

Missouri Clean Water Commission
Department of Natural Resources
Lewis and Clark State Office Building
LaCharrette/Nightingale Conference Rooms
1101 Riverside Drive
Jefferson City, Missouri 65102

April 1, 2015

**Northeast Public Sewer District of Jefferson County
Request for Level 2 Continuing Authority Designation**

Issue: The Northeast Public Sewer District (NPSD) is requesting level 2 continuing authority pursuant to 10 CSR 20-6.010(3)(B)(2). NPSD provides wastewater collection and treatment on a regional basis and plans to continue to implement regional collection and treatment facilities. Receiving a level 2 designation by the Clean Water Commission is a key element in the NPSD's implementation plan for development of regional sewers in the Jefferson County, specifically the northeast area by the lower Meramec River. Currently, there are 18 privately owned wastewater treatment plants that are permitted by the department within the areas served by the NPSD's boundaries.

Background: The preferential order of continuing authority is defined in accordance with 10 CSR 20-6.010(3)(B). A municipality, public sewer district or private sewer company which currently provides sewage collection and/or treatment on a regional or watershed basis may request approval from the Clean Water Commission to be designated as a level 2 continuing authority. The Commission previously considered and approved the request by Boone County Regional Sewer District to be designated as a level 2 authority. However, there was no other higher level continuing authority in the district's service area. The department is currently revising the current rulemaking to define availability in the context of sewer connection as well as outlining a process for those seeking a level 2 continuing authority.

NPSD used the process in the current proposal of 10 CSR 20-6.010 for the submittal of their request. NPSD presented a preliminary request to the Commission on July 18, 2013. Following the preliminary request, NPSD held a public hearing on the plan on January 14, 2014 with announcements placed in the Jefferson County Leader and Arnold - Imperial Leader newspapers on December 12, 2013. NPSD passed a resolution to adopt an ordinance at their August 20, 2014 meeting with the ordinance adoption on January 21, 2015. NPSD submitted their Final Feasibility Study with the request for the Commission to approve the level 2 authority on September 16, 2014. The department public noticed the Final Feasibility Study from December 5, 2014 to February 13, 2015. Only one comment was received. With the public notice, the department provided notice to U.S. Environmental Protection Agency Region 7, East West Gateway and the potentially impacted private facilities within Northeast Public Sewer District.

Currently NPSD is a level 3 continuing authority. It operates Saline Creek Regional Wastewater Treatment Plant, an interim facility with Operating Permit # MO 128490, and twelve other treatment plants. Facilities designated as interim are required to connect to higher authority within 90 days of notice of availability. Similarly, NPSD operates additional wastewater treatment facilities within their service area, and these facilities are also required to be eliminated when connection to other facilities becomes available. NPSD is in the process of connecting seven of their smaller facilities to their Saline Creek Plant. There is a long term plan to close an additional three or four more plants to further regionalize treatment and to provide better treatment through fewer numbers of plants. From NPSD's facility plan that was submitted in 2010 and amended in 2013, it appears NPSD has had discussions or agreements with four privately owned treatment plants to connect in the next five years.

The current East-West Gateway Council of Governments 208 Water Quality Management Plan for the St. Louis Area specifies that all wastewater collected in the northern portion of the NPSD service area should be conveyed to MSD for treatment at its Lower Meramec Wastewater Treatment Plant. Jacob Engineering Group on behalf of NPSD conducted a Continuing Authority Feasibility Study in an effort to be designated as a level 2 regional wastewater collection and treatment authority within the NPSD service area. NPSD concludes in their feasibility study that a connection to MSD is not economically viable and would dramatically increase customer rates. NPSD has approached the East-West Gateway Council of Governments about amending the 208 Plan.

Recommended Action: Staff recommends that the Missouri Clean Water Commission designate in accordance with 10 CSR 20-6.010(3)(C), the Northeast Public Sewer District as continuing authority providing sewage collection and treatment service on a regional basis in the service area of Northeast Public Sewer District in Jefferson County pursuant to 10 CSR 20-6.010(3)(B)2. Under this designation, the Northeast Public Sewer District will provide regional services inside the Northeast Public Sewer District service areas and in any subsequently annexed areas.

Suggested Motion Language: "I move that the Missouri Clean Water Commission approve in accordance with the recommendation of the department, the Northeast Public Sewer District as a Continuing Authority Level 2 pursuant to 10 CSR 20-6.010(3)(B) & (C)."

List of Attachments

- Northeast Public Sewer District Final Feasibility Study
- Northeast Public Sewer District Response Letter and Ordinance
- Letter sent to permittees in Northeast Public Sewer District
- Comment letter to Northeast Public Sewer District
- Comments and Response from Mr. J Grundy of the Woodglen Apartments
- Preliminary Request to the Clean Water Commission
- Continuing Authority Section of 10 CSR 20-6.010(3)



RECEIVED

SEP 16 2014

501 North Broadway
St. Louis, Missouri 63102- U.S.A.
1.314.335.4000 Fax 1.314.335.5102

September 15, 2014

WATER PROTECTION PROGRAM

Mr. Refaat Mefrakis, PE
Engineering Section Chief
Missouri Department of Natural Resources
Water Protection Program
PO Box 176
Jefferson City, MO 65102

**Subject: Northeast Public Sewer District of Jefferson County
Level 2 Continuing Authority**

Dear Mr. Mefrakis:

The Northeast Public Sewer District (NPSD) made a Level 2 Continuing Authority request to the Clean Water Commission on July 18, 2013. NPSD has worked with Jacobs Engineering Group Inc. to finalize the Continuing Authority Feasibility Study; since the Clean Water Commission request. NPSD has completed several steps as part of finalizing the study including:

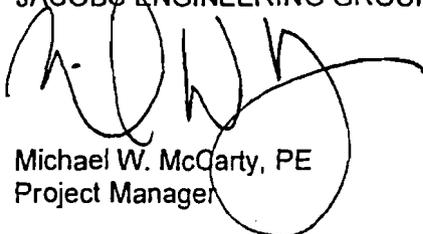
1. Held a public meeting to present their intentions to become a Level 2 Continuing Authority.
2. Met with East West Gateway Council and St. Louis Metropolitan Sewer District to discuss their long term plans. Both agencies have provided correspondence supporting NPSD's long term plans.
3. NPSD developed a resolution expressing the intent of the board to amend NPSD's Sewer Use Ordinance to manage regional wastewater flows upon gaining Level 2 Continuing Authority.

These items have been documented in the final study. Attached with this letter are three copies of the Continuing Authority Feasibility Study for your review and comment.

Our understanding of the path forward is your staff will review the study and generate comments or concur with the study. After your review is complete and NPSD addresses any comments, the final step will be MDNR staff recommendation to the Clean Water Commission for action regarding the Level 2 Continuing Authority request.

Please confirm the path forward after your office has received the study. Should you have any questions on any of the above, please do not hesitate to contact me at (314) 335-4380.

Sincerely,
JACOBS ENGINEERING GROUP INC.



Michael W. McCarty, PE
Project Manager

Cc: Bob Hembrook, PE – Executive Director – Northeast Public Sewer District

Northeast Public Sewer District

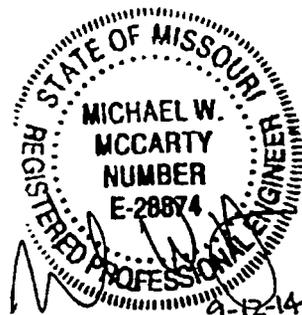
**CONTINUING AUTHORITY FEASIBILITY
STUDY**

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SEP 16 2014

WATER PROTECTION PROGRAM

Revision 0



September 12, 2014

PREPARED BY

JACOBS

Jacobs Engineering Group Inc.
N.A. Infrastructure
501 North Broadway
St. Louis, Missouri 63102
314.335.4000

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1.0 Introduction

Northeast Public Sewer District (NPSD) contracted with Jacobs Engineering Group, Inc. (Jacobs) to complete a Continuing Authority Feasibility Study. The goal of this study is to develop a plan for NPSD to become the Continuing Authority for its service area and remove the interim label from the Operating Permit of the Saline Creek Regional Wastewater Treatment Plant (WWTP). The current East-West Gateway Council of Governments (EWG) 208 Water Quality Management Plan for the St. Louis Area recommends that all wastewater collected in the northern portion of the NPSD service area should be conveyed to the St. Louis Metropolitan Sewer District (MSD) for treatment at its Lower Meramec WWTP. This Continuing Authority Feasibility Study has been developed to address the following:

1. MDNR Continuing Authority requirements
2. EWG 208 Plan and economic impact of NPSD conveying wastewater to MSD
3. NPSD Facility Planning to provide regional treatment within its service area
4. Water Quality requirements for discharge to the Meramec River and the future impact on NPSD.
5. NPSD Sewer Use Ordinance
6. Regional Input

2.0 Current MDNR Continuing Authority Requirements

2.1 Continuing Authority Level Definition

The Missouri Department of Natural Resources (MDNR) defines Continuing Authority as a municipality or public sewer district which has been designated as the area-wide management authority. The Continuing Authority Rule establishes levels in accordance with 10 CSR 20-6.010(3)(B) defining preferential order as follows:

1. Level 1 – A municipality or public sewer district which has been designated as the area-wide management authority under section 208(c)(1) of the Federal Clean Water Act. Currently Missouri has three Level 1 Continuing Authorities: Mid-America Regional Council (Kansas City metro area), EWG (St. Louis metro area) and Ozark Gateway (Joplin Area).
2. Level 2 – A municipality, public sewer district or private sewer company which currently provides sewage collection and /or treatment on a regional or watershed basis. These entities must be approved by the Clean Water Commission to attain Level 2 status. Currently Missouri has only one Level 2 Continuing Authority: Boone County Regional Sewer District.
3. Level 3 - A municipality, public sewer district or private sewer company.
4. Level 4 – An individual person with complete control of and responsibility for the wastewater facilities on their property.
5. Level 5 – An association of property owners served by the wastewater treatment facility.

NPSD is currently a Level 3 Continuing Authority.

2.2 Continuing Authority Preferential Order and Waiver Requirements

Level 1 is the highest level of Continuing Authority with descending preferential order to the lowest Level 5. Based on this preferential order all new construction permits for a wastewater treatment plant that utilizes a lower level continuing authority must obtain a waiver from an existing higher level Continuing Authority. This waiver must include one of the following reasons:

1. The higher authority declines to accept management of the additional wastewater.
2. The higher authority's collection system is greater than 2,000 feet from the proposed facility.
3. The proposed connection charge from the higher authority would be 120% more than the cost of the applicant to construct their own system.
4. The proposed customer service fee for connection to the higher authorities system result in average customer rates that exceed 2% of the median household income of the customers.

5. If it will take longer than two years for the higher authority to make available service to the lower authority, then the lower authority may proceed with their planned improvements.

Also as in the case of the Saline Creek Regional WWTP, if a higher level continuing authority has an approved plan in place to serve a lower level continuing authority in the future, the WWTP operating permit will have an interim designation. This designation outlines under the special conditions of the existing permit that the WWTP will cease discharge by connection to a facility with an area-wide management plan within 90 days of notice of its availability.

2.3 Proposed MDNR Rule to Establish Continuing Authority

MDNR is currently modifying the Continuing Authority Rule to clearly outline the requirements to become a Level 2 Continuing Authority. Based on information from MDNR's Construction and Operating Permits Workgroup which is developing the rule modification, the requirements will generally be as follows:

1. Submit a preliminary request to the Clean Water Commission to obtain higher authority.
2. Develop a Capital Improvements Program.
3. Develop and obtain local approval of ordinances outlining the authority to connect facilities and manage wastewater flows. The ordinance shall require the recipient to notify all potential users of service availability and that all users shall connect to the system within ninety (90) days of notice of service availability. A copy of the enacted ordinance must be submitted.
4. Allow opportunity for public participation to exchange ideas during project development. Public participation must be preceded by timely distribution of information and must occur sufficiently in advance of decision making to allow the recipient to assimilate public views into action. At a minimum, the entity must provide an opportunity for public participation, prior to approval of the Capital Improvements Plan and draft ordinance, at a public meeting. The entity shall prepare a transcript, recording or other complete record of the proceeding and submit it to the department and make it available at no more than cost to anyone who requests it. A copy of the record should be available for public review.
5. Submit a final request to the Clean Water Commission for approval, containing the fulfillment of the (G)1-4, along with the Commission's recommendations.

3.0 EWG 208 Water Quality Management Plan for the St. Louis Area

3.1 Overview

In May of 1975 the EPA and MDNR designated EWG as a Level 1 Continuing Authority for the St. Louis area including the City of St. Louis and the counties of Franklin, Jefferson, St. Charles and St. Louis. EWG developed the Water Quality Management Plan in accordance with Section 208 of the Clean Water Act, in May 1978. The Clean Water Commission certified EWG as the Level 1 Continuing Authority for the planning area in February 1979.

The EWG Water Quality Management Plan outlined recommendations to control point source pollution throughout the planning area. The 208 plan recommended, for the Lower Meramec region of the planning area, a regional WWTP be constructed in St. Louis County near the confluence of the Meramec River and the Mississippi River. This regional WWTP would provide sewer service via major interceptors for the Lower Meramec Region, which consists of southern St. Louis County and northern Jefferson County. The planned regional WWTP is MSD's Lower Meramec Facility, which was constructed in 2007. The northern Jefferson County portion of the Lower Meramec region is essentially NPSD's service area.

3.2 MSD 201 Facility Plan

In conjunction with the EWG 208 Plan MSD developed the 201 Facility Plan for the Lower Meramec River Basin in September 1979. This Facility Plan has since been updated in 1985. As part of evaluating the recommendations of the facility plan MSD has completed alignment studies to extend the Lower Meramec Tunnel from the existing shaft at the former Baumgartner Lagoons to the Fenton WWTP and a second project to extend the tunnel to the Grand Glaize WWTP. These tunnel extensions allow the treatment facilities to be de-commissioned and convey wastewater to the Lower Meramec WWTP, which would also require two phases of expansion. MSD evaluated multiple alignment options, but the current recommended alignment of the Lower Meramec Tunnel extension is on the north side of the Meramec River from the existing shaft at the Baumgartner Lagoon then northwest crossing Gravois Road and Tesson Ferry Road to the Fenton WWTP. The current recommended alignment for the Lower Meramec Tunnel extension is outlined in Figure 4-1.

The Lower Meramec Tunnel extension would be the closest available interceptor for NPSD to interconnect with MSD. The current design basis for the tunnel is 8' diameter pipeline in a 12' diameter bored rock tunnel. Design flows for the tunnel extension is currently 35 MGD average daily flow, 98 MGD peak daily flow and 140 MGD peak hourly flow. MSD has not included any allowance for wastewater flow from NPSD in the current planning level work for the Lower Meramec Tunnel extension. Also in conjunction with the tunnel extension MSD will need to expand the capacity of the Lower Meramec WWTP to treat the additional wastewater flow.

3.3 NPSD Connection to MSD –Economic Impact

If MDNR would require NPSD to adhere to the continuing authority preferential order and follow the recommendations outlined in the 208 Plan, the Lower Meramec Tunnel Extension would be the closest MSD interceptor for connection. The economic impact of connection to MSD is summarized in the following categories:

1. Capital cost to connect the two systems. NPSD would pay for 100% of this cost.
2. Capital cost of shared facilities. The shared facilities include tunnels, interceptor sewers, pump stations and WWTP expansions to accommodate the additional flow. This capital cost is shared between all users based on capacity purchased in the shared facility.
3. Operation and Maintenance (O&M) Cost of shared facilities. The O&M cost is a treatment charge based on metered NPSD flow to the shared facilities.

3.3.1 Capital Cost to Connect the Two Systems

There are several options to convey wastewater from the Saline Creek WWTP and connect to MSD's Lower Meramec Tunnel extension. A potential point of connection could be made at a planned intermediate access shaft just northwest of Tesson Ferry Road or near the Fenton WWTP. Conveyance options to connect to MSD would need to be evaluated using a decision matrix that considers capital cost, operation cost, maintenance cost, constructability, easement acquisition and other criteria. This option evaluation would be completed as part of a Facility Plan Update or update to the 208 Plan. For the purpose of this feasibility study we have outlined two conveyance options that could be used to evaluate financial viability as it relates to Level 1 Continuing Authority and the 208 Plan. The conveyance options for NPSD to interconnect with the Lower Meramec Tunnel may include:

1. Construct a pump station at the Saline Creek Regional WWTP and utilize a forcemain to convey wastewater to the proposed intermediate shaft at the Fenton WWTP; see Figure 4-2 for a general alignment.
2. Construct a tunnel from the Saline Creek Regional WWTP outfall at the Meramec River to a proposed intermediate shaft along the Lower Meramec Tunnel. This option will require modification and continued operation of the WWTP headworks pump station to direct wastewater to the existing outfall sewer. Three general alignments are outlined in Figure 4-2 but the most direct alignment would require approximately 8,150 LF of tunnel.

A Rough Order of Magnitude (ROM) cost estimate was developed for each conveyance option. The ROM cost estimate provides a high level overview of the cost to connect to MSD. The pump station and forcemain option has a ROM cost estimate of \$24,605,000, and the tunnel option has a ROM estimate of \$32,244,000. The ROM cost estimates are included in Appendix A. NPSD would be responsible for 100% of the capital, operation and maintenance cost associated with the conveyance improvements from the point of connection back to NPSD's system. A detailed decision matrix comparison and present

worth analysis would need to be completed to determine the most viable option for connection to MSD, which is beyond the scope of this study.

3.3.2 Capital Cost of Shared Facilities

The shared facilities that NPSD would utilize in the connection with MSD include the Lower Meramec Tunnel extension and the expansion of the Lower Meramec WWTP which is required to treat wastewater flow from the Lower Meramec Tunnel. Essentially NPSD would purchase capacity in these shared facilities. This would be accomplished by an intergovernmental agreement between NPSD and MSD. The shared capital costs would be determined by formula that allocates cost based on contracted capacity of conveyance and treatment improvements. Current estimated total installed cost for the Lower Meramec Tunnel Extension to eliminate the Fenton WWTP is \$215.555 million and for the Lower Meramec WWTP Phase II expansion is \$108 million. It is noted that these costs do not include any allowance for flow from NPSD, which could potentially increase the estimated cost.

Table 3.3.2-1 was developed in an effort to roughly quantify the cost for NPSD to connect with MSD. This assumes no change in capital cost of the shared facilities from the increased capacity for NPSD.

Table 3.3.2-1		
	Flow	Percent of Total
NPSD Peak Flow (MGD)	17.97	15.5%
MSD Peak Flow (MGD)	98	84.5%
Total Capacity of Shared Facility	115.97	100.0%
	Total Cost	NPSD Cost
Lower Meramec Tunnel Extension	\$215,555,000	\$33,401,081
Lower Meramec WWTP Expansion	\$108,000,000	\$16,735,018
Total NPSD Cost of Shared Facilities		\$50,136,099
NPSD Cost to connect to MSD		\$24,605,000
Total Capital Cost to connect to MSD		\$74,741,099

3.3.3 Operation and Maintenance Cost of Shared Facilities

NPSD would also share in the operation and maintenance (O&M) cost of the shared facilities. Calculation of O&M costs would be defined in the intergovernmental agreement between NPSD and MSD. NPSD treatment charges would be calculated by formula based on actual MSD O&M costs and allocated based on actual flow from NPSD as a percentage of the total flow.

4.0 NPSD Facility Plan

4.1 Overview

NPSD completed a comprehensive Facility Plan for the entire collection and treatment system in 2010. The goal of the Facility Plan was to identify NPSD's future wastewater needs and identify improvements that will support growth within the district boundaries and meet the ever shifting landscape of water quality requirements. The Facility Plan recommended the Saline Creek WWTP become a regional WWTP for NPSD. The Facility Plan identified fourteen collection system projects that would intercept wastewater from a number of NPSD's smaller plants and convey them to the Saline Creek Regional WWTP. These projects were then broken down into Short Term and Long Range projects.

4.2 Short Term Projects

Short Term Projects are identified as those expected to be constructed or underconstruction between 2010 and 2016. Table 4.2.1 provides a summary of Short Term Projects including a project status and estimated Total Project Cost. A map identifying the location of Short Term Projects is included in Appendix B.

Map ID	Project	Status	Estimated Project Cost
A	Lower Saline Creek Interceptor	Under Construction	\$9,292,000
B	Upper Saline Creek Sewer Replacement	Under Construction	\$2,467,000
C	Saline Creek Sewer Rehabilitation	Complete	\$4,872,000
D	Interim Highway 141 Pump Station and Solids Handling	Complete	\$1,090,000
E	Williams Creek Interceptor, Pump Station and Force	Under Design	\$1,875,000
F	Fon Du Lac Sewer Replacement	Under Design	\$484,000
G	Archview Sewer Extension	Under Design	\$708,000
Total Short Term Project Cost			\$20,788,000

4.3 Long Range Projects

Long Range Projects are identified as those expected to begin design by 2015 and 2016 with construction planned 2016 through 2020. Table 4.3.1 provides a summary of Long Range Projects including a project status and estimated Total Project Cost. A map identifying the location of Long Range Projects is included in Appendix B.

Table 4.3.1			
Map ID	Project	Planned Year of Construction	Estimated Project Cost
H	Hermitage Hills Sewer Realignment	2016	\$542,000
I	Antire Valley Interceptor, Pump Stations and Force Mains	2018	\$13,433,000
J	Candlelight Gardens Collection System	2020	\$2,376,000
K	Wild Valley Farms Interceptor, Pump Station and Force Main	2020	\$3,055,000
L	Saline Creek Regional WWTP Solids Handling	2017	\$3,570,000
M	Highway 141 Interceptor Realignment and Pump Station	2017	\$2,100,000
Total Long Range Project Cost			\$25,076,000

4.3 Saline Creek Regional WWTP

The Saline Creek Regional WWTP was constructed in two phases with the most recent completed in 2009. The plant was designed for an average daily flow of 4 MGD and peak daily flow of 10 MGD. Provisions were made in the plant design to accommodate expanding capacity to an average daily flow of 8 MGD and peak daily flow of 20 MGD by adding additional process equipment. The Facility Plan also included recommendations to re-rate the Saline Creek Regional WWTP as follows:

1. Design Average Flow = 6.56 MGD
2. Design Maximum Flow = 17.97 MGD
3. Organic Loading BOD₅ = 11,341 lb/d
4. Total Suspended Solids Loading TSS = 12,203 lb/d

Saline Creek Regional WWTP's current operating permit includes E. Coli and ammonia as nitrogen limits as follows:

E. Coli

April 1 to October 31:

- Weekly Average = 630 colonies/100 ml
- Monthly Average = 126 colonies/100 ml

Ammonia as Nitrogen

April 1 to September 30:

- Daily Maximum = 30.2 mg/L
- Monthly Average = 7.9 mg/L

October 1 to March 31:

- Monitoring only

Current operation of the Saline Creek Regional WWTP produces daily effluent that exceeds all operating permit limits.

5.0 Meramec River Water Quality Requirements

5.1 Overview

The Meramec River is an important natural resource for Jefferson and St. Louis counties, providing recreational uses and public drinking water supply. As a result MDNR closely monitors water quality along the Meramec River. The Meramec River is currently on MDNR's 303(d) List of Impaired Waters for the pollutant E. Coli. The 303(d) list identifies the river's impaired uses as:

- Whole Body Contact – recreational
- Aquatic Life Protection
- Public Drinking Water Supply
- Industrial Users
- Livestock and Wildlife Watering

MDNR is now considering what limitations to impose on the nutrients nitrogen and phosphorus which are discharged to surface waters across the state. The reason for the limitations is to reverse the hypoxia in the Gulf of Mexico caused by nutrients emanating from the Mississippi River and other surface waters that drain into the Gulf. The Mississippi River/Gulf of Mexico Watershed Nutrient (Hypoxia) Task Force has been formed as a collaboration of several states and the U.S. Environmental Protection Agency (EPA) to develop ways to reverse the hypoxia. One method being considered is to limit nutrients that can be discharged to surface waters by WWTPs.

There are three components of nitrogen that are measured in WWTP effluent that are added together to measure Total Nitrogen (TN). TN is defined as the sum of Total Kjeldahl Nitrogen (TKN), Ammonia and Nitrate/Nitrite. Phosphorus in WWTP effluent is generally in three forms including orthophosphate, polyphosphate and organic phosphate. These three forms are added together to measure Total Phosphorus (TP).

There is no consensus among wastewater industry professionals on future effluent limits for WWTPs that discharge to the Meramec River. The Water Environment Research Foundation (WERF) has developed levels of treatment guidelines to meet varying nutrient limits, these levels are outlined below:

1. Level 1 – generally regarded as no TN or TP removal (e.g. BOD removal with or without ammonia removal similar to the existing effluent limits for the Saline Creek Regional WWTP)
2. Level 2 – generally regarded as TN = 8-10 mg/L and TP = 1.0 mg/L.
3. Level 3 – generally regarded as TN = 4-8 mg/L and TP = 0.1–0.3 mg/L.
4. Level 4 – generally regarded as TN = 3 mg/L and TP = 0.1–0.3 mg/L.
5. Level 5 – generally regarded as TN = 1 mg/L and TP = 0.01 mg/L.

For planning purposes future effluent limits for the Meramec River are assumed to be either Level 2 or 4.

5.2 Impact to NPSD

Currently the Saline Creek Regional WWTP discharge permit only requires meeting the Ammonia component of TN. Biological wastewater treatment systems, such as the oxidation ditch at the SalineCreek WWTP, can be operated to remove nitrogen and phosphorus biologically. Typically, total nitrogen in the effluent can be reduced to 5 to 10 mg/l and phosphorus to around 1 mg/l to meet Level 2 nutrient removal. NPSD's diligent operation of the Saline Creek Regional WWTP is resulting in total nitrogen in the effluent consistently less than 5 mg/L. To meet Level 4 nutrient removal, additional treatment including anaerobic/anoxic bioreactors, chemical addition, flocculation/ sedimentation and filtration will be required.

NPSD will monitor regulations and work with MDNR to plan for any future changes to the Saline Creek Regional WWTP operating permit. If more stringent effluent limits materialize, NPSD will plan and implement the necessary improvements at the Saline Creek Regional WWTP accordingly. These improvements will be much more cost effective compared with connection to MSD as outlined in Section 3.3.2.

6.0 NPSD Sewer Use Ordinance

When NPSD becomes the regional wastewater treatment authority for its service area, rules will need to be implemented to manage regional wastewater flows from existing permitted facilities. NPSD will modify its Sewer Use Ordinance to manage regional wastewater flows from existing facilities and future developments.

6.1 Non-NPSD Permitted Facilities

Currently there are 18 MDNR permitted treatment facilities within the NPSD's boundary. Table 6.1.1 is a summary of the non NPSD permitted facilities and their MDNR Permit ID. A map showing the locations of these facilities is included in Appendix C.

Map ID	Facility Name	Permit ID
1	Bossert/Murphy Ann Apartments	MO0090956
2	Laurel Acres MHP	MO0086347
3	Woodridge Apartments	MO0040347
4	Villas of Williams Creek	MO0084646
5	Sunny Acres/Peaceful Acres	MO0044881
6	Engineered Coil/HR Electronics	MO0094056
7	Pembroke Apartments	MO0091359
8	Jefferson County County Library	MO0101958
9	Teen Challenge	-
10	Nachez Estates Apartment/Brennen Point	MO0107981
11	Koller Craft Plastic	MO0123358
12	Sir Thomas Manor Apartments	MO0088897
13	Big Valley MHC	MO0090484
14	HSU Apartments/McCarthy Homesites	MO0094374
15	Woodglen Apartments	MO0084930
16	Tesson Hills Apartments	MO0114413
17	Brookshire Court Apts	MO0088846
18	Meramec Sewer Company - Missouri American	MO0091162

6.2 NPSD Sewer Use Ordinance Resolution

NPSD has developed a resolution expressing the intent of the board to amend NPSD's Sewer Use Ordinance to manage regional wastewater flows. Appendix D contains this resolution.

7.0 Regional Input

As part of this feasibility study regional input was sought from EWG, MSD and the general public. Meetings were held with EWG and MSD to discuss the economic impact to NPSD if the 208 Plan recommendations were followed, as outlined in Section 3.3. Based on these meetings EWG and MSD provided support for amendment of the 208 Plan allowing NPSD to fully implement the 2010 Facility Plan. EWG as the 208 Water Quality Management Planning Agency has drafted a letter to amend the original 208 Plan. A copy of this letter is included in Appendix E.

MSD has provided a letter that this amendment of the 208 Plan does not conflict with MSD's current plans for wastewater management in the Lower Meramec System. A copy of this letter is provided in Appendix F.

A public meeting was held on Tuesday January 14, 2014 to discuss the findings of this feasibility study. Meeting Minutes, Meeting Sign In Sheet and proof of advertisement are included in Appendix G.



Figure 4-2
 Northeast Public Sewer District
 Continuing Authority Feasibility Study

Project Number: W04A00701
 Date: 3/13

JACOBS

Sheet 1 of 1

Legend

-  MSD Tunnel Alignment GGT-2A
-  MSD Tunnel Alignment T-05
-  NPSD Outfall Sewer
-  NPSD Boundary



North
South
East
West

Sheet 1 of 1

Figure 4-1
Northeast Public Sewer District
Continuing Authority Feasibility Study

Project Number: WDA00701

Date: 3/13

JACOBS

Appendix A – Rough Order of Magnitude Cost Estimate

Northeast Public Sewer District of Jefferson County

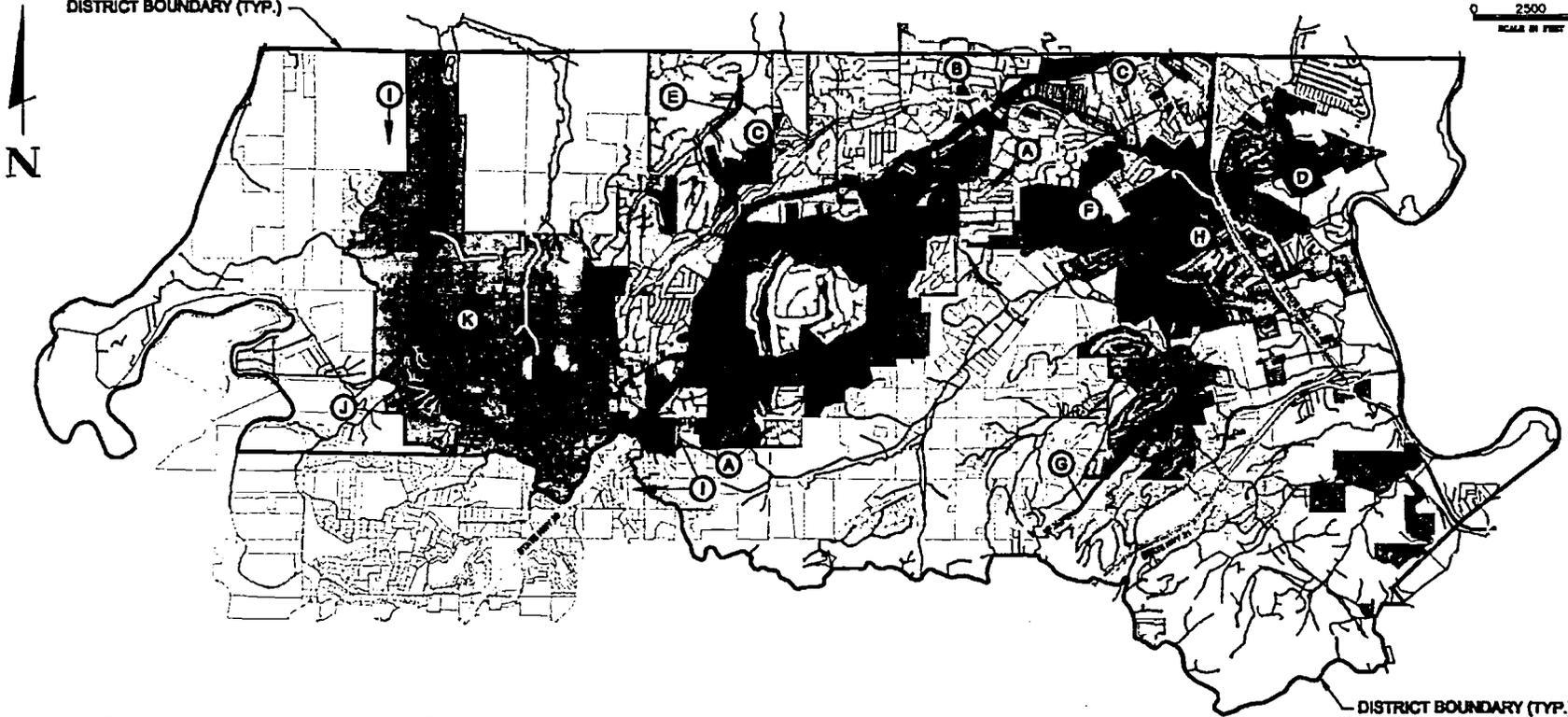


Pump Station and Force Main Connection to MSD							
Item No.	Description	Units	Quantity	Unit Price	Extension		
1	Mobilization, Bonds, Insurance (10% of Construction)	LS	1	\$1,398,000.00	\$ 1,398,000.00		
2	Saline Creek Pump Station	LS	1	\$5,800,000.00	\$ 5,800,000.00		
3	30" DIP Force Main	LF	12,500	\$300.00	\$ 3,750,000.00		
4	42" Steel Encasement with 30" DIP Jack and Bore	LF	400	\$1,200.00	\$ 480,000.00		
5	Rock Excavation	CY	2,000	\$150.00	\$ 300,000.00		
6	Intermediate Drop Shaft	EA	1	\$2,500,000.00	\$ 2,500,000.00		
7	Re-Route Collection System at Saline Creek WWTP	LS	1	\$400,000.00	\$ 400,000.00		
8	Decommission Saline Creek WWTP	LS	1	\$750,000.00	\$ 750,000.00		
					Construction:	\$15,378,000.00	
Inflation (%/yrs):					5%	0	\$ 15,378,000.00
Contingency (%):					30%		\$ 4,613,400.00
Engineering Design (%):					10%		\$ 1,537,800.00
Engineering Construction (%):					6%		\$ 922,680.00
Legal (%):					5%		\$ 768,900.00
Easements (%):					9%		\$ 1,384,020.00
Total Cost:							\$ 24,604,800.00
TOTAL COST:							\$24,605,000.00

**Appendix B – 2010 Facility Plan Short Term and Long range
Project Map**

DISTRICT BOUNDARY (TYP.)

0 2500 5000
SCALE IN FEET



PROPOSED PROJECTS LEGEND

- (A) LOWER SALINE CREEK INTERCEPTOR
- (B) UPPER SALINE CREEK REPLACEMENT
- (C) SALINE CREEK SEWER REPLACEMENT/ LINING
- (D) INTERIM HIGHWAY 141 PUMP STATION AND SOLIDS HANDLING AND HIGHWAY 141 INTERCEPTOR REALIGNMENT AND PUMP STATION
- (E) WILLIAMS CREEK INTERCEPTOR, PUMP STATION AND FORCE MAIN
- (F) FON DU LAC REPLACEMENT
- (G) ARCHVIEW SEWER EXTENSION
- (H) HERMITAGE HILL SEWER REALIGNMENT
- (I) ANTIRE VALLEY INTERCEPTOR, PUMP STATIONS AND FORCE MAINS
- (J) CANDLELIGHT GARDENS COLLECTION SYSTEM
- (K) WILD VALLEY FARMS INTERCEPTOR, PUMP STATION AND FORCE MAIN

DISTRICT BOUNDARY (TYP.)

J:\P\1009-13-00-000\1009-13-00-000.dwg
 FILE: Facility Plan Exhibits.dwg
 LAYOUT: EXH7-Prop Projects
 UPDATE: BTJ/Seaman
 SURVEY: 8000
 DATE: 10/7/10 8:31am

REVISIONS		
NUMBER	BY	DATE

0 1 2
 THIS BAR IS EQUAL TO 2" AT FULL SCALE (34322)

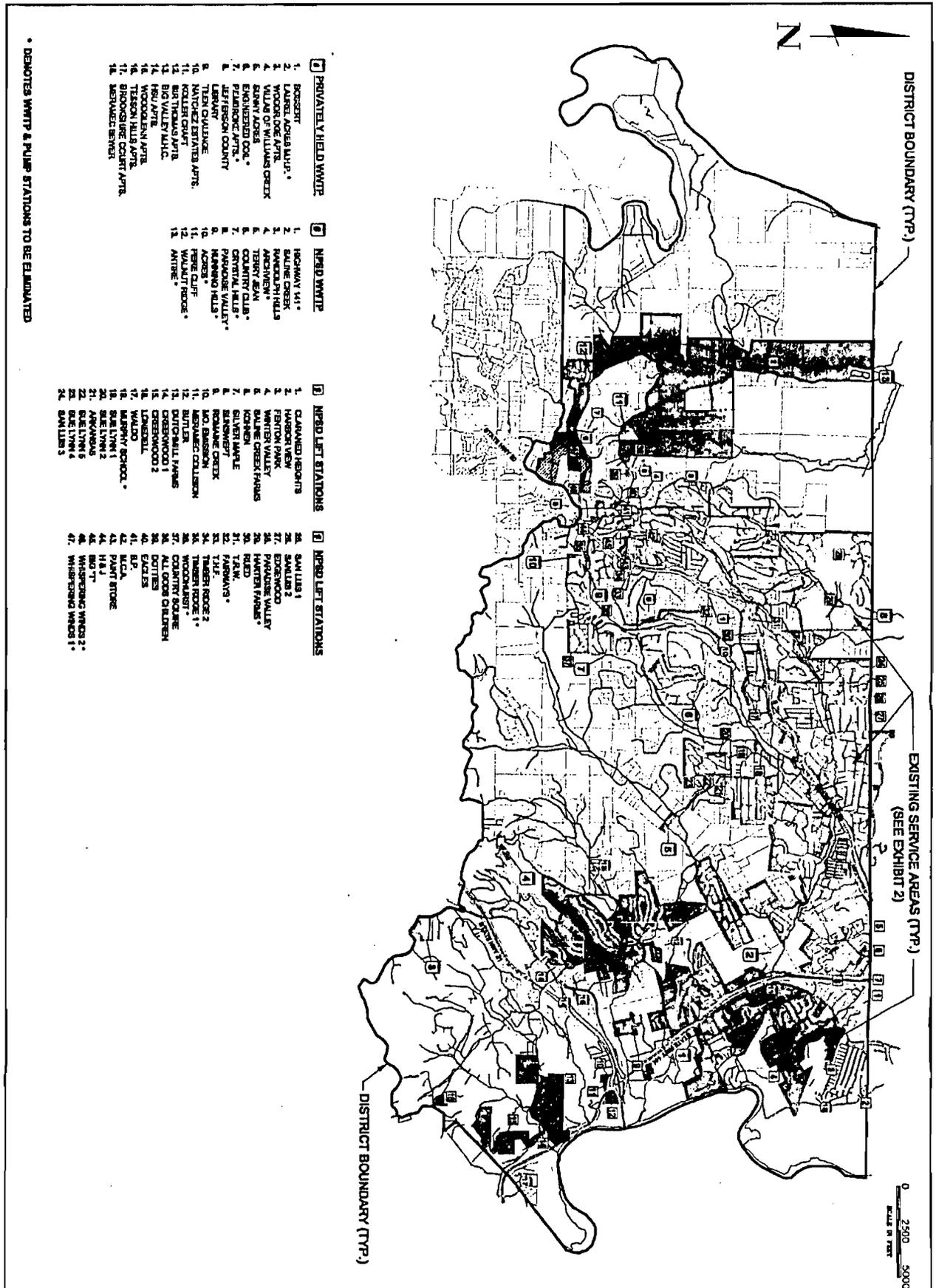
NORTHWEST PUBLIC SEWER DISTRICT
 JEFFERSON COUNTY, MISSOURI
 FACILITY PLAN
 PROPOSED PROJECTS OVERVIEW

© 2010 by CMT
 CMT
 CONSULTING ENGINEERS
 LICENSE NO. 34-00008

DESIGN BY:
 DRAWN BY: TL
 CHECKED BY:
 APPROVED BY:
 DATE: OCTOBER, 2010
 JOB No: 10-001-13-00

EXHIBIT 7
 SHEET OF SHEETS

Appendix C – Non NPSD Permitted Facilities



• DENOTES WWTPL & PUMP STATIONS TO BE ELIMINATED

- 1** PRIVATELY HELD WWOFE
 - 1. BOSSERT
 - 2. LAUREL ACRES WWOFE *
 - 3. WOODRIDGE APTS.
 - 4. VILLAGE OF WILMANS CREEK
 - 5. BIRCHWOOD
 - 6. BIRCHWOOD
 - 7. PLUMBING APTS. *
 - 8. JEFFERSON COUNTY LIBRARY
 - 9. TREN CHATELAIN
 - 10. WATCHEE STRATES APTS.
 - 11. WATCHEE STRATES APTS.
 - 12. BRU VALLEY M.H.C.
 - 13. BRU VALLEY M.H.C.
 - 14. WOODLEIGH APTS.
 - 15. TESSON HILLS APTS.
 - 16. BIRCHWOOD COURT APTS.
 - 17. BIRCHWOOD COURT APTS.
 - 18. BIRCHWOOD COURT APTS.
- 2** NRPD WWTPL
 - 1. HIGHWAY 411 *
 - 2. BALINE CREEK
 - 3. WINDY HILLS
 - 4. AMENVIEW *
 - 5. COUNTRY RIDGE *
 - 6. CENTRAL HILLS *
 - 7. PARADISE VALLEY *
 - 8. HANNOCK HILLS *
 - 9. ACRES *
 - 10. FERRY CLIFF
 - 11. WINDY HILLS
 - 12. WINDY HILLS
 - 13. WINDY HILLS
 - 14. WINDY HILLS
- 3** NRPD LEFT STATIONS
 - 1. CLAYMAN MEMORIAL
 - 2. HARBOR VIEW
 - 3. WINTER VALLEY
 - 4. WINTER VALLEY
 - 5. WINTER VALLEY
 - 6. HORNBY
 - 7. SILVER MAPLE
 - 8. SUNSHINE
 - 9. MONAHEE CREEK
 - 10. MONAHEE CREEK
 - 11. MONAHEE CREEK
 - 12. MONAHEE CREEK
 - 13. MONAHEE CREEK
 - 14. MONAHEE CREEK
 - 15. MONAHEE CREEK
 - 16. MONAHEE CREEK
 - 17. MONAHEE CREEK
 - 18. MONAHEE CREEK
 - 19. MONAHEE CREEK
 - 20. MONAHEE CREEK
 - 21. MONAHEE CREEK
 - 22. MONAHEE CREEK
 - 23. MONAHEE CREEK
 - 24. MONAHEE CREEK
- 4** NRPD LEFT STATIONS
 - 25. SAN LUIS 1
 - 26. SAN LUIS 2
 - 27. EDENWOOD
 - 28. EDENWOOD
 - 29. EDENWOOD
 - 30. EDENWOOD
 - 31. EDENWOOD
 - 32. EDENWOOD
 - 33. EDENWOOD
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 - 42. EDENWOOD
 - 43. EDENWOOD
 - 44. EDENWOOD
 - 45. EDENWOOD
 - 46. EDENWOOD
 - 47. EDENWOOD

CMT
CONWAY, MURPHY & TULLY, INC.
ENGINEERS & ARCHITECTS

DESIGN BY: TLT
CHECKED BY: TLT
APPROVED BY: TLT
DATE: OCTOBER 2010
JOB NO. 10-01-12-00

**NORTHEAST PUBLIC SEWER DISTRICT
JEFFERSON COUNTY, MISSOURI
FACILITY PLAN**

**EXISTING WASTEWATER
TREATMENT PLANTS AND LIFT STATIONS**

0 2500 5000
SCALE IN FEET

0 1 2
THIS PLAN IS EQUAL TO 2" AS P.L.S. SCALE (CHECK)

REVISIONS		
NUMBER	BY	DATE

PROJECT NO. 10-01-12-00
SHEET NO. 1 OF 10 SHEETS

Appendix D – NPSD Sewer Use Ordinance Resolution

RESOLUTION NO. 14-01

RESOLUTION EXPRESSING THE INTENT OF THE NORTHEAST PUBLIC SEWER DISTRICT BOARD OF TRUSTEES TO AMEND THE DISTRICT'S SEWER USE ORDINANCE TO ADDRESS REGIONAL WASTEWATER MANAGEMENT.

WHEREAS, the Northeast Public Sewer District is a political corporation established under Chapter 204 of the Missouri Revised Statutes; and

WHEREAS, the Northeast Public Sewer District wishes to amend the East-West Gateway Council of Government's 208 plan and provide wastewater treatment within the District's boundaries on a regional basis; and

WHEREAS, the Northeast Public Sewer District wishes to obtain Level 2 Continuing Authority status from the Missouri Clean Water Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF NORTHEAST PUBLIC SEWER DISTRICT, JEFFERSON COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Sewer Use Ordinance. If granted Level 2 Continuing Authority status by the Missouri Clean Water Commission, the Board of Trustees of the Northeast Public Sewer District intends to revise the District's Sewer Use Ordinance to include the following:

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated in the District or in any area where there is an availability of sewers in a jurisdiction with which the District has an interjurisdictional sewage treatment agreement and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a sanitary sewer of the District, is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper sanitary sewer in accordance with the provisions of this ordinance within 90 days after sewer service is available, provided such sanitary sewer is within 200 feet, measured along a street, alley or easement, of the property line. If there is no sanitary sewer within 200 feet of the property line, the owner may request permission of the District to construct and maintain an adequate septic tank installation until such time as a sanitary sewer is made available.

PASSED by the Board of Board of Trustees of Northeast Public Sewer District, Jefferson County, Missouri, this 20th day of August, 2014.

(SEAL)


Chairman of the Board of Trustees

ATTEST:


Secretary of the Board of Trustees

**Appendix E – East West Gateway Council of Governments Draft
Letter**

November 14, 2013

Mr. John Madras
Water Protection Program Director
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102

Dear Program Director Madras:

In the 1978 St. Louis, Missouri Water Quality Management (208) Plan, Lower Meramec System (southern St. Louis County and northern Jefferson County) recommendation was for the construction of a regional secondary wastewater treatment facility in St. Louis County near the confluence of the Meramec and Mississippi Rivers. This regional facility, owned and operated by the Metropolitan St. Louis Sewer District (MSD), would provide sewer service via a deep tunnel interceptor and connected drop shafts for southern St. Louis County and northern Jefferson County. Discharge would be to the Mississippi River. The Management/Institutional recommendation for the Jefferson County portion of this area was that Jefferson County should form a sewer district in order to develop the multiple subwatershed sewer collector system and contact with MSD for treatment.

After the completion of the 208 Water Quality Management Plan, a special management study provided technical assistance to Jefferson County residents in the evaluation of management alternatives for a regional system. A Steering Committee for a Northern Jefferson County Sewer District was formed in 1978 and evaluated the legal, engineering, financial and administrative aspects of sewer district formation and operation. The Steering Committee voted in 1979 that two public sewer districts should be established and that the City of Arnold should continue their wastewater management efforts. On August 7, 1979 the establishment of Northeast Public Sewer District (NPSD) and the Rock Creek Public Sewer District was approved by a vote of the residents of the respective districts.

The NPSD in 1980 contained five privately owned sewer companies and 80 permitted wastewater disposal systems serving 14,000 residents. In 1980 the NPSD signed a management agreement designating the district as a Management Agency for the Northeast Facility Planning Area. The Facility Planning Area is conterminous with the boundaries of the NPSD. With this designation, it was responsible for the planning, design, construction, acquisition, operation and maintenance of any public wastewater system within their service area. In the management agency agreement signed by the Northeast Public Sewer District, provision is made for analysis of alternative treatment and discharge options which are consistent with the overall goals, objectives, and policies of the original 208 Water Quality Management Plan. NPSD reaffirmed their management agreement in 1991.

In 1983 NPSD adopted a 201 Facility Plan. This document was amended in 1989 and 1990. The plan recommended a series of phased projects to upgrade existing facilities and to construct interceptors and sub-regional treatment facilities.

In 2010 (2013) the NPSD has 150 miles of sanitary sewers and 47 lift stations with 20 miles of force mains. NPSD operates 13 wastewater treatment plants. Eleven of these plants serve individual residential subdivisions. The 2009 Saline Creek Regional wastewater treatment plant (4 MGD) and the 1990 Highway 141 wastewater treatment plant with a high water pump station in 2002 (1.245 MGD) serve multiple subdivisions as well as commercial and industrial areas.

NPSD completed a comprehensive Facility Plan for the entire collection and treatment system in 2010. The goal of the Facility Plan was to identify NPSD's future wastewater needs out to 2030 and identify improvements that will support growth within the district boundaries and meet in-stream water quality requirements. Fourteen projects were recommended in order to continue the ongoing regionalization of wastewater treatment facilities and collection systems. Over the twenty-year period the intent is to eliminate the majority of the NPSD's smaller wastewater treatment facilities and convey flow to the Saline Creek Regional wastewater treatment plant. Three smaller plants serving subdivisions at the edges of the NPSD would continue to be in operation. Short term projects (five to six years) would: eliminate seven wastewater treatment plants by construction of interceptors, lift stations and force mains; address infiltration/inflow through sewer replacement or relining; and improving solids handling capacity at the Saline Creek Regional wastewater treatment plant. Estimate total project cost for these improvements is \$20.7 million. Longer range projects would include elimination of five existing wastewater treatment plants, addition of aerobic digester at Saline Creek Regional wastewater treatment plant; realignment of sewers and interceptors, provide sewer service to homes currently on septic systems and construction of interceptors, lift stations and force mains in Antire Creek watershed to convey wastewater to the Saline Creek Regional Wastewater treatment plant. The projects in the Antire Creek watershed will depend on population growth in this watershed. Estimate total project cost for these improvements is \$25 million. Build-out of the Facility Plan will result in a District-wide treatment system that will meet or exceed all applicable federal and state water quality standards.

The NPSD is currently completing a facility plan update of the Saline Creek Regional WWTP to evaluate process improvements required to meet Level 2 and Level 4 nutrient removal requirements and sludge dewatering improvements. This facility plan will define the long term capital improvement plan for this regional facility to maintain compliance with anticipated regulations.

The East-West Gateway Council of Governments (EWG), as part of its responsibility as the 208 Water Quality Management regional planning agency has agreed to aid and cooperate with the management agency (NPSD) to assure that its responsibilities are carried out in a technically and financially feasible manner. As noted above, the management agency may substitute an alternative treatment and discharge system than what was identified in the 208 Water Quality Management Plan if the alternative system has been demonstrated to be cost-effective, meets all effluent permit limitations and meets all applicable in-stream water quality criteria.

The NPSD has recently completed a Continuing Authority Feasibility Study. This cost-effective preliminary engineering analysis indicates that the 208 Water Quality Management Plan recommendation of a Lower Meramec regional treatment system consisting of transporting wastewater into the MSD system via interceptors and drop shafts for treatment is no longer a cost-effective solution. The capital cost to construct and convey wastewater from NPSD to MSD, expand MSD tunnel and treatment plant capacity was estimated to be \$74.7 million dollars. The total implementation cost of the 2010 Facility Plan is estimated to be \$45.7 million (\$20.7 million for short term projects and \$25 million for the long range projects). District has prepared a construction plan describing operation and maintenance of subregion sewage treatment plant and collection system for FPA.

EWG, in its capacity as the 208 Water Quality Management Planning Agency is, therefore, requesting that the original 1978 St. Louis 208 Water Quality Management Plan be amended to eliminate the requirements for the construction of sewer interceptors under the Meramec River connecting to the Metropolitan St. Louis Sewer District (MSD) Lower Meramec tunnel and sending flow to the MSD Meramec regional wastewater treatment facility at the confluence of the Meramec and Mississippi Rivers and to allow the NPSD to complete the full implementation of its Facility Plan dated 2010.

Should you have any questions, please do not hesitate to call.

Sincerely,

DRAFT

Name
Title

Appendix F – MSD Letter



**Metropolitan
St. Louis Sewer
District**

2350 Market Street
St. Louis, MO 63103-2555
(314) 768-6200

December 17, 2013

Mr. Michael Coulson, PE
Manager, Environmental Services
East-West Gateway Council of Governments
One Memorial Drive, Suite 1600
Saint Louis MO 63102

Dear Mr. Coulson:

Thank you for meeting with the Metropolitan St. Louis Sewer District (MSD) on November 18, 2013 to discuss the Northeast Public Sewer District of Jefferson County proposal to amend the 1978 St. Louis, Missouri Water Quality Management (208) Plan for the Lower Meramec System and to become designated as a Level 2 Continuing Authority in Jefferson County. As we explained during our meeting, the Northeast Public Sewer District of Jefferson County is outside of the MSD service area; therefore, MSD does not have a legal basis for an opinion regarding their proposal. We defer to East-West Gateway as the Level 1 Continuing Authority.

Furthermore, we do not see any conflicts between MSD's current plans for wastewater management in the Lower Meramec System and the Northeast Public Sewer District's plans to amend the 208 Plan; therefore, we would not be opposed to their proposal.

If you have any additional questions, please contact John Lodderhose at 314-436-8714.

Sincerely,

Brian Hoelscher, PE
Executive Director
Metropolitan St. Louis Sewer District

Pc: Susan Myers, MSD General Counsel
Rich Unverferth, MSD Director of Engineering
John Lodderhose, MSD Asst. Director of Engineering

Appendix G – Public Meeting Minutes and Attendance

Date January 15, 2014

To Northeast Public Sewer District – Bob Hembrook

From Mike McCarty

Subject Level 2 Continuing Authority Request Public Meeting Minutes

A Public Meeting for the Level 2 Continuing Authority Request was held on Tuesday January 14, 2014. The meeting was held at the Northeast Public Sewer District (NPSD) office at 1041 Gravois Road Fenton, MO 63026. The sign in sheet of meeting attendees is included in Attachment 1 with these minutes.

Mike McCarty, with Jacobs Engineering Group, made an overview presentation of the Level 2 Continuing Authority request.

1. The reasons for the Level 2 Continuing Authority Request were presented:
 - a. Provide regional wastewater collection and treatment within NPSD Boundaries.
 - b. Overcome recommendations that are over 30 years old – 208 Plan.
 - c. Provide cost effective customer rates.
2. Missouri Department of Natural Resources continuing authority preferential order was reviewed:
 - a. Level 1 – A municipality or public sewer district which has been designated as the area-wide management authority under section 208(c)(1) of the Federal Clean Water Act. Currently Missouri has three Level 1 Continuing Authorities: Mid-America Regional Council (Kansas City metro area), EWG (St. Louis metro area) and Ozark Gateway (Joplin Area).
 - b. Level 2 – A municipality, public sewer district or private sewer company which currently provides sewage collection and /or treatment on a regional or watershed basis. These entities must be approved by the Clean Water Commission to attain Level 2 status. Currently Missouri has only one Level 2 Continuing Authority: Boone County Regional Sewer District.
 - c. Level 3 - A municipality, public sewer district or private sewer company.
 - d. Level 4 and 5 – Homeowner associations and individuals.
3. A general overview of NPSD was provided and the figure in Attachment 2 of these minutes was reviewed:
 - a. Located in Northern Jefferson County
 - i. Accounts – 8,500
 - ii. Parcels Served – 11,000
 - b. NPSD - 13 Permitted Treatment Facilities
 - i. Saline Creek Regional WWTP
 - ii. Current Facility Plan
 - 2010 – 2016 – Eliminate 7 WWTP
 - 2020 – 2030 – Eliminate 5 WWTP
 - c. Non-NPSD - 18 Permitted Treatment Facilities

Memorandum

(Continued)

Page 2 of 3

4. The East West Gateway Council of Governments 208 Plan was reviewed
 - a. Developed in May of 1978 as part of the Clean Water Act.
 - i. Recommended Regional WWTP in St. Louis County.
 - ii. EWG established as a Level 1 Continuing Authority
 - b. MSD 201 Facility Plan
 - i. Developed in September 1979 updated in 1985
 - ii. Recommended Construction of the Lower Meramec WWTP.
 - iii. Currently MSD has not included an allowance for flow from NPSD.
5. The options to connect to MSD as outlined in the 208 Plan were reviewed and the figure depicting these options included as Attachment 3 of these minutes was reviewed.
 - a. Construct a pump station at the Saline Creek Regional WWTP and utilize a forcemain to convey wastewater to the proposed intermediate shaft at the Fenton WWTP; see Attachment 3 - Figure 4-2 for a general alignment.
 - b. Construct a tunnel from the Saline Creek Regional WWTP outfall at the Meramec River to a proposed intermediate shaft along the Lower Meramec Tunnel. This option will require modification and continued operation of the WWTP headworks pump station to direct wastewater to the existing outfall sewer. Three general alignments are outlined in attachment 3 - Figure 4-2 but the most direct alignment would require approximately 8,150 LF of tunnel.
6. The economic impact to connect with MSD was presented based on implementing Option A outlined in item 5 above. The following cost summary was reviewed

	Flow	Percent of Total
NPSD Peak Flow (MGD)	17.97	15.5%
MSD Peak Flow (MGD)	98	84.5%
Total Capacity of Shared Facility	115.97	100.0%
	Total Cost	NPSD Cost
Lower Meramec Tunnel Extension	\$215,555,000	\$33,401,081
Lower Meramec WWTP Expansion	\$108,000,000	\$16,735,018
Total NPSD Cost of Shared Facilities		\$50,136,099
NPSD Cost to connect to MSD		\$24,605,000
Total Capital Cost to connect to MSD		\$74,741,099

Memorandum

(Continued)

Page 3 of 3

7. Next NPSD Comprehensive Facility Plan completed in 2010 was discussed and the figure in Attachment 4 to these minutes was used to outline proposed improvement that NPSD is planning to support collection and treatment of wastewater on a regional basis within their boundary.
8. The 2010 Facility Plan identifies Short Term Projects (2010 to 2016) and Long Term Projects (2016 to 2021).
9. Short Term Project listing and status
 - a. Lower Saline Creek Interceptor – Under Construction
 - b. Upper Saline Creek Sewer Replacement – Under Construction
 - c. Saline Creek Sewer Rehabilitation - Complete
 - d. Interim Highway 141 Pump Station and Solids Handling - Complete
 - e. Williams Creek Interceptor, Pump Station and Force Main – Under Design
 - f. Fon Du Lac Sewer Replacement – Under Design
 - g. Archview Sewer Extension – Under Design
10. Long Term Projects listed below are still in the planning stages
 - a. Hermitage Hills Sewer Realignment
 - b. Antire Valley Interceptor, Pump Stations and Force Mains
 - c. Candlelight Gardens Collection System
 - d. Wild Valley Farms Interceptor, Pump Station and Force Main
 - e. Saline Creek Regional WWTP Solids Handling
 - f. Highway 141 Interceptor Realignment and Pump Station
11. NPSD's path forward was then discussed:
 - a. Obtain Level 2 Continuing Authority Status
 - i. NPSD has already made a preliminary request to the Clean Water Commission.
 - ii. Confirm NPSD rules and regulations meet MDNR requirements to manage regional wastewater flows.
 - iii. Finalize overall report and submit to MDNR by February 2014.
 - iv. MDNR reviews the overall report by April 2014.
 - v. Make final request to the Clean Water Commission at the next scheduled meeting after MDNR completes review of the report.
 - b. Amend the 208 Plan
 - i. NPSD has received concurrence from EWG and MSD
12. Open discussion – Questions raised during the open discussion included:
 - a. Difference between Level 1 and Level 2 Continuing Authority.
 - b. Long Term Projects – Antire Valley Interceptor project.

Northeast Public Sewer District
Level 2 Continuing Authority Request
Public Meeting
January 14, 2014 - 6:00 PM

Name	Affiliation (Customer or Company)
Kerney deLongch	NPSW <u>Board Member</u>
Jennifer Smith	Customer
Jerry Ryan	Board Member
Bob Hembrook	NPSD
MIKE M ^C CARTY	JACOBS

LEADER

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JEFFERSON COUNTY LEADER
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GRAND TIMES

P.O. Box 159 • 503 N. Second Street • Festus, MO 63028 E-mail: nvrweakly@aol.com (news)
(636) 937-7501 (636) 931-7560 Fax (636) 931-2226 E-mail: nvrweakly@sbcglobal.net (sales)

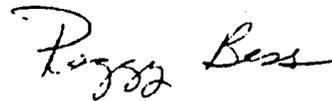
December 12, 2013

Northeast Public Sewer District
1041 Gravois Road
Fenton, MO 63026

Public Meeting Notice by the Northeast Public Sewer District of Jefferson County regarding the **District's plans and request of level 2 continuing authority designation from the Missouri Clean Water Commission** ran in the Jefferson County Leader and the Arnold-Imperial Leader on December 12, 2013.

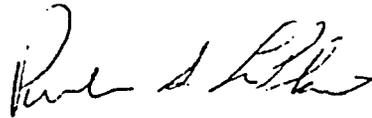
NOTICES

NOTICE OF PUBLIC MEETING
Notice is hereby given, the Northeast Public Sewer District of Jefferson County will hold a public meeting on Tuesday, January 14, 2014, at 6:00 p.m. at the District's office, 1041 Gravois Road, Fenton, MO to receive public input regarding the District's plans and request of level 2 continuing authority designation from the Missouri Clean Water Commission.



Peggy Bess
Editor

Subscribed and sworn to before me this 12th day of December, 2013.



Pamela S. LaPlant
#310432936
Notary Public



My commission expires June 19, 2014.



Northeast Public Sewer District

RECEIVED

FEB 2 2015

January 28, 2015

WATER PROTECTION PROGRAM

Board of Trustees

James Huber
Chairman

LeRoy Luck
Vice Chairman

Steve Nahlik
Secretary

Gerald Kettler
Treasurer

Robert Conley
Trustee

Missouri Department of Natural Resources
Attention: Refaat Mefrakis
P.O. Box 176
Jefferson City, MO 65102

Re: NPSD Level 2 Continuing Authority Request

Dear Mr. Mefrakis,

This letter is in response to your correspondence dated December 4, 2014 with respect to the District's request for Level 2 Continuing Authority. Your letter stated two (2) items needed to be addressed prior to finalizing the recommendation to the Clean Water Commission for our request.

The first item was adoption of the ordinance included in Appendix A of our request. This ordinance was duly passed at the NPSD Board of Trustees January 21, 2015 regular session. A copy of the ordinance is included with this letter. The sections of the ordinance relevant to this issue are sections 2.16 and 2.17 on page 5.

The second item requested was an explanation of how prioritization of connection and closure of treatment plants would occur and be required. NPSD is beginning a system-wide inspection program, a GIS Mapping upgrade project and implementation of a capital improvement planning program in 2015. This will allow us to identify parts of the collection system in need of rehabilitation or improvement as well as master plan areas currently unsewered by the District. Part of this planning effort will include identification of the treatment plants and assessment of anticipated wastewater flow tributary to them. This anticipated flow will be included in sizing of sewer mains, interceptors and pump stations in the District's master planning efforts. As sewer improvements are constructed in closer proximity to the existing treatment plants, they can be connected to the NPSD system and closed in accordance with the Sewer Use ordinance referenced above and included with this letter.

1041 Gravois Road
Fenton, Missouri
63026

P 636 343-5090
F 636 343-7904

RECEIVED

Should you have any questions or comments, please advise.

Sincerely,
Northeast Public Sewer District



Bob Hembrock, P.E.
Executive Director

Encl.

Cc: Board of Trustees
Michael McCarthy, Jacobs Engineering
File 1

WATER PROTECTION PROGRAM

RECEIVED

Northeast Public Sewer District
Jefferson County, Missouri

ORDINANCE NO. 1
SEWER USE ORDINANCE

WATER PROTECTION PROGRAM

AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF OCCURRING WITHIN THE SEWER DISTRICT.

BE IT ORDAINED AND ENACTED BY THE BOARD OF TRUSTEES OF THE NORTHEAST PUBLIC SEWER DISTRICT, AS FOLLOWS:

SECTION 1 – DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- 1.01 “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.
- 1.02 “COD” (denoting Chemical Oxygen Demand) shall mean the oxygen consuming capacity of organic matter present in wastewater. This amount of oxygen consumed from a chemical oxidant, expressed as milligrams per liter, as measured under standard laboratory procedures. Results are not necessarily related to the biological oxygen demand as a chemical oxidant may react with substances that are not stabilized by biological means.
- 1.03 “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.
- 1.04 “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.
- 1.05 “Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- 1.06 “Industrial Wastes” shall mean the wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
- 1.07 “Natural Outlet” shall mean any outlet into a watercourse, pond, lake or other body of surface or groundwater.
- 1.08 “Person” shall mean any individual, firm, company, society, corporation, partner or group.
- 1.09 “pH” shall mean the logarithm of the reciprocal of the weight by hydrogen ions in grams per liter of solution.
- 1.10 “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried

freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

- 1.11 "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the Northeast Public Sewer District.
- 1.12 "Sanitary Sewer" shall mean a sewer that carries sewage and to which storm, surface, and groundwater are not intentionally admitted.
- 1.13 "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institution and industrial establishments.
- 1.14 "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- 1.15 "Publicly Owned Treatment Works (POTW)" shall mean all facilities for collecting, pumping, treating, and disposing of sewage and sewage sludge.
- 1.16 "Sewer" shall mean a pipe or conduit for carrying sewage.
- 1.17 "Shall" is mandatory; "May" is permissive.
- 1.18 "Slug" shall mean any discharge of water, sewage, or industrial waste, which in concentration of any given constituent or flow exceeds for any duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- 1.19 "Storm Drain" (sometimes termed storm sewer) shall mean a sewer that carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 1.20 "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 1.21 "Pass Through" shall refer to a discharge to the sanitary sewer system that exits the Publicly Owned Treatment Works (POTW) into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, exceed the discharge permit criteria of the POTW.
- 1.22 "Interference" shall mean any discharge which, alone or in conjunction with a discharge or discharges from other sources, both (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) therefore is a cause of a violation of any requirement of the of the POTW's discharge permit or the prevention of sewage sludge use or disposal.
- 1.23 "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- 1.24 "District" shall mean the Northeast Public Sewer District.
- 1.25 "Board" shall mean the Board of Trustees of the Northeast Public Sewer District.
- 1.26 "Residences" shall mean a house, trailer, mobile home, or other structure that is occupied as a residence by a single family.
- 1.27 "Multiple Unit Residential Structures" shall mean any apartment, condominium, duplex or other structure that is built to accommodate more than one family in separate facilities or is occupied by more than one family in separate facilities.

- 1.28 "Customer" shall mean any person, firm, corporation, partner or governmental body who has contracted with the District for service or is receiving sewer service from District, or whose facilities are connected for utilizing such service.
- 1.29 "Collector Sewer" shall mean a pipeline that is owned and maintained by the District, located on public property or on private easements, and used to transport sewage wastes to a central point for treatment and disposal.
- 1.30 "Customers Service Lateral" shall mean a pipe with appurtenances installed, owned, and maintained by the customer, used to convey sewage from the customer's residence to the collector sewer.
- 1.31 "Service Connection" shall mean the point at which the Customers service lateral is connected to the District's collector sewer.
- 1.32 "Date of Connection" shall mean the date of the permit for installation and connection issued by the District.

ORDINANCE NO. 1
SEWER USE ORDINANCE

SECTION 2 – SEWER CONNECTIONS

- 2.01 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District.
- 2.02 All costs and expenses incident to the installation and connection of the building sewer shall be borne by the building owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- 2.03 A separate and independent building sewer shall be provided for every building for which sanitary sewer service is requested.
- 2.04 Old building sewers may be used in connection with new buildings only when they are found on examination and test by the District to meet all requirements of this ordinance.
- 2.05 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of applicable rules and regulations of the District. In addition to the rules and regulations of the District, the construction of a building sewer shall meet all code provisions established by the Jefferson County Building and Code Enforcement Office and/or the municipal equivalent, if applicable. Should these two sets of regulations/codes differ, the more stringent of the two shall prevail.
- 2.06 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, the sanitary sewage carried by such building drain shall be lifted by District approved grinder pump station and discharged to the sewer. The cost of any grinder pump shall be borne by the property owner, not the District. The requirements of the grinder pump station are as determined by the District Construction Specifications.
- 2.07 No person shall make a connection of roof downspouts, foundation drains, areaway drains, sump pump discharges or other sources of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- 2.08 The applicant for the building sewer connection permit shall notify the District at least 24-hours prior to when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a District representative.
- 2.09 All connections of the building sewer to the District's sewer main shall be made in strict accordance with all of the District Construction Specifications.
- 2.10 The District may agree to maintain the private components of a pressure sewer system including a storage or interceptor tank, the control panel, grinder pump and force lateral associated therewith, provided that it complies fully with all of the requirements of such system as set forth in the District Construction Specifications.
- 2.11 All electricity charges incurred by the operation of such a pressure sewer/pump system will be borne by the homeowners.
- 2.12 Tampering with any portion of the electrical, pumping, storage or conveyance system by the homeowner is expressly forbidden. Those customer's installations that show evidence of tampering or interference that causes for a District response in any manner or form, at any time, will be grounds for charging the customer for the cost of such a response and/or repair.
- 2.13 Pressure sewer connections made in accordance with the District Construction Specifications will be subject to a high pressure test procedure conducted by the District. The parameters for the

testing are spelled out in the District Construction Specifications. Failure to pass the test will require repairs to be made until such time as a passing test is achieved.

- 2.14 The cost of providing these inspection and testing services will be borne by the property owner and shall be payable in full and in advance of the actual connection being made. All subsequent re-testing and/or re-inspection of failed testing or inspections will be subject to additional charges. The testing and inspection fee is set at \$50.00 for the initial inspection and testing. Each re-testing and/or re-inspection will be subject to a fee of \$50.00, payable in advance.
- 2.15 All fees are to be paid at the District offices.
- 2.16 All properties that fall within two hundred (200') feet of a District sanitary sewer main shall be required to make a connection to that main, at the property owners sole expense, within ninety (90) days of service availability. Additional requirements may be imposed upon the property owner by the Jefferson County Ordinances, specifically Chapter 705.010 D. Should there be a discrepancy between the two, the most stringent shall prevail.
- 2.17 It shall be unlawful to construct, utilize or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage within the service are of the District where access to public sanitary sewers is available.

SECTION 3 – IMPROPER DISCHARGES

- 3.01 No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, including interior and exterior foundation drains, sump pump discharges, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- 3.02 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers;
- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singularly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - (c) Any waters or wastes having a pH lower than 6.0 S.U. or higher than 10.0 S.U., or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - (d) Solid or viscous substances in the quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshing, entrails and other non-biodegradable and floating matter, etc., either whole or ground by garbage grinders.
 - (e) Any waters or wastes having (1) a 5-day biochemical oxygen demand greater than 250 parts per million, or (2) containing more than 250 parts per million of suspended solids, or (3) having a chemical oxygen demand greater than 600 parts per million, or (4) having an instantaneous flow value greater than 2 percent of the average daily flow of the wastewater treatment plant to which it is tributary, shall be subject to the review and approval of the Executive Director, or his/her appointee.
 - (f) Where necessary the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 250 parts per million, or (2) reduce the suspended solids to 250 parts per million, or (3) control the quantities and rates of discharge of such waters or wastes. Northeast Public Sewer District Ordinance No. 5 governs the specifics of complying with the intent of this portion of the ordinance.
- 3.03 No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes that are likely, in the opinion of the District, that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance.
- (a) Any solid, liquid or vapor having a temperature higher than one hundred-twenty (120°F) degrees Fahrenheit (49°C).
 - (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32°F) and one-hundred twenty (120°F) degrees Fahrenheit (0° and 49°C).
 - (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.

- (d) Any waters or wastes containing iron, chromium, copper, zinc, cadmium, lead, nickel and similar toxic substances. The District will issue an Industrial Waste Discharge Permit to such waste generators.
 - (e) Any waters or wastes containing phenols or other taste or odor producing substances. The District will issue an Industrial Waste Discharge Permit to such waste generators.
 - (f) Any radioactive wastes or isotopes.
 - (g) Any waters or wastes having a pH in excess of 10.0.
 - (h) Materials which exert or cause:
 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited, to, sodium chloride and sodium sulfate).
 2. Excessive discoloration (such as, but not limited, to dye wastes and vegetable tanning solutions).
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 - (i) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- 3.04. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers that contain the substances or possess the characteristics enumerated in this Section, and which in the judgment of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise may create a hazard to life or constitute a public nuisance, the District may:
- (a) Reject the wastes.
 - (b) Require pretreatment to an acceptable condition for discharge to the public service.
 - (c) Require control over the quantities and rates of discharge, and/or
 - (d) Require payment to cover the added cost of handling and treating the wastes.
- If the District permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District, and subject to the requirements of the District's Industrial Pretreatment Ordinance No. 5.
- 3.05. Grease, oil, and sand interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing fats, oil or grease in excessive amounts of sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the Jefferson County Department of Building and Code Enforcement and/or the municipal equivalent, if applicable; and shall be located as to be readily and easily accessible for cleaning and inspection. All customers required to install interceptors shall fully comply with the applicable provisions of the District's Sewer Use Ordinance No. 2 as it pertains to the use, maintenance and cleaning of the interceptor and the proper documentation associated therewith.
- 3.06. Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, the owner at his/her expense shall maintain them continuously in satisfactory and effective operation.
- 3.07. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published jointly by the

Water Environment Federation, the American Water Works Association, and the American Public Health Association, and shall be determined at a control manhole provided by the owner, or upon suitable samples taken at said control manhole.

- 3.08. Failure to comply with the limitations of this Section will subject the customer to additional monthly charges, discontinuation of sanitary sewer service, and/or prosecution.

SECTION 4 – PROPERTY OF DISTRICT NOT TO BE DAMAGED OR INTERFERED WITH

- 4.01. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest.
- 4.02. Violation of Section 4 of this ordinance will subject the property owner to an assessment of costs equal to the expenses incurred by the District for responding to and repairing any District property or portion of the sewage works.

SECTION 5 – EMPLOYEES AUTHORIZED TO ENTER PROPERTIES UNDER CERTAIN CONDITIONS

- 5.01. The duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance.
- 5.02. While performing the necessary work on private properties, the District or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the District employees, and District shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as may be caused by negligence or failure of the company to maintain safe conditions.
- 5.03. The District and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easements, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
- 5.04. The Districts right of entry to all areas of any commercial, manufacturing and or industrial facility is further expounded upon in the Industrial Use Ordinance.
- 5.05. If the District is required to enforce any provision of any District ordinance, the property owner against whom the enforcement actions is taken shall be responsible for all enforcement costs, including reasonable attorney fees.

SECTION 6 - ACTION ON VIOLATION OF ORDINANCE

- 6.01. Any person found to be violating any provision of this ordinance will be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.**
- 6.02. In addition to any other enforcement mechanism, any person violating any of the provisions of this ordinance shall be liable to the District for any expense, loss, or damage occasioned the District by reason of such violation, and the District may discontinue service to any violator who has not corrected the violation within the time limit specified.**

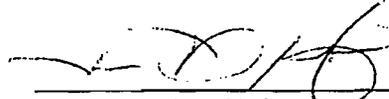
SECTION 7– REPEAL AND SAVING PROVISIONS

- 7.01 All ordinances, resolutions or orders or parts thereof in conflict with any of the provisions of this ordinance or the extent of such conflicts are hereby repealed.
- 7.02 The repeal of any previous ordinances, resolutions or orders or parts thereof, shall neither be construed to, nor constitute a waiver, abandonment, relinquish or release of any claim the District may have at the time this ordinance becomes effective against any owner or occupant of any commercial or industrial establishment, governmental establishment or residential establishment that has failed to pay the sewer service charges prescribed by any previous ordinances. All claims, actions or causes of which are outstanding in favor of the District as to the effective date of this ordinance are hereby expressly reserved to and saved in favor of the District for such resources as may be provided in such ordinances.

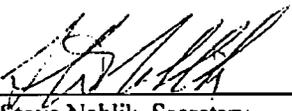
SECTION 8- EFFECTIVE DATE

8.01 This Sewer Charge Ordinance shall be in full force and effect from and after January 22nd, 2015. In the event that the District is not fully prepared and / or capable of rendering bills based upon the provisions of this code at the effective date of this ordinance, the notwithstanding other provisions of this ordinance to the contrary, the rates established and effective on the date previous to effective date of this ordinance shall prevail for a period of not more that 60 days.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE NORTHEAST PUBLIC SEWER DISTRICT OF JEFFERSON COUNTY, MISSOURI ON THE 21st DAY OF JANUARY, 2015.



James D. Huber, Chairman
Northeast Public Sewer District

Attest: 

Steve Nahlik, Secretary

Big Valley MHC
MO0090484, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Ms. Pearl Wilson
111 Big Valley Circle
Fenton, MO 63026

Dear Permittee:

The Department of Natural Resources has received a request from the Northeast Public Sewer District to be designated a Level Two Continuing Authority under state clean water regulations. This would authorize the District to act as the regional wastewater service provider to the public. Your facility is located in the existing boundaries of the Northeast Public Sewer District.

Level Two Continuing Authority is a program for municipalities, public sewer districts, and Public Service Commission regulated sewer districts that the Missouri Clean Water Commission approves and is the second highest level of Continuing Authority in Missouri. For communities desiring Level Two Authority, there are significant resources required to develop the plans and documentation to present to the Clean Water Commission and the implementation of the plan. The responsibilities of a Level Two Authority includes providing regional wastewater treatment and collection, having a long term capital improvement plan and ordinances that require connection of developments to the regional collection system.

The Department is providing a public notice of the Final Feasibility Study prior to approaching the Missouri Clean Water Commission with a recommendation. The public notice announcement and supporting information will be placed on the Department's webpage:

<http://dnr.mo.gov/env/wpp/wpcp-pn.htm>. Copies of all supporting documentation including copies of applicable regulations are available for inspection and copying the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The deadline for comments is February 13, 2015.

The Department request that anyone wishing to comment on the proposed Level Two Continuing Authority Request submit them in writing to: Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: NPDES Engineering Section/Level 2 Comments. **Please include the NPSD Level 2 Request in all comment letters.**

NPSD Level 2 Notice
Page Two

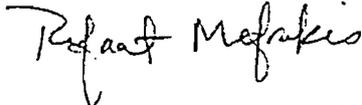
If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to

10 CSR 20-6.020. The Department tentatively plans to propose the Level Two Continuing Authority Request to the Clean Water Commission at their April 1, 2015 meeting.

If you have questions regarding continuing authority, Level Two Authority, or this request, you can contact Leasue Meyers of my staff at leasue.meyers@dnr.mo.gov or at Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

Celebrating 40 years of taking care of Missouri's natural resources.

To learn more about the Missouri Department of Natural Resources visit dnr.mo.gov.

Brookshire Court Apts
MO0088846, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Mr. Steve Geringer
2323 St. Joseph
Arnold, MO 63010

Dear Permittee:

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NPSD Level 2 Notice
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Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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To learn more about the Missouri Department of Natural Resources visit dnr.mo.gov.

Jeff County Library
MO0101958, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Jefferson County Library
5678 State Road PP
High Ridge, MO 63049

Dear Permittee:

The Department of Natural Resources has received a request from the Northeast Public Sewer District to be designated a Level Two Continuing Authority under state clean water regulations. This would authorize the District to act as the regional wastewater service provider to the public. Your facility is located in the existing boundaries of the Northeast Public Sewer District.

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NPSD Level 2 Notice
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Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Koller Craft Plastic
MO0123358, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Kollner Enterprises
1400 S Highway 141
Fenton, MO 63026

Dear Permittee:

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Page Two

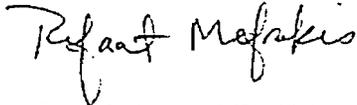
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Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Jeffco Holdings LLC
MO0086347, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Jeffco Holdings LLC
101 Brook Dr.
Fenton, MO 63026

Dear Permittee:

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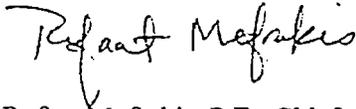
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If you have questions regarding continuing authority, Level Two Authority, or this request, you can contact Leasue Meyers of my staff at leasue.meyers@dnr.mo.gov or at Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

Pembroke Park Apt
MO0091359, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Pembroke LLC
5224 Country Club Dr.
High Ridge, MO 63049

Dear Permittee:

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NPSD Level 2 Notice
Page Two

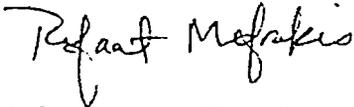
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Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Sir Thomas Manor
MO0088897, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Mr. Thomas O'Stieren
411 Stieren Lane
Fenton, MO 63026

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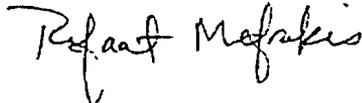
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Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Villas of Williams Creek
MO0084646, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

The Villas of Williams Creek
P.O. Box 269
Washington, MO 63090

Dear Permittee:

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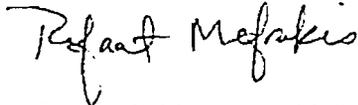
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WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Tesson Hills
MO0114413, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Big R Properties, LLC
Mr. Randy Rickermann
22 Tesson Hills
Arnold, MO 63010

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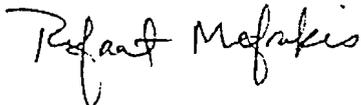
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WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Woodglen Apartments
MO0084930, Jefferson County



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DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Woodglen Apartments Associates, L.L.C.
128 West Monroe Avenue
St. Louis, MO 63122

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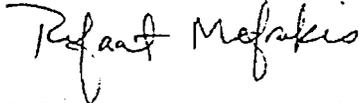
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WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

RM:lmn

Enclosure

c: East-West Gateway
Environmental Protection Agency Region 7

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Woodridge
MO0040347, Jefferson County



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DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Pat Alexander
P.O. Box 270271
St. Louis, MO 63127

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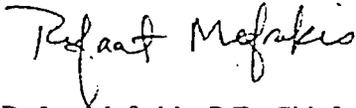
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WATER PROTECTION PROGRAM



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Engineering Section

RM:lmn

Enclosure

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Environmental Protection Agency Region 7

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MAWC, Meramec Sewer
MO0091162, Jefferson County



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Jamie Richardson
727 Craig Road
Creve Coeur, MO 63141

Dear Permittee:

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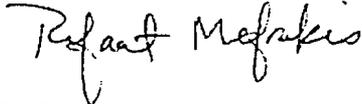
NPSD Level 2 Notice
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WATER PROTECTION PROGRAM



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Engineering Section

RM:lmn

Enclosure

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Environmental Protection Agency Region 7

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DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

DEC 4 2014

Mr. Jim Huber
Chairman of the Board of Trustees
Northeast Public Sewer District
1041 Gravois Rd.
Fenton, MO 63026

RE: Northeast Public Sewer District Level 2 Continuing Authority Request

Dear Chairman Huber:

The Department of Natural Resources, Water Protection Program has reviewed the information submitted as the final feasibility study dated September 16, 2014. The Department is public noticing the Level Two Request and final feasibility study for sixty days, from December 12 – February 13, 2015 to allow time for public comments. A copy of the public notice is enclosed. The public notice announcement was provided to all privately owned facilities in the Northeast Public Sewer District Service area.

The following items need to be addressed prior to finalizing the recommendation to the Clean Water Commission:

1. The proposed ordinance in Appendix D must be adopted by the Sewer District.
2. An explanation of how prioritization of connection and closure of treatment plants will occur and be required.

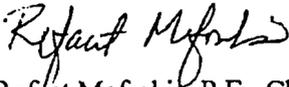
Please provide a response by February 15, 2015, as the Department tentatively plans to present this to the Clean Water Commission at the April 1, 2015 meeting. Representation from the Board of Trustees and your engineer is recommended at the meeting.

Mr. Jim Huber
Page Two

If you have any questions or if you would like to schedule a meeting to discuss the project, please contact me at 573-526-2928 or refaat.mefrakis@dnr.mo.gov, or Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102. Thank you.

Sincerely,

WATER PROTECTION PROGRAM



Refaat Mefrakis, P.E., Chief
Engineering Section

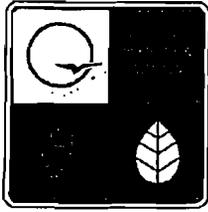
RM:lmn

Enclosure

c: Mr. Michael McCarthy, PE, Jacobs Engineering

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Missouri Department of Natural Resources

PUBLIC NOTICE

DRAFT MISSOURI STATE OPERATING PERMIT

DATE: December 5, 2014

The Missouri Department of Natural Resources hereby places Northeast Public Sewer District's Level Two Request on public notice.

Persons wishing to comment on the proposed Level Two Continuing Authority Request are invited to submit them in writing to: Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: NPDES Engineering Section/Level 2 Comments. **Please include the NPSD Level 2 Request 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 MDNR 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 January 4, 2015. MDNR will consider all written comments, including e-mails, faxes and letters, in the formulation of all final determinations regarding the applications. E-mail comments will be accepted at the following address: 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 supporting documentation including copies of applicable regulations are available for inspection and copying the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Meyers, Leasue

From: Meyers, Leasue
Sent: Tuesday, February 17, 2015 1:53 PM
To: 'Jim Guidry'
Cc: 'Floyd T. Norrick'; Rustige, John
Subject: RE: NPSD Level 2 Request - Woodglen Apartments Facility
Attachments: NPSD response ltr and ordinance,02-02-15.pdf

Mr. Guidry,

Thank you for your email with questions. I am sorry for the delay in getting back to you. Level 2 Continuing Authority is a voluntary program and is the second highest level of authority in Missouri, as established in 10 CSR 20-6.010. Level 2 Continuing Authorities provide regional wastewater planning, collection and treatment. Municipalities, public sewer district or Public Service Commission (PSC) regulated sewer districts seeking Level 2 Authority must request a Level 2 designation by the Missouri Clean Water Commission.

Below is the Department's response to your questions.

1. Will NPSD have operational authority over our facility? If so, to what degree?
Northeast will not have operational authority over your facility, unless there is an agreement in place.
2. What criteria will be used in an ordinance requiring connection to the regional collection system?
Attached is the ordinance recently adopted by the Board of Trustees for Northeast. The criteria includes connection within 90 days of notice of availability for all properties with 200 feet of the District's line (Ordinance #1, page 5, #2.16). The notice of availability will be made by Northeast to the facility's owner.
3. Will our quarterly and annual reports now be sent to NPSD?
No, your quarterly and annual reports will continue to be sent to DNR.
4. Will DNR continue to issue our permit?
Yes, DNR will continue to issue your permit. Upon notification from Northeast that sewer is available, the facility will need to connect to Northeast's line and then close and terminate their existing permit.
5. Will our existing permit continue to be valid if NPSD is granted Level 2 status?
Yes, your existing permit will be valid and continue to be valid.
6. How many treatment plants does NPSD currently have?
Northeast currently has 13 facilities, but has closed or is in the process of closing 7 of the plants this year. There is long term plan to close an additional 3 or 4 more plants to further regionalize treatment options and to provide better treatment through fewer numbers of plants. From Northeast's facility plan that was submitted in 2010 and amended in 2013, it appears Northeast has had discussions or agreements with 4 privately owned treatment plants to connect in the next 5 years.
7. At what capacity is NPSD currently operating?
NPSD Saline Creek is the largest facility and the facility plants that being closed are connecting to. Saline Creek is rated for 5.65 million gallons per day and has an average flow of 2.72 million gallons per day, which is 48% of their permitted capacity.
8. I am a current NPSD customer at another property; I consider their rates extremely high compared to other sewer treatment authorities. Will the Level 2 status result in lower or higher rates to current customers?

The existing user rate for NPSD is \$47.58 for 5,000 gallons per month. By providing sewer services on a regional scale, along with the closure of existing treatment plants, the cost for wastewater service on a price per gallon scale should be reduced. The Department does not know if that will translate into a reduction of user rate, but over the long term, it should reduce the cost for upgrades on the individual rate-payer. In looking at the Missouri Public Utility Alliance Community Rate spreadsheet in 2014, NPSD sewer rates are a little higher than the average for communities serving between 10,000-49,000 connections. However the average includes a number of the suburbs around St. Louis that are connected to St. Louis MSD, which charges \$31.56 to all communities connected to it, but St. Louis MSD is under a federal order to complete upgrades and those rates will be increasing to cover upgrading costs.

Again, I am sorry for the delay in getting back with you. Please let me know if you have additional questions.

Sincerely,

Leasue Meyers, EIT
Phone: (573) 751-7906
Fax: (573) 522-9920

The Year of Water: Promoting, Protecting and Enjoying our Natural Resources. Learn more at dnr.mo.gov



Please consider the environment before printing this e-mail.

From: Jim Guidry [<mailto:ipsiguidry@mindspring.com>]
Sent: Wednesday, January 21, 2015 4:39 PM
To: Meyers, Leasue
Cc: Floyd T. Norrick
Subject: NPSD Level 2 Request - Woodglen Apartments Facility

Ms. Meyers,

I have questions regarding the practical implementation and subsequent reporting given NPSD is deemed a Level 2 authority.

1. Will NPSD have operational authority over our facility? If so, to what degree?
2. What criteria will be used in an ordinance requiring connection to the regional collection system?
3. Will our quarterly and annual reports now be sent to NPSD?
4. Will DNR continue to issue our permit?
5. Will our existing permit continue to be valid if NPSD is granted Level 2 status?
6. How many treatment plants does NPSD currently have?
7. At what capacity is NPSD currently operating?
8. I am a current NPSD customer at another property; I consider their rates extremely high compared to other sewer treatment authorities. Will the Level 2 status result in lower or higher rates to current customers?

I look forward to your response.

Thank you,

James R. Guidry
Managing Agent
Woodglen Apartment Associates, LLC
128 West Monroe Ave
St. Louis, MO 63122
314-965-2200, ext 406

June 3, 2013

Ms. Malinda Steenbergen,
Missouri Clean Water Commission
Water Protection Program
PO Box 176
Jefferson City, MO 65102

RECEIVED

JUN 10 2013

Subject: Northeast Public Sewer District of Jefferson County
Level 2 Continuing Authority

WATER PROTECTION PROGRAM

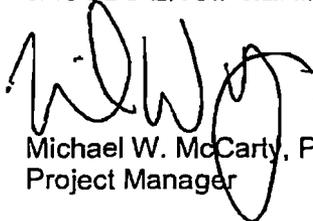
Dear Ms. Steenbergen:

Jacobs is working with Northeast Public Sewer District of Jefferson County (NPSD) to raise their Continuing Authority to Level 2. Attached with this letter is NPSD's preliminary request to the Clean Water Commission outlining their intention to become a Level 2 Continuing Authority. The Feasibility Study that was prepared for NPSD is also attached for your reference. Please confirm that this preliminary request will be placed on the July Clean Water Commission Meeting Agenda.

Should you have any questions on any of the above, please do not hesitate to contact me at (314) 335-4380.

Sincerely,

JACOBS ENGINEERING GROUP INC.



Michael W. McCarty, PE
Project Manager

Cc:

Mr. Refaat Mefrakis, PE – MDNR - Water Protection Program
Engineering Section Chief

Mr. Jim Huber – Chairman - NPSD



Northeast Public Sewer District

RECEIVED

June 3, 2013

JUN 11 2013

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Ms. Malinda Steenbergen,
Missouri Clean Water Commission
Water Protection Program
PO Box 176
Jefferson City, MO 65102

WATER PROTECTION PROGRAM

**Subject: Northeast Public Sewer District of Jefferson County
Level 2 Continuing Authority**

Dear Ms. Steenbergen:

The Northeast Public Sewer District (NPSD) has recently completed a Continuing Authority Feasibility Study; that was prepared by Jacobs Engineering Group Inc. The goal of the study was to develop a plan to become the Continuing Authority for the northern portion of Jefferson County and remove the interim label from the Operating Permit of the Saline Creek Regional Wastewater Treatment Plant (WWTP).

The current East-West Gateway Council of Governments (EWG) 208 Water Quality Management Plan for the St. Louis Area recommends that all wastewater collected in the northern portion of the NPSD service area should be conveyed to the St. Louis Metropolitan Sewer District (MSD) for treatment at its Lower Meramec WWTP. The Feasibility Study completed a high level comparison of two options:

1. Option 1 – convey all wastewater that currently flows to the Saline Creek WWTP to MSD's planned Lower Meramec Tunnel Extension.
2. Option 2 – continue to improve treatment capacity at the Saline Creek WWTP to meet evolving regulatory limits for discharge to the Meramec River.

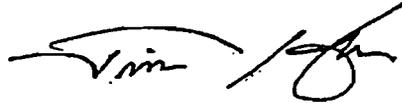
1041 Gravois Road
Fenton, Missouri
63026

P 636 343-5090
F 636 343-7904

The study indicated that Option 2 is the most economically viable option for NPSD. As a result NPSD is requesting the Clean Water Commission consider providing NPSD Level 2 Continuing Authority for our service area. Please provide any feedback regarding this preliminary request, so that we may proceed with our final report which will document NPSD compliance with Missouri Department of Natural Resources requirements for becoming a Level 2 Continuing Authority.

NPSD representatives will plan to attend the next Clean Water Commission meeting to support this request and respond to any questions. Thank you for your consideration in this matter. Should you have any questions on any of the above please contact our engineer Mike McCarty with Jacobs Engineering Group, Inc. at 314.335.4380.

Sincerely,
Northeast Public Sewer District

A handwritten signature in black ink, appearing to read "Jim Huber", with a stylized flourish extending to the right.

Jim Huber
Chairman

Cc:
Mr. Refaat Mefrakis, PE – MDNR - Water Protection Program
Engineering Section Chief

Mr. Michael McCarty, PE – Jacobs Engineering Group, Inc.
Project Manager

Northeast Public Sewer District
CONTINUING AUTHORITY FEASIBILITY
STUDY

Revision A

March 15, 2013

PREPARED BY
JACOBS

Jacobs Engineering Group Inc.
N.A. Infrastructure
501 North Broadway
St. Louis, Missouri 63102
314.335.4000

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Appendix A – Rough Order of Magnitude Cost Estimates

1.0 Introduction

Northeast Public Sewer District (NPSD) contracted with Jacobs Engineering Group, Inc. (Jacobs) to complete a Continuing Authority Feasibility Study. The goal of this study is to develop a plan for NPSD to become the Continuing Authority for its service area and remove the interim label from the Operating Permit of the Saline Creek Regional Wastewater Treatment Plant (WWTP). The current East-West Gateway Council of Governments (EWG) 208 Water Quality Management Plan for the St. Louis Area recommends that all wastewater collected in the northern portion of the NPSD service area should be conveyed to the St. Louis Metropolitan Sewer District (MSD) for treatment at its Lower Meramec WWTP. This Continuing Authority Feasibility Study has been developed to address the following:

1. MDNR Continuing Authority requirements
2. EWG 208 Plan and economic impact of NPSD conveying wastewater to MSD
3. NPSD Facility Planning to provide regional treatment within its service area
4. Water Quality requirements for discharge to the Meramec River and the future impact on NPSD.
5. Recommendations for NPSD's path forward

2.0 Current MDNR Continuing Authority Requirements

2.1 Continuing Authority Level Definition

The Missouri Department of Natural Resources (MDNR) defines Continuing Authority as a municipality or public sewer district which has been designated as the area-wide management authority. The Continuing Authority Rule establishes levels in accordance with 10 CSR 20-6.010(3)(B) defining preferential order as follows:

1. Level 1 – A municipality or public sewer district which has been designated as the area-wide management authority under section 208(c)(1) of the Federal Clean Water Act. Currently Missouri has three Level 1 Continuing Authorities: Mid-America Regional Council (Kansas City metro area), EWG (St. Louis metro area) and Ozark Gateway (Joplin Area).
2. Level 2 – A municipality, public sewer district or private sewer company which currently provides sewage collection and /or treatment on a regional or watershed basis. These entities must be approved by the Clean Water Commission to attain Level 2 status. Currently Missouri has only one Level 2 Continuing Authority: Boone County Regional Sewer District.
3. Level 3 - A municipality, public sewer district or private sewer company.
4. Level 4 – An individual person with complete control of and responsibility for the wastewater facilities on their property.
5. Level 5 – An association of property owners served by the wastewater treatment facility.

NPSD is currently a Level 3 Continuing Authority.

2.2 Continuing Authority Preferential Order and Waiver Requirements

Level 1 is the highest level of Continuing Authority with descending preferential order to the lowest Level 5. Based on this preferential order all new construction permits for a wastewater treatment plant that utilizes a lower level continuing authority must obtain a waiver from an existing higher level Continuing Authority. This waiver must include one of the following reasons:

1. The higher authority declines to accept management of the additional wastewater.
2. The higher authority's collection system is greater than 2,000 feet from the proposed facility.
3. The proposed connection charge from the higher authority would be 120% more than the cost of the applicant to construct their own system.
4. The proposed customer service fee for connection to the higher authorities system result in average customer rates that exceed 2% of the median household income of the customers.
5. If it will take longer than two years for the higher authority to make available service to the lower authority, then the lower authority may proceed with their planned improvements.

Also as in the case of the Saline Creek Regional WWTP, if a higher level continuing authority has an approved plan in place to serve a lower level continuing authority in the future, the WWTP operating permit will have an interim designation. This designation outlines under the special conditions of the existing permit that the WWTP will cease discharge by connection to a facility with an area-wide management plan within 90 days of notice of its availability.

2.3 Proposed MDNR Rule to Establish Continuing Authority

MDNR is currently modifying the Continuing Authority Rule to clearly outline the requirements to become a Level 2 Continuing Authority. Based on information from MDNR's Construction and Operating Permits Workgroup which is developing the rule modification, the requirements will generally be as follows:

1. Submit a preliminary request to the Clean Water Commission to obtain higher authority.
2. Develop a Capital Improvements Program.
3. Develop and obtain local approval of ordinances outlining the authority to connect facilities and manage wastewater flows. The ordinance shall require the recipient to notify all potential users of service availability and that all users shall

- connect to the system within ninety (90) days of notice of service availability. A copy of the enacted ordinance must be submitted.
4. Allow opportunity for public participation to exchange ideas during project development. Public participation must be preceded by timely distribution of information and must occur sufficiently in advance of decision making to allow the recipient to assimilate public views into action. At a minimum, the entity must provide an opportunity for public participation, prior to approval of the Capital Improvements Plan and draft ordinance, at a public meeting. The entity shall prepare a transcript, recording or other complete record of the proceeding and submit it to the department and make it available at no more than cost to anyone who requests it. A copy of the record should be available for public review.
 5. Submit a final request to the Clean Water Commission for approval, containing the fulfillment of the (G)1-4, along with the Commission's recommendations.

3.0 EWG 208 Water Quality Management Plan for the St. Louis Area

3.1 Overview

In May of 1975 the EPA and MDNR designated EWG as a Level 1 Continuing Authority for the St. Louis area including the City of St. Louis and the counties of Franklin, Jefferson, St. Charles and St. Louis. EWG developed the Water Quality Management Plan in accordance with Section 208 of the Clean Water Act, in May 1978. The Clean Water Commission certified EWG as the Level 1 Continuing Authority for the planning area in February 1979.

The EWG Water Quality Management Plan outlined recommendations to control point source pollution throughout the planning area. The 208 plan recommended, for the Lower Meramec region of the planning area, a regional WWTP be constructed in St. Louis County near the confluence of the Meramec River and the Mississippi River. This regional WWTP would provide sewer service via major interceptors for the Lower Meramec Region, which consists of southern St. Louis County and northern Jefferson County. The planned regional WWTP is MSD's Lower Meramec Facility, which was constructed in 2007. The northern Jefferson County portion of the Lower Meramec region is essentially NPSD's service area.

3.2 MSD 201 Facility Plan

In conjunction with the EWG 208 Plan MSD developed the 201 Facility Plan for the Lower Meramec River Basin in September 1979. This Facility Plan has since been updated in 1985. As part of evaluating the recommendations of the facility plan MSD has completed alignment studies to extend the Lower Meramec Tunnel from the existing shaft at the former Baumgartner Lagoons to the Fenton WWTP and a second project to extend the tunnel to the Grand Glaize WWTP. These tunnel extensions allow the treatment facilities to be de-commissioned and convey wastewater to the Lower Meramec WWTP, which would also require two phases of expansion. MSD evaluated

multiple alignment options, but the current recommended alignment of the Lower Meramec Tunnel extension is on the north side of the Meramec River from the existing shaft at the Baumgartner Lagoon then northwest crossing Gravois Road and Tesson Ferry Road to the Fenton WWTP. The current recommended alignment for the Lower Meramec Tunnel extension is outlined in Figure 4-1.

The Lower Meramec Tunnel extension would be the closest available interceptor for NPSD to interconnect with MSD. The current design basis for the tunnel is 8' diameter pipeline in a 12' diameter bored rock tunnel. Design flows for the tunnel extension is currently 35 MGD average daily flow, 98 MGD peak daily flow and 140 MGD peak hourly flow. MSD has not included any allowance for wastewater flow from NPSD in the current planning level work for the Lower Meramec Tunnel extension. Also in conjunction with the tunnel extension MSD will need to expand the capacity of the Lower Meramec WWTP to treat the additional wastewater flow.

3.3 NPSD Connection to MSD – Economic Impact

If MDNR would require NPSD to adhere to the continuing authority preferential order and follow the recommendations outlined in the 208 Plan, the Lower Meramec Tunnel Extension would be the closest MSD interceptor for connection. The economic impact of connection to MSD is summarized in the following categories:

1. Capital cost to connect the two systems. NPSD would pay for 100% of this cost.
2. Capital cost of shared facilities. The shared facilities include tunnels, interceptor sewers, pump stations and WWTP expansions to accommodate the additional flow. This capital cost is shared between all users based on capacity purchased in the shared facility.
3. Operation and Maintenance (O&M) Cost of shared facilities. The O&M cost is a treatment charge based on metered NPSD flow to the shared facilities.

3.3.1 Capital Cost to Connect the Two Systems

There are several options to convey wastewater from the Saline Creek WWTP and connect to MSD's Lower Meramec Tunnel extension. A potential point of connection could be made at a planned intermediate access shaft just northwest of Tesson Ferry Road or near the Fenton WWTP. Conveyance options to connect to MSD would need to be evaluated using a decision matrix that considers capital cost, operation cost, maintenance cost, constructability, easement acquisition and other criteria. This option evaluation would be completed as part of a Facility Plan Update or update to the 208 Plan. For the purpose of this feasibility study we have outlined two conveyance options that could be used to evaluate financial viability as it relates to Level 1 Continuing

Authority and the 208 Plan. The conveyance options for NPSD to interconnect with the Lower Meramec Tunnel may include:

1. Construct a pump station at the Saline Creek Regional WWTP and utilize a forcemain to convey wastewater to the proposed intermediate shaft at the Fenton WWTP; see Figure 4-2 for a general alignment.
2. Construct a tunnel from the Saline Creek Regional WWTP outfall at the Meramec River to a proposed intermediate shaft along the Lower Meramec Tunnel. This option will require modification and continued operation of the WWTP headworks pump station to direct wastewater to the existing outfall sewer. Three general alignments are outlined in Figure 4-2 but the most direct alignment would require approximately 8,150 LF of tunnel.

A Rough Order of Magnitude (ROM) cost estimate was developed for each conveyance option. The ROM cost estimate provides a high level overview of the cost to connect to MSD. The pump station and forcemain option has a ROM cost estimate of \$24,605,000, and the tunnel option has a ROM estimate of \$32,244,000. The ROM cost estimates are included in Appendix A. NPSD would be responsible for 100% of the capital, operation and maintenance cost associated with the conveyance improvements from the point of connection back to NPSD's system. A detailed decision matrix comparison and present worth analysis would need to be completed to determine the most viable option for connection to MSD, which is beyond the scope of this study.

3.3.2 Capital Cost of Shared Facilities

The shared facilities that NPSD would utilize in the connection with MSD include the Lower Meramec Tunnel extension and the expansion of the Lower Meramec WWTP which is required to treat wastewater flow from the Lower Meramec Tunnel. Essentially NPSD would purchase capacity in these shared facilities. This would be accomplished by an intergovernmental agreement between NPSD and MSD. The shared capital costs would be determined by formula that allocates cost based on contracted capacity of conveyance and treatment improvements. Current estimated total installed cost for the Lower Meramec Tunnel Extension to eliminate the Fenton WWTP is \$215.555 million and for the Lower Meramec WWTP Phase II expansion is \$108 million. It is noted that these costs do not include any allowance for flow from NPSD, which could potentially increase the estimated cost.

Table 3.3.2-1 was developed in an effort to roughly quantify the cost for NPSD to connect with MSD. This assumes no change in capital cost of the shared facilities from the increased capacity for NPSD.

	Flow	Percent of Total
NPSD Peak Flow (MGD)	17.97	15.5%
MSD Peak Flow (MGD)	98	84.5%
Total Capacity of Shared Facility	115.97	100.0%
	Total Cost	NPSD Cost
Lower Meramec Tunnel Extension	\$215,555,000	\$33,401,081
Lower Meramec WWTP Expansion	\$108,000,000	\$16,735,018
Total NPSD Cost of Shared Facilities		\$50,136,099
NPSD Cost to connect to MSD		\$24,605,000
Total Capital Cost to connect to MSD		\$74,741,099

3.3.3 Operation and Maintenance Cost of Shared Facilities

NPSD would also share in the operation and maintenance (O&M) cost of the shared facilities. Calculation of O&M costs would be defined in the intergovernmental agreement between NPSD and MSD. NPSD treatment charges would be calculated by formula based on actual MSD O&M costs and allocated based on actual flow from NPSD as a percentage of the total flow.

4.0 NPSD Facility Plan

NPSD completed a comprehensive Facility Plan for the entire collection and treatment system in 2010. The goal of the Facility Plan was to identify NPSD's future wastewater needs and identify improvements that will support growth within the district boundaries and meet the ever shifting landscape of water quality requirements. The Facility Plan recommended the Saline Creek WWTP become a regional WWTP for NPSD. Collection system improvements would be made to intercept wastewater from a number of NPSD's smaller plants and convey them to the Saline Creek Regional WWTP.

The Saline Creek Regional WWTP was constructed in two phases with the most recent completed in 2009. The plant was designed for an average daily flow of 4 MGD and peak daily flow of 10 MGD. Provisions were made in the plant design to accommodate expanding capacity to an average daily flow of 8 MGD and peak daily flow of 20 MGD by adding additional process equipment. The Facility Plan also included recommendations to re-rate the Saline Creek Regional WWTP as follows:

1. Design Average Flow = 6.56 MGD
2. Design Maximum Flow = 17.97 MGD
3. Organic Loading BOD₅ = 11,341 lb/d
4. Total Suspended Solids Loading TSS = 12,203 lb/d

Saline Creek Regional WWTP's current operating permit includes E. Coli and ammonia as nitrogen limits as follows:

E. Coli

April 1 to October 31:

- Weekly Average = 630 colonies/100 ml
- Monthly Average = 126 colonies/100 ml

Ammonia as Nitrogen

April 1 to September 30:

- Daily Maximum = 30.2 mg/L
- Monthly Average = 7.9 mg/L

October 1 to March 31:

- Monitoring only

5.0 Meramec River Water Quality Requirements

5.1 Overview

The Meramec River is an important natural resource for Jefferson and St. Louis counties, providing recreational uses and public drinking water supply. As a result MDNR closely monitors water quality along the Meramec River. The Meramec River is currently on MDNR's 303(d) List of Impaired Waters for the pollutant E. Coli. The 303(d) list identifies the river's impaired uses as:

- Whole Body Contact – recreational
- Aquatic Life Protection
- Public Drinking Water Supply
- Industrial Users
- Livestock and Wildlife Watering

MDNR is now considering what limitations to impose on the nutrients nitrogen and phosphorus which are discharged to surface waters across the state. The reason for the limitations is to reverse the hypoxia in the Gulf of Mexico caused by nutrients emanating from the Mississippi River and other surface waters that drain into the Gulf. The Mississippi River/Gulf of Mexico Watershed Nutrient (Hypoxia) Task Force has been formed as a collaboration of several states and the U.S. Environmental Protection Agency (EPA) to develop ways to reverse the hypoxia. One method being considered is to limit nutrients that can be discharged to surface waters by WWTPs.

There are three components of nitrogen that are measured in WWTP effluent that are added together to measure Total Nitrogen (TN). TN is defined as the sum of Total

Kjeldahl Nitrogen (TKN), Ammonia and Nitrate/Nitrite. Phosphorus in WWTP effluent is generally in three forms including orthophosphate, polyphosphate and organic phosphate. These three forms are added together to measure Total Phosphorus (TP).

There is no consensus among wastewater industry professionals on future effluent limits for WWTPs that discharge to the Meramec River. The Water Environment Research Foundation (WERF) has developed levels of treatment guidelines to meet varying nutrient limits, these levels are outlined below:

1. Level 1 – generally regarded as no TN or TP removal (e.g. BOD removal with or without ammonia removal similar to the existing effluent limits for the Saline Creek Regional WWTP)
2. Level 2 – generally regarded as TN = 8-10 mg/L and TP = 1.0 mg/L.
3. Level 3 – generally regarded as TN = 4-8 mg/L and TP = 0.1–0.3 mg/L.
4. Level 4 – generally regarded as TN = 3 mg/L and TP = 0.1–0.3 mg/L.
5. Level 5 – generally regarded as TN = 1 mg/L and TP = 0.01 mg/L.

For planning purposes future effluent limits for the Meramec River are assumed to be either Level 2 or 4.

5.2 Impact to NPSD

Currently the Saline Creek Regional WWTP discharge permit only requires meeting the Ammonia component of TN. Biological wastewater treatment systems, such as the oxidation ditch at the Saline Creek WWTP, can be operated to remove nitrogen and phosphorus biologically. Typically, total nitrogen in the effluent can be reduced to 5 to 10 mg/l and phosphorus to around 1 mg/l to meet Level 2 nutrient removal. NPSD's diligent operation of the Saline Creek Regional WWTP is resulting in total nitrogen in the effluent consistently less than 5 mg/L. To meet Level 4 nutrient removal, additional treatment including anaerobic/anoxic bioreactors, chemical addition, flocculation/ sedimentation and filtration will be required.

NPSD is currently completing a facility plan update of the Saline Creek Regional WWTP to evaluate process improvements required to meet Level 2 and Level 4 nutrient removal requirements and sludge dewatering improvements. This facility plan will define the long term capital improvement plan for this regional facility to maintain compliance with anticipated regulations.

6.0 Path Forward

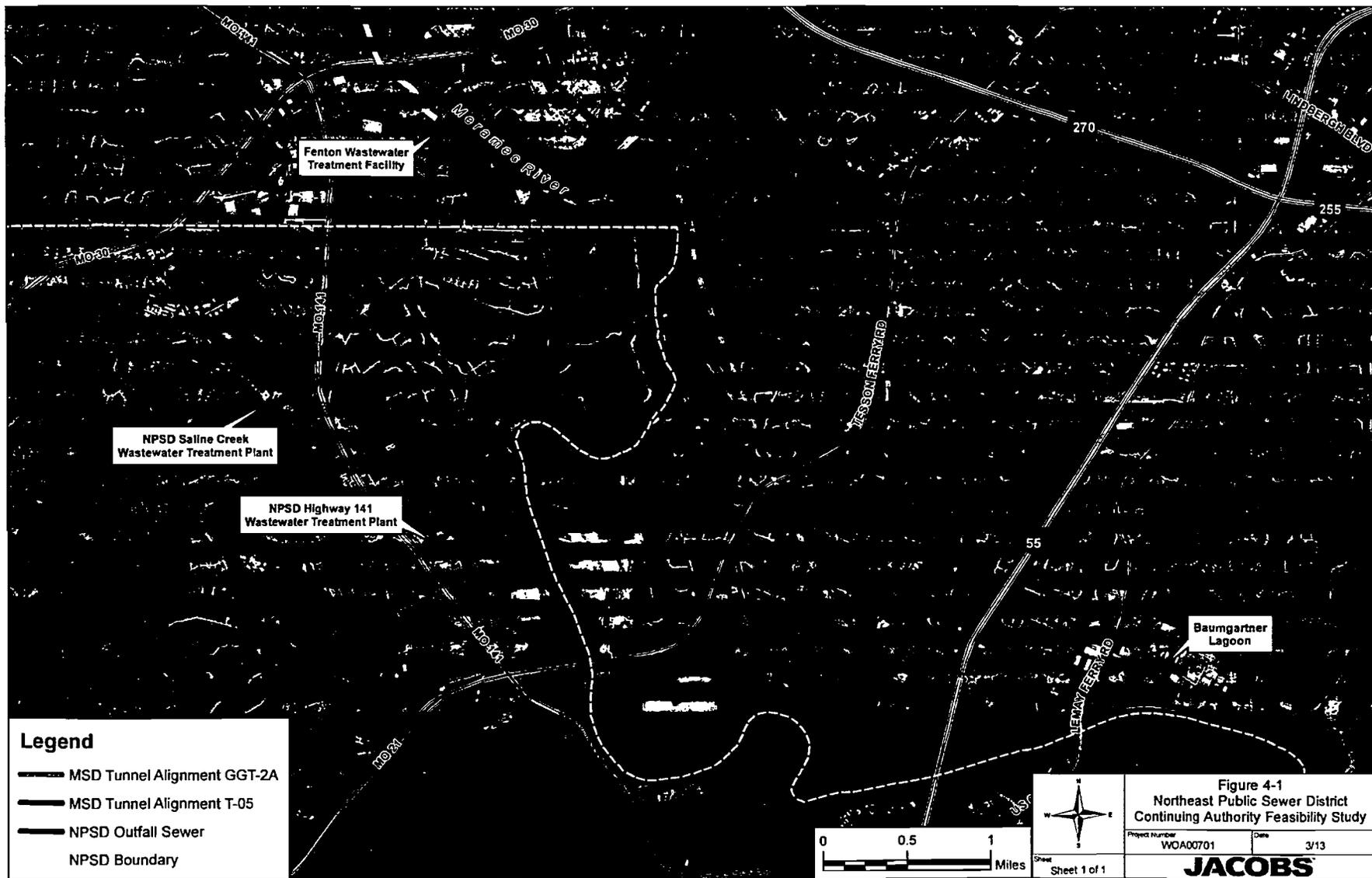
There is a strong foundation for NPSD to maintain its status as the regional wastewater collection and treatment utility within your service area. Connection to MSD is not currently an economically viable option and would dramatically increase customer rates. NPSD is currently engaged in responsible planning to stay ahead of pending regulations

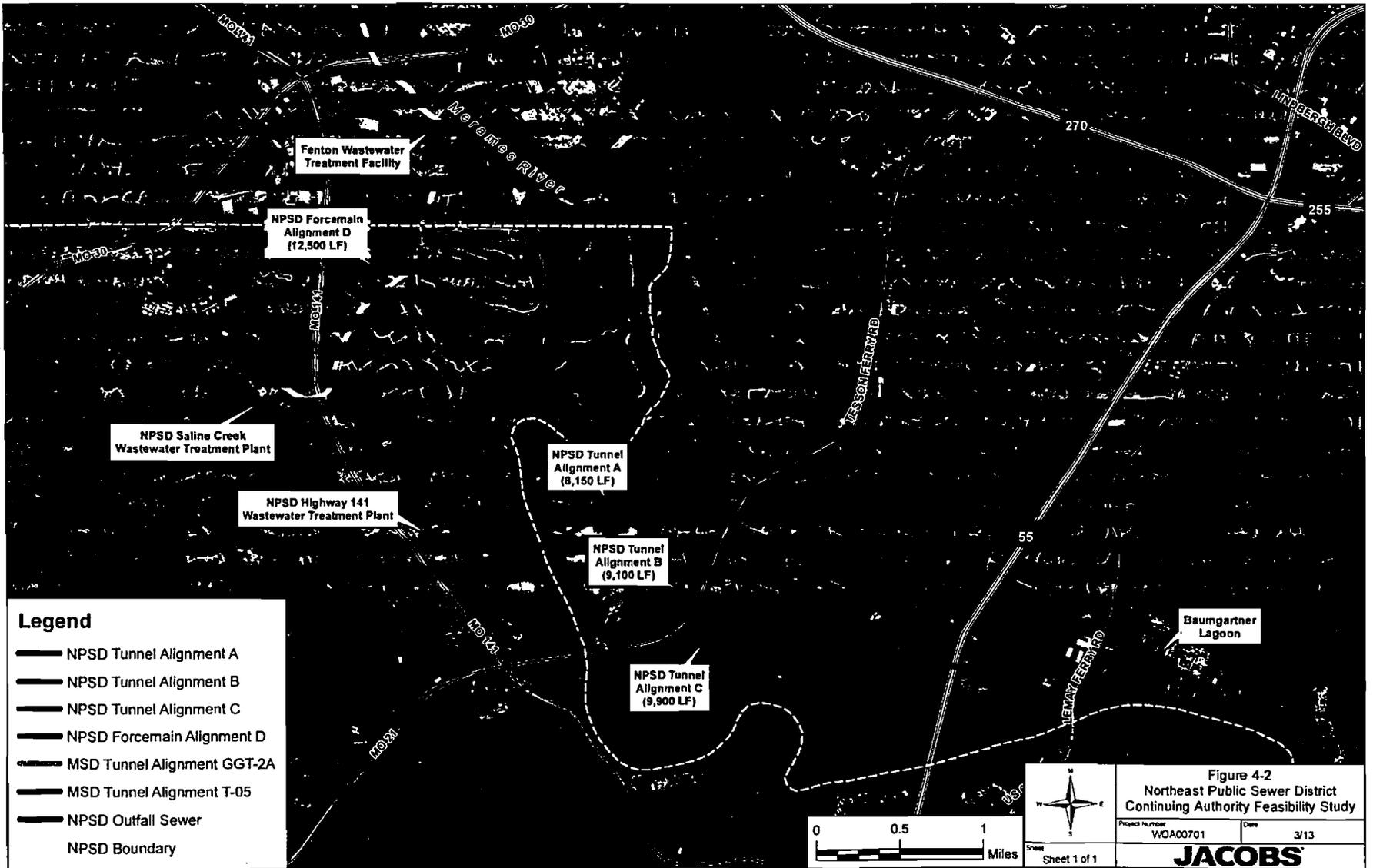
related to nutrient removal that will require more advanced treatment at the Saline Creek Regional WWTP. The NPSD planning should confirm utilizing the Saline Creek WWTP as a regional facility is more economically viable and environmentally sound compared to connection to MSD. As a result, we recommend a two step approach, first work with MDNR to obtain Level 2 Continuing Authority Status and secondly begin discussions with EWG about an amendment to the 208 Plan.

6.1 Level 2 Continuing Authority

The following is a timeline based on MDNR's draft rule to obtain Level 2 Continuing Authority status:

1. Submit a preliminary request to the Clean Water Commission to obtain higher authority. This request would be made by letter upon concurrence of NPSD with the path forward. The request should be submitted by June 1 in an effort to get on the July Clean Water Commission meeting agenda.
2. Attend the Clean Water Commission meeting on July 10, 2013 to respond to any questions from the commission regarding the preliminary request.
3. Confirm NPSD rules and regulations meet MDNR requirements to manage regional wastewater flows.
4. Hold public meetings to discuss NPSD capital improvement plan. These meetings could be held in August 2013.
5. Develop an overall report that addresses any feedback from the Clean Water Commission and documents the NPSD Capital Improvements Program, rules and regulations and public meetings. This report could be completed and submitted to MDNR by September 1, 2013.
6. MDNR reviews the overall report approximately 180 days, which would be February 2014. If MDNR concurs with the request they will make the recommendation accordingly to the Clean Water Commission.
7. Make final request to the Clean Water Commission at the next scheduled meeting after MDNR completes review of the report.





Appendix A – Rough Order of Magnitude Cost Estimate

Item No.	Description	Units	Quantity	Unit Price	Extension
1	Mobilization, Bonds, Insurance (10% of Construction)	LS	1	\$1,398,000.00	
2	Saline Creek Pump Station	LS	1	\$5,800,000.00	
3	30" DIP Force Main	LF	12,500	\$300.00	\$ 3,750,000.00
4	42" Steel Encasement with 30" DIP Jack and Bore	LF	400	\$1,200.00	\$ 480,000.00
5	Rock Excavation	CY	2,000	\$150.00	\$ 300,000.00
6	Intermediate Drop Shaft	EA	1	\$2,500,000.00	\$ 2,500,000.00
7	Re-Route Collection System at Saline Creek WWTP	LS	1	\$400,000.00	\$ 400,000.00
8	Decommission Saline Creek WWTP	LS	1	\$750,000.00	\$ 750,000.00
Construction: Inflation (%/yrs): 5% Contingency (%): 30% Engineering Design (%): 10% Engineering Construction (%): 8% Legal (%): 5% Easements (%): 5% Total Cost: \$ 24,604,800.00					
TOTAL COST:					\$24,605,000.00

Item No.	Description	Units	Quantity	Unit Price	Extension																																																						
1	Mobilization, Bonds, Insurance (10% of Construction)	LS	1	\$1,832,000.00	\$ 1,832,000.00																																																						
2	36" Pipe in 6' Tunnel including entrance and exit shafts	LF	8,150	\$1,800.00	\$ 14,670,000.00																																																						
3	Intermediate Drop Shaft	EA	1	\$2,500,000.00	\$ 2,500,000.00																																																						
4	Re-Route Collection System at Saline Creek WWTP	LS	1	\$400,000.00	\$ 400,000.00																																																						
5	Decommission Saline Creek WWTP	LS	1	\$750,000.00	\$ 750,000.00																																																						
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**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

**Division 20—Clean Water Commission
Chapter 6—Permits**

10 CSR 20-6.010 Construction and Operating Permits

PURPOSE: This rule sets forth the requirements and process of application for construction and operating permits, and the terms and conditions for the permits. This rule also clarifies the requirements of the permit program, improves its administration, and brings the program in compliance with the latest federal regulations, 44 FedReg 32.854 (1979).

(1) Permits—General.

(A) All persons who build, erect, alter, replace, operate, use, or maintain existing point sources, or intend these actions for a proposed point source, water contaminant sources, or wastewater treatment facilities shall apply to the department for the permits required by the Missouri Clean Water Law and these regulations. The department issues these permits in order to enforce the Missouri Clean Water Law and regulations and administer the National Pollutant Discharge Elimination System (NPDES) Program.

(B) The following are exempt from permit regulations:

1. Nonpoint source discharges;
2. Service connections to wastewater sewer systems;
3. Internal plumbing and piping or other water diversion or retention structures within a manufacturing or industrial plant or mine, which are an integral part of the industrial or manufacturing process or building or mining operation. An operating permit or general permit shall be required, if the piping, plumbing, or structures result in a discharge to waters of the state;
4. Routine maintenance or repairs of any existing sewer system, wastewater treatment facility, or other water contaminant or point source;
5. Single family residences;
6. The discharge of water from an environmental emergency cleanup site under the direction of, or the direct control of, the Missouri Department of Natural Resources or the Environmental Protection Agency (EPA), provided the discharge shall not violate any condition of 10 CSR 20-7.031 Water Quality Standards;
7. Water used in constructing and maintaining a drinking water well and distribution system for public and private use, geologic test holes, exploration drill holes,

groundwater monitoring wells, and heat pump wells;

8. Small scale pilot projects or demonstration projects for beneficial use, that do not exceed a period of one (1) year, may be exempted by written project approval from the permitting authority. The department may extend the permit exemption for up to one (1) additional year. A permit application shall be submitted at least ninety (90) days prior to the end of the demonstration period if the facility intends to continue operation, unless otherwise exempted under this rule or Chapter 6; and

9. The application of pesticides in order to control pests (e.g., any insect, rodent, nematode, fungus, weed, etc.) in a manner that is consistent with the requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Missouri Pesticide Use Act unless such application is made directly into or onto waters of the state, in which case the applicator shall obtain a permit.

(C) Nothing shall prevent the department from taking action, including the requirement for issuance of any permits under the Missouri Clean Water Law and regulations, if any of the activities exempted under subsection (1)(B) should cause pollution of waters of the state or otherwise violate the Missouri Clean Water Law or these regulations.

(2) Applications.

(A) An application for, or for renewal of, a construction permit or operating permit shall be made on forms (see 10 CSR 20-6.090) provided by the department. The applications may be supplemented with copies of information submitted for other federal or state permits. The application shall include a one inch equals two thousand feet (1" = 2000') scale (or larger) map showing the location of all outfalls, as well as a flowchart indicating each process which contributes to an outfall. Each application must be accompanied by the appropriate permit fee. Alternate scale maps are allowed upon the request of the applicant and approval of the Department of Natural Resources.

(B) All applications must be signed as follows:

1. For a corporation, by an individual having responsibility for the overall operation of the regulated facility or activity, such as the plant manager, or by an individual having overall responsibility for environmental matters at the facility;
2. For a partnership or sole proprietorship, by a general partner or the proprietor respectively; or
3. For a municipal, state, federal, or

other public facility, by either a principal executive officer or by an individual having overall responsibility for environmental matters at the facility.

(C) All other reports required by the department shall be signed by a person designated in subsection (2)(B) of this rule or a duly authorized representative, if—

1. The representative so authorized is responsible for the overall operation of the facility from which the discharge occurs; and
2. The authorization is made in writing by a person designated in subsection (2)(B) of this rule and is submitted to the director.

(D) Any changes in the written authorization which occur after the issuance of a permit shall be reported to the department by submitting a new written authorization which meets the requirements of subsection (2)(C).

(3) Continuing Authorities.

(A) All applicants for construction permits or operating permits shall show, as part of their application, that a permanent organization exists which will serve as the continuing authority for the operation, maintenance, and modernization of the facility for which the application is made. Construction and first-time operating permits shall not be issued unless the applicant provides such proof to the department and the continuing authority has submitted a statement indicating acceptance of the facility.

(B) Continuing authorities which can be issued permits to collect and/or treat wastewater under this regulation are listed in preferential order in the following paragraphs. An applicant may utilize a lower preference continuing authority by submitting, as part of the application, a statement waiving preferential status from each existing higher preference authority, providing the waiver does not conflict with any area-wide management plan approved under section 208 of the Federal Clean Water Act or any other regional sewage service and treatment plan approved for the higher preference authority by the department:

1. A municipality or public sewer district which has been designated as the area-wide management authority under section 208(c)(1) of the Federal Clean Water Act;

2. A municipality, public sewer district, or sewer company regulated by the Public Service Commission (PSC) which currently provides sewage collection and/or treatment services on a regional or watershed basis as outlined in 10 CSR 20-6.010(3)(C) and approved by the Clean Water Commission. Permits shall not be issued to a continuing authority regulated by the PSC until the



authority has obtained a certificate of convenience and necessity from the PSC;

3. A municipality, public sewer district, or sewer company regulated by the PSC other than one which qualifies under paragraph (3)(B)1. or 2. of this rule or a public water supply district. Permits shall not be issued to a continuing authority regulated by the PSC until the authority has obtained a certificate of convenience and necessity from the PSC;

4. Any person with complete control of, and responsibility for, the water contaminant source, point source, or wastewater treatment facility and all property served by it. The person may constitute a continuing authority only by showing that the authorities listed under paragraphs (3)(B)1.-3. of this rule are not available, do not have jurisdiction, are forbidden by statute or ordinance from providing service to the person or, if available, have submitted written waivers as provided for in subsection (3)(B) of this rule; and

5. An association of property owners served by the wastewater treatment facility, provided the applicant shows that—

A. The authorities listed in paragraphs (3)(B)1.-3. of this rule are not available or that any available authorities have submitted written waivers as provided for in subsection (3)(B);

B. The association owns the facility and has valid easements for all sewers;

C. The document establishing the association imposes covenants on the land of each property owner which assures the proper operation, maintenance, and modernization of the facility including at a minimum:

(I) The power to regulate the use of the facility;

(II) The power to levy assessments on its members and enforce these assessments by liens on the properties of each owner;

(III) The power to convey the facility to one (1) of the authorities listed in paragraphs (3)(B)1.-3.; and

(IV) The requirement that members connect with the facility and be bound by the rules of the association; and

D. The association is a corporation in good standing registered with the Office of the Missouri Secretary of State.

(C) The department will review the planning, design, construction, and designation of watershed or regional sewage works. Where development is insufficient to warrant immediate construction of facilities for the entire watershed or region, interim facilities for a portion of the area shall be authorized as long as the design is compatible with 10 CSR 20-8, Design Guides. The department shall condition permits for these interim discharges so

they will be eliminated upon the availability of watershed or regional facilities. At such time as watershed or regional facilities become available, and to the extent their capacity is sufficient, any existing subregional treatment works and/or lift stations shall be taken out of service and the tributary waste flows diverted into the watershed or regional facilities. A Regional Sewage Service and Treatment Plan shall be developed by all affected political jurisdictions and submitted to the department. Staff will review the plan and submit recommendations to the Clean Water Commission. The Clean Water Commission may approve, require changes, deny the plan, and/or hold public hearings related to approval of the plan.

(D) Industries, including electric cooperatives and mining operations, are by definition continuing authorities for collection and treatment of industrial type wastewater and incidental domestic wastewater associated with their operation when an authority listed in paragraph (3)(B)1. or 2. is infeasible.

(E) Private corporations which are not incorporated under the laws of the state of Missouri shall be represented by a registered agent in the state of Missouri before a construction permit or an operating permit will be issued by the department.

(4) Construction Permits.

(A) No person shall cause or permit the construction, installation, or modification of any sewer system or of any water contaminant source, point source, or wastewater treatment facility without first receiving a construction permit issued by the department except for the following:

1. Construction of a separate storm sewer; and

2. Facilities as provided in other 10 CSR 20-6 regulations.

(B) A separate application for each sewer system, water contaminant source, point source, or wastewater treatment facility must be submitted to the department. Where there are multiple releases from a single operating location, however, one (1) application may cover all facilities and releases. For continuing authorities listed in paragraph (3)(B)1. or 2. only one (1) application may be required when the authority operates a sewage treatment plant and has one (1) or more other noncontinuous storm water-related discharges associated with the sewage treatment plant.

(C) An application for a construction permit must be submitted to the department at least one hundred eighty (180) days in advance of the date on which construction begins. Requests for a shorter time for a review of a wastewater treatment facility may be made but must be accompanied by a

detailed statement of the justification for the request. No such statement is required when the application is only for the construction of sewers.

(D) An application shall consist of the following items:

1. Unless not required by the department, an engineering report shall be submitted by an engineer and shall contain the information required by 10 CSR 20-8.020 and 10 CSR 20-8.110-10 CSR 20-8.220. If the report includes a wastewater treatment facility, it shall include consideration of the feasibility of constructing and operating a facility which will have no discharge to waters of the state (see section (12) of this rule). Unless the department specifies otherwise, this report will be reviewed and necessary changes made before the plans and specifications in paragraph (4)(D)2. will be reviewed;

2. Detailed plans and specifications shall be submitted by an engineer and shall contain the information required in 10 CSR 20-8.020 and 10 CSR 20-8.110-10 CSR 20-8.220 or other regulations as applicable;

3. An application form and permit fee;

4. A one inch equals two thousand feet (1" = 2000') scale map (or larger) showing the location of all outfalls (alternate scale maps are allowed upon the request of the applicant and approval of the Department of Natural Resources);

5. Other information necessary to determine compliance with the Missouri Clean Water Law and these regulations as required by the department; and

6. If a construction permit is waived by the department, or not required, the information in paragraphs (4)(D)1.-5. may be required with application for the operating permit.

(E) If an application is incomplete or otherwise deficient, the applicant shall be notified of the deficiency and processing of the application may be discontinued until the applicant has corrected all deficiencies. The department will act after receipt of all documents and information necessary for a properly completed application, including appropriate filing fees and other supporting documents as necessary, by either issuing a notice of operating permit pending, issuing the construction permit, or denying the permit. The director in writing, shall give the reasons for a denial to the applicant. Applicants who fail to satisfy all department comments after two (2) certified department comment letters in a time frame established by the department shall have the application returned as incomplete and the construction fees shall be forfeited. The applicant has the right to request that the time frames be