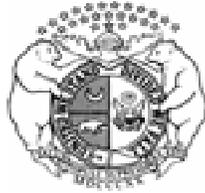


STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO0113093

Owner: Cozy Cove Unit Owners Association
Address: 7800 Cozy Cove Road, Branson, MO 65616

Continuing Authority: Same as Above
Address: Same as Above

Facility Name: Cozy Cove Condominium Community WWTF
Facility Address: 7800 Cozy Cove Road, Branson MO 65616

Legal Description: SE¼, SW¼, SE¼, Sec. 21, T23N, R21W, Taney County
Receiving Stream: Bee Creek (C)
First Classified Stream and ID: Bee Creek (C) (02436)
USGS Basin & Sub-watershed No.: (11010003-030003)

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

FACILITY DESCRIPTION

Outfall #001 – Subdivision / Sewerage Works - SIC #4952 / 4952
Activated sludge / ultraviolet disinfection / sludge holding tank / sludge disposal by contract hauler.

Design organic population equivalent is 250.
Design average daily flow is 18,750 gallons per day.
Design sludge production is 7 dry tons/year.

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

November 1, 2007
Effective Date

Handwritten signature of Doyle Childers in black ink.

Doyle Childers, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

October 31, 2012
Expiration Date
MO 780-0041 (10-93)

Cynthia S. Davies, Regional Director, Southwest Regional Office

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS				PAGE NUMBER 2 of 4		
				PERMIT NUMBER MO0113093		
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 #001</u>						
Flow	GPD	*		*	once/quarter**	24 hr. estimate
Biochemical Oxygen Demand ₅	mg/L		30	20	once/quarter**	grab
Total Suspended Solids	mg/L		30	20	once/quarter**	grab
pH – Units	SU	***		***	once/quarter**	grab
Fecal Coliform (Note 1)	#/100 ml	1000		400 (Note 2)	once/quarter**	grab
Total Phosphorus as P	mg/L	*		*	once/quarter**	grab
Ammonia as N	mg/L	*		*	once/quarter**	grab
Temperature	°C	*		*	once/quarter**	grab
MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY ; THE FIRST REPORT IS DUE JANUARY 28, 2008 . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I & III</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> and <u>August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

* Monitoring requirement only.

** Sample once per quarter in the months of **March, June, September, and December**. Reports shall be submitted by the 28th day of the month following the reporting period, e.g. Reporting period is the 1st quarter (sample collected in March), report due by April 28th.

*** pH is measured in pH units and is not to be averaged. The pH for all facilities except lagoons is limited to the range of 6.0-9.0 pH units.

Note 1 - Final limitations and monitoring requirements for Fecal Coliform are applicable only during the recreational season from April 1 through October 31.

Note 2 - Monthly average limit for Fecal Coliform is expressed as a geometric mean. Geometric mean for n samples = $[a_1 \times a_2 \times a_3 \dots \times a_n]^{1/n}$

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:

(a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

(1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

C. SPECIAL CONDITIONS (continued)

- (2) controls any pollutant not limited in the permit.
- (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
- (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

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

2. All outfalls must be clearly marked in the field.
3. Permittee will cease discharge by connection to areawide wastewater treatment system within 90 days of notice of its availability.
4. Changes in Discharges of Toxic Substances

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

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
 - (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

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

6. Water Quality Standards

- (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
- (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (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;

C. SPECIAL CONDITIONS (continued)

- (5) There shall be no significant human health hazard from incidental contact with the water;
- (6) There shall be no acute toxicity to livestock or wildlife watering;
- (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
- (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

7. Sludge and Biosolids Use For Domestic Wastewater Treatment Facilities

- (a) Permittee shall comply with the pollutant limitations, monitoring, reporting, and other requirements in accordance with the attached permit Standard Conditions.
- (b) If sludge is not removed by a contract hauler, permittee is authorized to land apply biosolids. Permit Standard Conditions, Part III shall apply to the land application of biosolids. Permittee shall notify the department at least 180 days prior to the planned removal of biosolids. The department may require submittal of a biosolids management plan for department review and approval as determined appropriate on a case-by-case basis.

Missouri Department of Natural Resources
Statement of Basis
Cozy Cove Condominium Community WWTF
NPDES #: MO-0113093
Taney County

A Statement of Basis (Statement) gives pertinent information regarding the applicable regulations and rationale for the development of the NPDES Missouri State Operating Permit (operating permit). This Statement does not include calculations for the effluent limits provided herein and in the operating permit, and does not discuss the public comment process. This Statement also does not pertain to operating permits that include sewage sludge land application plans and variance procedures.

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

Rationale of Effluent Limitations & Permit Language Determination

ANTI-BACKSLIDING:

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

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

ANTIDegradation:

Policies which 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 requirements are consistent with 40 CFR 131.12 that outlines methods used to assess activities that may impact the integrity of a water and protect existing uses. This policy may compel the state to maintain a level of water quality above those mandated by criteria.

Not Applicable

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.

APPLICABLE PERMIT PARAMETERS:

Effluent parameters for conventional, non-conventional, and toxic pollutants have been obtained from the previous NPDES operating permit for this facility, technology based effluent limits, and from appropriate sections of the renewal application.

BASIS FOR LIMITATIONS:

Effluent limits established in this Statement of Basis and Missouri State Operating Permit are derived from State or Federal Regulation, Water Quality Standards, Lagoon Policy, Ammonia Policy, Antidegradation Policy, Best Professional Judgement, TMDL or Permit in lieu of TMDL, or WET Test Policy.

COMPLIANCE AND ENFORCEMENT:

Action taken by the department to resolve violations of the Missouri Clean Water Law, its implementing regulations, and/or any terms and condition of an operating permit.

Not Applicable ;

The permittee/facility is not under enforcement action and is considered to be in compliance with the Missouri Clean Water Law, its implementing regulations, and/or any terms and condition of an operating permit.

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 §403.3(q)].

Not Applicable ;

At this time, the permittee is not required to implement and enforce a Pretreatment Program.

RECEIVING STREAM INFORMATION:

10 CSR 20-7.031 Missouri Water Quality Standards, the department "defines the Clean Water Commission water quality objectives in terms of water uses to be maintained and the criteria to protect those uses." The 1st receiving stream for this facility is Bee Creek which is a class C stream, and its Beneficial Water Uses* to be maintained are LWW, AQL, WBC**, CDF.

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

** - UAA has not been conducted.

RECEIVING STREAM MONITORING REQUIREMENTS:

No receiving water monitoring requirements recommended at this time.

REMOVAL EFFICIENCY:

Removal efficiency is one method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD₅) and Total Suspended Solids (TSS) for domestic wastewater sources.

Not Applicable ;

This facility is not required to meet a removal efficiency.

SANITARY SEWER OVERFLOWS (SSOs), AND INFLOW & INFILTRATION (I&I):

Collection systems are a critical element in the successful performance of the wastewater treatment process. Under certain conditions, poorly designed, built, managed, operated, and/or maintained systems can pose risks to public health, the environment, or both. Causes of SSOs include, but are not limited to, the following: high levels of I&I during wet weather; blockages; structural, mechanical, or electrical failures; collapsed or broken sewer pipes; insufficient conveyance capacity; and vandalism. Effective and continuous management, operation, and maintenance, as well as ensuring adequate capacity and rehabilitation when necessary are critical to maintaining collection system capacity and performance while extending the life of the system.

Not Applicable ;

This facility is not required to develop or implement a program for maintenance and repair of the collection system; however, it is a violation of Missouri State Environmental Laws and Regulations to allow untreated wastewater to discharge to waters of the state.

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.

Not Applicable ;

This permit does not contain a SOC.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP):

A plan to schedule activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. The plan may include, but is not limited to, treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Not Applicable ;

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

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 ;

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

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

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

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

Applicable ;

Lake Taneycomo is listed on the 2002 Missouri 303(d) List for Low DO.

– This facility is not considered to be a source of the above listed pollutant(s) or considered to contributed to the impairment of Lake Taneycomo.

Outfall #001 – Main Facility Outfall
EFFLUENT LIMITATIONS TABLE

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	GPD	1	*		*	NO	N/A
BOD ₅	MG/L	1		30	20	NO	N/A
TSS	MG/L	1		30	20	NO	N/A
PH (S.U.)	SU	1	**		**	NO	N/A
AMMONIA AS N	MG/L	5	*		*	YES	NONE

TEMPERATURE	°C	5	*		*	YES	NONE
FECAL COLIFORM	***	1	1000		400 (NOTE 1)	NO	N/A
PHOSPHORUS AS P	MG/L	1	*		*	NO	N/A
MONITORING FREQUENCY	N/A	1,8	QUARTERLY		QUARTERLY	YES	MONTHLY

* - Monitoring requirement only

** - pH is measured in pH units and is not to be averaged. The pH for all facilities except lagoons is limited to the range of 6.0-9.0 pH units

*** - # of colonies/100mL

N/A – Not applicable

Note 1 – Monthly Average for Fecal Coliform is a geometric mean and not average.

Basis for Limitations Codes:

- | | |
|--|-----------------------------------|
| 1. State or Federal Regulation/Law | 6. Antidegradation Policy |
| 2. Water Quality Standard ² | 7. Water Quality Model |
| 3. Water Quality Based Effluent Limits | 8. Best Professional Judgement |
| 4. Lagoon Policy | 9. TMDL or Permit in lieu of TMDL |
| 5. Ammonia Policy | 10. WET test Policy |

² – Water Quality Standards also includes Reasonable Potential Analysis.

OUTFALL #001 – DERIVATION AND DISCUSSION OF LIMITS:

Biochemical Oxygen Demand (BOD₅).

– Effluent limitations are protective and have been retained from previous state operating permit.

Total Suspended Solids (TSS).

– Effluent limitations are protective and have been retained from previous state operating permit.

pH.

– Effluent limitation has been retained from previous state operating permit,

Total Ammonia Nitrogen, Temperature. Monitoring requirement only. Monitoring for temperature and ammonia are included to determine whether “reasonable potential” to exceed water quality standards exists after the discharge begins.

Fecal Coliform. Discharge shall not contain more than a monthly geometric mean of 400 colonies/ 100 mL and a daily maximum of 1000 colonies/100 mL during the recreational season (April 1 – October 31) [10 CSR 20-7.015]. Future renewals of the facility operating permit will contain effluent limitations for E. coli, which will replace fecal coliform as the applicable bacteria criteria in Missouri’s water quality standards.

Future renewals of the facility operating permit will contain effluent limitations for E. coli, which will replace fecal coliform as the applicable bacteria criteria in Missouri’s water quality standards

Total Phosphorus

Monitoring requirement only per 10 CSR 20 - 7.015 (3).

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 or within the operating permit. The proposed determinations are tentative pending public comment.

GENERAL ASSUMPTIONS OF THE STATEMENT:

1. A Statement assumes that [10 CSR 20-6.010(3) Continuing Authorities] has been or will be addressed in a Missouri State Operating Permit or Construction Permit Application.
2. A Statement does not indicate approval or disapproval of alternative analysis as per [10 CSR 20-7.015(4) Losing Streams], and/or any section of the effluent regulations.
3. Changes to Federal and State Regulations made subsequent to the drafting of this Statement may alter effluent limitations and or permit conditions.
4. Water Quality Based Effluent Limitations supercede Effluent Guidelines Limits only when they are more stringent. Mass limits derived from technology based limits are still appropriate.
5. A Statement does not allow discharges to waters of the state, and shall not be construed as a National Pollution Discharge Elimination System or Missouri State Operating Permit to discharge or a permit to construct, modify, or upgrade.
6. Limitations and other requirements in a Statement may change as Water Quality Standards, Methodology, and Implementation procedures change.

Date of Statement: August 13, 2007

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