mg/L}$

$AML = 2.4 \text{ mg/L (1.19)} = 2.9 \text{ mg/L}$

[CV = 0.6, 99<sup>th</sup> Percentile, 30 day avg.]

[CV = 0.6, 99<sup>th</sup> Percentile]

[CV = 0.6, 99<sup>th</sup> Percentile]

[CV = 0.6, 95<sup>th</sup> Percentile, n=30]

Season	MDL (mg N/L)	AML (mg N/L)
Summer	3.7	1.4
Winter	7.5	2.9

- **Dissolved Oxygen.** Monitoring requirements from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, monitoring requirements have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **Escherichia coli (E. coli).** Monthly average of 206 per 100 ml as a geometric mean and Weekly Average of 1030 during the recreational season (April 1 – October 31), to protect Whole Body Contact Recreation (B) designated use of the receiving stream, as per 10 CSR 20-7.031(4)(C). Weekly Average effluent variability will be evaluated in development of a future effluent limit. An effluent limit for both monthly average and weekly average is required by 40 CFR 122.45(d). Kansas City is using ultraviolet disinfection to meet *E. Coli* effluent limits during the recreational season.
- **Oil & Grease.** Conventional pollutant, effluent limitation for protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum.

- **WET Test.** WET Testing schedules and intervals are established in accordance with the Department's Permit Manual; Section 5.2 *Effluent Limits / WET Testing for Compliance Bio-monitoring*. It is recommended that WET testing be conducted during the period of lowest stream flow.
  - Acute
  - No less than ONCE/YEAR:
  - Facility is designated as a Major facility or has a design flow  $\geq 1.0$  MGD.

Acute and/or Chronic Allowable Effluent Concentrations (AECs) for facilities that discharge to Class C streams are 100%, 50%, 25%, 12.5%, & 6.25%.

## **PART VI: Finding of Affordability**

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.

Applicable  : The Department is required to determine findings of affordability because the permit applies to a **combined or separate sanitary sewer system for a publically-owned treatment works.**

**Finding of affordability** - The department has made a reasonable search for empirical data indicating the permit is affordable. The search consisted of a review of department records that might contain economic data on the community, a review of information provided by the applicant as part of the application, and public comments received in response to public notices of this draft permit. If the empirical cost data was used by the permit writer, this data may consist of median household income, any other ongoing projects that the Department has knowledge, and other demographic financial information that the community provided as contemplated by Section 644.145.3.

### **The department is hereby making a finding based from the following facts:**

- 1) The applicant states that the terms and conditions are affordable for the community. OR; This permit action was taken at the discretion of the facility, therefore the department assumes the applicant already determined it is affordable;
- 2) The permit action is taken at the discretion of the system itself (e.g., sewer extension construction permits, or the relocation of an outfall in lieu of otherwise upgrading a system in order to comply with a permit issued prior to July 11, 2011);
- 3) This permit contains no new or expanded terms and conditions;
- 4) The department is not aware of any significant economic impacts this permit would cause on distressed populations;
- 5) No comments indicating such impact were received during the public comment period on the draft permit;
- 6) The department is not aware of any other more cost effective wastewater treatment options that would achieve the required effluent quality;
- 7) The Facility Plan on the construction permit contained an affordability finding;
- 8) The applicant provided increased effluent discharge monitoring costs due to expanded monitoring frequency for certain permit parameters;
- 9) An affordability analysis was performed as part of the Long Term Control Plan on Combined Sewer Overflows. The LTCP provided a comprehensive review of necessary upgrades and the affordability for all Kansas City wastewater treatment plants. The LTCP was approved by the department and was entered into by consent judgment, Administrative Order of Consent (Civil Action No. 4:10-cv-0497-GAF)
- 10) An affordability analysis was performed as part of an Antidegradation Review Determination;
- 11) The applicant has entered into a Voluntary Compliance Agreement (VCA) for the purpose of eliminating inflow and infiltration into the plant. The applicant entered into the VCA after due consideration, therefore the department assumes that the applicant has determined it is affordable.
- 12) Others: explain.

## **Part VI – Administrative Requirements**

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

### **PUBLIC NOTICE:**

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

The Department must issue public notice of a pending operating permit or of a new or reissued statewide general permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit. For persons wanting to submit comments regarding this proposed operating permit, then please refer to the Public Notice page located at the front of this draft operating permit. The Public Notice page gives direction on how and where to submit appropriate comments.

- The Public Notice period for this operating permit was from December 09, 2011 to January 09, 2012. No responses received or responses to the Public Notice of this operating permit do not warrant the modification of effluent limits and/or the terms and conditions of this permit.

**DATE OF FACT SHEET:** OCTOBER 06, 2011; JANUARY 25, 2012

### **COMPLETED BY:**

LEASUE MEYERS, ENVIRONMENTAL ENGINEER II  
PERMITTING AND ENGINEERING SECTION  
WATER PROTECTION PROGRAM  
[LEASUE.MEYERS@DNR.MO.GOV](mailto:LEASUE.MEYERS@DNR.MO.GOV)

**Part VII – Appendices**

**APPENDIX A: CLASSIFICATION WORKSHEET**

ITEM	POINTS POSSIBLE	POINTS ASSIGNED
Maximum Population Equivalent (P.E.) served (Max 10 pts.)	1 pt./10,000 PE or major fraction thereof.	2
Maximum: 10 pt Design Flow (avg. day) or peak month; use greater (Max 10 pts.)	1 pt. / MGD or major fraction thereof.	3
<b>EFFLUENT DISCHARGE RECEIVING WATER SENSITIVITY:</b>		
Missouri or Mississippi River	0	
All other stream discharges except to losing streams and stream reaches supporting whole body contact	1	1
Discharge to lake or reservoir outside of designated whole body contact recreational area	2	
Discharge to losing stream, or stream, lake or reservoir area supporting whole body contact recreation	3	
<b>PRELIMINARY TREATMENT - Headworks</b>		
Screening and/or comminution	3	
Grit removal	3	3
Plant pumping of main flow (lift station at the headworks)	3	
<b>PRIMARY TREATMENT</b>		
Primary clarifiers	5	5
Combined sedimentation/digestion	5	
Chemical addition (except chlorine, enzymes)	4	
<b>REQUIRED LABORATORY CONTROL – performed by plant personnel (highest level only)</b>		
Push – button or visual methods for simple test such as pH, Settleable solids	3	3
Additional procedures such as DO, COD, BOD, titrations, solids, volatile content	5	
More advanced determinations such as BOD seeding procedures, fecal coliform, nutrients, total oils, phenols, etc.	7	
Highly sophisticated instrumentation, such as atomic absorption and gas chromatograph	10	
<b>ALTERNATIVE FATE OF EFFLUENT</b>		
Direct reuse or recycle of effluent	6	
Land Disposal – low rate	3	
High rate	5	
Overland flow	4	
Total from page <b>ONE (1)</b>	----	17

**APPENDIX A: CLASSIFICATION WORKSHEET (CONTINUED)**

ITEM	POINTS POSSIBLE	POINTS ASSIGNED
<b>VARIATION IN RAW WASTE (highest level only) (DMR exceedances and Design Flow exceedances)</b>		
Variation do not exceed those normally or typically expected	0	
Recurring deviations or excessive variations of 100 to 200 % in strength and/or flow	2	
Recurring deviations or excessive variations of more than 200 % in strength and/or flow	4	4
Raw wastes subject to toxic waste discharge	6	
<b>SECONDARY TREATMENT</b>		
Trickling filter and other fixed film media with secondary clarifiers	10	
Activated sludge with secondary clarifiers (including extended aeration and oxidation ditches)	15	15
Stabilization ponds without aeration	5	
Aerated lagoon	8	
Advanced Waste Treatment Polishing Pond	2	
Chemical/physical – without secondary	15	
Chemical/physical – following secondary	10	
Biological or chemical/biological	12	
Carbon regeneration	4	
<b>DISINFECTION</b>		
Chlorination or comparable	5	
Dechlorination	2	
On-site generation of disinfectant (except UV light)	5	
UV light	4	4
<b>SOLIDS HANDLING - SLUDGE</b>		
Solids Handling Thickening	5	
Anaerobic digestion	10	
Aerobic digestion	6	
Evaporative sludge drying	2	
Mechanical dewatering	8	
Solids reduction (incineration, wet oxidation)	12	
Land application	6	
Total from page <b>TWO (2)</b>	----	17
Total from page <b>ONE (1)</b>	---	23
Grand Total	---	40

- A: 71 points and greater
- B: 51 points – 70 points
- C: 26 points – 50 points
- D: 0 points – 25 points