

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No. MO-0004774

Owner: BP Products North America, Inc.
Address: 1000 North Sterling Avenue, Sugar Creek, MO 64054

Continuing Authority: same as above
Address: same as above

Facility Name: same as above
Facility Address: same as above

Legal Description: see page two; Jackson Co.
UTM Coordinates: see page two

Receiving Stream: see page two
First Classified Stream and ID: see page two
USGS Basin & Sub-watershed No.: Rock Creek-Missouri River 10300101-0305

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

FACILITY DESCRIPTION

Outfall #001, #002, #003, #004 & #008 Former petroleum refinery; stormwater runoff only. SIC #5171, #2911
No certified operator required.
See page two for additional information.

This permit authorizes only stormwater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Sections 640.013, 621.250, and 644.051.6 of the Law.

March 1, 2015
Effective Date


Sara Parker Pauley, Director, Department of Natural Resources

March 31, 2019
Expiration Date


John Madras, Director, Water Protection Program

FACILITY DESCRIPTION (CONTINUED):OUTFALL #001

Stormwater, drains lower refinery area; retention and settling basin

Design flow: 4.8 MGD

Drains 33 acres

Impervious surface: 8 acres

Legal description: N ½, NW ¼, Sec. 27, T50N, R32W

UTM coordinates: X = 376047; Y = 4332270

Receiving stream: Missouri River (P) WBID# 0356; 303d list

OUTFALL #002

Stormwater, drains East Bluffs area and the east end of the lower refinery area; a portion drains to the East Bluffs retention pond; additional surface water run-in from Vermont Street; the rest receives no treatment

Design flow: 354 MGD (main stormwater outfall)

Drains 88 acres

Impervious surface: 4 acres

Legal description: SW ¼, NW ¼, Sec. 27, T50N, R32W

UTM: X = 375602; Y = 4331809

Receiving stream: Missouri River (P) WBID# 0356; 303d list

OUTFALL #003

Stormwater, drains west tank area; one underflow weir for collection of LNAPLs, and a retention pond

Design flow: 8.3 MGD

Drains 68 acres

Impervious surface: 3 acres

Legal description: SE ¼, SE ¼, Sec. 29, T50N, R32W

UTM coordinates: X = 373772; Y = 4330904

Receiving stream: Rock Creek (C) WBID# 3960

OUTFALL #004

Stormwater, drains West Bluffs area along rail line; a portion of the stormwater goes to a settling pond; the rest receives no treatment

Design flow: 2.9 MGD

Drains 20 acres, no impervious surfaces

Legal description: NE ¼, NW ¼, Sec 28, T50N, R32W

UTM coordinates: X = 374691; Y = 4331531

Receiving stream: Rock Creek (C) WBID# 3960

OUTFALL #008

Stormwater, drains from intakes located around what is now the Sugar Creek Police and Fire departments; additional surface water run-in from Heroes Way and Standard Lane; no treatment

Design flow: Unknown

Drains 0.35 acres

Impervious surface: 0.19 acres

Legal description: SW ¼, SE ¼, Sec 28, T50N, R32W

UTM coordinates: X = 375084; Y = 4330939

Receiving stream: Sugar Creek (C) WBID# 3960

A. EFFLUENT BENCHMARKS AND MONITORING REQUIREMENTS

OUTFALLS #001, #002, #003, #004, & #008		EFFLUENT BENCHMARKS AND MONITORING REQUIREMENTS				
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective March 1, 2015 , and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	MGD	*			twice/year	24 hr. estimate
Precipitation	Inches	*			twice/year	total measured ϕ
pH – Units	SU	**			twice/year	grab
Benzene	$\mu\text{g/L}$	*			twice/year	grab
Toluene	$\mu\text{g/L}$	*			twice/year	grab
Ethylbenzene	$\mu\text{g/L}$	*			twice/year	grab
Xylenes (total)	$\mu\text{g/L}$	*			twice/year	grab
Chemical Oxygen Demand	mg/L	♣			twice/year	grab
Lead, total recoverable	$\mu\text{g/L}$	♣			twice/year	grab
Oil and Grease	mg/L	♣			twice/year	grab
Phenols, total	$\mu\text{g/L}$	♣			twice/year	grab
MONITORING REPORTS SHALL BE SUBMITTED BI-YEARLY ; THE FIRST REPORT IS DUE APRIL 28, 2015 . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

* Monitoring requirement only.

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

ϕ All samples shall be collected from a discharge resulting from a precipitation event greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable precipitation event. If a precipitation event does not occur within the reporting period, report as **no discharge**. The total amount of precipitation should be noted from the event from which the samples were collected.

♣ This parameter incorporates a Benchmark Value associated with Best Management Practices (BMPs). See Special Condition #10 for Benchmark Values.

See table below for biannual sampling.

Minimum Sampling Requirements				
Season	Months	Quarters	All Other Parameters	Report is Due
Cool	October, November, December, January, February, March	4 th and 1 st	Sample at least once during any month of the season	April 28 th
Warm	April, May, June, July, August, September	2 nd and 3 rd	Sample at least once during any month of the season	October 28 th

B. STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached PART I standard conditions dated AUGUST 1, 2014 and hereby incorporated as though fully set forth herein.

C. SPECIAL CONDITIONS

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

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.
2. All outfalls must be clearly marked in the field.
3. Water Quality Standards
 - (a) To the extent required by law, discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
4. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

 - (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
 - (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (4) The level established by the Director in accordance with 40 CFR 122.44(f).
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
5. Report as no-discharge when a discharge does not occur during the report period.

C. SPECIAL CONDITIONS (CONTINUED)

6. Reporting of Non-Detects:
 - (a) An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way that the precision and accuracy of the analyzed result can be enumerated.
 - (b) The permittee shall not report a sample result as "Non-Detect" without also reporting the detection limit of the test. Reporting as "Non Detect" without also including the detection limit will be considered failure to report, which is a violation of this permit.
 - (c) The permittee shall provide the "Non-Detect" sample result using the less than sign and the minimum detection limit (e.g. <10).
 - (d) Where the permit contains a Minimum Level (ML) and the permittee is granted authority in the permit to report zero in lieu of the < ML for a specified parameter (conventional, priority pollutants, metals, etc.), then zero (0) is to be reported for that parameter.
 - (e) See Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.
7. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).
8. Any pesticide discharge from any point source shall comply with the requirements of Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 136 ET. SEQ.) and the use of such pesticides shall be in a manner consistent with its label.
9. The permittee shall implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must be prepared and implemented upon permit issuance. The SWPPP must be kept on-site and should not be sent to the department unless specifically requested. The SWPPP must be reviewed and updated, if needed, every five (5) years or as site conditions change. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document: Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators. (Document number EPA 833-B-09-002) published by the United States Environmental Protection Agency (USEPA) in February 2009.

The SWPPP must include the following:

 - a. A listing of specific Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter stormwater. The BMPs at the facility should be designed to meet this value during rainfall event up to the 10 year, 24 hour rain event.
 - b. The SWPPP must include a schedule for once per month site inspections and brief written reports. The inspection report must include weather information for the entire period since last inspection, as well as observations and evaluations of BMP effectiveness. Deficiencies must be corrected within seven (7) days and the actions taken to correct the deficiencies shall be included with the written report, including photographs. Any corrective measure that necessitates major construction may also need a construction permit. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to department personnel upon request.
 - c. A provision for designating an individual to be responsible for environmental matters.
 - d. A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of the department.

C. SPECIAL CONDITIONS (CONTINUED)

10. This permit stipulates pollutant benchmarks applicable to your discharge. The benchmarks do not constitute direct numeric effluent limitations; therefore, a benchmark exceedance alone is not a permit violation. Benchmark monitoring and visual inspections shall be used to determine the overall effectiveness of the SWPPP and to assist you in knowing when additional corrective action may be necessary to protect water quality. If a sample exceeds a benchmark concentration you must review your SWPPP and your BMPs to determine what improvements or additional controls are needed to reduce that pollutant in your stormwater discharge(s).

OUTFALL #001, #002, #003, #004, #008	
PARAMETER	BENCHMARK
COD	150 mg/L
Lead, total recoverable	131 µg/L
Oil and Grease	10 mg/L
Total Phenols	100 µg/L

Any time a benchmark exceedance occurs a Corrective Action Report (CAR) must be completed. A CAR is a document that records the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. CARs must be retained with the SWPPP and available to the department upon request. If the efforts taken by the facility are not sufficient and subsequent exceedances of a benchmark occur, the facility must contact the department if a benchmark value cannot be achieved. Failure to take corrective action to address a benchmark exceedance and failure to make measurable progress towards achieving the benchmarks is a permit violation.

11. Permittee shall adhere to the following minimum Best Management Practices (BMPs):
- Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of storm water from these substances.
 - Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to storm water or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of storm water with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
 - Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
 - Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
 - Ensure that adequate provisions are provided to prevent surface water intrusion into the storage basin, to divert stormwater runoff around the storage basin, and to protect embankments from erosion.
12. The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency.
13. Before releasing water that has accumulated in secondary containment areas it must be examined for hydrocarbon odor and presence of a sheen.
- If hydrocarbons are indicated, the water may be sent directly to a WWTP or oil-water separator.
 - If hydrocarbons are indicated and the facility wishes to release the water, this water must be tested for Total Petroleum Hydrocarbons (TPH). The analytical method for testing TPH must comply with EPA approved testing methods listed in [40 CFR 136]. If the concentration for TPH exceeds 10mg/L, the water shall be taken to a WWTP for treatment. However, prior to testing, the facility may use on-site adsorbents (or similar) to have an increased likelihood at meeting the limit. On-site treatment does not negate testing.
 - These are additional actions; not in place of testing at the outfall.
14. Release of a hazardous substance must be reported to the department in accordance with 10 CSR 24-3.010. A record of each reportable spill shall be retained with the SWPPP and made available to the department upon request.
15. Substances regulated by Federal law under the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning, or repair, shall be managed according to RCRA and CERCLA rules.

C. SPECIAL CONDITIONS (CONTINUED)

16. This permit does not authorize discharges to groundwater or from groundwater pumping wells.
17. Under the Final Administrative Order on Consent, Docket VII-89-H-0028 between Amoco Sugar Creek (currently bp Products) and the United States Environmental Protection Agency, Amoco has conducted several investigative and remedial activities at the site. As a requirement of the Order, BP may be conducting additional investigative and remedial work in the future. This permit may be reopened and modified or alternatively revoked and reissued to address new data and findings.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0004774
BP PRODUCTS NORTH AMERICA INC.
(FORMERLY AMOCO SUGAR CREEK)

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

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

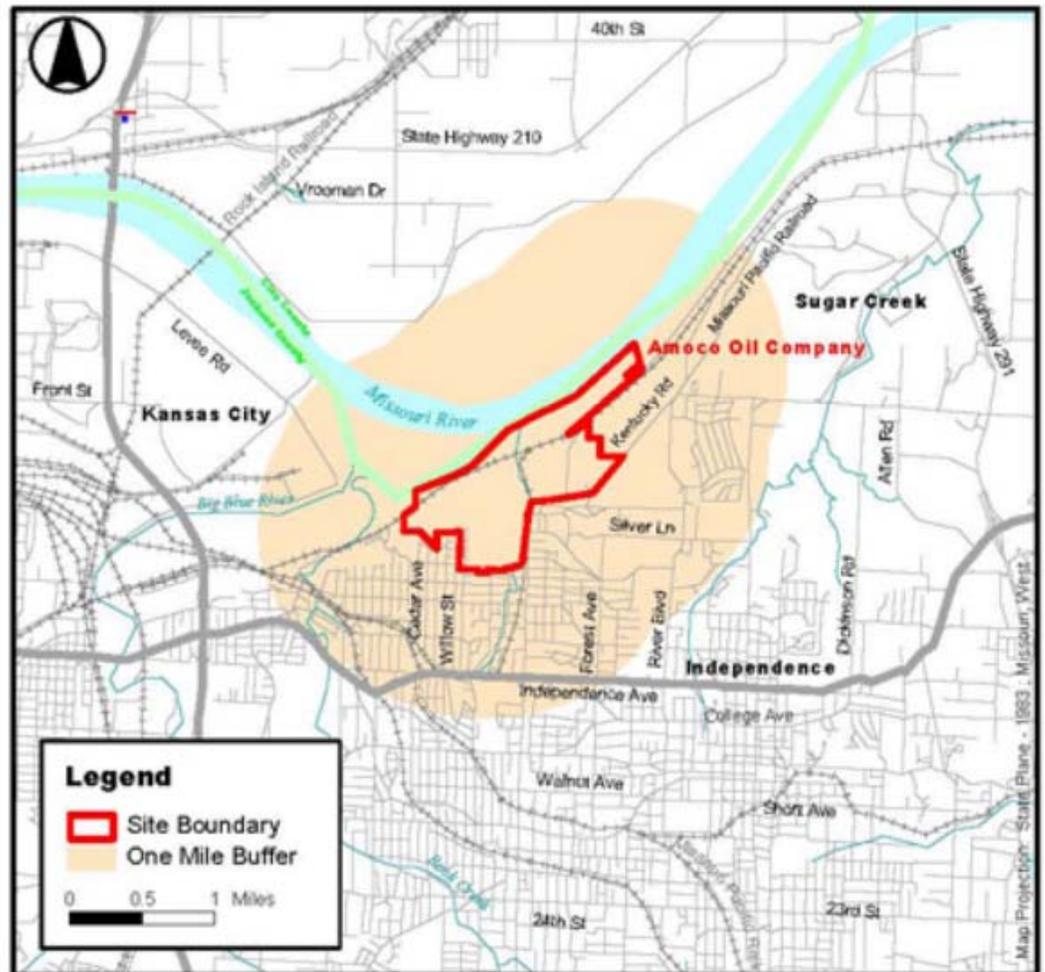
A factsheet is not an enforceable part of an operating permit. This factsheet is for an industrial facility.

Part I. FACILITY INFORMATION

Facility Type: Industrial Facility SIC Code(s): 5171

FACILITY DESCRIPTION:
BP, formerly Amoco Sugar Creek facility is a former petroleum refinery. Located adjacent to the former refinery is the Sugar Creek Marketing Terminal MO-0136549 which loads petroleum products from the pipeline to trucks. Most of the former refinery area has been remediated through the EPA-DNR consent decree VII-89-H-0028 and MOD007161425 as a Resource Conservation Recovery Act (RCRA) site. The site has been partially vegetated.

Application Date:
09/18/2013
Expiration Date:
03/19/2014
Last Inspection:
05/14/2013
In Compliance



Base Map Source: 1995 TIGER/Line Files

OUTFALLS TABLE

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE
#001	4.8 MGD (7.44 CFS)	retention and settling	stormwater
#002	354 MGD (548.7 CFS)	partial treatment- retention pond	stormwater
#003	8.3 MGD (12.865 CFS)	underflow weir and retention pond	stormwater
#004	2.9 MGD (4.495 CFS)	partial treatment- settling	stormwater
#008	0.45 MGD* (0.6975 CFS)*	none	stormwater

* = estimated value

FACILITY PERFORMANCE HISTORY & COMMENTS

The Amoco Oil Company began petroleum refinery operation in Sugar Creek in 1904. Crude oil was brought in by pipeline from several states to produce gasoline, distillate fuels, jet fuels, asphalt, petroleum coke, liquefied petroleum gases, sulfur, and polymers. The petroleum refinery operations ceased in 1982. Stormwater is the only effluent currently released from this site. Two types of groundwater pumping systems were established at the site to remove light non-aqueous phase liquids. Most of the buildings and tanks were removed by 1989. Tetraethyl lead was stored on site.

A review of the latest five years of discharge monitoring history has produced no outstanding issues with the stormwater effluent.

PF #	Monitoring Period	Parameter Description	Units	Monthly Avg. Max	Daily Max	Reported Value
001	09/30/2012	pH	SU	n/a	9.0	9.1
003	03/31/2014	Phenolics, total recoverable	mg/L	0.17	0.35	0.18
006	04/30/2010	BOD, 5-day, 20 deg. C	mg/L	26	48	60 ♣
006	04/30/2010	Chemical Oxygen Demand (COD)	mg/L	180	360	231
009	04/30/2010	BOD, 5-day, 20 deg. C	mg/L	26	48	60 ♣

♣ These values are significant outliers from the reported dataset. It is the permit writers professional appraisal these values are either data reporting or entry errors; most values from the BOD₅ dataset fall between 2 and 12 mg/L. Additionally, a modification in 2011 removed outfall #006 and #009 and transferred them to the adjacent fueling facility; a separate entity.

Part II. RECEIVING STREAM INFORMATION

RECEIVING WATER BODY'S WATER QUALITY

Review of the concurrent water bodies presents no analytical data associated with instream surveys in the area of this facility.

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

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

As per Missouri's Stormwater Regulations [10 CSR 20.6.200(6)(B)2.], the department shall establish effluent limits as necessary to protect waters of the state. Effluent limitations for stormwater are established using best professional judgment based on the category and designated uses of the receiving stream.

- Missouri or Mississippi River:
- Lake or Reservoir:
- Losing:
- Metropolitan No-Discharge:
- Special Stream:
- Subsurface Water:
- All Other Waters:

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and 1st classified receiving stream's beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)].

RECEIVING STREAM(S) TABLE:

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES	DISTANCE TO CLASSIFIED SEGMENT	12-DIGIT HUC
#001	Missouri River	P	0356	AQL, DWS, IND, IRR, LWW, SCR, WBC-B	0.09 mi	Rock Creek-Missouri River 10300101-0305
#002	Missouri River	P	0356	AQL, DWS, IND, IRR, LWW, SCR, WBC-B	0.19 mi	
#003	Rock Creek	C	3960	AQL, IRR, LWW, SCR, WBC-B, HHP	0.06 mi	
#004	Rock Creek	C	3960	AQL, IRR, LWW, SCR, WBC-B, HHP	0.07 mi	
#008	Sugar Creek	C	3960	AQL, IRR, LWW, SCR, WBC-B, HHP	0.00 mi	

AQL= Protection of Warm Water Aquatic Life and Human Health-Fish Consumption; C= Streams may cease flow in dry periods; CDF= Cold Water Fishery; CLF= Cool Water Fishery; DWS= Drinking Water Supply; E= Ephemeral stream; GEN= General; GRW = Groundwater; HHP= Human Health Protection; HUC= Hydrologic Unit Code; IND= Industrial; IRR=Irrigation; LWW= Livestock & Wildlife Watering; P= Permanent; SCR= Secondary Contact Recreation; U= Unclassified; W= Wetland; WBC= Whole Body Contact Recreation; WBID= Water Body Identification Number

Mixing Considerations:

This operating permit contains benchmarks for stormwater. Mixing considerations are not approved for benchmark values as they are applied specifically for this facility.

Part III. RATIONALE AND DERIVATION OF EFFLUENT LIMITATIONS & PERMIT CONDITIONS

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES

As per [10 CSR 20-7.015(4)(A)], discharges to losing streams shall be permitted only after other alternatives including land application, discharges to a gaining stream and connection to a regional wastewater treatment facility have been evaluated and determined to be unacceptable for environmental and/or economic reasons.

- ✓ Not Applicable; The facility does not discharge to a Losing Stream as defined by [10 CSR 20-2.010(36)] & [10 CSR 20-7.031(1)(N)], or is an existing facility.

ANTI-BACKSLIDING

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

- ✓ The Department determines that technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b). Limitations in this operating permit for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
 - ✓ The previous permit limits were established based on limits for a petroleum manufacturing facility which is in operation, however, this facility has only stormwater outfalls and is no longer in operation. This renewal establishes benchmarks values appropriate for stormwater discharges. There will be no changes to industrial activities onsite or the composition of the stormwater discharge as a result of this renewal. The benchmark concentrations and required corrective actions are protective of the applicable water quality standards.

ANTIDEGRADATION

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

- ✓ Renewal; no degradation proposed and no further review necessary.

BIOSOLIDS & SEWAGE SLUDGE

Biosolids are solid materials resulting from domestic wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Additional information regarding biosolids and sludge is located at the following web address:

<http://extension.missouri.edu/main/DisplayCategory.aspx?C=74>, items WQ422 through WQ449.

- ✓ Not applicable. This condition is not applicable to the permittee for this facility.

COMPLIANCE AND ENFORCEMENT

Enforcement is the action taken by the Water Protection Program (WPP) to bring an entity into compliance with the Missouri Clean Water Law, its implementing regulations, and/or any terms and conditions of an operating permit. The primary purpose of the enforcement activity in the WPP is to resolve violations and return the entity to compliance.

✓ Not Applicable. The permittee/facility is not currently under Water Protection Program enforcement action.

REASONABLE POTENTIAL ANALYSIS (RPA)

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standard. In accordance with [40 CFR Part 122.44(d)(iii)] if the permit writer determines that any give pollutant has the reasonable potential to cause, or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for that pollutant.

✓ Not Applicable; a RPA was not conducted for this facility.

INDUSTRIAL SLUDGE

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

✓ Not applicable. This condition is not applicable to the permittee for this facility.

SCHEDULE OF COMPLIANCE (SOC)

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

✓ Not Applicable. This permit does not contain a SOC.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; (2) Authorized under section 402(p) of the CWA for the control of storm water discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Storm Water Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of storm water discharges.

✓ Applicable. A SWPPP shall be developed and implemented for each site and shall incorporate required practices identified by the Department with jurisdiction, incorporate erosion control practices specific to site conditions, and provide for maintenance and adherence to the plan.

SPILL REPORTING

Per 10 CSR 24-3.010, any emergency involving a hazardous substance must be reported to the department's 24 hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest practicable moment after discovery. The department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the Noncompliance Reporting requirement found in Standard Conditions Part I.

VARIANCE

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

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS

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

✓ Not Applicable. Wasteload allocations were not calculated.

WLA MODELING

There are two general types of effluent limitations, technology-based effluent limits (TBELs) and water quality based effluent limits (WQBELs). If TBELs do not provide adequate protection for the receiving waters, then WQBEL must be used.

- ✓ Not Applicable. A WLA study was either not submitted or determined not applicable by department staff.

WATER QUALITY STANDARDS

Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones.

Additionally, [40 CFR 122.44(d)(1)] directs the Department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST

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

- ✓ Not Applicable. At this time, the permittee is not required to conduct WET test for this facility. The facility is closed and this is a stormwater only permit.

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

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

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

- ✓ Applicable. The Missouri river is impaired in Clay (Jackson) County by *Escherichia coli*, which affects whole body contact category B (WBC-B) and secondary contact recreational (SCR) activities. This facility is unlikely a contributor of the pollutant.

Part IV. EFFLUENT LIMITS DETERMINATION

Outfall #001, #002, #003, #004, & #008 (stormwater outfalls)

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

Due to the nature of the discharges from these outfalls being stormwater, only a maximum daily limit (MDL) or monitoring requirement with benchmark values will be implemented for many of the parameters listed below. Stormwater events are acute occurrences that result in the greatest concentrations of pollutants being discharged in the first part of the runoff. This first flush can best be represented by a grab sample within the first hours of runoff. Additionally, stormwater events are highly variable. Recording an average monthly limit (AML) is not representative of the nature of these discharges. Many of these parameters that require just a MDL monitoring only requirement will now have a benchmark value associated with that monitoring only requirement. These benchmark values will be listed under the individual discussion and derivation of each parameter containing such a value.

BENCHMARKS

Benchmark concentrations are **not** effluent limitations; benchmark exceedance, therefore, is not a permit violation. Benchmark monitoring data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective action(s) may be necessary to comply with the technology based effluent limitations (TBEL). Failure to take corrective action is a violation of the permit. Benchmark exceedance alone is not a permit violation.

The benchmarks listed in the derivation discussion below have been determined to be feasible, affordable and protective of water quality. These benchmark values are consistent with other stormwater permits. The facility will be required to monitor for all these parameters and if the benchmarks are exceeded at all in the following permit cycle, then the permit writer will use best professional judgment to determine if effluent limitations will be necessary to protect water quality.

EFFLUENT LIMITATIONS TABLE: OUTFALLS #001, #002, #003, #004, #008

Parameter	Unit	Prior Daily Maximum Limit	Prior Monthly Average Limit	Last 5 Years Max Value	Missouri Most Applicable Water Quality Limit	Current Benchmark/ Limit
Flow	MGD	*	*	*	n/a	*
Precipitation	inches	*	*	n/a	n/a	*
pH	SU	6.5 – 9.0	n/a	9.1	6.5 – 9.0	limits retained
Oil & Grease (formerly TPH)	mg/L	10	10	7.9	10 AQL	10
COD	mg/L	360	180	231	none	142
Phenolic Compounds	µg/L	350	170	180	100 AQL	100
Benzene	µg/L	n/e	n/e	n/a	5 DW	*
Ethylbenzene	µg/L	n/e	n/e	n/a	320 DW, GW	*
Toluene	µg/L	n/e	n/e	n/a	1000 DW, GW	*
Xylenes (total)	µg/L	n/e	n/e	n/a	10000 DW, GW	*
Lead, Total Recoverable	µg/L	135	n/e	55	hardness dependent AQL	131

* = monitoring only

n/a = not applicable

n/e = not established

AQL = standard for protection of aquatic life

DW = Drinking water standard

GW = Groundwater standard

OUTFALL #001, #002, #003, #004, & #008 – DERIVATION AND DISCUSSION OF LIMITS:

Biochemical Oxygen Demand (BOD₅)

Previous permit limits were set at 48 mg/L for the daily maximum and 26 mg/L for the monthly average. Using Rosner's Extreme Studentized Deviate two sided test for multiple outliers (P= 0.05), two outliers were found at 60 µg/L each. The remaining available data indicated no realistic potential exists to violate any water quality limit imposed for this facility (average 3.69 mg/L; maximum (sans outliers) 12 mg/L). Additionally, this parameter monitors for long term exposure (5 day); as stormwater and precipitation events are typically acute events, this parameter is not reasonable. The permittee will no longer be required to monitor for this parameter.

BTEX

Benzene, ethylbenzene, toluene, and total xylenes are common constituents in gasoline and not analytically assessed in the TPH/O&G methods because of the lighter fractions they represent. Previous permit limits were set at 750 µg/L (0.75 mg/L) for a total of the four pollutants. As an assessment of the DMR revealed, the previous five years of data show 6 µg/L to be the highest value reported by the permittee.

Although the facility has been reporting a total of the four constituents, the department has been re-evaluating this reporting procedure. Reporting the pollutants in a group does not allow the permit writer or the permittee to compare values obtained for BTEX to the water quality standards which exist for each individual component. Missouri water quality standards are as follows: ethylbenzene 320 µg/L (protection of aquatic life); benzene 5 µg/L (drinking water standard); toluene 1mg/L (drinking water and groundwater); and total xylenes 10 mg/L (drinking water and groundwater). The permittee will be required to submit monitoring data for each of the parameters.

Chemical Oxygen Demand (COD)

Monitoring is included using the permit writer's best professional judgment. There is no water quality standard for COD; however, increased oxygen demand may impact instream water quality. COD is also a valuable indicator parameter. COD monitoring allows the permittee to identify increases in COD that may indicate materials/chemicals coming into contact with stormwater that cause an increase in oxygen demand. Increases in COD may indicate a need for maintenance or improvement of BMPs. Based on previous reported values, the data set was determined to have one statistically significant outlier at 231 mg/L (Dixons Outlier Test; P= 0.002); the max value in the dataset with the outlier removed was 142 mg/L; 150 mg/L was set as the benchmark value for this facility.

Flow

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

Herbicides

The permittee indicated herbicides are used on site for weed removal in the renewal application dated 09/16/2013. However, application of herbicides in accordance with package directions for removal of vegetation does not indicate need for effluent monitoring.

Metals

Chromium, total recoverable

Previous permit limits were set at 730 µg/L for daily maximum and 430 µg/L for monthly average and were obtained from 40 CFR 419.12(e)(2). The permittee has met the limits remarkably. The highest value for total chromium in the last permit cycle was 19 µg/L. The facility's reported values are, on average, 22 times less than the limits in §419 hence this parameter no longer needs monitoring and reporting.

Lead, total recoverable

Previous permit limits were set a 135 µg/L for daily maximum.

$$\text{Acute: } e^{(1.273 * \ln 193 - 1.460448)} * (1.46203 - (\ln 193 * 0.145712)) \rightarrow e^{5.2388} * 0.69523 = 131.038 = 131 \mu\text{g/L}$$

The chronic water quality standard calculated for lead is 5.1 µg/L; however, stormwater events are acute in nature therefore the chronic limit does not apply. Monitoring for this parameter will continue, though a benchmark is established because the permittee has consistently met the previous permit limits. The permittee has consistently met this limit with the highest reported value over the last five years at 55 µg/L. The benchmark value will be incorporated at 131 µg/L.

The Metals Translator: Guidance For Calculating A Total Recoverable Permit Limit From A Dissolved Criterion" (EPA 823-B-96-007 provides default conversion factors to estimate the portion of the discharge that may be in the dissolved phase. Use of the conversion factor is not necessary in this instance as the 131 µg/L benchmark is achievable.

MTBE

The EPA describes MTBE (methyl tertiary-butyl ether) as a chemical compound that is manufactured by the chemical reaction of methanol and isobutylene and was almost exclusively used as a fuel additive in motor gasoline. It is one of a group of chemicals commonly known as "oxygenates" because they raise the oxygen content of gasoline. At room temperature, MTBE is a volatile, flammable, and colorless liquid that dissolves rather easily in water. In 2005, Congress passed the Energy Policy Act that removed the oxygenate requirement for reformulated gasoline (RFG). At the same time, Congress also instituted a renewable fuel standard. In response, refiners made a wholesale switch removing MTBE and blending fuel with ethanol. Because this pollutant was not significantly observed in the effluent (all data points are at the detection level for the parameter) and because of the high volatility of this pollutant, monitoring for this chemical will no longer be required.

Oil and Grease (formerly Total Petroleum Hydrocarbons)

Because analytical methods have changed for TPH and Freon is no longer endorsed for extraction; n-Hexane extractable methods for total petroleum hydrocarbons only capture the heavier portions of the petroleum making total petroleum hydrocarbons analysis precisely equivalent to the Oil and Grease hexane extractable method (40 CFR 136). Missouri has water quality standards for Oil and Grease set at 10 mg/L. The facility's Discharge Monitoring Report detailed values of 5 mg/L for TPH at all outfalls for all but one data point; outfall #003 in reporting period September 2011; 7.9 mg/L. It is the permit writer's best professional judgment no numerical changes be made to this parameter; a benchmark will be established at the previous permit limit of 10 mg/L.

pH

6.5-9.0 SU. Missouri's Water Quality Standard [10 CSR 20-7.031 (3)(E)] says water contaminants shall not cause pH to be outside the range of 6.5 to 9.0 SU.

Phenolic Compounds

Based on reported values for the site, the data set was determined to be non-normal. A statistical significant outlier (180 µg/L) was determined using Iglewicz and Hoaglin's robust test for multiple outliers ($Z=3.5$). Because this data point is an outlier and 50 µg/L is the value for all other points; a benchmark value of 100 µg/L is established based on Missouri's water quality standard for protection of aquatic life.

Precipitation

Monitoring only requirement; measuring the amount of rainfall during an event is necessary to ensure adequate stormwater management exists at the site. Knowing the amount of potential stormwater runoff can provide the permittee a better understanding of specific control measure that should be employed to ensure protection of water quality.

Temperature

Due to the nature of the discharge being stormwater only, the permittee will not be required to monitor for this pollutant during stormwater flows from these outfalls. The permit writer has used BPJ to determine the discharge will not cause an exceedance in temperature in the receiving stream during discharges of stormwater only.

MINIMUM SAMPLING AND REPORTING FREQUENCY REQUIREMENTS

PARAMETER	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow	twice/year	twice/year
Precipitation	twice/year	twice/year
pH	twice/year	twice/year
Oil & Grease (formerly TPH)	twice/year	twice/year
COD	twice/year	twice/year
Phenolic Compounds	twice/year	twice/year
Benzene	twice/year	twice/year
Toluene	twice/year	twice/year
Ethylbenzene	twice/year	twice/year
Xylenes (total)	twice/year	twice/year
Lead, Total Recoverable	twice/year	twice/year

SAMPLING FREQUENCY JUSTIFICATION

Sampling and reporting frequency was retained from previous permit. Sampling shall occur once during the months of October through March, and once again during the months of April through September. Reporting of the sampling event for the months of October through March shall be completed by April 28th. Reporting of the sampling event for the months of April through September shall be completed by October 28th.

SAMPLING TYPE JUSTIFICATION

As per 10 CSR 20-6.200(2)(C)1.F. grab samples are appropriate for stormwater discharges.

Part V. ADMINISTRATIVE REQUIREMENTS

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

PERMIT SYNCHRONIZATION:

The Department of Natural Resources is currently undergoing a synchronization process for operating permits. Permits are normally issued on a five-year term, but to achieve synchronization many permits will need to be issued for less than the full five years allowed by regulation. The intent is that all permits within a watershed will move through the Watershed Based Management (WBM) cycle together will all expire in the same fiscal year. This will allow further streamlining by placing multiple permits within a smaller geographic area on public notice simultaneously, thereby reducing repeated administrative efforts. This will also allow the department to explore a watershed based permitting effort at some point in the future. Renewal applications must continue to be submitted within 180 days of expiration, however, in instances where effluent data from the previous renewal is less than three years old, that data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit. **Synchronization will be obtained by setting expiration of this permit in the first quarter of 2019 (March 31, 2019).**

PUBLIC NOTICE:

The Department shall give public notice that a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in and water quality concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and permittee must be notified of the denial in writing.

The Department must issue public notice of a pending operating permit or of a new or reissued statewide general permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit.

For persons wanting to submit comments regarding this proposed operating permit, then please refer to the Public Notice page located at the front of this draft operating permit. The Public Notice page gives direction on how and where to submit appropriate comments.

- The Public Notice period for this operating permit was from (12/26/2014) to (01/26/2015). No responses were received. Upon review of the draft, a typographical error was noted; oil and grease in the table in Section A of the permit should be reported in mg/L, not µg/L. The error was changed, it was a non-substantive error.

DATE OF FACT SHEET: DECEMBER 2014

COMPLETED BY:

Pam Hackler, Environmental Specialist
Missouri Department of Natural Resources
Water Protection Program
Operating Permits Section - Industrial Unit
573-526-3386
pam.hackler@dnr.mo.gov



STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

These Standard Conditions incorporate permit conditions as required by 40 CFR 122.41 or other applicable state statutes or regulations. These minimum conditions apply unless superseded by requirements specified in the permit.

Part I – General Conditions

Section A – Sampling, Monitoring, and Recording

1. **Sampling Requirements.**
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. All samples shall be taken at the outfall(s) or Missouri Department of Natural Resources (Department) approved sampling location(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.
2. **Monitoring Requirements.**
 - a. Records of monitoring information shall include:
 - i. The date, exact place, and time of sampling or measurements;
 - ii. The individual(s) who performed the sampling or measurements;
 - iii. The date(s) analyses were performed;
 - iv. The individual(s) who performed the analyses;
 - v. The analytical techniques or methods used; and
 - vi. The results of such analyses.
 - b. If the permittee monitors any pollutant more frequently than required by the permit at the location specified in the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reported to the Department with the discharge monitoring report data (DMR) submitted to the Department pursuant to Section B, paragraph 7.
3. **Sample and Monitoring Calculations.** Calculations for all sample and monitoring results which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.
4. **Test Procedures.** The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 unless alternates are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure that the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations that are low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is “sufficiently sensitive” when; 1) the method minimum level is at or below the level of the applicable water quality criterion for the pollutant or, 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility’s discharge is high enough that the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015. These methods are also required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established. A permittee is responsible for working with their contractors to ensure that the analysis performed is sufficiently sensitive.
5. **Record Retention.** Except for records of monitoring information required by the permit related to the permittee’s sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

6. **Illegal Activities.**
 - a. The Federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than two (2) years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or both.
 - b. The Missouri Clean Water Law provides that any person or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six (6) months, or by both. Second and successive convictions for violation under this paragraph by any person shall be punished by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

Section B – Reporting Requirements

1. **Planned Changes.**
 - a. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
 - i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
 - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1);
 - iii. The alteration or addition results in a significant change in the permittee’s sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
 - iv. Any facility expansions, production increases, or process modifications which will result in a new or substantially different discharge or sludge characteristics must be reported to the Department 60 days before the facility or process modification begins. Notification may be accomplished by application for a new permit. If the discharge does not violate effluent limitations specified in the permit, the facility is to submit a notice to the Department of the changed discharge at least 30 days before such changes. The Department may require a construction permit and/or permit modification as a result of the proposed changes at the facility.
2. **Non-compliance Reporting.**
 - a. The permittee shall report any noncompliance which may endanger health or the environment. Relevant information shall be provided orally or via the current electronic method approved by the Department, within 24 hours from the time the permittee becomes aware of the circumstances, and shall be reported to the appropriate Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. A written submission shall also be provided within five (5) business days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.



STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

- b. The following shall be included as information which must be reported within 24 hours under this paragraph.
 - i. Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - ii. Any upset which exceeds any effluent limitation in the permit.
 - iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit required to be reported within 24 hours.
 - c. The Department may waive the written report on a case-by-case basis for reports under paragraph 2. b. of this section if the oral report has been received within 24 hours.
3. **Anticipated Noncompliance.** The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The notice shall be submitted to the Department 60 days prior to such changes or activity.
 4. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date. The report shall provide an explanation for the instance of noncompliance and a proposed schedule or anticipated date, for achieving compliance with the compliance schedule requirement.
 5. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs 2, 3, and 6 of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 2. a. of this section.
 6. **Other Information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.
 7. **Discharge Monitoring Reports.**
 - a. Monitoring results shall be reported at the intervals specified in the permit.
 - b. Monitoring results must be reported to the Department via the current method approved by the Department, unless the permittee has been granted a waiver from using the method. If the permittee has been granted a waiver, the permittee must use forms provided by the Department.
 - c. Monitoring results shall be reported to the Department no later than the 28th day of the month following the end of the reporting period.
- b. Notice.
 - i. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
 - ii. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section B – Reporting Requirements, paragraph 5 (24-hour notice).
 - c. Prohibition of bypass.
 - i. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The permittee submitted notices as required under paragraph 2. b. of this section.
 - ii. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three (3) conditions listed above in paragraph 2. c. i. of this section.
3. **Upset Requirements.**
 - a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 3. b. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - b. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - i. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - ii. The permitted facility was at the time being properly operated; and
 - iii. The permittee submitted notice of the upset as required in Section B – Reporting Requirements, paragraph 2. b. ii. (24-hour notice).
 - iv. The permittee complied with any remedial measures required under Section D – Administrative Requirements, paragraph 4.
 - c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

Section C – Bypass/Upset Requirements

1. **Definitions.**
 - a. *Bypass*: the intentional diversion of waste streams from any portion of a treatment facility, except in the case of blending.
 - b. *Severe Property Damage*: substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - c. *Upset*: an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. **Bypass Requirements.**
 - a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.

Section D – Administrative Requirements

1. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Missouri Clean Water Law and Federal Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
 - a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
 - b. The Federal Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The Federal Clean Water Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement



STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

- imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.
- d. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 of the Missouri Clean Water Law or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 of the Missouri Clean Water Law or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed \$10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.
2. **Duty to Reapply.**
- a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
- c. A permittee with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
3. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
5. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
6. **Permit Actions.**
- a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
- i. Violations of any terms or conditions of this permit or the law;
- ii. Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
- iii. A change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- iv. Any reason set forth in the Law or Regulations.
- b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
7. **Permit Transfer.**
- a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
- b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
- c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.
8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.



STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.
11. **Inspection and Entry.** The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Federal Clean Water Act or Missouri Clean Water Law, any substances or parameters at any location.
12. **Closure of Treatment Facilities.**
 - a. Persons who cease operation or plan to cease operation of waste, wastewater, and sludge handling and treatment facilities shall close the facilities in accordance with a closure plan approved by the Department.
 - b. Operating Permits under 10 CSR 20-6.010 or under 10 CSR 20-6.015 are required until all waste, wastewater, and sludges have been disposed of in accordance with the closure plan approved by the Department and any disturbed areas have been properly stabilized. Disturbed areas will be considered stabilized when perennial vegetation, pavement, or structures using permanent materials cover all areas that have been disturbed. Vegetative cover, if used, shall be at least 70% plant density over 100% of the disturbed area.
13. **Signatory Requirement.**
 - a. All permit applications, reports required by the permit, or information requested by the Department shall be signed and certified. (See 40 CFR 122.22 and 10 CSR 20-6.010)
 - b. The Federal Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.
 - c. The Missouri Clean Water Law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.
14. **Severability.** The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.



RECEIVED

SEP 18 2013



Tammy Brendel

Operations Project Manager
Remediation Manager

WATER PROTECTION PROGRAM

BP America Inc.
P.O. Box 8507
1000 North Sterling Ave.
Sugar Creek, MO 64054
Direct 816 836 6044
Fax 816 461 5114
Mobile 913 515 4571
tammy.brendel@bp.com

September 16, 2013

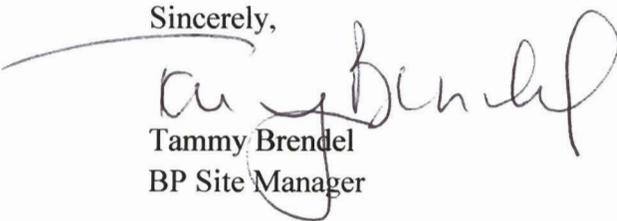
Missouri Department of Natural Resources
Water Protection Program
Attn: Permit Renewal
P.O. Box 176
Jefferson City, MO 65102-0176

**RE: BP Products North America, Inc.
NPDES Permit Number: MO-0004774
2013 Permit Renewal Application**

Dear Sir or Madam:

Please find enclosed the renewal application for NPDES permit number MO-0004774 for the BP Products North America, Inc. Former Refinery in Sugar Creek, Missouri. The current permit expires March 19, 2014. If you should have any questions regarding the data on this application, please feel free to contact me at 816-836-6044.

Sincerely,

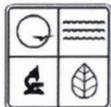

Tammy Brendel
BP Site Manager

Enclosure

cc. Joshua Haney, AECOM

RECEIVED

AP 16444



MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH
FORM A - APPLICATION FOR CONSTRUCTION OR OPERATING PERMIT
UNDER MISSOURI CLEAN WATER LAW

SEP 18 2013

WATER PROTECTION PROGRAM

FOR AGENCY USE ONLY	
CHECK NUMBER	
DATE RECEIVED	FEE SUBMITTED
9/18/13	0.85

Note ▶ PLEASE READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.

1. This application is for:

- An operating permit and antidegradation review public notice
- A construction permit following an appropriate operating permit and antidegradation review public notice
- A construction permit and concurrent operating permit and antidegradation review public notice
- A construction permit (submitted before Aug. 30, 2008 or antidegradation review is not required)
- An operating permit for a new or unpermitted facility Construction Permit # _____
- An operating permit renewal: permit # MO- 0004774 Expiration Date 03/19/2014
- An operating permit modification: permit # MO- _____ Reason: _____

1.1 Is the appropriate fee included with the application? (See instructions for appropriate fee) YES NO

2. FACILITY

NAME		TELEPHONE WITH AREA CODE	
BP Products North America, Inc.		(816) 836-6044	
ADDRESS (PHYSICAL)		FAX (816) 461-7205	
1000 North Sterling Ave	CITY	STATE	ZIP CODE
	Sugar Creek	MO	64054

3. OWNER

NAME		E-MAIL ADDRESS		TELEPHONE WITH AREA CODE	
BP Products North America, Inc.				(816) 836-6044	
ADDRESS (MAILING)				FAX (816) 461-7205	
1000 North Sterling Ave	CITY	STATE	ZIP CODE		
	Sugar Creek	MO	64054		

3.1 Request review of draft permit prior to public notice? YES NO

4. CONTINUING AUTHORITY

NAME		TELEPHONE WITH AREA CODE	
ADDRESS (MAILING)		FAX	
	CITY	STATE	ZIP CODE

5. OPERATOR

NAME		CERTIFICATE NUMBER		TELEPHONE WITH AREA CODE	
ADDRESS (MAILING)				FAX	
	CITY	STATE	ZIP CODE		

6. FACILITY CONTACT

NAME		TITLE		TELEPHONE WITH AREA CODE	
Tammy Brendel		Site Manager		(816) 836-6044	
				FAX (816) 461-7205	

7. ADDITIONAL FACILITY INFORMATION

7.1 Legal Description of Outfalls. (Attach additional sheets if necessary.)

001 N 1/4 NW 1/4 Sec 27 T 50N R 32W Jacks County
 UTM Coordinates Easting (X): 518562.6438 Northing (Y): 1079538.7161
For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

002 SW 1/4 NW 1/4 Sec 27 T 50N R 32W Jacks County
 UTM Coordinates Easting (X): 517353.1124 Northing (Y): 1077606.1599

003 SE 1/4 SE 1/4 Sec 29 T 50N R 32W Jacks County
 UTM Coordinates Easting (X): 511366.3932 Northing (Y): 1074642.9115

004 NE 1/4 NW 1/4 Sec 28 T 50N R 32W Jacks County
 UTM Coordinates Easting (X): 513825.1832 Northing (Y): 1076575.3591

7.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.

001 - SIC 1799 and NAICS 562910 002 - SIC 1799 and NAICS 562910
 003 - SIC 1799 and NAICS 562910 004 - SIC 1799 and NAICS 562910

Form A

7.00 Additional Facility Information

7.10 Legal Descriptions of Outfalls

Outfall	Legal Description	UTM Coordinates *	
		Easting	Northing
001	N1/4, NW1/4, Sec 27, T50N, R32W	518562.6438	1079538.7161
002	SW1/4, NW1/4, Sec 27, T50N, R32W	517353.1124	1077606.1599
003	SE1/4, SE1/4, Sec 29, T50N, R32W	511366.3932	1074642.9115
004	NE1/4, NW1/4, Sec 28, T50N, R32W	513825.1832	1076575.3591
008	SW1/4, SE1/4, Sec 28, T50N, R32W	515668.0455	1074914.6948

* Based on State Plain Missouri, NAD27, West Zone, Feet

7.20 Primary SIC and Facility NAICS Codes

Outfall	Primary SIC Code	Facility NAICS Code
001	1799	562910
002	1799	562910
003	1799	562910
004	1799	562910
008	1799	562910

SIC = Standard Industrial Classification

NAICS = North American Industrial Classification System

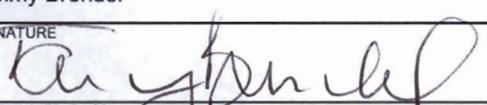
8. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION
 (Complete all forms that are applicable.)

- A. Is your facility a manufacturing, commercial, mining or silviculture waste treatment facility? YES NO
 If yes, complete Form C (unless storm water only, then complete U.S. Environmental Protection Agency Form 2F per Item C below).
- B. Is your facility considered a "Primary Industry" under EPA guidelines: YES NO
 If yes, complete Forms C and D.
- C. Is application for storm water discharges only? YES NO
 If yes, complete EPA Form 2F.
- D. Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.
- E. Is wastewater land applied? If yes, complete Form I. YES NO
- F. Is sludge, biosolids, ash or residuals generated, treated, stored or land applied? YES NO
 If yes, complete Form R.

9. DOWNSTREAM LANDOWNER(S) Attach additional sheets as necessary. See Instructions.
 (PLEASE SHOW LOCATION ON MAP. SEE 8.D ABOVE).

NAME Eagle Materials, Inc.			
ADDRESS 4200 Cement City Rd	CITY Sugar Creek	STATE MO	ZIP CODE 64050

10. I certify that I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate, and if granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, subject to any legitimate appeal available to applicant under the Missouri Clean Water Law to the Missouri Clean Water Commission.

NAME AND OFFICIAL TITLE (TYPE OR PRINT) Tammy Brendel	TELEPHONE WITH AREA CODE (816) 836-6044
SIGNATURE 	DATE SIGNED 9/16/2013

MO 780-1479 (01-09)

BEFORE MAILING, PLEASE ENSURE ALL SECTIONS ARE COMPLETED AND ADDITIONAL FORMS, IF APPLICABLE, ARE INCLUDED.

Submittal of an incomplete application may result in the application being returned.

HAVE YOU INCLUDED:

- Appropriate Fees?
- Map at 1" = 2000' scale?
- Signature?
- Form C, if applicable?
- Form D, if applicable?
- Form 2F, if applicable?
- Form I (Irrigation), if applicable?
- Form R (Sludge), if applicable?

Please print or type in the unshaded areas only

FORM
2F
 NPDES



U.S. Environmental Protection Agency
 Washington, DC 20460

**Application for Permit to Discharge Storm Water
 Discharges Associated with Industrial Activity**

Paperwork Reduction Act Notice

Public reporting burden for this application is estimated to average 28.6 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of this collection of information, or suggestions for improving this form, including suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

I. Outfall Location

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. Outfall Number (list)	B. Latitude			C. Longitude			D. Receiving Water (name)
Outfall 001	39.00	7.00	50.80	94.00	26.00	2.80	Missouri River
Outfall 002	39.00	7.00	35.60	94.00	26.00	20.90	Missouri River
Outfall 003	39.00	7.00	5.20	94.00	27.00	36.40	Rock Creek
Outfall 004	39.00	7.00	26.40	94.00	26.00	58.80	Old Missouri River Channel
Outfall 008	39.00	7.00	7.20	94.00	26.00	42.00	Sugar Creek

II. Improvements

A. Are you now required by any Federal, State, or local authority to meet any implementation schedule for the construction, upgrading or operation of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.

1. Identification of Conditions, Agreements, Etc.	2. Affected Outfalls		3. Brief Description of Project	4. Final Compliance Date	
	number	source of discharge		a. req.	b. proj.
Consent Order with EPA (VII-89-H-0028) for RCRA Corrective Action Program	NA		Future activities unknown		

B: You may attach additional sheets describing any additional water pollution (or other environmental projects which may affect your discharges) you now have under way or which you plan. Indicate whether each program is now under way or planned, and indicate your actual or planned schedules for construction.

III. Site Drainage Map

Attach a site map showing topography (or indicating the outline of drainage areas served by the outfalls(s) covered in the application if a topographic map is unavailable) depicting the facility including: each of its intake and discharge structures; the drainage area of each storm water outfall; paved areas and buildings within the drainage area of each storm water outfall, each known past or present areas used for outdoor storage of disposal of significant materials, each existing structural control measure to reduce pollutants in storm water runoff, materials loading and access areas, areas where pesticides, herbicides, soil conditioners and fertilizers are applied; each of its hazardous waste treatment, storage or disposal units (including each area not required to have a RCRA permit which is used for accumulating hazardous waste under 40 CFR 262.34); each well where fluids from the facility are injected underground; springs, and other surface water bodies which received storm water discharges from the facility.

IV. Narrative Description of Pollutant Sources

A. For each outfall, provide an estimate of the area (include units) of impervious surfaces (including paved areas and building roofs) drained to the outfall, and an estimate of the total surface area drained by the outfall

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
	See attached page				

B. Provide a narrative description of significant materials that are currently or in the past three years have been treated, stored or disposed in a manner to allow exposure to storm water; method of treatment, storage, or disposal; past and present materials management practices employed to minimize contact by these materials with storm water runoff; materials loading and access areas, and the location, manner, and frequency in which pesticides, herbicides, soil conditioners, and fertilizers are applied.

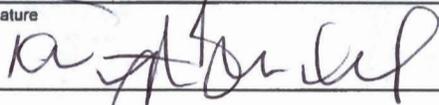
One aboveground storage tank containing recovered hydrocarbons and two underground storage tanks containing gasoline and diesel are present on site. All tanks are contained within berms of sufficient size or under cover. Storm water that is captured within these areas must meet permit requirements before being released to the NPDES outfall. On a limited basis, herbicides are used for weed control and are sprayed along property boundary fences located adjacent to public roads.

C. For each outfall, provide the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of the treatment the storm water receives, including the schedule and type of maintenance for control and treatment measures and the ultimate disposal of any solid or fluid wastes other than by discharge.

Outfall Number	Treatment	List Codes from Table 2F-1
	See attached page	

V. Nonstormwater Discharges

A. I certify under penalty of law that the outfall(s) covered by this application have been tested or evaluated for the presence of nonstormwater discharges, and that all nonstormwater discharged from these outfall(s) are identified in either an accompanying Form 2C or Form 2E application for the outfall.

Name and Official Title (type or print)	Signature	Date Signed
Tammy Brendel, Site Manager		9/16/2013

B. Provide a description of the method used, the date of any testing, and the onsite drainage points that were directly observed during a test.

All sanitary sewers are segregated from the storm sewers. Groundwater recovered as part of the remediation activities is discharged to the POTW. No other process water is generated on site, since the facility is no longer an active manufacturing facility.

VI. Significant Leaks or Spills

Provide existing information regarding the history of significant leaks or spills of toxic or hazardous pollutants at the facility in the last three years, including the approximate date and location of the spill or leak, and the type and amount of material released.

No significant leaks or spills of toxic or hazardous pollutants at the facility in the last three years.

IV.A Narrative Description of Pollutant Sources

Outfall	Estimated Area of Impervious Surface (acres)	Total Area Drained (acres)
001	8	33
002	4	88
003	3	68
004	0	20
008	0.19	0.35

IV.C Narrative Description of Pollutant Sources

A Slug Control Plan has been developed for the POTW, which is designed to minimize storm water contact with hazardous constituents.

Outfall 001 – Storm water from the Lower Refinery Area

A portion of the storm water collection system was replaced with new piping in 2004 when the Lower Refinery Separator Box was dismantled. All storm water discharged out Outfall 001 passes through the Storm Water Retention Basin (SWRB) that is located in the east end of the Riverfront Area. The SWRB acts as a settling basin for suspended solids.

Outfall 002 – Storm water from the East Bluffs Area, Vermont Street ditches, and the Lower Refinery Area

A portion of the storm water passes through the East Bluffs Retention Pond. Other storm water includes run-off from the ditches along Vermont Street and the east end of the Lower Refinery Area where the Lower Refinery Separator Box was located.

Outfall 003 – Storm water from the West Bluffs Area

Two underflow weirs are located upstream of the outfall in the West Bluffs Tributary to intercept free oil from historic operations if present in the storm water. The upper weir along the tributary, however, was abandoned in place because it was deemed impractical and unsafe to maintain.

Outfall 004 – Storm water from the West Bluffs Area, Railroad, and Service Road

A portion of the storm water from this outfall is directed through a settling pond. Storm water run-off from the Burlington Northern Santa Fe Railroad and the service road alongside the railroad contributes a major portion of flow to this outfall.

Outfall 008 – Potential storm water from area west and southwest of Sugar Creek Police and Fire Department

Historically, this outfall has had intermittent flow. Currently storm water discharged from this outfall is collected from intakes located within a landscaped area west and southwest of the Sugar Creek Police and Fire Department buildings. Runoff from the adjacent intersection of Heroes Way and Standard Lane may also contribute to the discharge.

Continued from Page 2

EPA ID Number (copy from Item 1 of Form 1)
MOD007161425

VII. Discharge Information

A, B, C, & D: See instructions before proceeding. Complete one set of tables for each outfall. Annotate the outfall number in the space provided. Table VII-A, VII-B, VII-C are included on separate sheets numbers VII-1 and VII-2.

E. Potential discharges not covered by analysis – is any toxic pollutant listed in table 2F-2, 2F-3, or 2F-4, a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

Yes (list all such pollutants below)

No (go to Section IX)

benzene (in petroleum products)
toluene (in petroleum products)
ethylbenzene (in petroleum products)
xylenes (in petroleum products)
2,4-D (in a 0.1% solution)

VIII. Biological Toxicity Testing Data

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?

Yes (list all such pollutants below)

No (go to Section IX)

IX. Contract Analysis Information

Were any of the analyses reported in Item VII performed by a contract laboratory or consulting firm?

Yes (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

No (go to Section X)

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
Pace Analytical Services, Inc.	9608 Loiret Blvd. Lenexa KS 66219	913-599-5665	all those listed in Part VII

X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

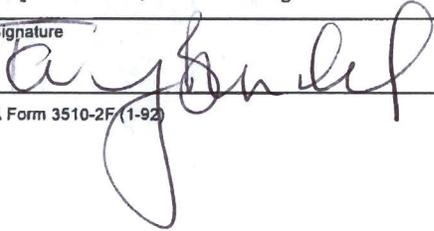
A. Name & Official Title (Type Or Print)

Tammy Brendel, Site Manager

B. Area Code and Phone No.

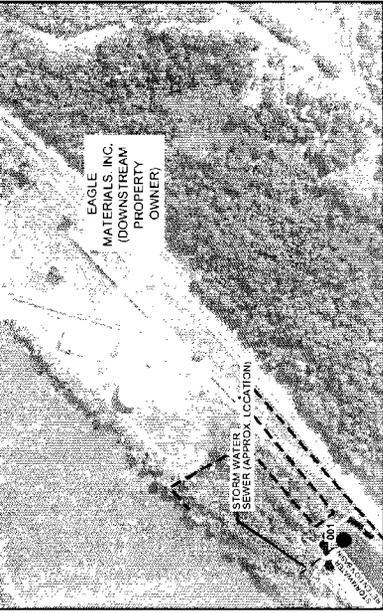
(816) 836-6044

C. Signature



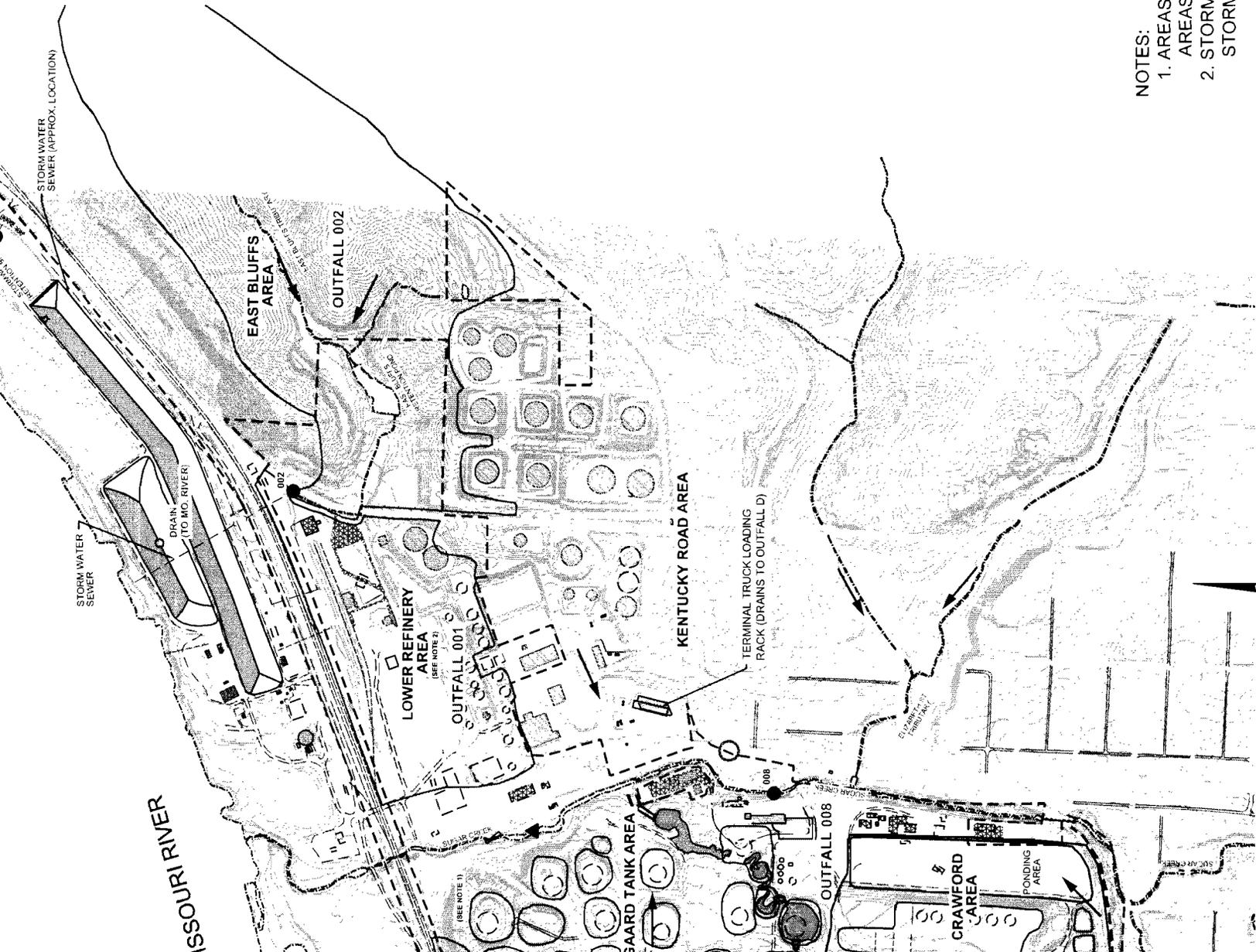
D. Date Signed

9/16/2013



LEGEND

▲	WEIR
●	NPDES OUTFALLS
○	EXISTING TANK, BUILDING, OR STRUCTURE
○	FORMER TANK, BUILDING, OR STRUCTURE
---	BERM DIVERTING RUNOFF TO ON-SITE PONDING AREA
— 725 —	SURFACE CONTOUR (CONTOUR INTERVAL = 5 ft.)
●	SURFACE WATER
↑	GENERALIZED RUNOFF DIRECTION
■	CONCRETE/ASPHALT/EXISTING TANKS
○	BERMED AREA NOT CONTRIBUTING TO RUNOFF
○	DISCHARGE TO NPDES OUTFALLS
○	RUNOFF COLLECTED IN PONDING AREA (AS SHOWN)



- NOTES:**
1. AREAS SHOWN WITHOUT CROSS HATCHING ARE OVERLAND FLOW AREAS WITHOUT A POINT DISCHARGE TO RECEIVING WATER.
 2. STORM DRAINS IN THE LOWER REFINERY AREA DISCHARGE TO THE STORMWATER RETENTION BASIN.