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 RSMo as amended, hereinafter, the Law) and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No.:	MO-R22C000
Owner:	< name >
Address:	< address >
Continuing Authority:	< name, or Same as above >
Address:	< address, or Same as above >
Facility Name:	< name >
Facility Address:	< physical address >
Legal Description:	¼, ¼, ¼, Sec. xx, TxxN, RxxW, < county > County
UTM Coordinates:	X = , Y =
Receiving Stream:	< receiving stream > < (U, C, P, L1, L2, L3) >
First Classified Stream and ID:	< 1st classified stream > <(U, C, P, etc.)> <(ID number)> 303(d) List
USGS Basin and Sub-watershed No.:	< (USGS HUC12 #) >

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

FACILITY DESCRIPTION

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

Stormwater discharges associated with facilities engaged in the secondary processing and manufacturing of lumber and wood products.

This permit authorizes only stormwater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with §§ 621.250, 640.013, and 644.051.6, RSMo; 10 CSR 20-1.020; and 20-6.020.

February 25, 2019
Effective Date

Edward B. Galbraith, Director, Division of Environmental Quality

February 24, 2024
Expiration Date

Chris Wieberg, Director, Water Protection Program

A. APPLICABILITY

1. This Missouri State Operating Permit (permit) authorizes the discharge of stormwater to waters of the State of Missouri from multiple industries, including but not limited to permittees (facilities) with the primary Standard Industrial Classification (SIC) Codes or facilities that the Missouri Department of Natural Resources (Department) determines are fundamentally similar to facilities under the below SIC Codes:

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

   Facilities that produce product from round wood or whole logs (including SIC codes 2411 and 2421) are considered primary processors and must apply for a MOR22A permit. Facilities that treat wood (including SIC code 2491) must apply for a MOR22B permit. The MOR22C applies to charcoal manufacturers that manufacture charcoal under SIC code 2861; it does not apply to any other manufacturing under 2861 and does not apply to charcoal facilities that engage in chemical wood treating.

2. This permit is applicable to facilities (associated with the above industries) with materials exposed to stormwater.

3. This permit authorizes the discharge of stormwater and certain exempted non-stormwater wastewaters (see Part A, #4) only. No process wastewaters may be discharged under this permit.

4. The following non-stormwater discharges are authorized by this permit:
   (a) Discharges from fire-fighting activities;
   (b) Uncontaminated fire hydrant 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 pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
   (f) Routine external building wash down with uncontaminated water and no detergents;
   (g) Uncontaminated ground water or spring water;
   (h) Foundation or footing drains where flows are not contaminated with process materials; and
   (i) 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).

5. This permit does not cover land disturbance activities. 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 or toll free at 855-789-3889.

6. Discharge to the watersheds of a Metropolitan No-Discharge Stream (10 CSR 20-7.031 Table F) is prohibited except uncontaminated cooling water, non-contaminated stormwater flows, permitted stormwater discharges in compliance with permit conditions, and excess wet-weather bypass discharges not interfering with beneficial uses per 10 CSR 20-7.015(5) and 7.031(7).

7. This permit does not authorize discharges into sinkholes, caves, fissures, or other openings in the ground which could drain into aquifers (except losing streams) [10 CSR 20-7.015(7)].

8. For facilities discharging 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 non-stormwater (wastewater) discharges to Outstanding State Resource Watersheds; therefore, the non-stormwater discharges in Applicability #4 above are not authorized for discharge in these watersheds.
   (c) Per 10 CSR 20-7.015(6), this permit authorizes stormwater discharge facilities to operate and continue to discharge only if the discharges do not cause the current water quality in the streams to be lowered.
   (d) Should a facility's stormwater discharge be determined to be causing lowered water quality in the receiving stream, the facility must take corrective action to cease causing lowered water quality in the receiving stream.

(e) Failure to take corrective action is a permit violation. If lowering of water quality continues to occur, the Department may require the facility to operate as a no-discharge facility under this permit or apply for a site-specific permit.
(f) Detailed requirements concerning stormwater discharges are in the Stormwater Requirement section of this permit.

9. For facilities located within the watershed of Outstanding National Resource Water, which includes the Ozark National Riverways and the National Wild and Scenic Rivers System:
   (a) This permit authorizes 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.

10. 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.

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.

B. EXEMPTIONS

1. Facilities discharging stormwater directly to a combined sewer system with a Department approved Long Term Control Plan [10 CSR 20-7.015(10)] or to a publicly owned treatment works which has consented to receiving such a discharge are exempt from stormwater permit requirements.

2. Facilities which meet the following are exempt from stormwater permit requirements:
   (a) Recycle, reuse, or otherwise dispose of produced sawdust, scrap lumber, and other waste materials as soon as practicable;
   (b) Have a sawdust pile with a footprint of less than 5,000 square feet (approximately 0.1 acres);
   (c) Have no other industrial processes or intermediate products exposed to stormwater; and
   (d) Do not manufacture or process charcoal.

   Exemption from permitting does not exempt a facility from state water quality standards found in 10 CSR 20-7.031, both numeric and narrative [10 CSR 20-7.031(4)], and the criteria for protection of beneficial uses [10 CSR 20-7.031(5)]. Sawdust or other industrial products entrained in or blown into stormwater which may cause general criteria excursions in the receiving stream shall not be discharged. The Department may require a permit as a result of illegal discharges or other compliance issues, or evidence of off-site impacts from activities at the facility.

3. In accordance with 40 CFR 122.26(g), if a facility has no materials exposed to stormwater (all materials and activities are protected by a storm resistant shelter enclosed on all sides to prevent exposure to rain, snow, snowmelt and/or runoff), the facility may apply for No Exposure Certification in lieu of coverage for stormwater discharges under this permit by submitting a No Exposure Certification form (https://dnr.mo.gov/forms/780-2828-f.pdf) to the appropriate Regional Office. No Exposure Certification Guidance is found at https://dnr.mo.gov/pubs/pub2729.htm. Some examples of no exposure requirements are:
   (a) Drums, barrels, tanks, and similar containers are tightly sealed, provided those containers are not deteriorated and do not leak (sealed means banded or otherwise secured and without operational taps or valves);
   (b) Adequately maintained vehicles are used in material handling; and
   (c) All industrial materials consist of final products other than products which may be mobilized by stormwater [10 CSR 20-6.200(1)(B)16].

C. Stormwater Requirements

1. The permittee is not required to sample stormwater under this permit. However, if samples are collected, they are to be compared to the benchmarks listed in Requirement 3 to assist in the evaluation of BMPs. The Department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or evidence of off-site impacts from activities at the facility. If such an action is needed, the Department will specify in writing the sampling requirements, including such information as location and extent. If the permittee refuses to perform sampling when required, the Department may terminate the general permit and require the facility to obtain a site-specific permit with sampling requirements.

2. This permit specifies pollutant benchmarks applicable to the facility's discharge. The benchmarks do not constitute direct numeric effluent limitations. Benchmark exceedances alone, therefore, are not a permit violation. The facility shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) as explained in more detail later in this section. Benchmark monitoring data are primarily to determine the overall effectiveness of the SWPPP and to assist the facility in knowing when additional corrective action may be necessary to protect water quality.

   If a sample exceeds a benchmark, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant in the stormwater discharge(s). Additionally, when a benchmark exceedance occurs a Corrective Action Report (CAR) must be completed and documented in the SWPPP. A CAR is a document that records the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. If the efforts taken by the facility are not sufficient and subsequent exceedances of a benchmark occur, the facility may demonstrate to the Department a benchmark value cannot be achieved. The demonstration must include rationale and supporting documentation (which would include multiple CARs) and must show a benchmark value cannot be achieved through the application of BMPs representing available practicable technology. Additionally, the demonstration must show the benchmark is not feasible because no further pollutant reductions are technologically available and economically practicable in light of best industry practices. This demonstration must be presented to the Department for review and approval. Failure to improve BMPs or take corrective action to address a benchmark exceedance and failure to make tangible progress towards achieving a benchmark is a permit violation, unless the permittee has demonstrated to the Department a benchmark value cannot be achieved, and an alternative benchmark is approved, or in the process of being approved, by the Department. Exceedances believed to be the result of legacy chemical use at the facility are not exempted from this requirement. Facilities are encouraged to contact the Department to formulate a plan for investigation and clean-up if legacy chemical use is suspected to be the cause of exceedances.

3. The following benchmarks are applicable to facilities covered by this permit. The facility shall design BMPs to meet these benchmarks during rainfall events up to the 10-year, 24-hour rain event. The 10-year, 24-hour rain events for Missouri may be found at: http://hdsc.nws.noaa.gov/hdsc/pfds/ or http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=mo.

Parameter	**Daily Maximum Benchmark**
Chemical oxygen demand	120 mg/L
pH	6.5 - 9.0 Standard Units
Total suspended solids	100 mg/L

4. If a sample of stormwater is collected:
   (a) Precipitation events include rainfall as well as run-off from the melting of frozen precipitation.
   (b) For flow-through BMPs, stormwater samples shall be collected within the first 60 minutes of discharge occurring as a result of precipitation events exceeding 0.1 inches during a 24-hour period, if possible.
   (c) For retention BMPs, stormwater samples shall be collected only when a discharge occurs, and if possible, shall be taken from the outfall. Dip sampling of effluent in retention structures should not be performed.
   (d) Stormwater samples shall be collected 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 United States Environmental Protection Agency (USEPA) in March 2009, https://www3.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf.

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

6. This permit requires the development and implementation of a SWPPP. When applying for coverage under this permit, a SWPPP including an Alternative Analysis of the 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 to determine which are reasonable and cost effective. The analysis should include practices 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 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. Existing facilities with established SWPPPs and BMPs need not conduct an additional alternatives analysis unless new BMPs are established to address BMP failures. 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).

7. 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 USEPA 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.).
   (a) **New Facilities:** The new SWPPP for the facility must be prepared within 60 days and implemented within 180 days of permit issuance.
   (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, including the Alternative Analysis, must be reviewed and revised as necessary. Once expansion occurs the revised SWPPP must be implemented within 30 days of permit modification.

8. 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 which may affect location, nature, or condition of stormwater discharges.

9. For all facilities the SWPPP must include the following:
   (a) An assessment of all stormwater discharges 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 by the described activities.
   (b) 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.
   (c) A map of the location of all permitted features and structural BMPs. This map shall be updated as needed to reflect current BMPs in use. The map does not need to be printed on paper. Electronic or other accessible maps will be considered adequate for compliance with this condition.
   (d) A schedule for monthly site inspections and a brief written report, which includes 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 the integrity of containment structure(s) including but not limited to stormwater detention basins, above ground tanks, secondary containment, external piping, etc. Inspection reports must be kept with the SWPPP and must be made available to the Department upon request. Deficiencies must be corrected within seven (7) calendar days and must be documented in the inspection report. 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.
   (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 for evaluating achievement of benchmarks established in this permit.

10. The following minimum BMPs must be implemented at all facilities:
    (a) Collection facilities shall be provided on-site and arrangements made for proper disposal of waste products, including but not limited to solid waste, de-icing/anti-icing products, petroleum waste products, and solvents, which may be exposed to stormwater.
    (b) 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.

(c) Store all paints, solvents, petroleum products, petroleum waste products and storage containers (such as drums, cans, or cartons) so they 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.

(d) Provide sediment and erosion control sufficient to minimize sediment loss off of the property and minimize pollution of waters of the state to comply with the conditions of this permit, Missouri Clean Water Law, and the CWA. This may require the use of straw bales, silt fences, sediment basins, or other treatment structures.

(e) Provide good housekeeping practices on-site to keep solid waste from entering waters of the state. For example, direct stormwater away from areas where storage, loading and unloading, and material handling occur; minimize the discharge of wood debris; minimize runoff that has come into contact with decaying wood materials; and minimize the discharge of sawdust.

D. 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. There is currently no reporting required by this permit. However, 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).

2. The results of all samples from a discharge that are collected and analyzed must be retained on-site with monitoring records and made available to the Department upon request.

3. The discharge shall not contain floating solids or visible foam in other than trace amounts.

4. Facilities shall manage materials (products, stockpiles, waste piles, etc.) to ensure these materials are not discharged off-site via stormwater or into a water of the state during a high water event.

5. Before releasing water accumulated in 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 the presence of odor or sheen is indicated, the water shall be treated using an appropriate method or disposed of in accordance with legally approved methods, such as being sent to a wastewater treatment facility. Following treatment, if no odor or sheen remain, the stormwater may be discharged. 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.

6. 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.

7. Compliance with all requirements in this permit does not supersede nor remove liability for compliance with county and other local ordinances. It is the responsibility of the permit holder to know what federal, state and local ordinances apply to their facility.

8. 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 of planned changes or anticipated non-compliance does not stay any permit condition.

9. Outfalls must be:
   (a) Clearly marked on a map retained with the SWPPP and/or in electronic format, available upon request.
   (b) Above the normal high water mark of the waterbody to which it discharges; and
   (c) Maintained so a sample of the discharge can be obtained at a point after the final treatment process and before the discharge mixes with receiving waters.

10. The permittee shall furnish to the Department, within a reasonable time, any information the Department requests to determine whether cause exists for modifying, revoking and reissuing or terminating this permit or to determine if the permittee is in non-compliance with this permit. The permittee shall also furnish to the Department upon request copies of records required to be kept by this permit.

11. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility that:
    (a) Could significantly change the nature or increase the quantity of pollutants. This notification applies to pollutants subject to the limitations of this permit as well as new pollutants different from pollutants listed in this permit; or
    (b) Could result in a significant change in disposal practices and may justify the application of permit conditions different from or absent in the current permit.

E. Standard Conditions

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

F. 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 contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit.

2. 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) An 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) An 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 the pollutant in the permit application in accordance with §122.21(g)(7).
        4) The level established by the Director in accordance with §122.44(f).
    (c) The facility has begun or is expected to begin using or manufacturing an intermediate or final product or byproduct of any toxic pollutant which was not reported in the permit application.

G. 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.

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 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.

H. Permit Transfer

1. This permit may not be transferred to a new owner in any fashion except 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 I, Subsection D.7 applies.
2. Facilities that have undergone transfers of ownership without prior notice to the Department will be considered to be operating without a permit.

I. Permit Termination

1. 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.

2. Proper closure of any effluent storage structure is required prior to permit termination. See https://dnr.mo.gov/pubs/pub2568.htm for more information on closure.

3. 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.

Missouri Department of Natural Resources
Fact Sheet
MO-R22CXXX

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). Permits are issued for a period of five (5) years unless otherwise specified.

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 an MSOP.

This Fact Sheet is for a:

- ☐ Major
- ☐ Minor
- ☐ Industrial Facility
- ☐ Variance
- ☒ Master General Permit
- ☐ Permit with widespread public interest

Part I – Facility Information

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

This permit establishes SWPPP requirements and benchmarks for all facilities covered under this permit. 10 CSR 20-6.200(6) specifies "general permits shall contain BMP requirements and/or monitoring and reporting requirements to keep the stormwater from becoming contaminated." The benchmarks are established in accordance with United States Environmental Protection Agency (USEPA) and State of Missouri guidance in a manner deemed achievable and reasonable for all facilities. Routine monitoring and reporting is not required by this permit; however, monitoring and reporting may still be required of facilities showing evidence of significant noncompliance. If monitoring occurs, benchmark evaluation data must be retained by the facility and made available to the program upon request. Local conditions are not considered when developing conditions for a general permit. A facility may apply for a site-specific permit if they desire a review of site-specific conditions.

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

Changes to this permit include:

- ✓ Updated language throughout the permit to current permit language used by the Department.
- ✓ Setbacks were adjusted to match current Department permitting practices. Setbacks for losing streams, L1 water supplies, critical habitats, biocriteria locations, and Class P/L2 designated waterbodies were altered or removed.
- ✓ Added language for OSRW discharges.
- ✓ Added language authorizing some non-stormwater discharges.
- ✓ Added language updating Standard Conditions Part I to current version.
- ✓ Added "No-Exposure Certification" language.
- ✓ Removed general criteria requirements from the permit.
- ✓ The permit exemption for those facilities which have sawdust and scrap lumber onsite less than 90 total days in the year was altered. This exemption is referred to as the "recycle, reuse, disposal" exemption. The previous exemption was unclear and largely unenforceable. The current permit has quantified the amount of sawdust waste (<5,000 sq. ft.) exempted rather than a time period of holding the sawdust, making tracking of applicability of this exemption more clear. Additionally, the condition was clarified to only exclude those facilities which also have no other forms of industrial exposed materials at the site, and the condition is clarified to not apply to charcoal manufacturing or processing facilities.

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. This permit applies to facilities discharging to the following water body categories:

- ☒ Missouri or Mississippi River [10 CSR 20-7.015(2)]
- ☒ Lakes or Reservoirs [10 CSR 20-7.015(3)]
- ☒ Losing Streams [10 CSR 20-7.015(4)]
- ☒ Metropolitan No-Discharge Streams [10 CSR 20-7.015(5)]
- ☒ Special Streams [10 CSR 20-7.015(6)]
- ☐ Subsurface Waters [10 CSR 20-7.015(7)]
- ☒ 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). A general permit does not take into consideration site-specific conditions.

MIXING CONSIDERATIONS:
This permit applies to receiving streams of varying low flow conditions. Therefore, the effluent limitations must be based on the smallest low flow streams considered, which includes waters without designated uses. As such, no mixing is allowed [10 CSR 20-7.031(5)(A)4.B.(I)(a)]. No Zone of Initial Dilution is allowed. [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 and Derivation of Effluent Limitations & Permit Conditions

305(B) REPORT, 303(d) LIST, & TOTAL MAXIMUM DAILY LOAD (TMDL):
Section 305(b) of the Federal CWA requires each state identify waters 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, 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 which are impaired but not addressed by normal water pollution control programs. The 303(d) list is one part of the 305(b) report.

A TMDL is a calculation of the maximum amount of a given pollutant 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 which shall include the TMDL calculation. For facilities with an existing general permit before a TMDL is written on their receiving stream, the Department will evaluate the permit and may require any facility authorized by this general permit to apply for and obtain a site-specific operating permit. Requests for coverage of a new facility under this general permit will be evaluated on a case-by-case basis for facilities located within the watershed of an impaired water as designated on the 305(b) Report.

- ✓ Conditional: The Department will review all discharges to impaired waters on a case-by-case basis.

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.

- ✓ Applicable: Limitations in this operating permit for the reissuance conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
  - ✓ 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 special conditions contained a specific set of prohibitions related to general criteria found in 10 CSR 20-7.031(4); however, there was no determination as to whether the discharges have reasonable potential to cause or contribute to excursion of those general water quality criteria in the previous permit. Federal regulations 40 CFR 122.44(d)(1)(iii) requires instances where reasonable potential (RP) to cause or contribute to an exceedance of a water quality standard exists, a numeric limitation must be included in the permit. Rather than conducting the appropriate RP determination, the previous permit simply placed the prohibitions in the permit. These conditions were removed from the permit. Appropriate reasonable potential determinations were conducted for each general criterion listed in 10 CSR 20-7.031(4)(A) through (I). Removal of the prohibitions does not reduce the protections of the permit or allow for impairment of the receiving streams. The permit maintains sufficient monitoring requirements and best management practices to protect water quality. See General Criteria Considerations below.

- The previous permit's special conditions required sampling of total petroleum hydrocarbons (TPH) under the decision model to discharge stormwater having a sheen in secondary containment. The special condition has been revised in all permits beginning in 2015 to remove TPH as 40 CFR 136 does not contain any approved methods for the TPH parameter nor are there water quality standards for TPH. This permit requires oil and grease and BTEX (benzene, toluene, ethylbenzene, and xylene) sampling of the potentially contaminated stormwater in secondary containment. The facility need only sample for these constituents prior to release when a sheen or petroleum odor is present.
- Language in the previous permit prohibited stormwater discharges within 100 feet of a Class P stream, 100 feet of a Class L2 reservoir, 1,000 feet of losing streams, 1,000 feet of streams or lakes listed as an OSRW, within 1,000 feet of reservoirs or lakes used for public drinking water supplies, within 1,000 feet of critical habitat for endangered species. 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. Streams receiving discharges from facilities covered by this permit are now protected by designated uses, general criteria, and best management practices. With these protections, the setback distances from the previous permit are no longer necessary and have been removed from this permit. Additionally, the permit authorizes only stormwater. The Department has determined stormwater discharged from the facilities covered under this permit has no reasonable potential to cause acute water quality impairments in the waterbodies for which the setbacks were removed.
- Required monitoring and reporting has been removed from this permit. Benchmarks are still applicable to the facilities covered under this permit; however, it has been determined monitoring and reporting are not necessary for protection of waters of the state. The pollutants of this industry are well characterized, and typical, well maintained BMPs are known to prevent pollution of waters of the state. It is the determination of the Department compliance with the SWPPP conditions found in this permit will adequately protect waters of the state without required monitoring or reporting.

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 an Outstanding National Resource Water or Outstanding State Resource Water [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 SWPPP. The SWPPP must identify all reasonable and effective Best Management Practices (BMPs), 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 in 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 reasonable and cost effective new BMPs. New facilities seeking coverage under this permit are required to develop a SWPPP including this analysis and documentation of appropriate BMPs. Renewal of coverage for a facility requires a review of the SWPPP to ensure the selected BMPs continue to be appropriate.

- ✓ Applicable: The pollutants of concern for this permit are Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), and pH changes; however, the only discharges resulting from the activities allowed under this permit are short term and intermittent, and are expected to be non-degrading or minimally degrading. 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 require the facility to monitor, and if necessary, replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark exceedance, therefore, is not a permit violation; however, failure to take corrective action is a violation of the permit. Benchmark monitoring 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.

Because of the fleeting nature of stormwater discharges, the Department, under the direction of USEPA guidance, determined monthly averages are capricious measures of stormwater discharges. The Technical Support Document for Water Quality Based Toxics Control (EPA/505/2-90-001; 1991) Section 3.1 indicates most procedures within the document apply only to water quality based approaches, not end-of-pipe technology-based controls. Hence, stormwater only outfalls will generally only contain a maximum daily limit (MDL) or benchmark, determined by the site-specific conditions including the receiving water's current quality.

Numeric benchmark values are based on water quality standards or other stormwater permits including the USEPA's Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP). Because precipitation events are sudden and momentary, benchmarks based on state or federal standards or recommendations use the Criteria Maximum Concentration (CMC) value, or acute standard. The CMC is the estimate of the highest concentration of a material in surface water to which an aquatic community can be exposed briefly without resulting in an unacceptable effect. The CMC for aquatic life is intended to be protective of the vast majority of the aquatic communities in the United States.

- ✓ Applicable: This permit contains benchmark requirements.

EFFLUENT LIMITATION GUIDELINE:
Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. These are limitations established by the EPA based on the SIC code and the type of work a facility is conducting. Most ELGs are for process wastewater and some address stormwater. All are technology based limitations which must be met by the applicable facility at all times.

- ✓ The industries covered under this permit have an associated ELG (40 CFR 429) but are not authorized to discharge wastewater by this permit; stormwater discharges are not addressed by the ELG.

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 that 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.

(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.

- For all facilities, there is no reasonable potential (RP) for putrescent bottom deposits preventing full maintenance of beneficial uses because nothing in the industrial activities covered by this permit indicates putrescent wastewater would be discharged from the facilities.
- For all facilities, there is no RP for unsightly or harmful bottom deposits preventing full maintenance of beneficial uses because nothing in the industrial activities covered by this permit indicates unsightly or harmful bottom deposits would be discharged from the facility.

(B) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.

- For all facilities, there is no RP for oil in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing in the industrial activities covered by this permit indicates oil will be present in sufficient amounts to impair beneficial uses. BMPs require proper control and disposal of oil products at the sites.
- For all outfalls, there is no RP for scum and floating debris in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because nothing in the industrial activity covered under this permit indicates scum and floating debris will be present in sufficient amounts to impair beneficial uses.

(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.

- For all outfalls, there is no RP for unsightly color or turbidity in sufficient amounts preventing full maintenance of beneficial uses. The permit writer has determined TSS and COD are pollutants of concern for the industry; however, this permit requires the BMPs at the sites be designed to meet benchmarks. Compliance with this BMP requirement ensures no RP for the receiving streams for these pollutants, and thus ensures compliance with this general criterion.

- For all outfalls, there is no RP for offensive odor in sufficient amounts preventing full maintenance of beneficial uses because nothing in the industrial activities covered by this permit indicates offensive odor will be present in sufficient amounts to impair beneficial uses.

(D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
- The permit writer considered specific toxic pollutants when writing this permit. No RP was determined from the pollutants of concern for this industry. No application of wood treatment chemicals are authorized under this permit. The terms and conditions of this permit are protective of human health, animals, and aquatic life.

(E) There shall be no significant human health hazard from incidental contact with the water.
- This criterion is very similar to (D) above.

(F) There shall be no acute toxicity to livestock or wildlife watering.
- This criterion is very similar to (D) above.

(G) Waters shall be free from physical, chemical or hydrologic changes which would impair the natural biological community.
- For all outfalls, there is no RP for physical changes which would impair the natural biological community because nothing in the industrial activities covered by this permit indicates physical changes which would impair the natural biological community.
- For all outfalls, there is no RP for chemical changes which would impair the natural biological community because nothing in the industrial activities covered by this permit indicates chemical changes are occurring impairing the natural biological community. No application of wood treatment chemicals are authorized under this permit. The terms and conditions of this permit are protective of human health, animals, and aquatic life.
- For all outfalls, there is no RP for hydrologic changes which would impair the natural biological community because nothing in the industrial activities covered by this permit indicates any hydrologic changes which would impair the natural biological community.

(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.
- The BMPs required by this permit ensure no solid waste is discharged through the outfalls of these facilities.

PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY:
Public Notice of reissuance of coverage is not required unless the facility has been found to be in significant noncompliance [10 CSR 20-6.020(1)(C)4.]. 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 for the first time.

REASONABLE POTENTIAL ANALYSIS (RPA):
Federal regulation 40 CFR Part 122.44(d)(1)(i) requires effluent limitations for all pollutants which are or may be discharged at a level which will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standard. In accordance with 40 CFR Part 122.44(d)(iii) if the permit writer determines any given pollutant has the reasonable potential to cause, or contribute to an in-stream excursion above the water quality standard, the permit must contain effluent limits for the pollutant.
- ✓ Conservative assumption: A traditional statistical Reasonable Potential Analysis has not been conducted for this master general permit; instead, the Department has made a reasonable potential determination based on sources of pollutants related to water quality standards. Activities performed by facilities covered under this master general permit were evaluated as to whether discharges have reasonable potential to cause or contribute to excursions of general narrative criteria listed in 10 CSR 20-7.031(4) and specific numeric criteria in 10 CSR 20-7.031(5).
- ✓ Permit writers use the Department's permit writer's manual (http://dnr.mo.gov/env/wpp/permits/manual/permit-manual.htm), the USEPA's permit writer's manual (https://www.epa.gov/npdes/npdes-permit-writers-manual), program policies, and best professional judgment. For each parameter in each permit, the permit writer carefully considers all applicable information regarding technology based effluent limitations, effluent limitation guidelines, and water quality standards. Best professional judgment is based on the experience of the permit writer, cohorts in the Department, and resources at the USEPA, research, and maintaining continuity of permits if necessary. For stormwater permits, the permit writer is required per 10 CSR 6.200(6)(B)2 to consider: A. application and other information supplied by the permittee; B. effluent guidelines; C. best professional judgment of the permit writer; D. water quality; and E. BMPs. Part V provides specific decisions related to this permit.

- ✓ The permit writer reviewed industry materials, available DMR data, past inspections, and other available documents and research to evaluate general and numeric water quality reasonable potential for this permit. Per the permit writer's best professional judgment, based on available data and full and accurate disclosure on application materials, this industry does not demonstrate reasonable potential for excursions from the general or numeric water quality criteria. See Part IV: Effluent Limit Determinations for specific parameter RP.

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 may include 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 contain a SOC.

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. Facilities which are closer than the setback distance to any of the features below are not eligible for this general permit and must apply for a site-specific operating permit.

- ✓ Discharge to Metropolitan No-Discharge Streams (10 CSR 20-7.031 Table F) is authorized under this permit for non-contaminated stormwater flows.
- ✓ Discharge to losing streams is authorized under this permit.
- ✓ Discharge of stormwater to OSRWs is authorized by this permit, as long as the discharge does not cause degradation of the receiving waterbody.
- ✓ This permit authorizes only no-discharge facilities in the watershed of ONRWs. This includes no discharge of stormwater. These facilities are authorized to discharge stormwater only if a catastrophic or chronic storm event occurs.
- ✓ Facilities which discharge to TMDL or 303(d) stream will be evaluated on a case-to-case basis
- ✓ This permit does not allow discharges to sinkholes, caves, fissures, or other ground openings which could drain to groundwater per the best professional judgment of the permit writer. 10 CSR 20-7.015(7)(A) specifies no water shall be released, stored, or disposed of in a way which causes or permits it to enter aquifers either directly or indirectly unless it meets the requirements of section (9) of the rule, which refers to establishing effluent limitations, and meets the water quality criteria found at 10 CSR 20-7.031. As stormwater discharges can be variable in effluent quality, and as this is a general permit applicable to many different facilities located in different watersheds with varying requirements, the permit writer has used best professional judgment to require no discharge to sinkholes, caves, fissures, etc. under this permit.

SLUDGE – INDUSTRIAL:
Industrial sludge is solid, semi-solid, or liquid residue generated during the treatment of industrial process wastewater in a treatment works; including but not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment process; scum and solids filtered from water supplies and backwashed; and a material derived from industrial sludge.

- ✓ Not applicable: Land application of sludge is not authorized by this permit.

SPILL REPORTING:
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 when 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.

Underground and above ground storage devices for petroleum products, vegetable oils and animal fats are subject to control under SPCC and are expected to be managed under those provisions. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) which are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA. These storage devices are not covered under this general permit because to do so would create a double jeopardy for the permitted facility. Permit requirements cover those fueling areas and storage devices which fall below the threshold of SPCC, RCRA and CERCLA regulations.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

In accordance with 40 CFR 122.44(k), BMPs must be implemented 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 USEPA 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.

A SWPPP must be prepared by the permittees covered by this permit. Their SIC code is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2). A SWPPP may be required of other facilities where stormwater has been identified as needing better management. The purpose of a SWPPP is to comply with all applicable stormwater regulations by creating an adaptive management plan to control and mitigate pollution of stormwater runoff. Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged during storm events. The following paragraph outlines the general steps the permittee should take to determine which BMPs will work to achieve the benchmark values or limits in the permit. This section is not intended to be all encompassing or restrict the use of any physical BMP or operational and maintenance procedure assisting in pollution control. Additional steps or revisions to the SWPPP may be required to meet the requirements of the permit.

The selection of control measures to prevent or reduce the discharge of pollutants in stormwater shall be specified in the SWPPP. For new, altered, or expanded stormwater discharges, the SWPPP shall identify the reasonable and effective BMPs, 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 shall serve as an alternative analysis of technology and fulfill the requirements of Antidegradation [10 CSR 20-7.031(3) and 10 CSR 20-7.015(9)(A)5.]. Existing facilities with established SWPPPs and BMPs need not conduct an additional alternatives analysis unless new BMPs are established to address benchmark exceedances.

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 determined to be adequate to achieve the benchmark values or effluent limitations discussed above. The facility will conduct monitoring and inspections of 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 effluent limit, 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 is required at set frequencies but should be continued more frequently if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established.

EPA developed factsheets on the pollutants of concern for specific industries along with the BMPs to control and minimize stormwater (https://www.epa.gov/npdes/stormwater-discharges-industrial-activities). Along with EPA's factsheets, the International Stormwater BMP database (www.bmpdatabase.org/index.htm) may provide guidance on BMPs appropriate for specific industries.

If failures continue to occur and the permittee feels there are no practicable or cost-effective BMPs to sufficiently reduce a pollutant concentration in the discharge to the benchmark value or effluent limit established in the permit, the permittee can submit a request to re-evaluate the 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 or limits;
(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; 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 control practices specific to site conditions, and provide for maintenance and adherence to the plan.

VARIANCE:
Per the Missouri Clean Water Law Section 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 Section 644.006 to 644.141 or any standard, rule, or regulation promulgated pursuant to Missouri Clean Water Law Section 644.006 to 644.141.

- ✓ Not Applicable: This permit is not drafted under premises of a petition for variance.

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

- ✓ Not applicable: This permit contains no numeric effluent limitations.

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 specific indicator organism; and per 40 CFR 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 water.

- ✓ Not Applicable: At this time, permittees are not required to conduct a WET test. This permit is for stormwater only.

Part IV – Effluent Limitations Determination

EPA Multi-sector General Permit (MSGP)
The MSGP was used to research and support best professional judgment decisions made in establishing technology-based effluent benchmarks for this general permit which are consistent with national standards. EPA applies the requirements in Sector A to stormwater discharges associated with industrial activity from Timber Products. Sector A4 applies to the SIC codes covered by this general permit. The permit writer determined the standards established by the MSGP are achievable and consistent with federal regulations.

Benchmarks
Benchmark concentrations are not effluent limitations; benchmark exceedance, therefore, is not a permit violation. However, benchmark exceedance which causes degradation to an ONRW or OSRW [10 CSR 20-7.031(3)(C)] may be in violation of water quality standards. 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 to comply with the benchmarks. Effective BMPs may have to be designed on a site-specific basis. Failure to take corrective action is a violation of the permit.

Benchmarks derived and established in the below Benchmark Table are based on current operations of the facility. Future permit action due to modification may contain new permit terms and conditions superseding the terms and conditions, including effluent limitations, of this permit.

Parameter	Daily Maximum Benchmark
Chemical Oxygen Demand	120 mg/L
Total Suspended Solids	100 mg/L
pH	6.5 - 9.0 Standard Units

DERIVATION AND DISCUSSION OF BENCHMARKS:
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 USEPA has not established industry specific technology based Effluent Limitation Guidelines, Missouri uses USEPA's *Technical Support Document for Water Quality Based Toxics Control* (TSD) method for calculating site-specific water-quality based effluent limitations. The TSD method is based on assumptions and statistics which apply to continuous discharges, not intermittent stormwater discharges and thus do not apply to this permit. Thus, it is the Department's policy to consult the EPA's *Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity* (MSGP) or other applicable documents or guidance.

Chemical Oxygen Demand (COD)
This permit has a benchmark of 120 mg/L, which has been determined to be feasible and affordable, and was continued from the previous permit. There is no numeric water quality standard for COD; however, increased oxygen demand may impact instream water quality. COD is also a valuable indicator parameter. COD monitoring allows the permittee to identify increases in COD, which may indicate materials/chemicals coming into contact with stormwater are causing an increase in oxygen demand. Increases in COD may indicate a need for maintenance or improvement of BMPs. The benchmark value falls within the range of values implemented in other permits having similar industrial activities and is achievable through proper BMP controls. This value is consistently achieved in stormwater discharges by a variety of other industries with SWPPPs.

pH
A benchmark of 6.5-9.0 SU is continued from the previous permit. This range is known to be achievable by a variety of industries using well maintained BMPs.

Total Suspended Solids
A benchmark of 100 mg/L is continued from the previous permit. There is no numeric water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. 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. TSS monitoring allows the permittee to identify increases in TSS which may indicate uncontrolled materials leaving the site. The benchmark is achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other industrial permits.

Part V– Sampling and Reporting Requirements

SAMPLING FREQUENCY:
There are no regular sampling requirements in this permit. Benchmarks listed in Requirement 4 are to assist in the evaluation of BMPs. The Department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or evidence of off-site impacts from activities at the facility. If such an action is needed, the Department will specify in writing the sampling requirements, including such information as location and extent. It is a violation of this permit to fail to comply with said written notification to sample.

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:
Please review Standard Conditions Part 1, section A, number 4. The analytical and sampling methods used to determine compliance with benchmarks shall conform to the reference methods listed in 10 CSR 20-7.015 and/or 40 CFR 136 unless alternatives are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations and benchmarks. A method is "sufficiently sensitive" when 1) the method quantifies the pollutant below the level of the applicable water quality criterion; 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility's discharge is high enough the method detects and quantifies the level of pollutant in the discharge; or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015 and or 40 CFR 136. These methods are also required for parameters listed as monitoring only, as the data collected may be used to determine if numeric limitations need to be established. A permittee is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive. 40 CFR 136 lists the approved methods accepted by the Department. Tables A1-B3 at 10 CSR 20-7.031 shows water quality standards.

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 MEETING:
A public meeting for this permit was held on October 1, 2018, at 1 P.M.

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 Notice period for this permit was from 11/30/2018 to 12/31/2018. One letter was received during the 30-day Public Comment Period. The summarized comments from the letter and the Department's responses to the comments are below and are in reference to the Public Noticed version of this permit. Changes were made in the public noticed permit as noted in the responses below; however, the changes are considered minor and do not warrant placing the permit on public notice again.

Comment #1: Page 2, Applicability ¶ 1. This section includes the following sentence: "The MOR22C applies only to charcoal manufacturing under SIC Code 2861." This sentence is misleading because it implies that the permit is only applicable to charcoal manufacturing. I think the intent is that the permit is only applicable to one type of charcoal manufacturing. This could be reworded to be more clear.

Response #1: The Department has reworded the sentence to read: "The MOR22C applies to charcoal manufacturers that manufacture charcoal under SIC code 2861; it does not apply to any other manufacturing under 2861 and does not apply to charcoal facilities that engage in chemical wood treating."

Comment #2: Page 2, Applicability ¶ 8. Subsection (c) says that the permit only authorizes discharges to Outstanding State Resource Waters if benchmarks "are not exceeded." Subsection (d) says that a benchmark exceedance shall be considered to cause degradation of water quality. Since benchmarks are a technology-based limit, they are not tied to water quality violations. Effluent limitation regulation 10 CSR 20-7.015(6)(B)1 says "discharges shall not cause the current water quality in the stream to be lowered." We suggest this sentence from the regulation replace subsections (c) through (f).

Response #2: The Department has reworded the condition as follows:
"For facilities discharging 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 non-stormwater (wastewater) discharges to Outstanding State Resource Watersheds; therefore, the non-stormwater discharges in Applicability #4 above are not authorized for discharge in these watersheds.
(c) Per 10 CSR 20-7.015(6), this permit authorizes stormwater discharge facilities to operate and continue to discharge only if the discharges do not cause the current water quality in the streams to be lowered.
(d) Should a facility's stormwater discharge be determined to be causing lowered water quality in the receiving stream, the facility must take corrective action to cease causing lowered water quality in the receiving stream.
(e) Failure to take corrective action is a permit violation. If lowering of water quality continues to occur, the Department may require the facility to operate as a no-discharge facility under this permit or apply for a site-specific permit.
(f) Detailed requirements concerning stormwater discharges are in the Stormwater Requirement section of this permit."

Comment #3: Page 3, Applicability ¶ 10. Why does this paragraph refer to the 305(b) report but then provide a hyperlink to Missouri's impaired waters list which is the 303(d) list?

Response #3: The provided link goes to the Department's "Water Quality Assessment and Impaired Waters" page, which contains several links to various resources. The first several links available take the user to both the current and previous 305(b) reports and 303(d) lists. The 305(b) report is a broad water quality report, which includes the 303(d) list. No changes were made to the permit in response to this comment.

Comment #4: Page 3, Exemption ¶ 2. The last sentence of the paragraph is confusing. It says the department may require a permit as a result of "illegal discharges" and "compliance issues." An illegal discharge is a compliance issue. Also, why should a "complaint investigation" result in a permit being required? Complaints may be baseless. Also, "negligence" is not defined. A facility may be negligent but not violate Missouri Clean Water Law. Therefore, this term is of little value.

Response #4: The Department reworded the sentence to say, "The Department may require a permit as a result of illegal discharges or other compliance issues, or evidence of off-site impacts from activities at the facility." The confusing terms have been removed.

Comment #5: Page 4, Stormwater Requirements ¶ 2. This paragraph combines former paragraphs 2 and 4. It is much improved. However, I would like to draw attention to the sentence that says "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." We suggest that the term "or" be changed to "and." Pollutant reductions must be "economically practicable" and "technologically available," or they should not be required. Furthermore, it is unclear when a technology is "available"?

Response #5: The change from "or" to "and" has been made in the permit.

Comment #6: Page 5, Section D, Permit Requirements ¶ 3. We request this paragraph be deleted. This paragraph says the facility must comply with SPCC, RCRA and CERCLA laws and "shall adhere to all applicable federal state regulations . . . ." To which laws is the permit referring? Missouri state operating permits are legally restricted to requiring compliance with the Missouri Clean Water Law. Therefore, this paragraph should be deleted. Refueling area BMPs should are already addressed by the SWPPP required by the permit.

Response #6: This requirement has been deleted.

Comment #7: Page 6, Section D, Permit Requirements ¶ 6. This paragraph acknowledges that the facility can provide treatment to remove odor and any visible sheen on stormwater accumulated in secondary containment. After treatment, if no odor or sheen remains, the stormwater may be discharged. However, it requires a laboratory test for oil and grease, benzene, toluene, ethylbenzene and xylene before discharging. If the stormwater did not have odor or sheen in the first place, it could be discharged without sampling. If the water is treated and then has the same condition as untreated water, i.e. no odor or sheen, it should be able to be discharged without a stormwater analysis.

Response #7: The permit requires testing secondary containment water which has had sheen or odor prior to discharge. This requirement reflects that the water was known to be contaminated due to the visible sheen or perceptible petroleum odor. After treatment, testing is done to ensure trace petroleum contaminants do not remain in the water. The water quality standards for benzene and other petroleum contaminants are quite low, and may be exceeded by small amounts of petroleum contaminants. These small amounts may remain despite treatment, depending on the treatment mechanism used by the permittee. The presumed uncontaminated secondary containment water with no sheen or odor is authorized for discharge because no evidence of petroleum contamination was found initially, indicating little risk of exceeding water quality standards. No changes were made to the permit in response to this comment.

Comment #8: Page 6, Section D, Permit Requirements ¶ 10. There should not be an affirmative requirement to mark outfalls if the facility has no plans to sample stormwater. The permit should only require outfalls be marked before the facility collects samples from that outfall.

Response #8: The permit requires the outfalls be marked on a map kept with the SWPPP. Proper SWPPP development requires the determination of locations where stormwater leaves the property. The requirement to retain a copy of this determination with the SWPPP is not believed to be burdensome to the permittee. The condition was updated to read, "Outfalls must be: (a) Clearly marked on a map retained with the SWPPP and/or in electronic format, available upon request. […]," to allow for electronic storage of the map, if desired.

Comment #9: Page 6, Section D, Permit Requirements ¶ 11. This paragraph requires the permittee to furnish to DNR "any information" to determine whether the permit should be modified, revoked, reissued or terminated to determine if the facility is "in compliance." Should not this be "non-compliance"? Facilities in compliance should not be required to provide "any information" the department deems fit. It must be related to water quality or permit violations.

Response #9: The Department has changed the wording to read "non-compliance."

Comment #10: Page 8, Section H, Permit Transfer ¶ 2. What is a facility "with transfer"? I assume this means a company that sold or leased its facility to another company without notifying the department. If so, this requirement could be rewritten to be clearer. Who will be considered to be operating without a permit? It is the new continuing authority or the previous continuing authority?

Response #10: The requirement has been reworded as follows: "Facilities that have undergone transfers of ownership without prior notice to the Department will be considered to be operating without a permit." The new continuing authority will be liable for the facility operating without a permit in most cases.

DATE OF FACT SHEET: 11/05/2018; UPDATED 01/08/2019

COMPLETED BY:
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