CHRISTY MINERALS COMPANY

ISO 9001:2000 CERTIFIED

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Water Protection Progra

April 4, 2016

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

ATTN: NPDES Operating Permits/Permit Comments MO-G84

Thank you for the opportunity to review the public notice draft of the MO-G84 permit, which was issued on March 4,, 2016. We appreciate the time that the department has taken to understand the issues and challenges facing the clay industry in Missouri. We think that there is opportunity for further information sharing and discussion in the future; however, we realize that the general permit process needs to move forward to completion. We offer the following comments for your consideration in preparing the public notice for this permit:

1. The revision to the pH number in Table A.1 is acknowledged and appreciated.
2. The 2-year schedule of compliance that was part of the previous draft has been removed. Even with changes to the pH number in Table A.1., a schedule of compliance is needed in order to develop the treatment systems necessary to meet the revised TSS limit.
3. Under Applicability Section 3, a statement has been added clarifying that coagulants and flocculants that are used to meet permit effluent limitations are not considered to be additives, and may be added to the wastewater. This addition is appreciated.
5. In Table A.2, sampling frequency is increased from annually to quarterly. We request that for this permit cycle, the frequency be increased to 2 times per year. For some companies with up to 10 different facilities at remote locations throughout central Missouri, this four times increase in sampling frequency will be a significant new cost.
6. In the current MO-G84 permit, there is a statement clarifying that a separate land disturbance permit is not required for the holder of the MO-G84 permit. While we generally agree with the Fact Sheet response that the permit cannot enumerate every requirement that is not required, this particular issue has been an area of confusion over the years. We think it would be relevant and helpful to continue to include this clarification.
7. In the Fact Sheet, Section IV includes a lengthy discussion of how the TSS limitations were derived from the Environmental Protection Agency (EPA) developed documents, which are not regulatory requirements. We have commented at length on the in-applicability of those documents

and will not repeat those comments at this time; however we acknowledge that the department has used the EPA documents, despite its flaws, to develop a limitation for TSS for this permit. However, we would recommend removing the statement that the "effluent limitations in this permit begin the process of transitioning to the established EPA guidelines." This statement seems to commit the department to one particular course of action in future permits and rules out the possibility of considering other sources of information and data, which the state can and should consider in the absence of an EPA regulation.

Thank you.

Sincerely,
CHRISTY MINERALS, LLC

Jeff Porter
Vice-President of Manufacturing

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Water Protection Program

Mining Industry Council of Missouri

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April 12, 2016

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

ATTN: NPDES Operating Permits/Permit Comments MO-G84

Thank you for the opportunity to review the public notice draft of the MO_G84 permit, which was issued on March 4, 2016. We appreciate the opportunity to submit the attached comments.

Sincerely,

Randy Scherr

Executive Director, MIC

Comments MO-G84 NPDES permit

1. Page 5 of 12, Final Effluent Limitations and Monitoring Requirements, Table A-1, Mine Dewatering, Total Suspended Solids.

Mine dewatering has a daily maximum of 90mg/L, but the monthly average is 45mg/L. If we have one discharge event in a calendar month of 89mg/L then we are technically in violation of our permit for the monthly average, but we are within limitations for the daily maximum. Why has the limit been reduced to 45 mg/L and why is it half of the daily maximum? If we have one sampling event in a calendar month are we violating the permit if we are within the daily maximum, but outside of the monthly average?

2. Page 7 of 12, Stormwater Requirements (continued), 3

Typical stormwater TSS will be higher than 100 mg/L due to the nature of the clay particles. Having to monitor and do a CAR every exceedance will create a large compliance cost of time and paperwork.

3. Page 7 of 12, Stormwater Requirements (continued), 4

Due to the nature of clays and the difficulty of suspended clay particles staying in suspension, without some sort of treatment, the solids will not drop out. It would add an undue burden to treat every stormwater discharge at 19+ locations for a single operator spread out over the state. As it is, it takes a minimum of 3 days to visit every permit location.

4. Page 7 of 12, Stormwater Requirements (continued), 5

Due to the large number of permits, their locations, and current staffing it is impracticable to reach each permit in the first 60 minutes of discharge. It takes a minimum of 3 days to visit every permit location in the state.

5. Page 8 of 12, Stormwater Requirements (continued), 13 (c)

Can we reduce the monthly site inspections to active pits only? Pits that are stabilized should not be required to be inspected so frequently, and monthly inspections of these stabilized sites would create an undue burden of compliance.

General Comments:

There seems to be problems with inconsistencies between the different regional offices. STLRO wants the DMR's on a different form than NERO, or, SERO. When it comes to asking for releases, sometimes there is a wait time on a land reclamation release. With the increases in the amount of paperwork involved with the permits, it makes for an undue burden of compliance for sites that are stabilized and well vegetated. If the mining companies could receive quicker response on mine water discharge permits releases it would help reduce the regulatory compliance burden.

April 12, 2016