

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT
GENERAL PERMIT

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

Permit No. MO-G690000

Owner:
Address:

Continuing Authority:
Address:

Facility Name:
Facility Address:

Legal Description:
Latitude/Longitude:

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

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

FACILITY DESCRIPTION

All Outfalls

Return water, wash water, and stormwater runoff from dredged aggregate deposition sites and other disturbance resulting from maintenance dredging in waters of the state, except those discharges to the Missouri or Mississippi Rivers.

This permit authorizes only wastewater, including 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 Section 644.051.6 of the Law.

August 1, 2019
Effective Date

Edward B. Galbraith
Edward Galbraith, Director, Division of Environmental Quality

July 31, 2024
Expiration Date

Chris Wieberg
Chris Wieberg, Director, Water Protection Program

APPLICABILITY

1. This Missouri State Operating Permit (permit) authorizes the discharge of return water, wash water, and stormwater from maintenance dredging of lakes and/or river harbors on any contiguous property owned or controlled by a city, city utility, local unit of government, home owners association, or commercial dredging operations to waters of the state of Missouri, other than the Missouri and Mississippi Rivers. The permit places effluent limits on any water flowing from dredged sediment.

If the water flowing from dredged sediment is entering the Missouri or Mississippi Rivers, the discharges may qualify for the MOG698 permit.

2. This permit, specifically identifying the project, must be issued before any dredging can occur; however, this permit does not authorize the act of dredging itself, only the land-based processing and/or placement of dredged material. Permittees should be aware other state and federal permits may be needed. Compliance with the provisions of this permit does not supersede or remove liability for other state, federal, county, or any other local approval which may be required for this activity. Commercial dredging in certain streams may require a permit from the Department's Land Reclamation Program, which can be reached at (800) 361-4827.
3. This permit does not cover land disturbance activities or construction of earthen basins.
 - (a) Land disturbance activities disturbing one or more acres of total area for the entire project or less than one acre for sites that are part of a common promotional plan of development may require a land disturbance permit. Instructions on how to apply for and receive the online land disturbance permit are located at www.dnr.mo.gov/env/wpp/epermit/help.htm. Questions regarding permit requirements may be directed to the Department's Land Disturbance phone line at [573-526-2082](tel:573-526-2082), toll free at [855-789-3889](tel:855-789-3889), or by email at epermitting@dnr.mo.gov.
 - (b) Construction of an earthen basin or holding structure may require a construction permit. Instructions on how to apply for and receive a construction permit are located at <https://dnr.mo.gov/env/wpp/permits/ww-construction-permitting.htm>. Questions regarding permit requirements may be directed to Department's Water Protection Program phone line at [573-751-1300](tel:573-751-1300), or toll free at [800-361-4827](tel:800-361-4827).
4. This permit does not authorize discharges which are located in a way to allow water to be released into sinkholes, caves, fissures, or other openings in the ground that could drain into aquifers directly or indirectly (except losing streams) per 10 CSR 20-7.015(7).
5. For facilities which would discharge directly to Outstanding State Resource Waters:
 - (a) Outstanding State Resource Waters are protected against any degradation in quality as defined in 10 CSR 20-7.015(6)(B) and 7.031(3)(C).
 - (b) This permit does not authorize wastewater discharge in Outstanding State Resource Waters.
 - (c) This permit authorizes stormwater discharge facilities to operate and continue to discharge only stormwater so long as no degradation of water quality occurs.
6. For facilities operating within the watershed of Outstanding National Resource Waters, which include the Ozark National Riverways and the National Wild and Scenic Rivers System:
 - (a) This permit authorizes only no-discharge facilities [as defined in 10 CSR 20-6.015(1)(B)7.] to operate.
 - (b) If a no-discharge facility desires to become authorized to discharge stormwater, the facility is directed to contact the Department to discuss applicability.
 - (c) Any discharge from a no-discharge facility, including stormwater, 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)2.-3.] 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 established BMPs.
7. Facilities located within the watershed of an impaired water as designated in the 305(b) Report must be evaluated on a case-by-case basis for inclusion under this permit. Missouri's impaired waters can be found at <https://dnr.mo.gov/env/wpp/waterquality/index.html>. Facilities found to be discharging the listed pollutant(s) of concern for any impaired water may be required to obtain a site-specific permit.
8. This general permit does not authorize the placement of fill materials in floodplains, placement of solid materials into any waterway, the obstruction of stream flow, or changing the channel of a defined drainage course. A permit from the U.S. Army Corps of Engineers may be required for this activity.
9. For the purposes of this permit, stormwater is defined as rainfall runoff, runoff from frozen precipitation, and surface runoff which does not come in contact with dredged materials or process wastewater (as defined below). Any processed or cleaned, stockpiled material that is ready for delivery is considered a final product made to be outside. Stormwater or groundwater seepage that comes in contact with final product is considered stormwater.

10. For the purposes of this permit, process wastewater is defined as any water used in the slurry transport of dredged material, air emissions control, equipment and vehicle washing, separation processes (e.g., flotation, heavy media separation), return water, wash water, processing, or water from stockpiles of dredged material not considered a final product and used as a commodity.

Process wastewater also includes any water (e.g., stormwater, groundwater seepage, etc.) which becomes commingled with such wastewater in a pond, lagoon, stockpile yet to be processed or which is considered waste material, or other structure used for treatment of such wastewater. Such discharges are deemed to be process wastewater discharge even if it occurs during a precipitation event. Process wastewater discharges are subject to treatment processes, as necessary, to comply with the effluent limitations in this permit.

This general permit does not authorize any discharge of sewage, or pollutants to waters of the state such as:

- (a) Water with added detergents, additives, cleaners, or solvents.
- (b) Hazardous substances or oil and grease which may be contained in dredged sediment;
- (c) Wastewater generated from air pollution control equipment or the containment of scrubber water in lined ponds;
- (d) Domestic wastewater, including gray water; or
- (e) Any other wastewater not specifically authorized in this permit.

Coagulants and flocculants are not considered to be “additives” and may be added to wastewater in accordance with manufacturer’s instructions in order to meet permit requirements.

11. The Department may require any facility authorized by a general permit to apply for a site-specific permit [10 CSR 20-6.010(13)(C)]. Cases where a site-specific permit may be required include, but are not limited to, the following:
 - (a) The discharge(s) is a significant contributor of a pollutant(s) which impairs the beneficial uses of the receiving stream;
 - (b) The discharger is not in compliance with the conditions of the general permit;
 - (c) A Total Maximum Daily Load (TMDL) containing requirements applicable to the discharge(s) is approved.
12. If a facility covered under a current general permit desires to apply for a site-specific permit, the facility may do so by contacting the Department for application requirements and procedures.
13. Facilities covered under a current site-specific permit who desire to apply for inclusion under this general permit may contact the Department for application requirements and procedures.
14. The following are allowable non-stormwater discharges authorized under this permit:
 - (a) Discharges from fire-fighting activities;
 - (b) Potable water, including water line flushing (testing);
 - (c) Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - (d) Landscape watering, provided all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer’s instructions;
 - (e) Uncontaminated groundwater or spring water which has not contacted industrial materials or processes;
 - (f) Foundation or footing drains where flows are not contaminated with process materials; and
 - (g) Incidental windblown mist from cooling towers which collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or drains).

EXEMPTIONS AND EXCLUSIONS

1. Facilities that discharge all runoff, stormwater, non-process wastewater, and process wastewater directly to a combined sewer system are exempt from permit requirements.
2. Facilities that discharge process wastewater, mine dewater, and stormwater from commercial sand and gravel mining/dredging shall apply for coverage under the MOG50 permit or contact the Department for site-specific coverage. Certain facilities may also be required to obtain a permit from the U.S. Army Corps of Engineers, or the Department’s Land Reclamation Program.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Table A		FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS				
The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. These final effluent limitations shall be effective at issuance of the Master General Permit. Such discharges shall be controlled, limited, and monitored by the facility as specified below:						
EFFLUENT PARAMETERS	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	SAMPLING FREQUENCY	SAMPLE TYPE
Return Water and/or Process Wastewater Discharge (See Note 1 and Note 2) Limit Set: DW						
Flow	mgd	*		*	once/week	24 hr. estimate
Settleable Solids	ml/L/hr	1.5		1.0	once/week	grab
pH**	SU	6.5 – 9.0		6.5 – 9.0	once/week	grab
Oil and Grease	mg/L	15		10	once/week	grab
Total Suspended Solids	mg/L	*		*	once/week	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> VIA THE DEPARTMENT'S eDMR SYSTEM. SHOULD A WAIVER TO eDMR BE GRANTED BY THE DEPARTMENT, PAPER REPORTS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE <u>MONTH 28, YEAR</u> . IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE. THE DISCHARGE SHALL NOT CONTAIN FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

* Monitoring requirement only.

** pH is measured in pH units and is not to be averaged.

Note 1 Samples shall be collected at least once per week and tested for the parameters listed in Table A. Report as no discharge (using the permissive value of "C") if a discharge does not occur or enter the value "AB" for operational shutdown if the facility is seasonally not in operation.

Note 2 The monitoring requirements in Table A apply to land-based discharges at deposition sites only.

PERMIT REQUIREMENTS

1. Electronic Discharge Monitoring Report (eDMR) Submission System. Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data about the NPDES program. All general permit covered facilities under this master general permit shall comply with the Department's requirements for electronic reporting.
 - (a) Discharge Monitoring Reporting Requirements.
 - (1) Registration to participate in the Department's eDMR system is required as part of the application for general permit coverage in order to constitute a complete permit application and may be accessed at dnr.mo.gov/env/wpp/edmr.htm.
 - (2) The permittee must electronically submit compliance monitoring data via the eDMR system. In regards to Standard Conditions Part I, Section B, #7, the eDMR system is currently the only Department approved reporting method for this permit.
 - (b) Other actions. The following shall be submitted electronically after such a system has been made available by the Department:
 - (1) General Permit Applications/Notices of Intent to discharge (NOIs);
 - (2) Notices of Termination (NOTs);
 - (3) No Exposure Certifications (NOEs); and
 - (4) Low Erosivity Waivers and Other Waivers from Stormwater Controls (LEWs).
 - (c) Electronic Submissions. To access the eDMR system, use the following link in your web browser: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>. If you experience difficulties with using the eDMR system you may contact edmr@dnr.mo.gov or call 573-526-2082 or toll free 855-789-3889 for assistance.
 - (d) Waivers from Electronic Reporting.
 - (1) The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the Department in compliance with 40 CFR Part 127.
 - (2) The permittee may obtain a temporary or permanent electronic reporting waiver by first submitting an eDMR Waiver Request Form (Form 780-2692): <http://dnr.mo.gov/forms/780-2692-f.pdf>, by contacting the appropriate permitting office, or emailing edmr@dnr.mo.gov. The Department will either approve or deny this electronic reporting waiver request within 120 calendar days of receipt.
 - (3) Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period that the approved electronic reporting waiver is effective.

2. Facilities shall take precautions to ensure activities do not cause or contribute to an adverse alteration of a water. Any discharge of fill or dredged material into or alterations of a jurisdictional water of the U.S. requires review by the United States Army Corps of Engineers (USACE) under Section 404 of the federal Clean Water Act (CWA) and by the Department under Section 401 of the federal CWA.

USACE's Regulatory Branches may be contacted in the Kansas City District at 816-389-3990, Little Rock District at (501) 324-5295, Rock Island District at (309) 794-5351, St. Louis District at (314) 331-8575, or Memphis District at (901) 544-3473. For more information on which regulatory office to contact visit:

<https://www.mvs.usace.army.mil/Portals/54/docs/regulatory/Images/2018MOmap.pdf?ver=2018-10-11-114524-560>. The Department's Section 401 staff may be reached at (573) 522-4502.

3. Stockpiles of dredged materials shall be managed as follows:
 - (a) Dredged material stockpile areas shall have some means of environmental control or runoff collection, i.e., perimeter control, a leachate collection system, or both. The perimeter control may, if necessary and practicable, include drainage swales leading to a detention pond.
 - (b) Stockpiles shall be placed away from any conduit or drainage to a water and should not endanger the stability of the drainage or streambank.
 - (c) Stockpiles shall not be placed in flood-prone areas, even if such areas are not in a floodplain. Store dredges spoils such that rain will not wash sediments back into the water.
4. Facilities shall manage equipment and materials (deposited materials, stockpiles, trash bins, trash, tools, etc.) to aid in the prevention of materials and other items being transported off-site or into a water of the state during a high water event.
5. Process water outfalls must be:
 - (a) Clearly marked on a map in the permit records;
 - (b) Free of weeds, brush, or obstructive vegetation;
 - (c) Above the ordinary high water mark of the waterbody to which it discharges; and
 - (d) Maintained so that a sample of the discharge can be obtained at a point after the final treatment process and before the discharge mixes with receiving waters.
6. Facility must be able to show in the field and have marked on a map the location of the stormwater outfall(s). The map shall be retained with permit records or included in the Stormwater Pollution Prevention Plan (SWPPP).
7. The permittee shall furnish to the Department, within a timeframe determined by the Department at the time of request, any information which the Department requires to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine if the permittee is in compliance with this permit. The permittee shall also furnish to the Department upon request copies of records required to be kept by this permit.
8. The laboratory results of all samples from a discharge collected and analyzed must be retained with permit records and made available to the Department upon request.
9. Compliance with all requirements in this permit does not supersede nor remove liability for compliance with county and other local ordinances.
10. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
 - (a) The alteration or addition could significantly change the nature or increase the quantity of pollutants in the discharge. This notification applies to pollutants subject to the effluent limitations of this permit as well as new pollutants different from pollutants listed in this permit; or
 - (b) The alteration or addition results in a significant change in disposal practices and may justify the application of permit conditions different from or absent in the current permit.
11. Before releasing water accumulated in petroleum secondary containment areas, it must be examined for hydrocarbon odor and presence of sheen to protect the general criteria found at 10 CSR 20-7.031(4). If odor or sheen is found, the water shall not be discharged without treatment and shall be disposed of in accordance with legally approved methods, such as being sent to a wastewater treatment facility.

If the facility wishes to discharge the accumulated stormwater with hydrocarbon odor or presence of sheen, the water shall be treated using an appropriate method. Following treatment and before release, the water shall be tested for oil and grease, benzene, toluene, ethylbenzene, and xylene using 40 CFR part 136 methods. All pollutant levels must be below the most protective, applicable standards for the receiving stream, found in 10 CSR 20-7.031 Table A before discharge is authorized. Records of all

testing and treatment of water accumulated in secondary containment shall be stored in the SWPPP and be available on demand to the Department.

12. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (Section 644.055, RSMo). The fees can be found at 10 CSR 20-6.011.
13. The permittee shall at all times properly maintain and operate all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.
14. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, termination, or notice to the Department of planned changes or anticipated non-compliance does not stay any permit condition.

BENCHMARKS FOR STORMWATER DISCHARGES

TABLE B	BENCHMARKS FOR STORMWATER		
The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The benchmarks shall become effective upon issuance of the permit and remain in effect until the expiration of the permit. Such discharges shall be controlled, and limited, by the facility as specified below:			
DISCHARGE PARAMETER(S)	UNITS	BENCHMARK	SAMPLE TYPE
Limit Set: SB			
Oil and Grease	mg/L	10	grab
pH*	SU	6.5 - 9.0	grab
Total Suspended Solids	mg/L	100	grab

* pH is measured in pH units and is not to be averaged.

STORMWATER REQUIREMENTS

1. No regular stormwater sampling is required in this permit. Benchmarks in Table B are to assist in the evaluation of stormwater 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. This permit stipulates pollutant benchmarks applicable to the facility’s discharge. Benchmarks are considered necessary to determine BMP effectiveness and every effort should be made to meet benchmarks during discharges resulting from a precipitation event up to and including the 10-year, 24-hour rain event. Benchmarks do not constitute direct numeric effluent limitations; therefore, not meeting a benchmark is not a permit violation. Failure to address a benchmark exceedance with improved BMPs and failure to make tangible progress toward meeting benchmarks is a permit violation. The 10-year, 24-hour rain event information may be found at: http://www.nws.noaa.gov/oh/hdsc/PF_documents/TechnicalPaper_No40.pdf or http://www.nws.noaa.gov/oh/hdsc/PF_documents/Atlas14_Volume8.pdf.

If the efforts taken by the facility are not sufficient and a benchmark cannot be met, the facility may demonstrate to the Department a benchmark value is not achievable. The demonstration must include rationale and supporting documentation and must show a benchmark value cannot be achieved through the application of BMPs representing available technology. Additionally, the demonstration must show the benchmark is not feasible because no further pollutant reductions are technologically available or economically practicable in light of best industry practices. This demonstration must be presented to the Department for review and approval.

3. If stormwater samples are collected, sample the stormwater after all BMPs (treatment), prior to leaving or at the property boundary, or before the discharge enters waters of the state on the property. More information on stormwater sampling may be found in the following document: *Industrial Stormwater Monitoring and Sampling Guide* (Document number: EPA 832-B-09-003) published by the Environmental Protection Agency (EPA) in March 2009, https://www3.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf.
4. If evaluating flow-through Best Management Practices (BMPs) by stormwater samples, samples should be collected within the first 60 minutes of discharge occurring as a result of precipitation events of 0.1 inches or greater within a 24-hour period. Samples should be collected from an active discharge and should not be taken from standing pools. Precipitation events include rainfall as well as run-off from the melting of frozen precipitation. Local weather stations and on-site gauges are two methods for obtaining local precipitation amounts.

5. The results of all samples from a stormwater discharge which are collected and analyzed must be retained for a period of five (5) years and made available to the Department upon request
6. This permit requires the development and full implementation of a Stormwater Pollution Prevention Plan (SWPPP).
 - (a) **New Facilities:** Before dredging or submitting an application, the permittee shall develop a SWPPP that is specific to the dredging activities at the site. This plan must be developed before a permit can be issued and made available as specified under RECORDS. However, the SWPPP should not be submitted to the Department unless specifically requested.
 - (b) **Existing Facilities:** The existing SWPPP for your facility must be reviewed, revised as necessary, and implemented within 30 days of reissuance of coverage.
 - (c) **Expanding Facilities:** The existing SWPPP for the facility must be reviewed and revised as necessary. Once expansion occurs the revised SWPPP must be implemented within 30 days of permit modification.
7. The purpose of the SWPPP is to ensure the design, implementation, management, and maintenance of BMPs in order to reduce the amount of sediment and other pollutants in discharges associated with the dredging activities; comply with the Missouri Water Quality Standards; and ensure compliance with the terms and conditions of this general permit.
8. A SWPPP that includes an Alternative Analysis of the Best Management Practices (BMPs) must be developed, implemented, and maintained at the facility. Failure to implement and maintain the chosen alternative, which can be revised and updated, is a permit violation. The Alternative Analysis is a structured evaluation of BMPs that are reasonable and cost effective. The analysis should include practices that are designed to be 1) non-degrading, 2) less degrading, or 3) degrading water quality. The chosen BMP will be the most reasonable and cost effective while ensuring that the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The analysis must demonstrate why “no discharge” or “no exposure” are not feasible alternatives at the facility. This structured analysis of BMPs serves as the Antidegradation review, fulfilling the requirements of 10 CSR 20-7.015(9)(A)5 and 7.031(3).
9. The permittee shall select, install, use, operate, and maintain the BMPs 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 (EPA) in June 2015. https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf. (General information may also be found at <https://www.epa.gov/npdes/industrial-stormwater-guidance>.) The permittee is not limited to the use of these guidance documents. Other commonly accepted publications may be used for guidance and must be referenced in the SWPPP if used. In addition, the permittee is not limited to the use of BMPs identified in these guidance documents. However, alternative BMPs should be justified by site conditions and described in the SWPPP updates.
10. The SWPPP must be kept on-site (either electronically or paper copy), readily available upon request, and should not be sent to the Department unless specifically requested. Throughout coverage under this permit, the facility must perform ongoing SWPPP review and revision to incorporate any site condition changes.
11. The SWPPP must include the following:
 - (a) An assessment of all stormwater discharges as associated with the facility, facility activities, and facility materials. This assessment must include a list of potential contaminants and an annual estimate of amounts used and/or produced in the described activities.
 - (b) A map of the location of all permitted features (e.g., outfalls) and structural BMPs.
 - (c) A listing of BMPs and a narrative explaining how the BMPs will be implemented to control and minimize the amount of potential contaminants entering stormwater.
 - (d) Site Inspections Reports:
 - (1) The permittee (or a representative of the permittee) shall conduct weekly site inspections while dredging is occurring. These inspections shall be conducted by a qualified person, one who is responsible for environmental matters at the site, or a person trained by and directly supervised by the person responsible for environmental matters at the site.
 - (2) All outfalls shall be inspected for evidence of excessive sediment deposition.
 - (3) Any structural or maintenance deficiencies shall be noted in an inspection report and corrected as soon as possible but no more than 48 hours after the inspection. An inspection shall be conducted within 48 hours after any storm event equal to or greater than a 2-year, 24-hour storm has ceased during a normal work day and within 72 hours if the rain event ceases during a non-work day such as a weekend or holiday.
 - (4) The inspection report shall include the name of the inspector, the signature of the inspector, and the date. The inspections must include observation and analysis of BMP effectiveness, deficiencies, and corrective action to be taken as well as, if relevant, the integrity of the petroleum containment structure(s) including but not limited to above ground tanks, secondary containment, external piping, etc. The facility may submit a written request to the Department justifying additional time, if necessary, to complete corrective action. The purpose of the SWPPP and the BMPs listed therein is to prevent pollution per 10 CSR 20-2.010(56) to waters of the state. A deficiency of a BMP means it was not effective in

preventing pollution of waters of the state or meeting benchmarks of this permit. Corrective action means the facility took steps to eliminate the deficiency.

- (5) Inspection reports must be kept with the SWPPP and must be made available to the Department upon request.
 - (e) A provision for designating an individual to be responsible for environmental matters.
 - (f) A provision for providing training to all personnel involved in material handling, material storage, and housekeeping of areas having materials exposed to stormwater. Proof of training must be made available to the Department upon request.
 - (g) A provision or plan for meeting the benchmarks established in the permit.
12. Once dredging has begun, all installed BMPs and other pollution control measures shall be inspected for proper installation, operation, and maintenance.
 13. The following minimum BMPs must be implemented at all facilities:
 - (a) Sediment control measures to contain dredged materials and prevent deposition of sediments into waters of the state.
 - (b) Collection facilities shall be provided on-site, and arrangements made for proper disposal of waste products, including but not limited to, dredged materials, petroleum waste products, and solvents, which may be exposed to stormwater.
 - (c) 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.
 - (d) Store all paints, solvents, petroleum products, petroleum waste products, and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMPs 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 countermeasures to prevent any spill 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 prevent the contamination of groundwater.
 - (e) Provide sediment and erosion control sufficient to prevent sediment loss off of the property, pollution of waters of the state, and to comply with the conditions of this permit, Missouri Clean Water Law, and the CWA. This may require the use of silt fences, sediment basins, or other treatment structures.
 - (f) Provide good housekeeping practices on-site to keep solid waste from entering waters of the state.
 - (g) Facilities shall manage materials (products, stockpiles, waste piles, etc.) to ensure these materials are not discharged off-site or into a water of the state during a high water event.
 14. The permittee shall retain copies of this general permit, the SWPPP and all amendments for the site named in the State Operating Permit, results of any monitoring and analysis, and all site inspection records required by this general permit. The permittee shall retain these records at the permitted site or a site which is readily available from the permitted site. The records shall be made available to the Department upon request within 24 hours of the request.

OTHER DISCHARGES

In the event soil contamination or hazardous substances are discovered at the site during dredging activities, the permittee shall notify the Department as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstances. The permittee shall report to the appropriate Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. Reporting may additionally be provided via the current electronic method approved by the Department. A written submission shall also be provided within five (5) business days of the time the permittee becomes aware of the circumstances in accordance with Standard Conditions, Part I.

STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to Standard Conditions Part I dated August 1, 2014, and hereby incorporated as though fully set forth herein.

SPECIAL CONDITIONS

1. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to 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:
 - (a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (b) Controls any pollutant not limited in the permit.
2. This permit may be reopened and modified, or alternatively, revoked and reissued, to:
 - (a) Incorporate new or modified effluent limitations or other conditions if the results of a waste load allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards.

- (b) 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 current 303(d) list.
 - (c) Any other requirements of the Clean Water Act then applicable
3. Changes in Discharges of Toxic Substances. In addition to the reporting requirements under § 122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
- (a) Activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if the 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;
 - (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
 - (4) One milligram per liter (1 mg/L) for antimony;
 - (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (6) The notification level established by the Department in accordance with 40 CFR 122.44(f).
 - (b) Any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if the discharge will exceed the highest of the following "notification levels":
 - (1) Five hundred micrograms per liter (500 µg/L);
 - (2) One milligram per liter (1 mg/L) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with § 122.21(g)(7); or
 - (4) The level established by the Director in accordance with § 122.44(f).

PERMIT RENEWAL

1. Unless terminated, the permittee shall submit an application for the renewal of this permit by submitting *Form E-Application for General Permit* <http://dnr.mo.gov/forms/780-0795-f.pdf> no later than thirty (30) days prior to the permit's expiration date if they wish to continue an activity regulated by this permit after permit expiration.
2. When a facility submits a timely and complete application in accordance with 10 CSR 20-6.010(5)(B), and (10)(E)1, as well as § 644.051.10 RSMo 2015, and if the Department is unable through no fault of the permittee to issue a renewal prior to expiration of the previous permit, the terms and conditions of the expired permit are administratively continued and will remain fully effective and enforceable until such time when a permit action is taken. Failure to submit a renewal application for a facility that is still in operation is a violation of the Missouri Clean Water Law. Failure to apply for renewal of a permit may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.
3. As part of the complete application and as required by the federal NPDES eReporting rule, participation in the Department's Electronic Discharge Monitoring Report Submission System (eDMR) will be required. Facilities already participating in eDMR need not re-apply upon renewal. More information can be found at: <http://dnr.mo.gov/env/wpp/edmr.htm>.

PERMIT TRANSFER

1. This permit may only be transferred to a new owner by submitting an *Application for Transfer of Operating Permit* <http://dnr.mo.gov/forms/780-1517-f.pdf> signed by the seller and buyer of the facility along with the appropriate modification fee. In some cases, revocation and reissuance may be necessary. Standard Condition Part 1, Subsection D.7 applies.
2. Facilities with transfers carried out without prior notice to the Department will be considered to be operating without a permit and may be assessed an administrative penalty.

PERMIT TERMINATION

1. Permits do not terminate automatically upon expiration. In order to terminate this permit, the permittee shall notify the Department's appropriate regional office by completing and submitting *Request for Termination of Operating Permit* <http://dnr.mo.gov/forms/780-1409-f.pdf>. The Department may require inspection of the premises prior to granting termination of a permit.
2. The permittee shall apply for permit termination when activities covered by this permit have ceased and no significant materials (as defined by 10 CSR 20-6.200(1)(C)27.) remain on the property or if on the property are stored in such a way as to have no potential for pollution. Whenever a release or a potential for release from a permitted facility is permanently eliminated, the existing permit may be terminated.

Missouri Department of Natural Resources Fact Sheet MO-G690000 Dredged Material Deposition

The Federal Water Pollution Control Act [Clean Water Act (CWA)] Section 402 of 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 CWA). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Missouri State Operating Permits (permit) are issued by the Missouri Department of Natural Resources (Department) under an approved program, operated in accordance with federal and state laws (Federal CWA and Missouri Clean Water Law Section 644 as amended). Master General Permits are issued for a period of five (5) years.

Per 40 CFR 124.56, 40 CFR 124.8, and 10 CSR 20-6.020(1)(A)2., a Fact Sheet 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 permit. A Fact Sheet is not an enforceable part of a permit.

This Fact Sheet is for a
✓ Master General Permit

PART I – FACILITY INFORMATION

Facility Type: Industrial
Facility SIC Code(s): 1629, 1442
Facility Description: Dredging return water and stormwater runoff from dredged material deposition sites and other disturbance resulting from maintenance dredging of lakes and rivers discharged to waters other than Missouri and Mississippi Rivers.

CLARIFICATION:

While the focus of this permit is in controlling stormwater, return water, and wash water from dredged materials, it is helpful to note dredged aggregates have the potential to be a useful resource rather than a waste material. In Section 404 of the Clean Water Act (CWA), the Environmental Protection Agency (EPA) recognizes dredged material can be a valuable resource which can be used in environmentally beneficial ways. Such materials can be used in habitat restoration, agriculture, mine reclamation, or landfill daily cover, to name a few applications. More information regarding beneficial reuse can be found in *Identifying, Planning and Financing Beneficial Use Projects Using Dredged Material* (EPA 842-B-07-001) at https://www.epa.gov/sites/production/files/2015-08/documents/identifying_planning_and_financing_beneficial_use_projects.pdf.

This permit is for process water and stormwater from dredged material deposition sites and other disturbance resulting from dredging of lakes and rivers where the water is returned to waters of the state other than the Missouri or Mississippi River.

SUMMARY OF CHANGES:

- Participation in the Department's Electronic Discharge Monitoring Report (eDMR) System is now required for all facilities which have required discharge monitoring and reporting.
- The 1,000 foot setback upstream of waters which have been identified as a losing stream, sinkhole, or other direct conduit to groundwater has been removed. The Missouri Water Quality Standards do not contain differing standards for losing streams as it pertains to the pollutants of concern associated with the facilities discharging under this general permit. Technology-based requirements for the discharges authorized under this general permit do not differ when discharging to a losing stream versus a gaining stream.
- This renewal establishes effluent monitoring for Total Suspended Solids (TSS). The Department has determined an effluent limitation on TSS is appropriate and feasible, and will be protective of water quality. This value is consistently achieved in discharges by a variety of other industries within the State of Missouri using typical best management practices.
- Language throughout the permit has been updated to reflect the most current permit language found in MGPs.
- Stormwater Pollution Prevention Plan (SWPPP) requirements have changed. Facilities should familiarize themselves with new SWPPP requirements.
- Benchmarks have been added to this permit to assist facilities in determining the effectiveness of BMPs in stormwater.

PART II – RECEIVING STREAM INFORMATION

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE

Per Missouri 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 and Discussion of Limits section. This permit applies to facilities discharging to the following water body categories:

- ✓ Lake or Reservoir [10 CSR 20-7.015(3)] (not L1?)
- ✓ Losing Streams [10 CSR 20-7.015(4)]
- ✓ Metropolitan No-Discharge [10 CSR 20-7.015(5)] (stormwater only)
- ✓ Special Stream [10 CSR 20-7.015(6)] (with conditions, see above)
- ✓ All Other Waters [10 CSR 20-7.015(8)]

Missouri Water Quality Standards (10 CSR 20-7.031) 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 1st classified receiving stream's beneficial water uses shall be maintained in accordance with 10 CSR 20-7.031(4). The effluent limitations established by this permit are intended to be protective of all streams which fall within the categories of receiving water bodies indicated above. A general permit does not take into consideration site-specific conditions.

MIXING CONSIDERATIONS:

Site-specific conditions like mixing are not considered in general permits.

- ✓ Not Applicable: Mixing Zone [10 CSR 20-7.031(5)(A)4.B.(I)(a)]
- ✓ Not Applicable: Zone of Initial Dilution [10 CSR 20-7.031(5)(A)4.B.(I)(b)]

RECEIVING STREAM MONITORING REQUIREMENTS:

There are no receiving water monitoring requirements recommended at this time.

PART III – RATIONALE & DERIVATION OF EFFLUENT LIMITATIONS

ANTI-BACKSLIDING:

A provision in the Federal Regulations [CWA Section 303(d)(4); CWA Section 402(c); 40 CFR Part 122.44(I)] requires a reissued permit to be as stringent as the previous permit with some exceptions.

- ✓ The Department determined technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
 - The previous permit contained a special condition which described a specific set of prohibitions related to general criteria found in 10 CSR 20-7.031(4). In order to comply with 40 CFR 122.44(d)(1), the permit writer has conducted reasonable potential determinations for each general criterion and established numeric effluent limitations where reasonable potential exists. While the removal of the previous permit special condition creates the appearance of backsliding, since this permit establishes numeric limitations where reasonable potential to cause or contribute to an excursion of the general criteria exists the permit maintains sufficient effluent limitations and monitoring requirements in order to protect water quality, this permit is equally protective as compared to the previous permit. Therefore, given this new information, and the fact the previous permit special condition was not consistent with 40 CFR 122.44(d)(1), an error occurred in the establishment of the general criteria as a special condition of the previous permit. Please see Reasonable Potential Analysis section below for more information regarding the reasonable potential determinations for each general criterion related to this facility.
 - The previous permit prohibited stormwater discharges within 1,000 feet of a losing stream, sinkhole or outstanding resource water. The permit also did not authorize discharges 100 feet upstream of a wetland or Class L1 drinking water supply reservoir and within 2 miles from areas identified as critical habitat for endangered species or biocriteria reference locations, or within 1,000 feet upstream of OSRW. This setback language in the previous permit is believed to have been established to provide a buffer between the discharge and the receiving stream, thus reducing the potential for general water quality criteria to be violated by a facility's discharge. The permit writer has determined these setbacks have no regulatory basis. After assessment of the possible discharges, the permit writer has determined these setbacks are not necessary to protect water quality in the receiving streams. The BMPs required in this permit are protective of the receiving streams without additional setbacks. Additionally, the discharge is not believed to contain any toxics of concern.
 - The 1000 foot setback from losing streams has been removed. The Missouri water quality standards do not contain differing standards for losing streams as it pertains to the pollutants of concern associated with the facilities discharging under this general permit. Technology-based requirements for the discharges authorized under this general permit do not differ when discharging to a losing stream versus a gaining stream.

ANTIDegradation:

Antidegradation policies ensure protection of water quality for a particular water body on a pollutant by pollutant basis to ensure Water Quality Standards are maintained to support beneficial uses such as fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as Outstanding National Resource Waters (ONRW) or Outstanding State Resource Waters (OSRW) [10 CSR 20-7.031(3)(C)]. Antidegradation policies are adopted to minimize adverse effects on water. The Department has determined the best avenue forward for implementing the Antidegradation requirements into general permits is by requiring the appropriate development and maintenance of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must identify all Best Management Practices (BMPs) which are reasonable and effective, taking into account environmental impacts and costs. This analysis must document why no discharge or no exposure options are not feasible at the facility. This selection and documentation of appropriate control measures will then serve as the analysis of alternatives and fulfill the requirements of the Antidegradation Rule and Implementation Procedure [10 CSR 20-7.031(3) and 10 CSR 20-7.015(9)(A)5].

Any facility seeking coverage under this permit, which undergoes expansion or discharges a new pollutant of concern, must update their SWPPP and select new BMPs which are reasonable and cost effective. New facilities seeking coverage under this permit are required to develop a SWPPP which includes this analysis and documentation of appropriate BMPs. Renewal of coverage for a facility requires a review of the SWPPP to assure the selected BMPs continue to be appropriate.

- ✓ Applicable: The pollutants of concern in this permit are listed in Table A. Compliance with the effluent limitations 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), 10 CSR 20-7.031 Table A, and 10 CSR 20-7.015(9)(A)5].

BENCHMARKS:

When a permitted feature or outfall consists of only stormwater, a benchmark may be implemented at the discretion of the permit writer. Benchmarks give the facility a means to measure the efficacy of BMPs and to replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark exceedance, therefore, is not a permit violation; however, failure to address a benchmark violation with improved BMPs is a permit violation. The 10-year, 24-hour rain event information may be found at: http://www.nws.noaa.gov/oh/hdsc/PF_documents/Atlas14_Volume8.pdf.

Benchmark data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective actions may be necessary to comply with the limitations of the permit. This ensures water quality is protected without placing undue restriction on small businesses.

If data becomes available indicating existing water quality will be protected by alternative benchmarks or by adding sampling frequency specific to this industry, the Department will propose to incorporate those benchmarks into this general operating permit as part of a general operating permit modification. Such data must be approved by the Department as appropriate and representative before it can be considered.

- ✓ Applicable: This facility has stormwater-only outfalls with benchmark constraints. The benchmarks listed are consistently achieved in stormwater discharges by a variety of other industries with SWPPPs.

PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY:

The need for an individual public notification process shall be determined and identified in the permit [10 CSR 20-6.020(1)(C)5].

- ✓ Not Applicable: Public Notice is not required for issuance of coverage under this permit to individual facilities.

GENERAL CRITERIA CONSIDERATIONS:

In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants which have been determined to cause, have the reasonable potential to cause, or to contribute to an excursion above any State water quality standard, including State narrative criteria for water quality. The rule further states pollutants which have been determined to cause, have the reasonable potential to cause, or contribute to an excursion above a narrative criterion within an applicable State water quality standard, the permit shall contain a numeric effluent limitation protecting the narrative criterion. The previous permit included the narrative criteria as specific prohibitions placed upon the discharge. These prohibitions were included in the permit absent any discussion of the discharge's reasonable potential to cause or contribute to an excursion of the criterion. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether the discharge has reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). These specific requirements are listed below followed by derivation and discussion (the lettering matches the rule itself, under 10 CSR 20-7.031(4)). In instances where reasonable potential exists, the permit includes numeric limitations to address the reasonable potential. In instances where reasonable potential does not exist, the permit includes monitoring of the discharges potential to impact the receiving stream's narrative criteria. Finally, all of the previous permit narrative criteria prohibitions have been removed from the permit given they are addressed by numeric limits where reasonable potential exists. It should also be noted Section 644.076.1, RSMo as well as Section D – Administrative Requirements of Standard Conditions Part I of this permit state it shall be unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri which are in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law or any standard, rule, or regulation promulgated by the commission.

- ✓ Conservative assumption: A Reasonable Potential Analysis was not conducted for this master general permit; however, staff did conduct a reasonable potential determination. A reasonable potential to violate water quality standards is assumed for the pollutants of concern due to the nature of the activities carried out under this permit, resulting in the effluent limits contained in the permit.
- (A) 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.
- The Department has determined there is reasonable potential for activities covered under this general permit to contribute to putrescent, unsightly, or harmful bottom deposits which may prevent full maintenance of beneficial uses in receiving streams due to stockpiles of dredged materials, which release solids. Stockpiles of debris and sediment can release into the water. For this reason, the Department has assigned effluent limits for Settleable Solids for facilities under this general permit.
- (B) Waters shall be free from oil, scum, and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.
- The Department has determined there is reasonable potential for activities covered under this general permit to cause oil, scum, or floating debris in waters of the state due to the nature of the activities and the products found on site. Fueling activity and mechanical equipment are used for dredging. The oil and grease limitations from the previous permit have been continued to protect this general criterion. The Department has determined the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.
- (C) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor, or prevent full maintenance of beneficial uses.
- The Department has determined there is a reasonable potential for activities covered under this general permit to contribute contaminants which could cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses. Maintenance dredging return water will be high in solids due to the substances removed. This has been addressed by including monitoring for Total Suspended Solids, and effluent limits for Settleable Solids. The Department has determined the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.
- (D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal, or aquatic life.
- The Department considered the activities covered under this general permit to contribute contaminants which could cause toxicity to human, animal or aquatic life. The Department has determined the effluent limits for the pollutants identified in this permit are sufficient to protect water humans, animals, and aquatic life.
- (D) There shall be no significant human health hazard from incidental contact with the water.
- It is the permit writer's opinion that this criterion is the same as (D).
- (E) There shall be no acute toxicity to livestock or wildlife watering.
- It is the permit writer's opinion that this criterion is the same as (D).
- (F) There shall be no acute toxicity to livestock or wildlife watering.
- It is the permit writer's opinion that this criterion is the same as (D).
- (G) Waters shall be free from physical, chemical, or hydrologic changes which would impair the natural biological community.
- The Department has determined there is a reasonable potential for activities covered under this general permit to contribute contaminants which could cause physical, chemical, or hydrologic changes which would impair the natural biological community. It is the permit writer's opinion that chemical changes have been previously addressed under (D) above.
 - Stream channel alterations require review by the United States Army Corps of Engineers (USACE) under Section 404 of the federal Clean Water Act (CWA) and by the Department under Section 401 of the federal CWA. It is the permit writer's opinion that physical or hydrologic changes will be handled under the Section 404 and 401 reviews.
- (H) 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, RSMo.
- Based on the activities carried out by the facilities under this general permit, the Department has determined there is reasonable potential for the deposition of equipment or solid waste into waters of the state.
 - Permit requirements have been added requiring management of equipment and floatables to prevent transport off-site or into a water of the state during a high water event.
 - It has been established any sediment or rock in the discharge are covered by the specific numeric effluent limitations established in the permit.

SCHEDULE OF COMPLIANCE (SOC):

Per § 644.051, RSMo., a permit may be issued with a Schedule of Compliance (SOC) to provide time for a facility to come into compliance with new state or federal effluent regulations, water quality standards, or other requirements. Such a schedule is not allowed if the facility is already in compliance with the new requirement, or if prohibited by other statute or regulation. An SOC includes an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. *See also* Section 502 (17) of the Clean Water Act, and 40 CFR 122.2. For new effluent limitations, the permit includes interim monitoring for the specific

parameter to demonstrate the facility is not already in compliance with the new requirement. Per 40 CFR 122.47(a)(1) and 10 CSR 20-7.031(11), compliance must occur as soon as possible. If the permit provides a schedule for meeting new water quality based effluent limits, an SOC must include an enforceable, final effluent limitation in the permit even if the SOC extends beyond the life of the permit.

✓ Not Applicable: This permit does not allow for a schedule of compliance.

SETBACKS:

Setbacks are common elements of permits and are established to provide a margin of safety in order to protect the receiving water from accidents, spills, unusual events, etc.

- The setback from wetlands has been removed. The permit writer has determined this setback have no regulatory basis. After assessment of the possible discharges, the permit writer has determined this setback is not necessary to protect water quality in the receiving streams. The BMPs required in this permit are protective of the receiving streams without additional setbacks.
- The 1000 foot setback from losing streams has been removed. The Missouri Water Quality Standards do not contain differing standards for losing streams as it pertains to the pollutants of concern associated with the facilities discharging under this general permit. Technology-based requirements for the discharges authorized under this general permit do not differ when discharging to a losing stream versus a gaining stream.
- Per 10 CSR 20-7.015(6)(B) and 7.031(3)(C) Outstanding National and State Resource Waters are protected against any degradation in water quality, so stricter conditions apply. These require no discharge of effluent. Effluent must be land applied or beneficially reused and are not authorized to discharge to waters of the state.
- Stockpiles of dredged material are required to be away from streambanks and flood-prone areas.
- Equipment and materials used in the dredging are to be managed so they are not carried into the water during a flood event.

SPILL REPORTING:

Per 260.505 RSMo, any emergency involving a hazardous substance must be reported to the Department's 24-hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest practicable moment after discovery. The Department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the noncompliance reporting requirement found in Standard Conditions Part I. <http://dnr.mo.gov/env/esp/spillbill.htm>

STANDARD CONDITIONS:

The standard conditions Part I attached to this permit incorporate all sections of 40 CFR 122.41(a) through (n) by reference as required by law. These conditions, in addition to the conditions enumerated within this permit should be reviewed by the permittee to ascertain compliance with this permit, state regulations, state statutes, federal regulations, and the Clean Water Act.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

In accordance with 40 CFR 122.44(k) Best Management Practices (BMPs) must be used 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 *Developing Your Stormwater Pollution Prevention Plan, a Guide for Industrial Operators*, (EPA 833-B-09-002) published by the United States Environmental Protection Agency (EPA) in June 2015 (<https://www.epa.gov/npdes/industrial-stormwater-guidance>), BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. 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 storm water discharges.

Areas which should be included in the SWPPP are identified in 40 CFR 122.26(b)(14). Once the potential sources of stormwater pollution have been identified, a plan should be formulated to best control the amount of pollutant being released and discharged by each activity or source. This should include, but is not limited to, minimizing exposure to stormwater, good housekeeping measures, proper facility and equipment maintenance, spill prevention and response, vehicle traffic control, and proper materials handling. Once a plan has been developed the facility will employ the control measures which have been determined to be adequate to achieve the benchmark values discussed above.

The facility will evaluate and inspect the BMPs to ensure they are working properly and re-evaluate any BMP not achieving compliance with permitting requirements. For example, if sample results from an outfall show values of TSS above the benchmark value, the BMP being employed is deficient in controlling stormwater pollution. Corrective action should be taken to repair, improve, or replace the failing BMP. This internal evaluation should be done at least once per month but should be conducted more frequently

if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established.

If failures continue to occur and the permittee feels there are no practicable or cost-effective BMPs which will sufficiently reduce a pollutant concentration in the discharge to the benchmark values established in the permit, the permittee can submit a request to re-evaluate the benchmark values. This request needs to include 1) a detailed explanation of why the facility is unable to comply with the permit conditions and unable to establish BMPs to achieve the benchmark values; 2) financial data of the company and documentation of cost associated with BMPs for review and 3) the SWPPP, which should contain adequate documentation of BMPs employed, failed BMPs, corrective actions, and all other required information. This will allow the Department to conduct a cost analysis on control measures and actions taken by the facility to determine cost-effectiveness of BMPs. The request shall be submitted in the form of an operating permit modification which may lead to a site-specific permit; the application is found at:

<http://dnr.mo.gov/forms/index.html>.

- ✓ 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.

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.

- ✓ This operating permit is not drafted under premises of a petition for variance.

WASTELOAD ALLOCATIONS (WLA) FOR EFFLUENT LIMITATIONS:

Per 10 CSR 20-2.010(78), the allotment of pollutant each discharger is allowed by the Department to release into a given stream after the Department has determined the maximum amount of pollutant which may be discharged into the stream without endangering its water quality.

- ✓ Not Applicable: WLA are not calculated for a general permit. Site-specific conditions are not considered.

WATER QUALITY STANDARDS:

Per 10 CSR 20-7.031(4), 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 include in each NPDES permit conditions to achieve water quality established under Section 303 of the CWA, including state narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

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

- ✓ Not Applicable: At this time, the facility is not required to conduct a WET test.

Part IV – Effluent Limitation Determination

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 permit terms and conditions which supersede the terms and conditions, including effluent limitations, of this permit.

EFFLUENT LIMITATIONS TABLE FOR TABLE A:

Applies only to return water and process wastewater discharged to waters of the state.

PARAMETER	UNIT	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	MGD	*		*	NO	
SETTLABLE SOLIDS	ML/L/HR	1.5		1.0	NO	
pH	SU	6.5-9.0		6.5-9.0	NO	
OIL & GREASE	MG/L	15		10	NO	
TOTAL SUSPENDED SOLIDS	MG/L	*		*	NEW	

* Monitoring requirement only

DERIVATION AND DISCUSSION OF LIMITS:

The CWA requires all NPDES discharges to Waters of the U.S. contain technology-based or water-quality based effluent limitations, whichever is more stringent. When the EPA has not established industry specific technology-based Effluent Limitation Guidelines, Missouri uses EPA's *Technical Support Document for Water Quality Based Toxics Control* (TSD) method for calculating site-specific water-quality based effluent limitations.

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 facility is unable to obtain effluent flow, then it is the responsibility of the facility to inform the Department.

Settleable Solids

Settleable solids are a common constituent of discharges from the types of industrial activities carried out by the facilities covered under this permit. The wastewater at these facilities is usually either associated with direct return water from the source, or water which has percolated through the material. Because dredging is the removal of sediment from the bottom of waters, this sediment can be carried in process water or washed out of stockpiles, especially with precipitation. Improper management of product and stockpiles can contribute solids to stormwater. Effluent limitations are necessary to protect narrative criteria, 10 CSR 20-7.031(4). This limit has been shown to be achievable at a variety of industrial sites and industries, and is achievable using typical BMPs. The existing effluent limitations are deemed protective and are carried over from the previous permit.

pH

pH will be maintained in the range of 6.5-9.0 SU per the water quality standards found at 10 CSR 20-7.031 Table A1. pH is a conventional pollutant. pH is not to be averaged. pH is often used as an indicator of general water quality. These limits are met at various industrial sites across a number of industries, and are considered to be achievable. Therefore, the state water quality standard 6.5-9.0 SU will be carried over from the previous permit and implemented in this permit

Oil and Grease

This permit has water quality based effluent limitations of 15 mg/L daily maximum and 10 mg/L monthly average for the protection of aquatic life per 10 CSR 20-7.031. Heavy machinery is common for these types of facilities and is a potential source of oil and grease from the outfalls. Oil and grease is a comprehensive test which measures for gasoline, diesel, crude oil, creosote, kerosene, heating oils, heavy fuel oils, lubricating oils, waxes, and some asphalt and pitch. The test can also detect some volatile organics such as benzene, toluene, ethylbenzene, or toluene, but these constituents are often lost during testing due to their boiling points. Results do not allow for separation of specific pollutants within the test, they are reported, totaled, as "oil and grease." Per 10 CSR 20-7.031 Table A1: *Criteria for Designated Uses*; 10 mg/L is the standard for protection of aquatic life. This standard will also be used to protect the general criteria found at 10 CSR 20-7.031(4). The daily maximum was calculated using the *Technical Support Document for Water Quality-Based Toxics Control* (EPA/505/2-90-001). Section 5.4.2 indicates the waste load allocation can be set to the chronic standard. When the chronic standard is multiplied by 1.5, the daily maximum can be calculated. Hence, $10 * 1.5 = 15$ mg/L for the daily maximum. Ten mg/L is the level at which sheen is estimated to form on receiving waters. Oils and greases of different densities will possibly form sheen or unsightly bottom deposits at levels which vary from 10 mg/L. To protect the general criteria, it is the responsibility of the permittee to visually observe the discharge and receiving waters for sheen or bottom deposits.

Total Suspended Solids

Because dredging is the removal of built up deposits and debris, sediment can be carried in process water or washed out of stockpiles, especially with precipitation. It is the Department's best professional judgment to implement monitoring for TSS. There is no numeric water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. Increases in TSS could indicate uncontrolled materials leaving the site. Increased suspended solids in discharge can lead to decreased available oxygen for aquatic life and an increase of surface water temperatures in a receiving stream. Suspended solids can also be carriers of toxins, which can adsorb to the suspended particles; therefore, total suspended solids are a valuable indicator parameter for other pollution. The limits are achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other permits having similar industrial activities.

SAMPLING FREQUENCY:

Sampling frequency is established in accordance with Department policy. Effluent limitations are expressed in a daily maximum and a monthly average. Monitoring is required only when there is a discharge. Results from samples may be submitted as both the daily maximum and the monthly average and shall be reported monthly. If the facility collects multiple samples during any month, the permit requires the facility to submit a monthly average. If no discharges occur during a sampling period, the facility is directed to report "no discharge."

Part V- Benchmarks

BENCHMARKS FOR TABLE B

PARAMETER	UNIT	BENCHMARK	PREVIOUS PERMIT BENCHMARK
Oil & Grease	mg/L	10	NEW
pH*	SU	6.5 - 9.0	NEW
Total Suspended Solids	mg/L	110	NEW

* pH is measured in pH units and is not to be averaged.

NEW Parameter is new in this permit

DERIVATION AND DISCUSSION OF BENCHMARKS

Benchmark concentrations are not effluent limitations; benchmark exceedance, therefore, is not a permit violation. Benchmark monitoring data 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. Failure to take corrective action is a violation of the permit.

Any flow through the outfall is considered a discharge and if sampled, must be reported as provided below. Future permit action due to facility modification may contain new operating permit terms and conditions which supersede the terms and conditions, including effluent limitations, of this operating permit.

Oil and Grease: This permit has a benchmark of 10 mg/L, which has been determined to be feasible, affordable, and protective of water quality using best professional judgment. This value is consistently achieved in stormwater discharges by a variety of other industries with SWPPPs. Oil and Grease is included because of the machinery used in maintenance dredging.

pH: The benchmark range is 6.5– 9.0 Standard pH Units (SU) per 10 CSR 20-7.031(5)(E). pH is not to be averaged. 6.5-9.0 SU is considered typical and achievable, and is found in most industrial stormwater permits across multiple industries. pH is a commonly used indicator of water quality.

Total Suspended Solids: This permit has a benchmark of 110 mg/L, which has been determined to be feasible, affordable, and protective of water quality. There is no numeric water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. Increases in TSS could indicate uncontrolled materials leaving the site. Increased suspended solids in runoff can lead to decreased available oxygen for aquatic life and an increase of surface water temperatures in a receiving stream. Suspended solids can also be carriers of toxins, which can adsorb to the suspended particles; therefore, total suspended solids are a valuable indicator parameter for other pollution. The benchmarks are achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other permits having similar industrial activities.

Part VI - Administrative Requirements

On the basis of preliminary staff review and 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 permit. The proposed determinations are tentative pending public comment.

PUBLIC NOTICE:

The Department shall give public notice when 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 or because of 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 facility must be notified of the denial in writing.

The Department must give public notice of a pending permit or of a new or reissued Missouri State Operating Permit. The public comment period is a length of time not less than thirty (30) days following the date of the public notice, during which interested persons may submit written comments about the proposed permit.

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

✓ The Public Comment Period for this permit was from 6/18/2019 to 7/18/2019. No comments were received.

DATE OF FACT SHEET: June 12, 2019

COMPLETED BY:

SARAH WRIGHT-AHOLT, ENVIRONMENTAL SPECIALIST

MISSOURI DEPARTMENT OF NATURAL RESOURCES

WATER PROTECTION PROGRAM

OPERATING PERMITS SECTION-STORMWATER AND CERTIFICATION UNIT