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-R60Axxx
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 & Sub-watershed No.:	< (USGS HUC 12 #) >

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 – SIC #5015 & #5093

Stormwater runoff from Motor Vehicle Salvage Yards and Scrap Metal Recycling Operations

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 RSMo Section 644.051.6 and 621.250, 10 CSR 20-6.020, and 10 CSR 20-1.020.

November 1, 2013 February 18, 2014
Effective Date Modification Date

Sara Parker Pauley
Sara Parker Pauley, Director, Department of Natural Resources

October 31, 2018
Expiration Date

John Madras
John Madras, Director, Water Protection Program

APPLICABILITY

1. This permit authorizes the discharge of stormwater runoff to waters of the state of Missouri from motor vehicle salvage yards and auto/truck recycling operations, including, but not limited to, firms with Standard Industrial Classification (SIC) code 5015 and 5093. This includes scrap metal yards, metal only recycling operations and appliance recycling.

   Facilities that recycle other materials are covered under a different general permit. Facilities that primarily recycle paper may apply for coverage under general permit R13 – Multi-industry General Stormwater Permit. Facilities that primarily recycle plastics may apply for coverage under R23D - plastic and rubber.

2. Holders of current site specific permits who desire to apply for inclusion under this general permit should contact the Missouri Department of Natural Resources (department) for application requirements.

3. In accordance with 10 CSR 20-6.010(13)(C), if at any time the department determines that the quality of waters of the state may be better protected by requiring the owner of a salvage facility to apply for an individual permit, the department may do so.

4. If at any time the owner of a salvage facility should desire to apply for an individual permit, the owner may do so.

5. This permit does not apply to stormwater discharges:
   (a) Within 1,000 feet upstream of waters that have been identified as a losing stream, sinkhole, or other direct conduit to groundwater, or an outstanding state resource water*;
   (b) Within the watersheds of streams or lakes listed as an outstanding national resource water* or their tributaries;

   *Identified or described in 10 CSR 20, Chapter 7. These regulations are available at many libraries and online at http://www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp, or may be purchased from the department by calling the Water Protection Program.

6. This general permit does not apply to land disturbance activities. A separate general permit is required to cover those activities.

7. Facilities that are located within the watershed of the 303(d) listing of impaired waters will need to be evaluated, on a case-by-case basis, for inclusion under this general permit. Facilities that are found to be discharging the listed pollutant(s) of concern for an impaired water may be required to obtain a site-specific permit.

STANDARD CONDITIONS

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

EXEMPTIONS

1. A permit is not required if the number of vehicles stored at a motor vehicle salvage yard does not exceed fifty (50) at any one time and if the number of vehicles recycled, dismantled or otherwise processed does not exceed fifty (50) in any twelve (12) month period. This exemption applies only to motor vehicle recycling. Other recycling operations must obtain a permit if materials or processes are exposed to stormwater for more than 30 days in any twelve (12) month period.

2. Facilities that discharge stormwater runoff directly to a combined sewer system are exempt from stormwater permit requirements.

A. INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become **effective upon issuance of the modified permit and remain in effect for one (1) year and 364 days**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
All Outfalls						
Total Suspended Solids	mg/L	*			once/quarter**	grab
Aluminum, Total Recoverable	µg/L	*			once/quarter**	grab
Iron, Total Recoverable	µg/L	*			once/quarter**	grab
Lead, Total Recoverable	µg/L	*			once/quarter**	grab
Oil & Grease	mg/L	*		*	once/quarter**	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE JANUARY 28, 2014. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective **two (2) years after issuance of the modified permit and remain in effect until expiration of the permit**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
All Outfalls						
Total Suspended Solids	mg/L	*			once/quarter**	grab
Aluminum, Total Recoverable	µg/L	*			once/quarter**	grab
Iron, Total Recoverable	µg/L	*			once/quarter**	grab
Lead, Total Recoverable	µg/L	*			once/quarter**	grab
Oil & Grease	mg/L	15		10	once/quarter**	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE JULY 28, 2016. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

* Monitoring requirement only.

** See table below for quarterly sampling.

Sample discharge at least once for the months of:	Report is due:
January, February, March (1st Quarter)	April 28
April, May, June (2nd Quarter)	July 28
July, August, September (3rd Quarter)	October 28
October, November, December (4th Quarter)	January 28

BENCHMARKS

1. Sampling and analysis of stormwater discharges for Total Suspended Solids, Aluminum, Iron and Lead shall occur quarterly. The department may also require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations or evidence of off-site impacts from activities at the facility. If such an action is needed, the department will specify in writing the sampling requirements, including such information as location and extent. It is a violation of this permit to fail to comply with said written notification to sample.

2. Stormwater samples shall be collected within the first 60 minutes of discharge occurring as a result of precipitation events of 0.1 inches or greater. Precipitation events include rainfall as well as run-off from the melting of frozen precipitation.

3. This permit stipulates pollutant benchmarks applicable to your discharge. The benchmarks do not constitute direct numeric effluent limitations; benchmark exceedances alone, therefore, are not a permit violation. Benchmark monitoring data are primarily for your use (and department's use) to determine the overall effectiveness of your Stormwater Pollution Prevention Plan (SWPPP) and to assist you in knowing when additional corrective action may be necessary to protect water quality. If a sample exceeds a benchmark concentration you must review your SWPPP and your Best Management Practices (BMPs) to determine what improvements or additional controls are needed to reduce that pollutant in your stormwater discharge(s). Exceedances believed to be the result of legacy chemical uses at the facility are not exempted from this requirement. Permittees are encouraged to contact the department to formulate a plan for investigation and clean-up if legacy chemical uses are suspected to be the cause of exceedances.

   The facility may demonstrate via a Corrective Action Report that the benchmark value cannot be achieved through the application of BMPs representing the available technology and the benchmark is not feasible because no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice. This demonstration shall be documented in the facilities' SWPPP. Failure to evaluate and improve BMPs to address a benchmark value exceedance is a permit violation.

4. The following benchmarks are considered necessary to protect existing water quality. The BMPs at the facility should be designed to meet these benchmarks during rainfall events up to the 10 year, 24 hour rain event.

Parameter	**Benchmark**
Total Suspended Solids	100 mg/L
Aluminum, Total Recoverable	750 µg/L
Iron, Total Recoverable	1,000 µg/L
Lead, Total Recoverable	151 µg/L

5. Stormwater samples shall be collected prior to or at the property boundary or before the discharge enters waters of the state on the property.

6. If data becomes available that indicates existing water quality will be protected by alternative 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.

OTHER REQUIREMENTS

1. The permittee shall implement a SWPPP. The permittee shall prepare a SWPPP within ninety (90) days of issuance of the permit. All aspects of the SWPPP must be fully implemented within one (1) year of issuance of the permit.

2. The SWPPP must be kept on-site and should not be sent to the department unless specifically requested. The SWPPP must be reviewed and updated, if needed, every five (5) years or as site conditions change. The permittee shall select, install, use, operate, and maintain the 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 (USEPA) in February 2009. (http://www.epa.gov/npdes/pubs/industrial_swppp_guide.pdf)

OTHER REQUIREMENTS (continued)

3. The SWPPP must include the following:
   a. A listing of specific Best Management Practices and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter stormwater.
   b. The SWPPP must include a schedule for monthly inspections and a brief written report, including name of the inspector, date, and signature. The inspections must include observation and evaluation of BMP effectiveness, deficiencies, and corrective measures that will be taken. Deficiencies must be corrected within seven days and the department must be notified by letter. The permittee may submit a written request to the department justifying additional time, if necessary, to complete corrective actions.
   c. A provision for designating an individual to be responsible for environmental matters.
   d. A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of the department.

4. Permittee shall adhere to the following minimum Best Management Practices (BMPs):
   a. Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of stormwater from these substances.
   b. Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
   c. Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed 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/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
   d. Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
   e. Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins.

   The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency.

5. Insecticides, pesticides and herbicides, if used, shall be applied according to manufacturer's directions. Discharges from these activities are not authorized.

6. Tire storage outdoors shall be limited to less than 500 tires, unless the facility also has a waste tire recycling permit. Storage of 500 or more tires constitutes a waste tire site and requires permits from the Solid Waste Management Program under 10 CSR 80, Waste Tire Rules. A tire that is discarded with the intent of final disposal is a waste tire. Waste tire disposal shall be done according to applicable state or federal regulations.

7. Upon dismantling of vehicles and before crushing of vehicles, batteries, fluids, and fuels shall be removed except in sealed units that will remain intact, such as; engines, steering gear units, transmissions and other drive-train component units such as; transfer cases and rear ends that may be stored with the intention of sale as a complete unit.

8. If a mechanical unit (engine, transmission, steering gear, transfer case, etc.), or system (brake, cooling, drive train) remains closed, and it is to remain intact, so there is no likelihood of leakage or spillage, the fluid need not be drained.

9. All outfalls must be clearly marked in the field.

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

11. Water Quality Standards
    (a) To the extent required by law, discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
    (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:

OTHER REQUIREMENTS (continued)

(1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
(2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
(3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
(4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
(5) There shall be no significant human health hazard from incidental contact with the water;
(6) There shall be no acute toxicity to livestock or wildlife watering;
(7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
(8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

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

13. Changes in Discharges of Toxic Substances. The permittee shall notify the Director as soon as it knows or has reason to believe:
    (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
        (1) One hundred micrograms per liter (100 ug/L);
        (2) Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
        (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
        (4) The level established in Part A of the permit by the Director.
    (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.
    (c) Toxic pollutants shall consist of, but are not limited to, pollutants listed in 10 CSR-20, Chapter 7, Table A, or 40 CFR 122, Appendix D.

SCHEDULE OF COMPLIANCE

The facility shall attain compliance with final effluent limitations for Oil & Grease as soon as reasonably achievable or no later than **2 years** after the modification date of this permit.

1. Within one (1) year of the modification date of this permit, the permittee shall submit a report to the Regional Office detailing progress made in attaining compliance with the final effluent limits.

2. Within **2 years** of the modification date of this permit, the permittee shall attain compliance with the final effluent limits, for Oil & Grease.

PERMIT TRANSFER

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

TERMINATION

In order to terminate this permit, the permittee shall notify the department by submitting Form H, included with the State Operating Permit. The permittee shall complete Form H and mail it to the department at the address noted in the cover letter of this permit.

PERMIT RENEWAL REQUIREMENTS

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

DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal. This permit authorizes only the activities described in this permit. Compliance with this permit may not be considered a shield from compliance with any local ordinance, State Regulation or State Law.

Missouri Department of Natural Resources
Fact Sheet – Master General Permit Renewal for MO-R60A000 Motor Vehicle Salvage Yards and Scrap Metal Recycling Operations

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

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

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

December 2013 Modification

Soon after issuance, a MO-R60A000 permit was appealed. In response to that appeal the department modified the permit to include 90 days to develop a SWPPP and one year to fully implement the SWPPP. The modification added a two year schedule of compliance for oil and grease. Both the SWPPP and the effluent limitation for oil and grease were new requirements, thus permitted facilities needed time to comply. The fact sheet was also modified to include more explanation of the department's authority to require sampling and benchmarks. During the review for modification, an error in the calculation for the lead benchmark was identified; the benchmark was changed from 109 µg/L to 151 µg/L.

Comments:

This permit was placed on public notice from March 29, 2013 to April 29, 2013. That version of the permit was combined with requirements from the R203 Metal Fabrication permit. The department's intent was to combine the two General Permits into one.

We received one comment from a Salvage Yard operator that offered anecdotal evidence to eliminate the sampling requirement from this permit.

The department received 25 comments from holders of the Metal Fabrication Permit objecting to the combining of the two permits. They argued that the stormwater discharges of these two industries are dissimilar enough to maintain two separate General Permits for these activities. For example, unlike salvage yards and scrap metal recycling operations, most foundries in Missouri store their scrap feedstock under cover. This practice of covering scrap at foundries is necessary to avoid potential safety concerns that can arise if wet scrap is placed into the high temperature furnaces at foundries. Without the covers, foundries would have to process the scrap in expensive dryer units prior to placement in the furnace to avoid this safety concern. After consideration, the department is going to keep the two General Permits separate.

Part I – Facility Information

Facility Type: Industrial
Facility SIC Code(s): Including but not limited to 5015 & 5093

Facility Description:
This permit authorizes the discharge of stormwater runoff to waters of the state of Missouri from motor vehicle salvage yards and auto/truck recycling operations, including, but not limited to, firms with Standard Industrial Classification (SIC) code 5015 and 5093. This includes scrap metal yards, metal only recycling operations, and appliance recycling. 10 CSR-6.200(2)(B)C. establishes the department's authority to regulate "facilities involved in the recycling of materials including metal scrap yards, battery re-claimers, salvage yards, and automobile junkyards, including those with an SIC classification of 5015 and 5093."

This Master General Permit establishes a SWPPP requirement and quarterly monitoring for pollutants of concern from this type of facility. 10 CSR 6.200(6)(A)7. specifies that "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 Missouri's Water Quality Standards found at 10 CSR 20-7.031, in a manner that is deemed protective of all possible receiving stream conditions. Local conditions are not considered when developing conditions for a general permit. A permittee may apply for a site-specific permit if they desire a review of site-specific environmental factors.

Part II – Receiving Stream Information

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:
As per Missouri's Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into the below listed seven (7) categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.
Please mark all appropriate designated waters of the state categories of the receiving stream.

- Missouri or Mississippi River [10 CSR 20-7.015(2)]: ☒
- Lake or Reservoir [10 CSR 20-7.015(3)]: ☒
- Losing [10 CSR 20-7.015(4)]: ☐
- Metropolitan No-Discharge [10 CSR 20-7.015(5)]: ☐
- Special Stream [10 CSR 20-7.015(6)]: ☐
- Subsurface Water [10 CSR 20-7.015(7)]: ☐
- All Other Waters [10 CSR 20-7.015(8)]: ☒

10 CSR 20-7.031 Missouri Water Quality Standards, the department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The benchmarks established by this permit are intended to be protective of all streams that fall within the categories of receiving water body indicated above. A general permit does not take into consideration site-specific conditions.

RECEIVING STREAM MONITORING REQUIREMENTS:

No receiving water monitoring requirements recommended at this time.

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

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

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

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

The department has determined that the best avenue forward for implementing the Antidegradation Implementation Procedure into General Permits is by means of an Alternative Analysis (AA). AA's will require a facility to demonstrate what stormwater controls are achievable with the best alternative being a no exposure of material to precipitation.

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

☒ Applicable; This permit contains a two (2) year schedule of compliance for oil and grease. This SOC provides ample time for facilities to sample discharges, evaluate compliance with the limit and take corrective action as necessary.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):
In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities: (2) Authorized under section 402(p) of the CWA for the control of stormwater discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's Developing Your Stormwater Pollution Prevention Plan, a Guide for Industrial Operators, (Document number EPA 833-B-09-002), BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of stormwater discharges.

☒ Applicable; The permittee is required to develop a SWPPP within 90 days of issuance of this permit and has 1 year to fully implement all structural and procedural BMPs identified in the SWPPP.

VARIANCE:
As per the Missouri Clean Water Law § 644.061.4, variances shall be granted for such period of time and under such terms and conditions as shall be specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with the Missouri Clean Water Law §§644.006 to 644.141 or any standard, rule or regulation promulgated pursuant to Missouri Clean Water Law §§644.006 to 644.141.

☒ Not Applicable; This operating permit is not drafted under premises of a petition for variance.

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

☒ Not Applicable; Wasteload allocations were not calculated.

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

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

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

Part IV – Effluent Limits Determination

ALL OUTFALLS – DERIVATION AND DISCUSSION OF BENCHMARKS:
The Clean Water Act requires that 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. The TSD method is based on assumptions and statistics that apply to continuous discharges, not intermittent stormwater discharges and thus do not apply to this permit. In this situation, it is the department's policy to consult the EPA's Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity.

US EPA Multi-sector General Permit (MSGP)
The MSGP was used to research and support best professional judgment decisions made in establishing technology-based effluent limitations for this general permit that are consistent with national standards. EPA applies the requirements in Sectors M and N to stormwater discharges associated with industrial activity from Automobile Salvage Yards and Waste Recycling Facilities. The permit writer determined that the standards established by the MSGP are achievable and consistent with federal regulations. Monitoring will allow the permittees to demonstrate achievement of the benchmarks through the use of BMPs and corrective actions.

Technology-Based Effluent Limits
In this general permit, technology-based effluent limits are established through the SWPPP and BMP requirements. Effective BMPs may have to be designed on a site-specific basis. The concurrent implementation of monitoring and benchmarks provides a tool for each facility to evaluate the effectiveness of BMPs to ensure protection of water quality.

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 permittee in knowing when additional corrective action(s) may be necessary to comply with the technology based effluent limitations (TBEL). Failure to take corrective action is a violation of the permit. Benchmark exceedances alone are not a permit violation.

EFFLUENT LIMITATIONS TABLE: ***Outfall's 001, 002, 003 &004***

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
Total Suspended Solids	MG/L	9	*			YES	**
Aluminum, Total Recoverable	UG/L	1, 9	*			YES	**
Iron, Total Recoverable	UG/L	1, 9	*			YES	**
Lead, Total Recoverable	UG/L	1, 9	*			YES	**
Oil & grease	MG/L	1,3	15		10	YES	**

*- Monitoring requirement only.
** - Parameter not previously established in previous state operating permit.

Basis for Limitations Codes:
1. State or Federal Regulation/Law
2. Water Quality Standard (includes RPA)
3. Water Quality Based Effluent Limits
4. Lagoon Policy
5. Ammonia Policy
6. Antidegradation Review
7. Antidegradation Policy
8. Water Quality Model
9. Best Professional Judgment
10. TMDL or Permit in lieu of TMDL

- **Total Suspended Solids.** The 100 mg/L benchmark value for TSS was 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 within the State of Missouri. This value is also applied in EPA's MSGP as well as in general permits issued by Arkansas, Nebraska, California and North Carolina.

- **Aluminum.** This permit establishes a benchmark value for aluminum of 750 µg/L. This value corresponds to Missouri's chronic toxicity criteria for the protection of aquatic life found in 10 CSR 7.031. This value is also consistent with EPA's MSGP and benchmarks established in other states mentioned above.

- **Iron.** This permit establishes a benchmark value for iron of 1000 µg/L. This value corresponds to Missouri's chronic toxicity criteria for the protection of aquatic life found in 10 CSR 7.031. This value is also consistent with EPA's MSGP and benchmarks established in other states mentioned above.

- **Lead**. Lead is a hardness dependent metal. Due to the absence of contemporaneous effluent and instream data for total recoverable metals, dissolved metals, hardness, and total suspended solids with which to calculate metals translators, partitioning between the dissolved and absorbed phases was assumed to be minimal (Section 5.7.3, EPA/505/2-90-001). Freshwater criteria conversion factors for dissolved metals were used as the metals translator as recommended in guidance (Section 1.3, 1.5.3, and Table 1, EPA 823-B-96-007).

  Missouri's acute toxicity criteria for the protection of aquatic life found in 10 CSR 7.031 is calculated using a default instream hardness of 162 mg/L.

  $e^{(1.273*\ln(162)-1.460448)}*(1.46203-(\ln(162)*0.145712)) = 109\mu g/L$

  For hardness dependent metals, the benchmark is derived by dividing the acute toxicity criteria by a conversion factor. According to EPA's "The Metals Translator: Guidance for Calculating a Total Recoverable Permit Limit From a Dissolved Criterion," the conversion factor for any hardness can be calculated using the following equation:

  CF = 1.46203 – [ln(162)(0.145712)] = 1.46203 – [(5.09)(0.145712)] = 1.46203 - 0.74167 = 0.72036

  109 µg/L/0.720 = 151 µg/L

- **Oil & Grease**. Oil and Grease are pollutants of concern associated with automotive recycling. This permit establishes water quality based limits for the protection of aquatic life based on chronic toxicity standards found in 10 CSR 7.031. Daily Maximum = 15 mg/L and Monthly Average = 10 mg/L.

Sampling Frequency
Sampling frequency is established in accordance with department policy. Because of the variability of precipitation occurring in Missouri, it is the permit writer's best professional judgment that quarterly sampling (once per season) is the minimal amount of sampling necessary to obtain a representative set of data on a stormwater discharge. If no discharges occur during a sampling period, report as "no discharge."

While oil and grease is expressed in a daily maximum and a monthly average, only quarterly monitoring is required for this and other parameters. Results from one quarterly sample may be submitted as both the daily maximum and the monthly average result. If, for some reason, the permittee collects multiple samples during any month the permit requires the permittee to submit a monthly average.

Part V – Administrative Requirements

PUBLIC NOTICE:

☒ - The Public Notice period for this operating permit was from June 21, 2013 to July 22, 2013.

- The department received several copies of a form letter submitted by concerned Missouri citizens offering comments on this permit. The comments requesting action by the department and the department's responses are summarized below:

Comment 1: I urge MDNR to revise the draft permit to include enforceable effluent limitations and frequent in-depth monitoring for total suspended solids, aluminum, iron, cadmium, lead, arsenic, manganese, nickel, PCBs, and oil & grease.

Response 1: This permit contains benchmarks which represent pollutant concentrations above which EPA and the department have determined represent a level of concern. The level of concern is a concentration at which a stormwater discharge could potentially impair, or contribute to impairing, water quality or affect human health from ingestion of water or fish. The benchmarks set by this permit reflect Missouri's most stringent applicable water quality standards for protection of aquatic life and other designated uses. In setting these water quality standards, the department has determined that discharges below these concentrations present little potential for water quality concern. Based on EPA's study of this type of operation, they have determined the metals of concern are Aluminum, Iron, & Lead and therefore these parameters were incorporated into the permit. Monitoring results for these pollutants should be indicative of the overall effectiveness of BMPs in controlling discharge of all pollutants found in a facility's stormwater runoff. If a facility fails to improve BMPs that don't meet these benchmarks or cannot meet the benchmarks through standard BMPs the department has authority to begin formal enforcement action against a facility.

Comment 2: I urge MDNR to include a new minimum Best Management Practice for scrap metal recycling facilities that requires all operations to be housed in fully enclosed, sealed buildings with a roof, floor, and four walls to limit the spread of dust/particulate that would otherwise be carried away by stormwater.

Response 2: If a facility cannot maintain compliance with benchmarks through accepted and proven methods of stormwater control, then they must pursue more stringent BMPs such as converting their facility to an enclosed facility. This determination is more appropriately made on a case-by-case basis, as opposed to making it a blanket requirement for all facilities to enclose their operation.

Comment 3: I also request that the draft permit be revised to require any reports of inspections conducted by the permitted businesses to be submitted to the MDNR.

Response 3: The permittee is required to submit the results of their stormwater monitoring. This information is the most useful to the department to determine the effectiveness of a facility's BMPs. The permittee is required to maintain records of inspection and make them available to the department upon request. The department will review these documents during facility inspections. Facilities unable to achieve compliance with benchmarks will be prioritized for inspection.

- Another letter was received from the Great Rivers Environmental Law Center, addressing most of the same issues found in the above form letter. A response letter was sent directly to the Great Rivers Environmental Law Center addressing the specific concerns found in their comment letter.

- The department also received a letter from the Institute of Scrap Recycling Industries, Inc. (ISRI). ISRI's comments and the department's responses are summarized below.

Comment 1: Integrating the scrap metal industry permit with other industrial operations involving the handling or processing of metal may result in inappropriate requirements on some of the covered industries.

Response 1: The department concurs, the issued permit is limited to facilities involved in the recycling of materials including metal scrap yards, battery re-claimers, salvage yards, and automobile junkyards, including those with an SIC classification of 5015 and 5093.

Comment 2: The permit could address certain non-stormwater discharges such as those included in the MSGP.

Response 2: The permit does not prohibit non-stormwater discharges, it is only applicable to stormwater discharges. Discharges that are not process waters generated by industrial processes, or stormwater may be allowable unless the discharger causes an exceedance of water quality standards.

Comment 3: The permit lacks an explanation of the criteria that may be used to compel a permittee to apply for a site-specific permit.

Response 3: The statement included in the permit accurately describes the department's authority and references the appropriate regulation that does include examples of cases where an individual operating permit may be required. The Clean Water Commission's Rules can be found at www.sos.mo.gov.

Comment 4: The draft excluded discharges "within 100 feet of a permanent stream (Class P) or major reservoir."

Response 4: This statement was included in the draft by mistake and was removed.

Comment 5: The permit states that facilities in 303(d) watersheds will be evaluated on a case-by-case basis for general permit eligibility. This evaluation process should be described in the permit and the permittee should be allowed to remain in the general permit but append special conditions.

Response 5: Because this situation must be addressed on a case-by-case basis, the department does not feel it is appropriate to define procedures in a general permit. If a facility is found to be contributing to a water quality impairment, the department will work with that individual facility to determine the corrective actions necessary to reduce or eliminate impairments.

Comment 6: The sampling and benchmark requirements impose a significant change from the previous permit and do not allow time for the permittees to address the changes.

Response 6: The nature of benchmarks does allow the facility to make adjustments to address any exceedances of the target values. A facility is only in violation if it fails to improve inadequate BMPs over multiple quarters. The permit was revised to include time for developing and implementing the SWPPP as well as meeting the effluent limitations for oil and grease. Gathering data through monitoring in the interim period should provide useful information to the facility to evaluate current site conditions and identify areas that need improvement to comply with the permit.

Comment 7: Benchmarks and analytical monitoring should be replaced with visual monitoring of stormwater outfalls.

Response 7: Visual monitoring is unable to detect many pollutants of concern for this type of facility. Visual inspections also fail to quantify the extent of pollutant discharges.

Comment 8: Benchmark values are excessively low in comparison with the MSGP and other states.

Response 8: Benchmark parameters and values were modified to be based on Missouri's water quality standards and are now also consistent with the MSGP.

Comment 9: The proposed exceedance/violation regime is too stringent.

Response 9: The intent of the permit is not that a second benchmark exceedance will result in a violation. The permit stipulates that all exceedances should be investigated and addressed appropriately. Only a failure to evaluate BMPs or an instream violation of water quality standards will result in a violation. If a BMP is evaluated and the permittee attempts to improve the BMP, but a second exceedance occurs, the permittee is still in compliance with permit conditions. However, they must continue to seek improvement of the BMP until the benchmark is reached or the facility can demonstrate that reaching the benchmark is not feasible. If a permittee documents efforts to implement corrective actions, analytical data showing benchmark exceedances alone does not constitute a permit violation. Additional clarifying language was added to the permit and fact sheet.

Comment 10: The permit should require visual monitoring and semiannual sampling without benchmarks.

Response 10: The SWPPP requirements include monthly visual inspections. The department believes that, due to seasonal influences, semiannual sampling is insufficient to accurately characterize a stormwater discharge. The department does not believe that removing benchmark values will benefit the permittee or the environment. Benchmarks provide a goal for the facilities to be working toward during this permit cycle, while we create qualitative and quantitative records to inform future permits. Exceedance of a benchmark is not a permit violation. That value provides a standard against which to measure the analytical results of a discharge. The intent of the permit is to initiate adaptive management at the permitted facilities. If the permit did not include benchmarks, the permittee may have trouble interpreting analytical results and deciding when it is necessary to take action.

Comment 11: It is not possible for facilities that did not previously have a SWPPP to implement a SWPPP upon issuance.

Response 11: The permit was revised to allow 90 days to develop a SWPPP and one year to fully implement the SWPPP.

Comment 12: Twice monthly inspections should be reduced to quarterly inspections.

Response 12: Inspection requirements were reduced to monthly.

Comment 13: Seven days may be insufficient time to correct BMP deficiencies, especially if a construction permit is required.

Response 13: Construction permits are only necessary when constructing an earthen storage structure, and even these are often exempt if used solely for stormwater. However, the department understands that seven days may not be achievable, the following language was added to the permit: The permittee may submit a written request to the department justifying additional time, if necessary, to complete corrective actions.

Comment 14: Photographs of deficiencies and corrective actions should not be required.

Response 14: This requirement was removed from the permit.

Date of Fact Sheet: August 13, 2013

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Date of Modified Fact Sheet: December 10, 2013

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