



## PUBLIC NOTICE

### DRAFT MISSOURI STATE OPERATING PERMIT

DATE: August 4, 2017

In accordance with the state Clean Water Law, Chapter 644, RSMo, Missouri Clean Water Commission regulation 10 CSR 20-6.010, and the Federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state, or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years unless noted otherwise in the Public Notice for that discharge.

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

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to: Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102, ATTN: NPDES Operating Permits /Permit Comments. **Please include the permit number in all comment letters.**

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The Department may not consider as relevant comments or objections to a permit based on issues outside the authority of the Missouri Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be received or postmarked by 5:00 p.m. on September 4, 2017. The Department will consider all written comments, including emails, faxes and letters, in the formulation of all final determinations regarding the applications. Email comments will be accepted at the following address: [publicnoticenpdes@dnr.mo.gov](mailto:publicnoticenpdes@dnr.mo.gov). If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at the Department's website: <http://www.dnr.mo.gov/env/wpp/permits/permit-pn.htm>, or at the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

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, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-G670000

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: 1/4, 1/4, 1/4, Sec. xx, TxxN, RxxW, < county > County  
Latitude/Longitude: +xxxxxxx/-0xxxxxxx

Receiving Stream: < receiving stream > < (C, P, L1, L2, L3) >  
First Classified Stream and ID: < 1<sup>st</sup> classified stream > <(C, P, etc.)> <(ID number)> 303(d) List  
USGS Basin & Sub-watershed No.: < (USGS HUC12 #) >

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 - All SIC Codes

Hydrostatic Testing of Pipelines and Storage Tanks.

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

DATE, 2017  
Effective Date

Edward B. Galbraith, Director, Division of Environmental Quality

DATE, 2022  
Expiration Date

Chris Wieberg, Director, Water Protection Program

APPLICABILITY

1. This Missouri State Operating Permit (permit) authorizes the discharge of the water used for hydrostatic testing of pipelines and storage tanks to waters of the State of Missouri from multiple industries for all Standard Industrial Classification (SIC) Codes, or facilities that the Missouri Department of Natural Resources (department) determines are similar to facilities that are under the above SIC Codes.
2. This permit does not apply to water from pipelines and storage tanks within the property of refinery complexes, pipeline terminals, pumping stations, or transfer stations that already have a site-specific permit.
3. This permit does not authorize the discharge of hydrostatic testing water containing dyes, nor does it authorize the use of domestic wastewater, reclaimed water, or wastewater generated by other industrial operations for hydrostatic testing and discharge.
4. 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.
5. 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.
6. The requirements of this permit neither supersede nor remove liability for compliance with county and other local ordinances.
7. Any facility covered under this general permit may use oil-water separators to aid in meeting limits without obtaining any additional permit for operation or construction of the oil-water separator.
8. This permit does not authorize discharges:
  - (a) Within 500 feet upstream of streams, lakes or reservoirs identified as critical habitat for endangered species;
  - (b) Within 1,000 feet upstream of biocriteria reference locations<sup>1</sup>; or
  - (c) Within 100 feet of a Class W<sup>1</sup> or mitigated wetland.
9. For discharges within 500 feet of an Outstanding State Resource Waters (OSRW) or within the watershed of Outstanding National Resource Waters (ONRW), which includes the Ozark National Riverways and the Wild and Scenic Rivers System, this permit authorizes no-discharge facilities [as defined in 10 CSR 20-6.015(1)(B)7.] to operate. Any discharge from a no-discharge facility 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)] occurs.
10. For the purpose of this permit hydrostatic testing will also include flushing.
11. Facilities that discharge 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 that has consented to receiving such a discharge are exempt from permit requirements. This permit does not grant permission to use publicly or privately owned storm sewers or conveyances. The discharger is responsible for obtaining permission from the appropriate entity for such use.
12. This permit does not authorize any discharge that might cause or contribute to alteration of a stream channel. Stream channel alterations require review by the U. S. Army Corps of Engineers under Section 404 of the federal Clean Water Act (CWA) and/or Section 10 of the Rivers and Harbors Act of 1899.
13. 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.
14. If the applicant's facility is within one-half mile upstream of habitat for threatened or endangered aquatic species, the applicant shall have contacted the U.S. Fish and Wildlife Service for their review of the permit application and received their determination that the issuance of this permit shall be protective. The applicant shall submit documentation of this decision along with the permit application to the department. If the U.S. Fish and Wildlife Service requires a more protective permit, the facility will be required to apply for a site-specific permit.

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<sup>1</sup> Identified or described in 10 CSR 20-7. These regulations are available at many libraries and online at [www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp](http://www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp), or may be purchased from the department by calling the department's Water Protection Program.

TABLE A.		EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR ALL FACILITIES				
The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. For all pipeline and tank facilities, the final effluent limitations listed below shall be effective at issuance of the Master General Permit. Such discharges shall be controlled, limited, and monitored by the facility as specified below:						
EFFLUENT PARAMETER(S)	UNITS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY **	SAMPLE TYPE
<b>Petroleum Related Pipelines and Tanks</b> Limit Set: HP						
<u>All Outfalls:</u>						
Flow	mgd	*		*	once/discharge	24 hr. estimate
Total Suspended Solids	mg/L	100		100	once/discharge	grab
pH Units***	SU	6.5-9.0		6.5-9.0	once/discharge	grab
Total Residual Chlorine (Note 1)	µg/L	19 (ML <130)		19 (ML <130)	once/discharge	grab
Ethylbenzene	mg/L	0.32		0.32	once/discharge	grab
Benzene	mg/L	0.005		0.005	once/discharge	grab
Toluene	mg/L	1.0		1.0	once/discharge	grab
Xylene	mg/L	10.0		10.0	once/discharge	grab
<b>Non-Petroleum Related Pipelines and Tanks</b> Limit Set: HN						
<u>All Outfalls:</u>						
Flow	mgd	*		*	once/discharge	24 hr. estimate
Total Suspended Solids	mg/L	100		50	once/discharge	grab
Oil & Grease	mg/L	15		10	once/discharge	grab
pH Units***	SU	6.5-9.0		6.5-9.0	once/discharge	grab
Total Residual Chlorine (Note 1)	µg/L	19 (ML <130)		19 (ML <130)	once/discharge	grab
Chemicals stored in tanks or transported by pipeline prior to testing	µg/L	Ω		Ω	once/discharge	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> VIA THE DEPARTMENT'S eDMR SYSTEM FOR <u>ANY MONTH IN WHICH THERE IS A DISCHARGE</u> . SHOULD A WAIVER TO eDMR BE GRANTED BY THE DEPARTMENT, PAPER REPORTS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE <u>THE 28<sup>TH</sup> DAY OF THE MONTH FOLLOWING A MONTH IN WHICH THERE IS A DISCHARGE</u> . IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE.						

\* Monitoring requirement only.

\*\* One sample per discharge event taken during the first sixty (60) minutes of event. If a discharge occurs during the reporting period, samples shall be collected and tested for the parameters listed in Table A. After a discharge, the report is due the 28<sup>th</sup> day of the following month. No reporting is required when a discharge does not occur during the reporting period. If multiple samples are collected and analyzed from the same discharge during a month, the multiple samples shall be averaged within the interval of one calendar month.

\*\*\* pH is measured in pH units and is not to be averaged. The pH is to be maintained within the range of 6.5-9.0 pH units.

Ω All chemicals present in discharge are limited to 2.5 times the quantification level set by EPA Standard Methods, or if no quantification level, 1.0 µg/L, with the exception of persistent, bio-accumulative man-made toxic chemicals as listed in 10 CSR 20-7.031, which are not to be discharged.

Note 1 - This permit contains a Total Residual Chlorine (TRC) limit.

(a) This effluent limit is below the minimum quantification level (ML) of the most common and practical EPA approved TRC methods. The department has determined the current acceptable ML for total residual chlorine to be 130 µg/L when using the DPD Colorimetric Method #4500 – CL G. from Standard Methods for the Examination of Waters and Wastewater. The permittee will conduct analyses in accordance with this

method, or equivalent, and report actual analytical values. Measured values greater than or equal to the ML of 130 µg/L will be considered violations of the permit and values less than the ML of 130 µg/L will be considered to be in compliance with the permit limitation. The ML does not authorize the discharge of chlorine in excess of the effluent limits stated in the permit.

#### PERMIT REQUIREMENTS

1. Electronic Discharge Monitoring Report (eDMR) Submission System.  
Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally-consistent set of data about the NPDES program. All general permit covered facilities under this master general permit shall comply with the department's requirements for electronic reporting.
  - (a) Discharge Monitoring Reporting Requirements.
    - 1) Application to participate in the department's eDMR system is required as part of the application for general permit coverage in order to constitute a complete permit application and may be accessed at [dnr.mo.gov/env/wpp/edmr.htm](http://dnr.mo.gov/env/wpp/edmr.htm).
    - 2) The permittee must electronically submit compliance monitoring data via the eDMR system. In regards to Standard Conditions Part I, Section B, #7, the eDMR system is currently the only Department approved reporting method for this permit.
  - (b) Other actions. The following shall be submitted electronically after such a system has been made available by the department:
    - 1) General Permit Applications/Notices of Intent to discharge (NOIs);
    - 2) Notices of Termination (NOTs);
    - 3) No Exposure Certifications (NOEs); and
    - 4) Low Erosivity Waivers and Other Waivers from Stormwater Controls (LEWs).
  - (c) Electronic Submissions. To access the eDMR system, use the following link in your web browser: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>.
  - (d) Waivers from Electronic Reporting.
    - 1) The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the department in compliance with 40 CFR Part 127.
    - 2) The permittee may obtain a temporary or permanent electronic reporting waiver by first submitting an eDMR Waiver Request Form (Form 780-2692): <http://dnr.mo.gov/forms/780-2692-f.pdf>, by contacting the appropriate permitting office or emailing [edmr@dnr.mo.gov](mailto:edmr@dnr.mo.gov). The department will either approve or deny this electronic reporting waiver request within 120 calendar days of receipt.
    - 3) Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period that the approved electronic reporting waiver is effective.
2. The results of all samples from a discharge that are collected and analyzed must be submitted to the department.
3. The discharge shall not contain floating solids or visible foam in other than trace amounts.
4. Per 10 CSR 20-7.031(4), the discharge shall not at any time exhibit a visible sheen. If a visible sheen is noted, an extra grab sample is required and discharge to waters of the state must be halted immediately and no-discharge options must be exercised.
5. Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.
6. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
7. All outfalls and/or land application areas must be clearly marked in the field. On classified waters of the state, outfalls should be marked so that they are visible from both land and water perspectives.
8. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (§644.055, RSMo.) the fees can be found at 10 CSR 20-6.011.
9. The permittee shall use sediment and erosion control Best Management Practices (BMPs) sufficient to prevent pollutants from entering waters of the state and comply with effluent limitations and other permit conditions. This may require the use of adequate dewatering structures or velocity dissipation devices to prevent and minimize erosion, stream scouring and increases in turbidity.
10. In instances where water from streams, rivers or lakes is used as source water for hydrostatic testing, the permittee shall not divert surface waters for such use in sufficient quantity to impair the natural biologic community at or downstream of the test site.

11. Discharges that occur within the watershed of an impaired waterbody as designated on the 305(b) Report must be monitored for listed pollutant(s) of concern if there is a reasonable expectation that those pollutants may be present in the discharge. Short term, intermittent discharges are authorized as long as effluent limits for any listed pollutants of concern are not exceeded. Missouri's impaired waters can be found at [www.dnr.mo.gov/env/wpp/waterquality/index.html](http://www.dnr.mo.gov/env/wpp/waterquality/index.html). Facilities that are found to be discharging the listed pollutant(s) of concern for any impaired water may be required to obtain a site-specific permit.
12. All paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) shall be stored so that these materials are not exposed to stormwater. Drums, barrels, tanks and similar containers that are sealed without operational taps or valves are not considered exposed to stormwater. Spill prevention, control, and/or management shall be provided of sufficient size and quantity to prevent any spills of these pollutants from entering a water 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.
13. If any sampling result from any of the outfall(s) shows any violation of the permit discharge limitations, written notification shall be made to the Department of Natural Resources within five (5) days of notification of analytical results. Notification shall indicate the date(s) of sample collection, the analytical results, and permit number and shall include a statement concerning the revisions or modifications in management practices that are being implemented to address the violation of the limitations that occurred.

#### STANDARD CONDITIONS

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

#### SPECIAL CONDITIONS

1. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
  - (a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
  - (b) Controls any pollutant not limited in the permit.
2. 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) That 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 that discharge will exceed the highest of the following notification levels:
    - 1) One hundred micrograms per liter (100 µg/L);
    - 2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;
    - 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) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - 1) Five hundred micrograms per liter (500 µg/l);
    - 2) One milligram per liter (1 mg/l) for antimony;
    - 3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with §122.21(g)(7).
    - 4) The level established by the Director in accordance with §122.44(f).
3. This permit may be reopened and modified or alternatively revoked and reissued to:

- (a) Incorporate new or modified effluent limitations or other conditions, if the result of a wasteload allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards (10 CSR 20-7.031).
- (b) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, an effluent limitation derived from a TMDL is developed for the receiving waters, which would then be included in a list of waters of the state not fully achieving Missouri Water Quality Standards.

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

#### PERMIT RENEWAL

Unless terminated, the permittee shall submit an application for the renewal of this permit by submitting *Form E- Application for General Permit Under Missouri Clean Water Law* <http://dnr.mo.gov/forms/780-0795-f.pdf> no later than thirty (30) days prior to the permit's expiration date if they wish to continue an activity regulated by this permit after permit expiration. If a renewal application is not received 30 days prior to the expiration date of the permit, the permittee may be required to apply for and obtain a new permit. As part of the complete application and as required by the federal NDPEs eReporting rule participation in the department's Electronic Discharge Monitoring Report Submission System (eDMR) will be required. Facilities already participating in eDMR need not re-apply upon renewal. More information can be found at: <http://dnr.mo.gov/env/wpp/edmr.htm>. 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.

#### PERMIT TRANSFER

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. Facilities with transfers carried out without prior notice to the department will be considered to be operating without a permit and may be assessed an administrative penalty.

#### PERMIT TERMINATION

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. Proper closure of any storage structure is required prior to permit termination. In order to terminate this permit, the permittee shall notify the department's appropriate regional office by completing and submitting *Form H- Request for Termination of a General Permit* <http://dnr.mo.gov/forms/780-1409-f.pdf>.

## Missouri Department of Natural Resources Fact Sheet MO-G670000

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  
Facility SIC Code(s): All SIC codes. Any facilities performing hydrostatic testing of pipelines or tanks that otherwise meet the applicability requirements of this permit may be covered regardless of SIC code.  
Facility Description: Hydrostatic testing of pipelines and tanks from multiple types of facilities. Pipelines and tanks may be petroleum related or non-petroleum related.

This permit authorizes short term, intermittent discharges as a result of hydrostatic testing of new and existing gas or petroleum pipelines, storage tanks and similar vessels in addition to non-petroleum related pipelines, storage tanks and vessels. For this permit, hydrostatic testing also includes flushing.

- The major change in this renewed permit is that testing for Total Petroleum Hydrocarbons has been removed and replaced by testing for Benzene, Ethylbenzene, Toluene and Xylene (BTEX). Once sufficient data is obtained, monitoring and reporting parameters will be reevaluated prior to the next permit cycle. For more information regarding the change from TPH to BTEX components, see Part IV Effluent Limitations Determination on page 5 of this Fact Sheet.
- A Schedule of Compliance (SOC) has not been added to the permit for previously permitted facilities. The department has determined that due to the infrequent nature of discharges for the activities covered under this permit, the omission of an SOC does not present an undue hardship.
- The setbacks for drinking water supply and losing streams, sinkholes and other direct conduits to groundwater have been removed from the permit because effluent limitations have been set at the Water Quality Standard for Drinking Water (DWS) and Groundwater (GRW) and are deemed protective of water quality.
- Another change is that reporting is not necessary unless a discharge has occurred. If a discharge occurs within a particular calendar month, the permittee shall report for required parameters by the 28<sup>th</sup> of the month following the month of discharge.

**Clarification:** Hydrostatic testing of pipelines and tanks creates a discharge that is short term and intermittent. Discharge of hydrostatic testing water may originate from a variety of facilities, including but not limited to- gathering or transmission pipelines, natural gas liquid extraction plants, water and sewer pipelines and gas compressor stations. Source water used in hydrostatic testing may come from a variety of sources- rivers, streams, lakes, ponds, wells and potable water supplies. When source water is obtained from a chlorinated water supply, residual chlorine is a pollutant of concern. If source water comes from a river, stream or lake, it is a violation of the General Criteria in 10 CSR 20-7.031 to divert water from the stream in sufficient quantity to cause a hydrologic change that would impair the natural biologic community.



## **PART II – RECEIVING STREAM INFORMATION**

### APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

Per Missouri Effluent Regulations (10 CSR 20-7.015), the waters of the state are divided into seven (7) categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation & Discussion of Effluent Limitations section. 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)]

### 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.

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

### RECEIVING STREAM MONITORING REQUIREMENTS:

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

## **PART III – RATIONALE AND DERIVATION OF EFFLUENT LIMITATIONS & PERMIT CONDITIONS**

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

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

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

- Not Applicable: The nature of the hydrostatic testing covered under this permit is that they generally conduct short term, intermittent, *de minimis* discharges and as such are not considered to be a significant source of the above listed pollutant(s). When discharging to a 303(d) listed stream, the discharge is allowed as long as effluent limits for any listed pollutants of concern are not exceeded or permittee may be required to obtain a site-specific permit.

### ANTI-BACKSLIDING:

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

- Not Applicable: The Department determines that technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
  - **General Criteria.** The previous permit contained a special condition which described a specific set of prohibitions related to general criteria found in 10 CSR 20-7.031(4). In order to comply with 40 CFR 122.44(d)(1), the permit writer has conducted reasonable potential determinations for each general criterion and established numeric effluent limitations where reasonable potential exists. While the removal of the previous permit special condition creates the appearance of backsliding, since this permit establishes numeric limitations where reasonable potential to cause or contribute to an excursion of the general criteria exists the permit maintains sufficient effluent limitations and monitoring requirements in order to protect water quality, this permit is equally protective as compared to the previous permit. Therefore, given this new information, and the fact that the previous permit special condition was not consistent with 40 CFR 122.44(d)(1), an error occurred in the establishment of the general criteria as a special condition of the previous permit. Please see Reasonable Potential Analysis section below for more information regarding the reasonable potential determinations for each general criterion related to this facility.

- All requirements and effluent limitations in this permit are at least as protective as those previously established. While the 500 foot setback from classified streams and the 500 foot setback from streams, lakes and reservoirs designated as drinking water have been removed from the permit, water quality based effluent limitations have been put in place to protect groundwater and drinking water resources. All setbacks for special waterways remain in the permit.

**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 that the best avenue forward for implementing the Antidegradation requirements into general permits is by requiring the use of Best Management Practices (BMPs) that are reasonable and effective.

- Applicable: While the discharges resulting from the activities allowed under this permit are short term, and intermittent and are expected to be non-degrading or minimally degrading, there is the possibility of discharge of pollutants of concern, which in this permit are Stored Hazardous Substances, Oil and Grease, Benzene, Toluene, Ethylbenzene, Xylenes and Chloride. Compliance with the effluent limitations established in this permit, along with the evaluation and implementation of BMPs, 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].

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

- Conservative assumption: A Reasonable Potential Analysis was not conducted for this master general permit; however, staff did conduct a reasonable potential determination. A reasonable potential to violate water quality standards is assumed for the pollutants of concern due to the nature of the activities carried out under this permit, resulting in the effluent limits contained in the permit.
- (a) Water Quality Standards. To the extent required by law, discharges to waters of the state shall not cause a violation of Missouri Water Quality Standards (10 CSR 20-7.031), including both specific and general criteria.
- (b) General Criteria. The following water quality criteria shall be applicable to all waters of the state at all times, including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits, or prevent full maintenance of beneficial uses.

The department has determined that there is reasonable potential for activities covered under this general permit to contribute to putrescent, unsightly, or harmful bottom deposits that may prevent full maintenance of beneficial uses in receiving streams. For this reason, the department has assigned effluent limits for Total Suspended Solids for facilities under this general permit. The department has determined that the effluent limits for this pollutant are sufficient to protect water quality standards general criteria.
  - (2) Waters shall be free from oil, scum, and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.

The department has determined that there is reasonable potential for activities covered under this general permit to cause oil, scum or floating debris in waters of the state. This has been addressed by assigning effluent limits for Oil and Grease, Ethylbenzene, Benzene, Toluene and Xylene. In addition, narrative conditions of the permit prohibit the discharge of water with a visible sheen or visible foam. The department has determined that the effluent limits and narrative conditions for these pollutants are sufficient to protect water quality standards general criteria.

- (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.

The department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses. This has been addressed by assigning effluent limits for Total Suspended Solids, pH, Ethylbenzene, Benzene, Toluene, Xylene, and Ethanol. The department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.
- (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal, or aquatic life.

The department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause toxicity to human, animal or aquatic life. This has been addressed by assigning effluent limits for pH, Total Residual Chlorine, Ethylbenzene, Benzene, Toluene, Xylene, and Ethanol. The department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.
- (5) There shall be no significant human health hazard from incidental contact with the water.

The department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause significant human health hazard from incidental contact with the water. This has been addressed by assigning effluent limits for pH, Total Residual Chlorine, Ethylbenzene, Benzene, Toluene, Xylene, and Ethanol. The department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.
- (6) There shall be no acute toxicity to livestock or wildlife watering.

The department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause acute toxicity to livestock and wildlife watering. This has been addressed by assigning effluent limits for Ethylbenzene, Benzene, Toluene, Xylene, and Ethanol. The department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.
- (7) Waters shall be free from physical, chemical, or hydrologic changes that would impair the natural biological community.

The department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause physical, chemical, or hydrologic changes that would impair the natural biological community. This has been addressed by assigning effluent limits for pH, Total Residual Chlorine, Ethylbenzene, Benzene, Toluene, Xylene, and Ethanol. The department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria. In addition, it is a violation of water quality general criteria and this permit to withdraw source water from a stream, river, or lake in sufficient quantity to cause a hydrologic change that would impair the natural biologic 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, RSMo.

Based on the activities carried out by the facilities under this general permit, the department has determined there is no reasonable potential for the deposition of used tires, car bodies, appliances, demolition debris, used vehicles or equipment or solid waste into waters of the state.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP):**

A SWPPP is a series of steps and activities to identify sources of pollution or contamination, then select and carry out actions which prevent or control the pollution of stormwater discharges. The plan may include, but is not limited to, treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

- Not Applicable; At this time, the facility is not required to develop and implement a SWPPP.

**SCHEDULE OF COMPLIANCE (SOC):**

Per § 644.051, RSMo, a permit may be issued with a Schedule of Compliance (SOC) to provide time for a facility to come into compliance with new state or federal effluent regulations, water quality standards, or other requirements. Such a schedule is not allowed if the facility is already in compliance with the new requirement, or if prohibited by other statute or regulation. An SOC includes an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. *See also* Section 502 (17) of the Clean Water Act, and 40 CFR§ 122.2. For new effluent limitations, the permit includes interim monitoring for the specific parameter to demonstrate the facility is not already in compliance with the new requirement. Per 40 CFR § 122.47(a)(1) and 10 CSR 20-7.031(11), compliance must occur as soon as possible. If the permit provides a schedule for meeting new water quality based effluent limits, an SOC must include an enforceable, final effluent limitation in the permit even if the SOC extends beyond the life of the permit.

- Not Applicable: This permit does not contain an 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. The setback for classified streams, losing streams, sinkholes and direct conduits to groundwater has been removed from this permit. New effluent limitations for benzene, toluene, ethylbenzene and xylene have been added to the permit using WQBEL for aquatic life, drinking water and groundwater.

**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 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. Daily maximum and monthly average limits are equal to the water quality standards for each pollutant. Because this is a Master General Permit, the calculation of WLAs for each facility discharging under this permit is beyond the scope of the permit.

**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 facility is not required to conduct WET test for this facility.

**PART IV – EFFLUENT LIMITATIONS DETERMINATION**

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

EFFLUENT LIMITATIONS FROM TABLE A.:

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
<b>PETROLEUM RELATED PIPELINES AND TANKS</b>						
FLOW	mgd	1	*	*	NO	
TOTAL SUSPENDED SOLIDS	mg/L	2,3	100	20	NO	
pH	SU	2,3	6.5 – 9.0	6.5 – 9.0	NO	
TOTAL PETROLEUM HYDROCARBONS	mg/L	2,3			YES	10 mg/L REMOVED
TOTAL RESIDUAL CHLORINE	µg/L	2, 3	19 (ML <130)	19 (ML <130)	NO	
ETHYLBENZENE	mg/L	2, 3	0.32	0.32	YES	NOT PREVIOUSLY ESTABLISHED
BENZENE	mg/L	2, 3	0.005	0.005	YES	NOT PREVIOUSLY ESTABLISHED
TOLUENE	mg/L	2, 3	1.0	1.0	YES	NOT PREVIOUSLY ESTABLISHED
XYLENE	mg/L	2, 3	10.0	10.0	YES	NOT PREVIOUSLY ESTABLISHED
<b>NON-PETROLEUM RELATED PIPELINES AND TANKS</b>						
FLOW	mgd	1	*	*	NO	
TOTAL SUSPENDED SOLIDS	mg/L	2, 3	100	50	NO	
OIL & GREASE	mg/L	2, 3	15	10	NO	
pH	SU	2, 3	6.5 – 9.0	6.5 – 9.0	NO	
TOTAL RESIDUAL CHLORINE	µg/L	2, 3	19	19	NO	
CHEMICALS STORED IN TANKS OR TRANSPORTED BY PIPELINE PRIOR TO TESTING	µg/L	9	**	**	NO	

\* Monitoring requirement only

\*\* All chemicals present in discharge are limited to 2.5 times the quantification level set by EPA Standard Methods, or if no quantification level, 1.0 µg/L, with the exception of persistent, bio-accumulative man-made toxic chemicals as listed in 10 CSR 20-7.031, which are not to be discharged.

**Basis for Limitations Codes:**

- |   |                                    |
|---|------------------------------------|
| 1. State or Federal Regulation/Law          | 7. Antidegradation Policy          |
| 2. Water Quality Standards                  | 8. Water Quality Model             |
| 3. Water Quality Based Effluent Limitations | 9. Best Professional Judgment      |
| 4. Lagoon Policy                            | 10. TMDL or Permit in lieu of TMDL |
| 5. Ammonia Policy                           | 11. WET Test Policy                |
| 6. Antidegradation Review                   | 12. Dissolved Oxygen Policy        |

DERIVATION AND DISCUSSION OF LIMITATIONS:

**Flow:** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the facility is unable to obtain effluent flow, then it is the responsibility of the facility to inform the department, which may require the submittal of a permit modification.

**Total Suspended Solids:** Effluent limitations for each type of receiving water body were set according to 10 CSR 20-7.015(2)-(8). The 100 mg/L TSS limit for pipelines and tanks is determined to be feasible, affordable and protective of water quality using best professional judgment. This value is consistently achieved in 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.

**Oil and Grease:** This permit has water quality based effluent limitations of 15 mg/L daily maximum and 10 mg/L monthly average for the protection of aquatic life per 10 CSR 20-7.031. The existing effluent limitations are deemed protective and are carried over from the previous permit for non-petroleum related pipelines. The Oil and Grease value of 10 mg/L is widely used as the level at which sheen is expected to form on water. Oil and Grease tests for a wide range of pollutants normally found in similar discharges.

**pH:** pH is not to be averaged. The effluent limitation range is 6.5 – 9.0 Standard pH Units (SU) per 10 CSR 20-7.031(5)(E). The existing effluent limitations are deemed protective and are carried over from the previous permit.

**Total Residual Chlorine:** This effluent limitation corresponds to Missouri's warm water acute toxicity criteria for the protection of aquatic life found in 10 CSR 20-7.031. Acute criteria will apply at the end of pipe because discharges are expected to be episodic in nature and lasting less than four (4) days. Also, this permit will be issued to facilities where there is no mixing zone or zone of initial dilution allowed in their receiving streams.

**Total Petroleum Hydrocarbons:** This effluent limitation has been removed to bring this permit in line with current department policy. Total Petroleum Hydrocarbon (TPH) ranges have no state or federal water quality standards. Department policy dictates that if there is a reason to suspect that gasoline or diesel may be released, Benzene, Toluene, Ethylbenzene and Xylene (BTEX) should be added to the permit to protect the specific water quality criteria found in 10 CSR 20-7.031 Table A. TPH is no longer used in State of Missouri permits and is now being replaced by monitoring for the individual components of BTEX, which is a more reliable indicator of risk to human health or the environment.

**Benzene:** Benzene is a volatile organic compound and a common component of gasoline, diesel and crude oil. It is used as an intermediate in the production of numerous other chemicals, especially phenols and acetones. Benzene has specific standards under 10 CSR 20-7.031 Table A and has been added to the permit in accordance with water quality standards for drinking water and groundwater protection.

**Toluene:** Toluene is an aromatic hydrocarbon and a benzene derivative. It is widely used as a solvent and is found in jet fuel, gasoline and diesel. Toluene has specific protections under Missouri water quality standards per 10 CSR 20-7.031 Table A. The drinking water supply (DWS) and groundwater (GRW) standard for toluene is 1,000 µg/L and the equivalent value of 1.0 mg/L is the limit set for this permit.

**Ethylbenzene:** Ethylbenzene is a volatile organic compound used as an intermediate in the production of other chemicals, especially styrene. It is also used as a solvent. Ethylbenzene is found in gasoline, diesel and crude oil. Specific limits for ethylbenzene are set in 10 CFR 20-7.031 Table A for aquatic life, drinking water, and groundwater protection. The limit of 32 mg/L in this permit is set at the more protective aquatic life standard.

**Xylene:** Xylene is an aromatic hydrocarbon found in crude oil and in small quantities in gasoline and aircraft fuels. It is widely used as an industrial or laboratory solvent and has specific protections in Missouri water quality standards for drinking water and groundwater in 10 CFR 20-7.031 Table A.

**SAMPLING FREQUENCY:**

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

**PART V – ADMINISTRATIVE REQUIREMENTS**

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

**PUBLIC NOTICE:**

The department shall give public notice that a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest 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 operating permit was from DATE to DATE.
- The Public Notice period for this permit modification is tentatively scheduled to begin on <July X, 2017>

**DATE OF FACT SHEET: JULY 19, 2017**

**COMPLETED BY:  
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MISSOURI DEPARTMENT OF NATURAL RESOURCES  
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