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-0103331
Owner:	City of Fulton
Address:	P.O. Box 130, Fulton, MO 65251
Continuing Authority:	Same as above
Address:	Same as above
Facility Name:	Fulton Wastewater Treatment Plant
Facility Address:	1025 Worsham Circle, Fulton, MO 65251
Legal Description:	See Page 2
UTM Coordinates:	See Page 2
Receiving Stream:	See Page 2
First Classified Stream and ID:	See Page 2
USGS Basin & Sub-watershed No.:	See Page 2

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

FACILITY DESCRIPTION

See Page 2

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

January 1, 2015
Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

December 31, 2019
Expiration Date

John Madras, Director, Water Protection Program

FACILITY DESCRIPTION (continued)

Outfall #001 – POTW - SIC #4952

The use or operation of this facility shall be by or under the supervision of a Certified "**B**" Operator

2 influent pump stations / mechanical bar screen / aerated grit chamber / 2 oxidation ditches / 4 final clarifiers / 2 aerobic digesters / dewatering centrifuge / vacuum sludge sand drying beds / disinfection effective December 2016 / sludge is land applied

Design population equivalent is 47,500.
Design flow is 2.93 MGD.
Actual flow is 1.7 MGD.
Design sludge production is 975 dry tons / year.
Actual sludge production is 430 dry tons / year.

Legal Description:	SE ¼, NW ¼, NE ¼, Sec. 21, T47N, R3E, Callaway County
UTM Coordinates:	X= 592755.590, Y= 4299234.181
Receiving Stream:	Stinson Creek (C)
First Classified Stream and ID:	Stinson Creek (C) (710)
USGS Basin & Sub-watershed No.:	(10300102-1508)

Outfall #002 – Discharge from this outfall is no longer authorized, and shall be subject to 40 CFR 122.41(m) and reported according to 40 CFR 122.41(m)(3)(i) & (ii).

Permitted Feature #SM1 – In-stream Monitoring. SM1 is located 30 yards downstream from Outfall #001.

Legal Description:	NE ¼, SW ¼, NE ¼, Sec. 21, T47N, R9W, Callaway County
UTM Coordinates:	X= 593011, Y= 4299209
Receiving Stream:	Stinson Creek (C)
First Classified Stream and ID:	Stinson Creek (C) (0710)
USGS Basin & Sub-watershed No.:	(10300102-1508)

OUTFALL #001	TABLE A-1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on **January 28, 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	*		*	once/day	24 hr. total
pH – Units	SU	***		***	once/week	grab
E. coli (Note 1)	#/100 ml		1030	206	once/week	grab
Oil & Grease	mg/L	15		10	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2015. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
Whole Effluent Toxicity (WET) test	% Survival	See Special Condition #19			once/year	composite**
WET TEST REPORTS SHALL BE SUBMITTED ANNUALLY; THE FIRST REPORT IS DUE OCTOBER 28, 2015.						

OUTFALL #001	TABLE A-2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become effective on **January 28, 2015**, and remain in effect through **December 30, 2016**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Ammonia as N	mg/L	*		*	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2015.						

OUTFALL #001	TABLE A-3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on **December 31, 2016** 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
Ammonia as N (April 1 – Sept 30) (Oct 1 – March 31)	mg/L	 6.0 12.0		 1.2 2.6	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2017. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

* Monitoring requirement only.

** A 24-hour composite sample is composed of a minimum of 48 aliquots (subsamples) collected at routine intervals.

*** 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.

Note 1 - Final limitations and monitoring requirements for *E. coli* are applicable only during the recreational season from April 1 through October 31. The Monthly Average Limit for *E. coli* is expressed as a geometric mean. The Weekly Average for *E. coli* will be expressed as a geometric mean if more than one (1) sample is collected during a calendar week (Sunday through Saturday).

OUTFALL #001	TABLE A-4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become effective on **January 1, 2015**, and remain in effect through **December 30, 2026**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Carbonaceous Biochemical Oxygen Demand$_5$	mg/L		40	25	once/week	composite**
Total Suspended Solids	mg/L		45	30	once/week	composite**
Total Phosphorus	mg/L	*		*	once/week	grab
Total Nitrogen	mg/L	*		*	once/week	grab

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2015. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

EFFLUENT PARAMETER(S)	UNITS	DAILY MAXIMUM	MONTHLY AVERAGE	QUARTERLY AVERAGE *****	MEASUREMENT FREQUENCY	SAMPLE TYPE
Copper, Total Recoverable	µg/L	*	*		once/quarter****	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE APRIL 28, 2015.

* Monitoring requirement only.
** A 24-hour composite sample is composed of a minimum of 48 aliquots (subsamples) collected at routine intervals.
**** See table below for quarterly sampling:

Minimum Sampling Requirements			
Quarter	**Months**	**Total Recoverable Copper**	**Report is Due**
First	January, February, March	Sample at least once during any month of the quarter	April 28th
Second	April, May, June	Sample at least once during any month of the quarter	July 28th
Third	July, August, September	Sample at least once during any month of the quarter	October 28th
Fourth	October, November, December	Sample at least once during any month of the quarter	January 28th

***** Quarterly average value shall consist of the average of the weekly individual sample data collected for the calendar quarter.

OUTFALL #001	TABLE A-5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become effective **December 31, 2026** and remain in effect through **December 30, 2035**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT PARAMETER(S)	UNITS	TIER 1 EFFLUENT LIMITATIONS (Nutrient Removal)			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Carbonaceous Biochemical Oxygen Demand$_5$	mg/L		30	20	once/week	composite**
Total Suspended Solids	mg/L		30	20	once/week	composite**

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2027.

EFFLUENT PARAMETER(S)	UNITS	DAILY MAXIMUM	MONTHLY AVERAGE	QUARTERLY AVERAGE *****	MEASUREMENT FREQUENCY	SAMPLE TYPE
Copper, Total Recoverable	µg/L	40.5	19.3		once/quarter****	grab
Total Phosphorus	mg/L	*		1.0	once/week	grab
Total Nitrogen	mg/L	*		8.0	once/week	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE APRIL 28, 2027.

OUTFALL #001	TABLE A-6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective **December 31, 2035**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT PARAMETER(S)	UNITS	TIER 2 EFFLUENT LIMITATIONS (Nutrient Removal)			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Carbonaceous Biochemical Oxygen Demand$_5$	mg/L		15	9	once/week	composite**
Total Suspended Solids	mg/L		15	5	once/week	composite**

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2036.

EFFLUENT PARAMETER(S)	UNITS	DAILY MAXIMUM	MONTHLY AVERAGE	QUARTERLY AVERAGE *****	MEASUREMENT FREQUENCY	SAMPLE TYPE
Total Phosphorus	mg/L	*		0.1	once/week	grab
Total Nitrogen	mg/L	*		4.0	once/week	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE APRIL 28, 2036.

* Monitoring requirement only.
** A 24-hour composite sample is composed of a minimum of 48 aliquots (subsamples) collected at routine intervals.
**** See table on Page 6 for quarterly sampling:
***** Quarterly average value shall consist of the average of the weekly individual sample data collected for the calendar quarter.

Minimum Sampling Requirements			
Quarter	**Months**	**Effluent Parameters**	**Report is Due**
First	January, February, March	Sample at least once during any month of the quarter	April 28th
Second	April, May, June	Sample at least once during any month of the quarter	July 28th
Third	July, August, September	Sample at least once during any month of the quarter	October 28th
Fourth	October, November, December	Sample at least once during any month of the quarter	January 28th

TABLE B. INFLUENT MONITORING REQUIREMENTS

The facility is required to meet a removal efficiency of 85% or more as a monthly average. The monitoring requirements shall become effective on **January 1, 2015**, and remain in effect until expiration of the permit. To determine removal efficiencies, the influent wastewater shall be monitored by the permittee as specified below:

SAMPLING LOCATION AND PARAMETER(S)	UNITS	MONITORING REQUIREMENTS	
		MEASUREMENT FREQUENCY	SAMPLE TYPE
Biochemical Oxygen Demand$_5$	mg/L	once/month	composite**
Total Suspended Solids	mg/L	once/month	composite**

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2015.

** A 24-hour composite sample is composed of a minimum of 48 aliquots (subsamples) collected at routine intervals.

PERMITTED FEATURE #SM1

**TABLE C.
INSTREAM MONITORING REQUIREMENTS**

The final effluent limitations shall become effective on **January 1, 2015**, and remain in effect through **December 30, 2016**. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

INSTREAM PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Total Ammonia Nitrogen	mg/L	*		*	once/month	grab
Total Phosphorus	mg/L	*		*	once/month	grab
Total Nitrogen	mg/L	*		*	once/month	grab
INSTREAM PARAMETER(S)	UNITS	DAILY MINIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Dissolved Oxygen	mg/L		*		once/month	grab

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE FEBRUARY 28, 2015.

D. STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Parts I, II, & III standard conditions dated August 1, 2014, May 1, 2013, and March 1, 2014, and hereby incorporated as though fully set forth herein.

E. SPECIAL CONDITIONS

1. The permittee shall implement all items of the ADMINISTRATIVE ORDER ON CONSENT AOC No. 2013-WPCB-1241, which includes, but is not limited to, developing and implementing an Information Collection and Utilization computer tracking system, a I & I Assessment and Corrective Action Plan, a Maintenance and Repair Program, and plant improvements to meet disinfection and ammonia limits, and adhering to the AOC's Appendix A, No. 5, Reporting and Record Keeping Section. The AOC is hereby incorporated by reference.

2. 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.
   (d) Incorporate the requirement to develop a pretreatment program pursuant to 40 CFR 403.8(a) when the Director of the Water Protection Program determines that a pretreatment program is necessary due to any new introduction of pollutants into the Publically Owned Treatment Works or any substantial change in the volume or character of pollutants being introduced.

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

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

4. Permittee will cease discharge by connection to a facility with an area-wide management plan per 10 CSR 20-6.010(3)(B) within 90 days of notice of its availability.

5. 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 in Part A of the permit by the Director.
   (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

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

7. 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. To the extent required by law, 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.

E. SPECIAL CONDITIONS (continued)

8. 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.

9. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).

10. The permittee shall comply with any applicable requirements listed in 10 CSR 20-9, unless the facility has received written notification that the Department has approved a modification to the requirements. The monitoring frequencies contained in this permit shall not be construed by the permittee as a modification of the monitoring frequencies listed in 10 CSR 20-9. If a modification of the monitoring frequencies listed in 10 CSR 20-9 is needed, the permittee shall submit a written request to the department for review and, if deemed necessary, approval.

11. Bypasses are not authorized at this facility unless they meet the criteria in 40 CFR 122.41(m). If a bypass occurs, the permittee shall report in accordance to 40 CFR 122.41(m)(3)(i), and with Standard Condition Part I, Section B, subsection 2.b. Bypasses are to be reported to the Northeast Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. Blending, which is the practice of combining a partially-treated wastewater process stream with a fully-treated wastewater process stream prior to discharge, is not considered a form of bypass. If the permittee wishes to utilize blending, the permittee shall file an application to modify this permit to facilitate the inclusion of appropriate monitoring conditions.

12. The facility must be sufficiently secured to restrict entry by children, livestock and unauthorized persons as well as to protect the facility from vandalism.

13. A least one gate must be provided to access the wastewater treatment facility and provide for maintenance and mowing. The gate shall remain closed except when temporarily opened by; the permittee to access the facility, perform operational monitoring, sampling, maintenance, mowing, or for inspections by the Department. The gate shall be closed and locked when the facility is not staffed.

14. At least one (1) warning sign shall be placed on each side of the facility enclosure in such positions as to be clearly visible from all directions of approach. There shall also be one (1) sign placed for every five hundred feet (500') (150 m) of the perimeter fence. A sign shall also be placed on each gate. Minimum wording shall be SEWAGE TREATMENT FACILITY—KEEP OUT. Signs shall be made of durable materials with characters at least two inches (2") high and shall be securely fastened to the fence, equipment or other suitable locations.

15. An Operation and Maintenance (O & M) manual shall be maintained by the permittee and made available to the operator. The O & M manual shall include key operating procedures and a brief summary of the operation of the facility.

16. An all-weather access road shall be provided to the treatment facility.

17. The discharge from the wastewater treatment facility shall be conveyed to the receiving stream via a closed pipe or a paved or rip-rapped open channel. Sheet or meandering drainage is not acceptable. The outfall sewer shall be protected against the effects of floodwater, ice or other hazards as to reasonably insure its structural stability and freedom from stoppage. The outfall shall be maintained so that a sample of the effluent can be obtained at a point after the final treatment process and before the discharge mixes with the receiving waters.

E. SPECIAL CONDITIONS (continued)

18. The permittee shall implement a Stormwater Pollution Prevention Plan (SWPPP) to control off-site stormwater discharges from the biosolids loading area. The SWPPP must be prepared and implemented in 45 days of 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 SWPPP will no longer be required if off-site stormwater discharges are eliminated from the biosolids loading area. 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.

19. Whole Effluent Toxicity (WET) Test shall be conducted as follows:

SUMMARY OF ACUTE WET TESTING FOR THIS PERMIT				
OUTFALL	AEC	FREQUENCY	SAMPLE TYPE	MONTH
001	100%	once/year	composite**	any

** A 24-hour composite sample is composed of 48 aliquots (subsamples) collected at 30 minute intervals by an automatic sampler.

Dilution Series						
AEC% = 100% effluent	50% effluent	25% effluent	12.5% effluent	6.25% effluent	(Control) 100% upstream, if available	(Control) 100% Lab Water, also called synthetic water

(a) Test Schedule and Follow-Up Requirements
    (1) Perform a MULTIPLE-dilution acute WET test in the months and at the frequency specified above. For tests which are successfully passed, submit test results using the Department's WET test report form #MO-780-1899 along with complete copies of the test reports as received from the laboratory, including copies of chain-of-custody forms within 30 calendar days of availability to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102. If the effluent passes the test, do not repeat the test until the next test period.
        (a) Chemical and physical analysis of the upstream control and effluent sample shall occur immediately upon being received by the laboratory, prior to any manipulation of the effluent sample beyond preservation methods consistent with federal guidelines for WET testing that are required to stabilize the sample during shipping.
        (b) Any and all chemical or physical analysis of the effluent sample performed in conjunction with the WET test shall be performed at the 100% Effluent concentration in addition to analysis performed upon any other effluent concentration.
        (c) All chemical analyses included in the Missouri Department of Natural Resources WET test report form #MO-780-1899 shall be performed and results shall be recorded in the appropriate field of the report form.
    (2) The WET test will be considered a failure if mortality observed in effluent concentrations for either specie, equal to or less than the AEC, is significantly different (at the 95% confidence level; $p = 0.05$) than that observed in the upstream receiving-water control sample. Where upstream receiving water is not available, synthetic laboratory control water may be used.
    (3) All failing test results along with complete copies of the test reports as received from the laboratory, INCLUDING THOSE TESTS CONDUCTED UNDER CONDITION (4) BELOW, shall be reported to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102 within 14 calendar days of the availability of the results.

E. SPECIAL CONDITIONS (continued)

(4) If the effluent fails the test for BOTH test species, a multiple dilution test shall be performed for BOTH test species within 30 calendar days and biweekly thereafter (for stormwater, tests shall be performed on the next and subsequent stormwater discharges as they occur, but not less than 7 days apart) until one of the following conditions are met: Note: Written request regarding single species multiple dilution accelerated testing will be address by THE WATER PROTECTION PROGRAM on a case by case basis.
  (i) THREE CONSECUTIVE MULTIPLE-DILUTION TESTS PASS. No further tests need to be performed until next regularly scheduled test period.
  (ii) A TOTAL OF THREE MULTIPLE-DILUTION TESTS FAIL.

(5) Follow-up tests do not negate an initial failed test.

(6) The permittee shall submit a summary of all test results for the test series along with complete copies of the test reports as received from the laboratory to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102 within 14 calendar days of the third failed test.

(7) Additionally, the following shall apply upon failure of the third follow up MULTIPLE DILUTION test The permittee should contact THE WATER PROTECTION PROGRAM within 14 calendar days from availability of the test results to ascertain as to whether a TIE or TRE is appropriate. If the permittee does not contact THE WATER PROTECTION PROGRAM upon the third follow up test failure, a toxicity identification evaluation (TIE) or toxicity reduction evaluation (TRE) is automatically triggered. The permittee shall submit a plan for conducting a TIE or TRE to the WATER PROTECTION PROGRAM within 60 calendar days of the date of the automatic trigger or DNR's direction to perform either a TIE or TRE. This plan must be approved by DNR before the TIE or TRE is begun. A schedule for completing the TIE or TRE shall be established in the plan approval.

(8) Upon DNR's approval, the TIE/TRE schedule may be modified if toxicity is intermittent during the TIE/TRE investigations. A revised WET test schedule may be established by DNR for this period.

(9) If a previously completed TIE has clearly identified the cause of toxicity, additional TIEs will not be required as long as effluent characteristics remain essentially unchanged and the permittee is proceeding according to a DNR approved schedule to complete a TRE and reduce toxicity. Regularly scheduled WET testing as required in the permit, without the follow-up requirements, will be required during this period.

(10) When WET test sampling is required to run over one DMR period, each DMR report shall contain a copy of the Department's WET test report form that was generated during the reporting period.

(11) Submit a concise summary in tabular format of all WET test results with the annual report.

(b) Test Conditions

(1) Test Type: Acute Static non-renewal

(2) All tests, including repeat tests for previous failures, shall include both test species listed below unless approved by the department on a case by case basis.

(3) Test species: Ceriodaphnia dubia and Pimephales promelas (fathead minnow). Organisms used in WET testing shall come from cultures reared for the purpose of conducting toxicity tests and cultured in a manner consistent with the most current USEPA guidelines. All test animals shall be cultured as described in the most current edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms.

(4) Test period: 48 hours at the "Allowable Effluent Concentration" (AEC) specified above.

(5) Upstream receiving stream water shall be used as dilution water. If upstream water is unavailable or if mortality in the upstream water exceeds 10%, "reconstituted" water will be used as dilution water. Procedures for generating reconstituted water will be supplied by the MDNR upon request.

(6) Tests will be run with 100% receiving-stream water (if available), collected upstream of the outfall at a point beyond any influence of the effluent, and reconstituted water.

(7) If reconstituted-water control mortality for a test species exceeds 10%, the entire test will be rerun.

(8) If upstream control mortality exceeds 10%, the entire test will be rerun using reconstituted water as the dilutant.

(9) Whole-effluent-toxicity test shall be consistent with the most current edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms

F. RECEIVING WATER MONITORING CONDITIONS

1. In-stream samples should be taken at the location(s) specified on page 2 of this permit. In the event that a safe, accessible location is not present at this location, a suitable location can be negotiated with the department. Samples should be taken at least four feet from the bank or from the middle of the stream (whichever is less) and 6-inches below the surface. The downstream receiving water sample should be collected at a point where effluent is fully mixed and the water is visibly flowing down stream.

2. When conducting in-stream monitoring, the permittee shall record observations that include: the time of day, weather conditions, unusual stream characteristics (e.g., septic conditions, algae growth, etc.) and the type of stream segment (e.g., riffle, pool or run) or where the sample was collected. These observations shall be submitted with the sample results.

F. RECEIVING WATER MONITORING CONDITIONS (continued)

3. Samples shall not be collected from areas with especially turbulent flow, still water or from the stream bank, unless these conditions are representative of the stream reach or no other areas are available for sample collection. Sampling should not be made when significant precipitation has occurred recently. The sampling event should be terminated and rescheduled if any of the following conditions occur:
   - If turbidity in the stream increases notably; or
   - If rainfall over the past two weeks exceeds 2.5 inches or exceeds 1 inch in the last 24 hours

4. Always use the correct sampling technique and handling procedure specified for the parameter of interest. Please refer to the latest edition of Standard Methods for the Examination of Water and Wastewater for further discussion of proper sampling techniques. All analyses must be conducted in accordance with an approved EPA method. Field meters shall be calibrated immediately (within 1 hour) prior to the sampling event.

5. To obtain accurate measurements, D.O., temperature and pH analyses should be performed on-site in the receiving stream where possible. However, due to high flow conditions, access, etc., it may be necessary to collect a sample in a bucket or other container. When this is necessary, care must be taken not to aerate the sample upon collection. If for any reason samples must be collected from an alternate site from the one listed in the permit, the permittee shall report the location with the sample results.

6. Dissolved oxygen measurements are to be taken during the period from one hour prior to sunrise to one and one-half hour after sunrise.

G SCHEDULE OF COMPLIANCE

1. The facility shall attain compliance with final effluent limitations for ammonia as soon as reasonably achievable or by December 31, 2016 as specified in the Abatement Order on Consent AOC No. 2013-WPCB-1241 dated June 12, 2013.

   (a) Within one year of the effective date of this permit, the permittee shall report progress made in attaining compliance with the final effluent limits.

   (b) By December 31, 2016, the facility will have attained compliance with final effluent limits for ammonia.

2. The facility shall attain compliance with Tier 1 Final Effluent Limitations for Carbonaceous Biochemical Oxygen Demand, Total Suspended Solids, and Nutrient Removal for Total Nitrogen and Total Phosphorus, at the time that Tier 1 improvements are constructed and operations optimized but no later than December 31, 2026.

   (a) By December 31st 2021, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.

   (b) By December 31st, 2023, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.

   (c) By December 31, 2026, the permittee shall attain compliance with Tier 1 final effluent limits for Carbonaceous Biochemical Oxygen Demand, Total Suspended Solids, and Nutrient Removal for Total Nitrogen and Total Phosphorus.

3. The facility shall attain compliance with Tier 2 Final Effluent Limitations for Carbonaceous Biochemical Oxygen Demand, Total Suspended Solids and Nutrient Removal for Total Nitrogen and Total Phosphorus at the time that Tier 2 improvements are constructed and operations optimized but no later than December 31, 2035.

   (a) By December 31st, 2030, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.

   (b) By December 31st, 2032, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.

   (c) By December 31st 2035, the permittee shall attain compliance with Tier 2 final effluent limits for Nutrient Removal for Total Nitrogen and Total Phosphorus.

Please submit progress reports to the Missouri Department of Natural Resources, Northeast Regional Office, 1709 Prospect Drive, Macon, Missouri, 63552-2602.

Missouri Department of Natural Resources
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0103331
FULTON WASTEWATER TREATMENT PLANT

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 a Major ☒

Part I – Facility Information

Facility Type: POTW
Facility SIC Code(s): 4952

Facility Description:
2 influent pump stations / mechanical bar screen / aerated grit chamber / 2 oxidation ditches / 4 final clarifiers / 2 aerobic digesters / dewatering centrifuge / vacuum sludge sand drying beds / disinfection effective December 2016 / sludge is land applied

Application Date: 8/19/2010
Expiration Date: 8/11/2010
Last Inspection: 9/5/2013

OUTFALL(S) TABLE:

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
#001	4.5415	Secondary	Municipal	0

Outfall #001
UTM Coordinates: X= 592756, Y= 4299234
Receiving Stream: Stinson Creek (C)
First Classified Stream and ID: Stinson Creek (C) (710)
USGS Basin & Sub-watershed No.: (10300102-1508)

Receiving Water Body's Water Quality & Facility Performance History:
EPA approved a TMDL for Stinson Creek on May 26, 2010. This permit will implement a phased implementation of the TMDL.

Comments:
Effluent monitoring data for the previous 4 years showed all non-detects for cadmium, chromium, lead, and nickel; therefore, monitoring has been removed from this permit. Zinc monitoring has also been removed after statistical analysis showed no reasonable potential to exceed water quality standards. Hardness and temperature monitoring have been removed as there is no reasonable potential for these parameters to exceed water quality standards.

Part II – Operator Certification Requirements

As per [10 CSR 20-6.010(8) Terms and Conditions of a Permit], permittees shall operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permit conditions and regulations. Operators or supervisors of operations at regulated wastewater treatment facilities shall be certified in accordance with [10 CSR 20-9.020(2)] and any other applicable state law or regulation. As per [10 CSR 20-9.010(2)(A)], requirements for operation by certified personnel shall apply to all wastewater treatment systems, if applicable, as listed below:

Check boxes below that are applicable to the facility;

- Owned or operated by or for:
  - Municipalities ☒

Each of the above entities are only applicable if they have a Population Equivalent greater than two hundred (200) and/or fifty (50) or more service connections.

This facility currently requires an operator with a **"B" Certification Level** at a minimum. Please see **Appendix #1 - Classification Worksheet.** Modifications made to the wastewater treatment facility may cause the classification to be modified.

Operator's Name: Bernie Kaminski III
Certification Number: 9990
Certification Level: WW – A

The listing of the operator above only signifies that staff drafting this operating permit have reviewed appropriate Department records and determined that the name listed on the operating permit application has the correct and applicable Certification Level.

Part III– Operational Monitoring

☒ - As per [10 CSR 20-9.010(4))], the facility is required to conduct operational monitoring.

Part IV – Receiving Stream Information

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

All Other Waters [10 CSR 20-7.015(8)]: ☒

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 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:

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	12-DIGIT HUC	EDU**
Stinson Creek	C	710	LWW, AQL, WBC(B)	10300102-1508	Ozark/Moreau/Loutre

* Irrigation (IRR), Livestock & Wildlife Watering (LWW), Protection of Warm Water Aquatic Life and Human Health-Fish Consumption (AQL), Cool Water Fishery(CLF), Cold Water Fishery (CDF), Whole Body Contact Recreation (WBC), Secondary Contact Recreation (SCR), Drinking Water Supply (DWS), Industrial (IND), Groundwater (GRW).
** Ecological Drainage Unit

RECEIVING STREAM(S) LOW-FLOW VALUES TABLE:

RECEIVING STREAM (U, C, P)	LOW-FLOW VALUES (CFS)		
	1Q10	7Q10	30Q10
Stinson Creek (C)	0	0	0.1

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

RECEIVING STREAM MONITORING REQUIREMENTS:
In-stream monitoring is being included to comply with the Stinson Creek TMDL.

SM1 - Downstream

PARAMETER(S)	SAMPLING FREQUENCY	SAMPLE TYPE	LOCATION
Total Ammonia Nitrogen	monthly	grab	30 yards below outfall #001
Dissolved Oxygen			
Total Phosphorus			
Total Nitrogen			

Part V – 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.

☒ - 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.

☒ - 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. Information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance. Effluent monitoring data for the previous 4 years showed all non-detects for cadmium, chromium, lead, and nickel; therefore, monitoring has been removed from this permit. Zinc monitoring has also been removed after statistical analysis showed no reasonable potential to exceed water quality standards. Hardness and temperature monitoring have been removed as there is no reasonable potential for these parameters to exceed 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.

AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:
As per [10 CSR 20-6.010(3)(B)], …An applicant may utilize a lower preference continuing authority by submitting, as part of the application, a statement waiving preferential status from each existing higher preference authority, providing the waiver does not conflict with any area-wide management plan approved under section 208 of the Federal Clean Water Act or any other regional sewage service and treatment plan approved for higher preference authority by the Department.

BIO-SOLIDS, SLUDGE, & SEWAGE SLUDGE:
Bio-solids are solid materials resulting from wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sludge is any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect. 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://dnr.mo.gov/env/wpp/pub/index.html, items WQ422 through WQ449.

☒ - Permittee land applies biosolids in accordance with Standard Conditions III and a Department approved biosolids management plan.

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.

☒ - The permittee/facility is currently under Compliance and Enforcement action. Effective August 21, 2013, the Department issued the City of Fulton an ADMINISTRATIVE ORDER ON CONSENT (AOC) No. 2013-WPCB-1241. As part of the AOC, the City of Fulton shall develop and/or implement: an Information Collection and Utilization computer tracking system, an I & I Assessment and Corrective Action Plan, a Maintenance and Repair Program. The City shall adhere to the AOC's Appendix A, No. 5, Reporting and Record Keeping Section and meet ammonia removal and disinfection requirements. Additionally, this AOC includes the elimination of outfall #002 discharges. Bacteria limits have been included in this permit per 10 CSR 20-7.031(5)(C); however, this AOC includes the requirement of compliance with bacteria limitations by December 31, 2016.

PRETREATMENT PROGRAM:
The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a Publicly Owned Treatment Works [40 CFR Part 403.3(q)].

☒ - The permittee, at this time, is not required to have a Pretreatment Program or does not have an approved pretreatment program.

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.

☒ - A RPA was conducted on appropriate parameters. Please see **APPENDIX #2 – RPA RESULTS.**

REMOVAL EFFICIENCY:
Removal efficiency is a method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD_5) and Total Suspended Solids (TSS) for Publicly Owned Treatment Works (POTWs)/municipals. Please see the United States Environmental Protection Agency's (EPA) website for interpretation of percent removal requirements for National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage @ www.epa.gov/fedrgstr/EPA-WATER/1999/August/Day-04/w18866.htm .

☒ - Secondary Treatment is 85% removal [40 CFR Part 133.102(a)(3) & (b)(3)].

SANITARY SEWER OVERFLOWS (SSO) AND INFLOW AND INFILTRATION (I&I):
Sanitary Sewer Overflows (SSOs) are defined as an untreated or partially treated sewage release and are considered bypassing under state regulation [10 CSR 20-2.010(11)] and should not be confused with the federal definition of bypass. SSO's result from a variety of causes including blockages, line breaks, and sewer defects that allow excess storm water and ground water to (1) enter and overload the collection system, and (2) potentially inundate the treatment facility with storm and ground water. The latter is the result of the collection system taking in excess storm and ground water. Additionally, SSO's can result from lapses in sewer system operation and maintenance, inadequate sewer design and construction, power failures, and vandalism. SSOs also include overflows out of manholes and onto city streets, sidewalks, and other terrestrial locations.

Additionally, Missouri RSMo §644.026.1 mandates that the Department require proper maintenance and operation of treatment facilities and sewer systems and proper disposal of residual waste from all such facilities.

☒ - In accordance with Missouri RSMo §644.026.1.(15) and 40 CFR Part 122.41(e), the permittee is required to develop and/or implement a program for maintenance and repair of the collection system and shall be required in this operating permit by either means of a Special Condition or Schedule of Compliance. In addition, the Department considers the development of this program as an implementation of this condition. Additionally, 40 CFR Part 403.3(o) defines a POTW to include any device and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW Treatment Plant.

At this time, the Department recommends the US EPA's Guide for Evaluating Capacity, Management, Operation and Maintenance (CMOM) Programs at Sanitary Sewer Collection Systems (Document # EPA 305-B-05-002). The CMOM identifies some of the criteria used by the EPA to evaluate a collection system's management, operation, and maintenance and was intended for use by the EPA, state, regulated community, and/or third party entities. The CMOM is applicable to small, medium, and large systems; both public and privately owned; and both regional and satellite collection systems. The CMOM does not substitute for the Clean Water Act, the Missouri Clean Water Law, and both federal and state regulations, as it is not a regulation.

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.

☒ - The time given for effluent limitations of this permit listed under Interim Effluent Limitation and Final Effluent Limitations were established in accordance with [10 CSR 20-7.031(10)] and as specified in the City's Abatement Order on Consent dated August 21, 2013 for ammonia. The initial schedule of compliance is needed since the City must pass a bond, design the facility, apply for funding through the State Revolving Fund, and construct the facility. The City will implement the TMDL through a phased approach requiring facility planning, new construction and/or modifications to the plant and plant performance evaluations. The phased adaptive management process is included within the Memorandum of Understanding between the City of Fulton and Missouri Department Natural Resources dated March 18, 2014. The MOU (Appendix 5) agreed upon by the Department and the City is reflected in the permit's schedule of compliance and deemed practicable given the iterative nature of the adaptive management process. The schedule of compliance requires the city to undergo 3 significant plant upgrades over the next 22 years which will cost the city roughly 33 million dollars in capital costs. The implementation of phases 2 and 3 of the schedule depend on demonstrating that water quality standards are being met and that Stinson Creek is fully attaining its aquatic life use. If the Department determines after data collection that the impairment persists, the City will implement the next phase of improvement. The schedule has time built in for the Department to prepare the data for submission for EPA approval. If data indicate that the impairment persists, the next improvements to the facility should be implemented.

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

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [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 Stormwater Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of stormwater discharges.

☒ - A SWPPP shall be developed and implemented 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. The Department inspected Fulton WWTF on September 5, 2013. Biosolids residue was tracked onto the asphalt road beside the biosolids storage/drying pad. Also observed was a large area around one of the sludge transfer valves where sewage sludge overtopped the wet well on the surrounding ground. The biosolids/sludge could be washed to the outfall through the facility's stormwater drains. The SWPP shall include steps and activities to carry out actions which prevent or control the pollution of stormwater discharges from the biosolids loading area. The SWPPP will no longer be required if off-site stormwater discharges are eliminated from the biosolids loading area with the upcoming WWTF improvements.

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.

☒ - This operating permit is drafted under a variance approved by the Missouri Clean Water Commission on July 9, 2014. This is a variance from the Missouri water quality standards utilized in the development of the wasteload allocations for the Stinson Creek Total Maximum Daily Load for total nitrogen, total phosphorus, carbonaceous biochemical oxygen demand, and total suspended solids as follows:

Pollutant Parameter	TMDL WLAs		Variance Limitations*
	Concentration	Mass	
Total Nitrogen	0.855 mg/L**	20.95 lbs/day	4.0 mg/L Quarterly Average
Total Phosphorus	0.092 mg/L**	2.25 lbs/day	0.10 mg/L Quarterly Average
Carbonaceous Biochemical Oxygen Demand	9 mg/L	200 lbs/day	9 mg/L Monthly Average
Total Suspended Solids	5 mg/L	122.51 lbs/day	5 mg/L Monthly Average

*Based on substantial and widespread economic and social impact
** WLA for nutrients were based on Eco Regional Criteria, http://www2.epa.gov/nutrient-policy-data/ecoregional-criteria-documents

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.

Wasteload allocations were calculated where applicable using water quality criteria or water quality model results and the dilution equation below:

$$C = \frac{(Cs \times Qs) + (Ce \times Qe)}{(Qe + Qs)}$$ (EPA/505/2-90-001, Section 4.5.5)

Where C = downstream concentration
Cs = upstream concentration
Qs = upstream flow
Ce = effluent concentration
Qe = effluent flow

Chronic wasteload allocations were determined using applicable chronic water quality criteria (CCC: criteria continuous concentration) and stream volume of flow at the edge of the mixing zone (MZ). Acute wasteload allocations were determined using applicable water quality criteria (CMC: criteria maximum concentration) and stream volume of flow at the edge of the zone of initial dilution (ZID).

Water quality based maximum daily and average monthly effluent limitations were calculated using methods and procedures outlined in USEPA's "Technical Support Document For Water Quality-based Toxics Control" (EPA/505/2-90-001).
Number of Samples "n":
Additionally, in accordance with the TSD for water quality-based permitting, effluent quality is determined by the underlying distribution of daily values, which is determined by the Long Term Average (LTA) associated with a particular Wasteload Allocation (WLA) and by the Coefficient of Variation (CV) of the effluent concentrations. Increasing or decreasing the monitoring frequency does not affect this underlying distribution or treatment performance, which should be, at a minimum, be targeted to comply with the values dictated by the WLA. Therefore, it is recommended that the actual planned frequency of monitoring normally be used to determine the value of "n" for calculating the AML. However, in situations where monitoring frequency is once per month or less, a higher value for "n" must be assumed for AML derivation purposes. Thus, the statistical procedure being employed using an assumed number of samples is "n = 4" at a minimum. For Total Ammonia as Nitrogen, "n = 30" is used.

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.

☒ - A Waste Load Allocation (WLA) study including model was submitted to the Department by the Environmental Protection Agency. The WLA study determined the need for in-stream monitoring for Dissolved Oxygen, Temperature, Chlorophyll A, and Ammonia. Waste loads for Carbonaceous Biochemical Oxygen Demand ($CBOD_5$) and Total Suspended Solids (TSS) were established. Technology-based nutrient effluent limits and WLAs for $CBOD_5$, TSS, Total Nitrogen, and Total Phosphorus will be implemented as a phased approach in the permit and the Memorandum of Understanding between the City of Fulton and Missouri Department of Natural Resources dated March 18, 2014.

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.

☒ - Under the federal Clean Water Act (CWA) §101(a)(3), requiring WET testing is reasonably appropriate for site-specific Missouri State Operating Permits for discharges to waters of the state issued under the National Pollutant Discharge Elimination System (NPDES). WET testing is also required by 40 CFR 122.44(d)(1). WET testing ensures that the provisions in the 10 CSR 20-6.010(8)(A)7. and the Water Quality Standards 10 CSR 20-7.031(3)(D),(F),(G),(I)2.A & B are being met. Under [10 CSR 20-6.010(8)(A)4], the Department may require other terms and conditions that it deems necessary to assure compliance with the Clean Water Act and related regulations of the Missouri Clean Water Commission. In addition the following MCWL apply: §§§644.051.3 requires the Department to set permit conditions that comply with the MCWL and CWA; 644.051.4 specifically references toxicity as an item we must consider in writing permits (along with water quality-based effluent limits, pretreatment, etc…); and 644.051.5 is the basic authority to require testing conditions. WET test will be required by <u>all</u> facilities meeting the following criteria:

☒ Facility is a designated Major.
☒ Facility is a municipality or domestic discharger with a Design Flow ≥ 22,500 gpd.

40 CFR 122.41(M) - BYPASSES:
The federal Clean Water Act (CWA), Section 402 prohibits wastewater dischargers from "bypassing" untreated or partially treated sewage (wastewater) beyond the headworks. A bypass is defined as an intentional diversion of waste streams from any portion of a treatment facility, [40 CFR 122.41(m)(1)(i)]. Additionally, Missouri regulation 10 CSR 20-7.015(9)(G) states a bypass means the intentional diversion of waste streams from any portion of a treatment facility, except in the case of blending, to waters of the state. Only under exceptional and specified limitations do the federal regulations allow for a facility to bypass some or all of the flow from its treatment process. Bypasses are prohibited by the CWA unless a permittee can meet all of the criteria listed in 40 CFR 122.41(m)(4)(i)(A), (B), & (C). Any bypasses from this facility are subject to the reporting required in 40 CFR 122.41(l)(6) and per Missouri's Standard Conditions I, Section B, part 2.b. Additionally, Anticipated Bypasses include bypasses from peak flow basins or similar devices designed for peak wet weather flows.

☒ - Outfall #002 is no longer authorized to discharge as it is a bypass.

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 assimilate 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.

☒ - Stinson Creek was listed on the 2008 Missouri 303(d) List for low dissolved oxygen and organic sediment which impaired the aquatic life use. Stinson Creek is now subject to the Stinson Creek TMDL.

☒ – This facility is considered to be a source of or has the potential to contribute to the above listed conditions or pollutant(s). This permit represents the first phase of implementation of the Stinson Creek TMDL as approved by EPA. The phased adaptive management process is included within the Memorandum of Understanding (MOU) between the City of Fulton and Missouri Department Natural Resources dated March 18, 2014. The process includes plant improvements followed by water quality studies to evaluate if water quality standards have been met or TMDL revisions are appropriate. Each phase of improvements will be consistent with the City's investment and financing in wastewater infrastructure.

This permit includes a phased implementation for technology based nutrient limits. The Department believes that the implementation of these limits in this manner is an appropriate course of action at this time. Once initial upgrades occur at the facility, the Department believes that the water quality standards for Stinson Creek will be attained.

The Department and the City of Fulton are certain that the final technology based effluent limits set forth in this permit will restore use attainment in Stinson Creek and ultimately lead to the re-categorization of this stream from the 305 (b) report. Nutrient WLA concentrations expressed in the TMDL were based on the design capacity of the facility. Since the facility typically operates at a flow less than that used to determine the WLA, the concentrations expressed in the permit are more closely aligned with TMDL loads.

Wasteload allocations developed in the TMDL were used to derive new effluent limitations for Carbonaceous Biochemical Oxygen Demand$_5$ (CBOD)$_5$. Because organic sediment is one component of Total Suspended Solids (TSS), wasteload allocations were also developed for TSS that reduce organic sediment and are protective of the dissolved oxygen criterion and aquatic life in Stinson Creek.

The Department anticipates numeric and narrative water quality criteria will be met after bypass elimination and the new effluent limits for $CBOD_5$ and TSS have been achieved at the Fulton Wastewater Treatment Facility. Implementation of these effluent limits will require continued proper operation and maintenance of the facility and additional plant improvements to address reductions in $CBOD_5$ and TSS. The City will also make modifications to eliminate Outfall #002 and pursue inflow and infiltration reduction. Elimination of Outfall #002 will further address the reductions in $CBOD_5$ and TSS in Stinson Creek.

In-stream monitoring for dissolved oxygen, and ammonia will be a permit condition to evaluate attainment of water quality criteria in the stream before and after implementation of new effluent limitations and facility upgrades. If post TMDL monitoring indicates that point source reductions are not achieving the desired improvements in water quality, the Department will reevaluate the TMDL for further appropriate actions. These actions may include additional permit conditions on the Fulton Wastewater Treatment Plant, including revised permit conditions on the Fulton municipal separate storm sewer system and other facilities, and further control of nonpoint sources through a nonpoint source management plan.

Part VI –2013 Water Quality Criteria for Ammonia

Upcoming changes to the Water Quality Standard for ammonia may require significant upgrades to wastewater treatment facilities.

On August 22, 2013, the U.S. Environmental Protection Agency (EPA) finalized new water quality criteria for ammonia, based on toxicity studies of mussels and gill breathing snails. Missouri's current ammonia criteria are based on toxicity testing of several species, but did not include data from mussels or gill breathing snails. Missouri is home to 69 of North America's mussel species, which are spread across the state. According to the Missouri Department of Conservation nearly two-thirds of the mussel species in Missouri are considered to be "of conservation concern". Nine species are listed as federally endangered, with an additional species currently proposed as endangered and another species proposed as threatened.

The adult forms of mussels that are seen in rivers, lakes, and streams are sensitive to pollutants because they are sedentary filter feeders. They vacuum up many pollutants with the food they bring in and cannot escape to new habitats, so they can accumulate toxins in their bodies and die. But very young mussels, called glochidia, are exceptionally sensitive to ammonia in water. As a result of a citizen suit, the EPA was compelled to conduct toxicity testing and develop ammonia water quality criteria that would be protective if young mussels may be present in a waterbody. These new criteria will apply to any discharge with ammonia levels that may pose a reasonable potential to violate the standards. Nearly all discharging domestic wastewater treatment facilities (cities, subdivisions, mobile home parks, etc.), as well as certain industrial and stormwater dischargers with ammonia in their effluent, will be affected by this change in the regulations.

When new water quality criteria are established by the EPA, states must adopt them into their regulations in order to keep their authorization to issue permits under the National Pollutant Discharge Elimination System (NPDES). States are required to review their water quality standards every three years, and if new criteria have been developed they must be adopted. States may be more protective than the Federal requirements, but not less protective. Missouri does not have the resources to conduct the studies necessary for developing new water quality standards, and therefore our standards mirror those developed by the EPA; however, we will utilize any available flexibility based on actual species of mussels that are native to Missouri and their sensitivity to ammonia.

Many treatment facilities in Missouri are currently scheduled to be upgraded to comply with the current water quality standards. But these new ammonia standards may require a different treatment technology than the one being considered by the permittee. It is important that permittees discuss any new and upcoming requirements with their consulting engineers to ensure that their treatment systems are capable of complying with the new requirements. The Department encourages permittees to construct treatment technologies that can attain effluent quality that supports the EPA ammonia criteria.

Ammonia toxicity varies by temperature and by pH of the water. Assuming a stable pH value, but taking into account winter and summer temperatures, Missouri includes two seasons of ammonia effluent limitations. Current effluent limitations in this permit are:

Summer – 6 mg/L daily maximum, 1.2 mg/L monthly average.
Winter – 12 mg/L daily maximum, 2.6 mg/L monthly average.

Under the new EPA criteria, where mussels of the family Unionidae are present or expected to be present, the estimated effluent limitations for a facility in a location such as this that discharges to a receiving stream with no mixing will be:

Summer – 1.7 mg/L daily maximum, 0.6 mg/L monthly average.
Winter – 5.6 mg/L daily maximum, 2.1 mg/L monthly average.

Actual effluent limits will depend in part on the actual performance of the facility.

Operating permits for facilities in Missouri must be written based on current statutes and regulations. Therefore permits will be written with the existing effluent limitations until the new standards are adopted. To aid permittees in decision making, an advisory will be added to permit Fact Sheets notifying permittees of the expected effluent limitations for ammonia. When setting schedules of compliance for ammonia effluent limitations, consideration will be given to facilities that have recently constructed upgraded facilities to meet the current ammonia limitations.

For more information on this topic feel free to contact the Missouri Department of Natural Resources, Water Protection Program, Water Pollution Control Branch, Operating Permits Section at (573) 751-1300.

Part VII – Effluent Limits Determination

Outfall #001 – Main Facility Outfall

EFFLUENT LIMITATIONS TABLE:

PARAMETER	Unit	Basis for Limits	Daily Maximum	Weekly Average	Monthly Average	Quarterly Average	Modified	Previous Permit limitations
Flow	MGD	1	*		*		NO	*/*
$CBOD_5$	mg/L	1		15	9		YES	45/30
TSS	mg/L	1		15	5		YES	45/30
pH	SU	1	6.5-9.0				YES	6-9
Ammonia as N (April 1 – Sept 30)	mg/L	2, 3	6		1.2		YES	*/*
Ammonia as N (Oct 1 – March 31)	mg/L	2, 3	12		2.6		YES	*/*
Escherichia coli	**	1, 3		1030	206		YES	*/*
Oil & Grease	mg/L	1, 3	15		10		YES	***
Total Phosphorus (Tier 2 final limits)	mg/L	TBEL	*			0.1	YES	***
Total Nitrogen (Tier 2 final limits)	mg/L	TBEL	*			4	YES	***
Copper, Total Recoverable	µg/L	2	40.5		19.3		YES	*/*
Whole Effluent Toxicity (WET) Test	% Survival	9	Please see WET Test in the Derivation and Discussion Section below.					
Monitoring Frequency	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.							

* - Monitoring requirement only.
** - # of colonies/100mL; the Monthly Average for *E. coli* is a geometric mean.
***- Parameter was not previously established in previous state operating permit.

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

OUTFALL #001 – DERIVATION AND DISCUSSION OF LIMITS:

- **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.
- **Carbonaceous Biochemical Oxygen Demand (BOD_5), Total Suspended Solids (TSS).** Limitations have been established consistent with the wasteload allocations expressed in the approved TMDL for Stinson Creek as expressed in Table 10 of the TMDL.

- **Total Phosphorus, Total Nitrogen.** The TMDL for Stinson Creek states that to address nutrient levels in Stinson Creek the EPA nutrient eco-region reference concentrations for the Southeastern Temperate Forested Plains and Hills Eco-region IX were used. These eco-regional values were used to establish a waste load allocation/permit limit for total N and total P in the TMDL. The intent of EPA's recommended eco-regional nutrient criteria is to identify baseline conditions of surface waters that are minimally impacted by human activities and protect against the adverse effects of nutrient over enrichment from cultural eutrophication. These EPA recommended water quality criteria are suggested baselines which should be used by states and tribes to help identify problem areas, serve as a basis for state and tribal water quality criteria for nutrients, and evaluate relative success in reducing cultural eutrophication. The development document for the Eco region IX states that EPA does not recommend identifying nutrient concentrations that must be met at all times, rather a seasonal or annual averaging period (e.g., based on weekly measurements) is considered appropriate. Therefore, the permit establishes a quarterly average limitation for total nitrogen and total phosphorus and requires weekly monitoring.

Tier 1 and 2 final limits have been established in this permit as part of the phased implementation of the Stinson Creek TMDL. These limits are technology-based. Establishing appropriate permit limits that implement nitrogen and phosphorus waste load allocations that are based on eco-region nutrient values is different than setting limits for other parameters such as toxic or conventional pollutants. Toxic pollutants are subject to short term limitations to address acute toxicity and conventional pollutants are subject to technology based requirements which have been determined to be achievable as a short term permit requirement. The seasonal nature of nutrients versus the constant loading of toxic and conventional pollutants also lends itself to innovative implementation. The TMDL sets wasteload allocations beyond what can be achieved via the current treatment technologies economically available at the time of the permits issuance. The Department has chosen to establish limitations that reflect what can be achieved via technology rather than the water quality based (eco-region) nutrient criteria/waste load allocations expressed in the TMDL. Given that the requirements expressed in the permit for nitrogen and phosphorus are technology-based, it is appropriate to establish the limit as a quarterly long term average.

Use attainment for nutrient impairment is appropriately evaluated quarterly given the long-term biological and physical processes that occur in a stream receiving nutrient discharges. Therefore, developing effluent limitations requires innovative implementation procedures. The efficiency of treatment of nutrients by biological nutrient removal is highly sensitive to ambient temperature and is not effective at lower temperatures. Thus, the effluent loading of nutrients is not constant due to seasonal temperature fluctuations in Missouri climates. Even a simple steady-state model for permit development such as dividing quarterly limit by 3 and establishing that value as the monthly limit is therefore, not appropriate. Such a limit does not account for fluctuations in effluent loading. Because of the effect of temperature on the treatment efficiency and the normal variation in ambient temperature over shorter time periods, it is impractical to develop appropriate daily, weekly or monthly limits for nutrients.

Tier 1 Improvements- Biological Nutrient Removal:
Once the 2013 Facility Plan improvements are operational, it is proposed that the receiving stream (Stinson Creek) be allowed to assimilate and that the Water quality in Stinson Creek will be reassessed against applicable water quality standards to determine if biological nutrient removal is necessary. The biological nutrient removal improvements will consist of a Return Activated Sludge (RAS) selector basin, aeration basin baffle walls and mixers, replacement of RAS pumps, aeration basin distribution box replacement, a chemical (e.g., alum) addition system, and site piping modifications. These improvements are expected to limit effluent concentrations to an quarterly average of 8 mg/L TN and 1.0 mg/L TP. The 2013 cost of the improvements is $3,500,000. Biological nutrient removal improvements are proposed to be constructed by 2026. At a 3% cost inflation per year, the 2026 cost of the improvements is $5,200,000.

Tier 2 Improvements- Enhanced Nutrient Removal:
Once the Tier 1 biological nutrient removal improvements are operational, it is proposed that Stinson Creek again be allowed to assimilate and that the Water quality in Stinson Creek will be reassessed against applicable water quality standards to determine if enhanced nutrient removal is necessary. The enhanced nutrient removal improvements will consist of a denitrifying sand filtration facility, an intermediate pumping station, and associated site work and site piping. These improvements are expected to limit effluent concentrations to an quarterly average of 4 mg/L TN and 0.1mg/L TP. The 2013 cost of the improvements is $7,500,000. Enhanced nutrient removal improvements are proposed to be constructed by 2035. At a 3% cost inflation per year, the 2035 cost of the improvements is $14,400,000.

A third tier of nutrient removal phase was considered but deemed impractical and unaffordable. Tier 3 would consist of running half of the effluent flow through a membrane treatment plant. The combined effluent would likely have limits of 2 mg/L TN and 0.05 TP (Striking a Balance Between Nutrient Removal and Sustainability[1]). This would require the installation of microfiltration and reverse osmosis (RO) membranes. Additionally, the RO brine would require disposal. The estimated capital cost for a membrane plant to treat half of Fulton's peak day flow would be approximately $30-40 million dollars, in 2013 dollars, assuming deep well injection is an appropriate RO brine disposal method. The $30-40 million dollars would be in addition to the disinfection and ammonia, Tier 1, and Tier 2 improvements, while representing very marginal nutrient removal (approximately 2 mg/L TN and 0.05 mg/L TP). Operating costs would double over the Tier 2 operating costs. The authors of the referenced paper cite that using RO to remove TN and TP is, "impractical due to high costs, significant impacts on GHG (greenhouse gasses), and brine disposal challenges." (pg 635).

[1]Falk MW, Reardon DJ, Jimenez J, Neethling JB. Water Environment Federation. Presented at the Nutrient Recovery and Management Conference, 2011.

- **pH**. – 6.5-9.0 SU. Technology based effluent limitations of 6.0-9.0 SU [10 CSR 20-7.015] are not protective of the Water Quality Standard, which states that water contaminants shall not cause pH to be outside the range of 6.5-9.0 SU. No mixing zone is allowed due to the classification of the receiving stream, therefore the water quality standard must be met at the outfall.

- **Total Ammonia Nitrogen**. Early Life Stages Present Total Ammonia Nitrogen criteria apply [10 CSR 20-7.031(4)(B)7.C. & Table B3] default pH 7.8 SU No mixing considerations allowed; therefore, WLA = appropriate criterion.

Season	Temp (^{o}C)	pH (SU)	Total Ammonia Nitrogen CCC (mg/L)	Total Ammonia Nitrogen CMC (mg/L)
Summer	26	7.8	1.5	12.1
Winter	6	7.8	3.1	12.1

Summer: May 1 – October 31

Chronic WLA: $C_e = ((4.5415 + 0.0)1.5 – (0.0 * 0.01))/4.5415$
$C_e = 1.5$ mg/L

Acute WLA: $C_e = ((4.5415 + 0.0)12.1 – (0.0 * 0.01))/4.5415$
$C_e = 12.1$ mg/L

$LTA_c = 1.5$ mg/L (0.448) = **0.672 mg/L** [CV = 2.13, 99th Percentile, 30 day avg.]
$LTA_a = 12.1$ mg/L (0.112) = 1.4 mg/L [CV = 2.13, 99th Percentile]

Use most protective number of LTA_c or LTA_a.

MDL = 0.672 mg/L (8.91) = 6 mg/L [CV = 2.13, 99th Percentile]
AML = 0.672 mg/L (1.73) = 1.2 mg/L [CV = 2.13, 95th Percentile, n =30]

Winter: November 1 – April 30

Chronic WLA: $C_e = ((4.5415 + 0.0)3.1 – (0.0 * 0.01))/4.5415$
$C_e = 3.1$ mg/L

Acute WLA: $C_e = ((4.5415 + 0.0)12.1 – (0.0 * 0.01))/4.5415$
$C_e = 12.1$ mg/L

$LTA_c = 3.1$ mg/L (0.548) = **1.7 mg/L** [CV = 1.54, 99th Percentile, 30 day avg.]
$LTA_a = 12.1$ mg/L (0.142) = **1.7 mg/L** [CV = 1.54, 99th Percentile]

Use most protective number of LTA_c or LTA_a.

MDL = 1.7 mg/L (7.06) = 12 mg/L [CV = 1.54, 99th Percentile]
AML = 1.7 mg/L (1.51) = 2.6 mg/L [CV = 1.54, 95th Percentile, n =30]

- ***Escherichia coli (E. coli)***. Monthly average of 206 per 100 mL as a geometric mean and Weekly Average of 1030 per 100 mL as a geometric mean during the recreational season (April 1 – October 31), to protect Whole Body Contact Recreation (B) designated use of the receiving stream, as per 10 CSR 20-7.031(5)(C). An effluent limit for both monthly average and weekly average is required by 40 CFR 122.45(d).

- **Oil & Grease**. Conventional pollutant, effluent limitation for protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum.

Metals

Effluent limitations for total recoverable metals were developed using methods and procedures outlined in the "Technical Support Document For Water Quality-based Toxic Controls" (EPA/505/2-90-001) and "The Metals Translator: Guidance for Calculating a Total Recoverable Permit Limit from a Dissolved Criterion" (EPA 823-B-96-007). General warm-water fishery criteria apply and a water hardness of 306 mg/L is used in the conversion below.

Due to the absence of contemporaneous effluent and instream data for total recoverable metals, dissolved metals, hardness, and total suspended solids with which to calculate metals translators, partitioning between the dissolved and absorbed phases was assumed to be minimal (Section 5.7.3, EPA/505/2-90-001). Freshwater criteria conversion factors for dissolved metals were used as the metals translator as recommended in guidance (Section 1.3, 1.5.3, and Table 1, EPA 823-B-96-007). If concurrent site-specific data for total recoverable metals, dissolved metals, hardness, and total suspended solids are provided to the Department, partitioning evaluations may be considered and site-specific translators developed.

METAL	CONVERSION FACTORS	
	ACUTE	CHRONIC
Copper	0.960	0.960

Values calculated using equation found in Section 1.3 of EPA 823-B-96-007 and hardness = 306 mg/L.

- **Cadmium, Chromium, Lead, Nickel.** Effluent monitoring data for the previous 4 years showed all non-detects for these metals; therefore, monitoring has been removed from this permit.

- **Zinc, Total Recoverable**. Effluent monitoring data for the previous 4 years showed no reasonable potential to violate water quality standards; therefore, monitoring will be removed from this permit.

- **Copper, Total Recoverable**. Protection of Aquatic Life Chronic Criteria = 23 µg/L, Acute Criteria = 39 µg/L. Effluent monitoring data for the last 4 years showed a reasonable potential to exceed water quality standards.

  Chronic = 23/0.960 = 24 µg/L
  Acute = 39/0.960 = 40.6 µg/L

  Chronic WLA: $C_e = ((4.5415 + 0.0)24 – (0.0 * 0.0))/4.5415$
  $C_e = 24$ µg/L

  Acute WLA: $C_e = ((4.5415 + 0.0)40.6 – (0.0 * 0.0))/4.5415$
  $C_e = 40.6$ µg/L

  $LTA_c = 24\ (0.497) = 11.9$ µg/L [CV = 0.664, 99th Percentile]
  $LTA_a = 40.6\ (0.294) = 11.9$µg/L [CV = 0.664, 99th Percentile]

  Use most protective number of LTA_c or LTA_a.

  MDL = 11.9 (3.4) = 40.5 µg/L [CV = 0.664, 99th Percentile]
  AML = 11.9 (1.62) = 19.3 µg/L [CV = 0.664, 95th Percentile, n = 4]

- **WET Test**. WET Testing schedules and intervals are established in accordance with the Department's Permit Manual; Section 5.2 *Effluent Limits / WET Testing for Compliance Bio-monitoring.* It is recommended that WET testing be conducted during the period of lowest stream flow. Acute WET Test shall be performed no less than once per year for facilities that are designated as "Majors" or that have a design flow ≥ 1.0 MGD.

Minimum Sampling and Reporting Frequency Requirements. Sampling and reporting frequency requirements have been retained from previous state operating permit.

Part VIII – Finding of Affordability

Pursuant to Section 644.145, RSMo., the Department is required to determine whether a permit or decision is affordable and makes a finding of affordability for certain permitting and enforcement decisions. This requirement applies to discharges from combined or separate sanitary sewer systems or publically-owned treatment works.

☒ Applicable; The Department is required to determine findings of affordability because the permit applies to a combined or separate sanitary sewer system for a publically-owned treatment works.

Finding of affordability - The department has made a reasonable search for empirical data indicating the permit is affordable. The search consisted of a review of department records that might contain economic data on the community, a review of information provided by the applicant as part of the application, and public comments received in response to public notices of this draft permit. If the empirical cost data was used by the permit writer, this data may consist of median household income, any other ongoing projects that the Department has knowledge, and other demographic financial information that the community provided as contemplated by Section 644. 145.3. See **Appendix #3 – Affordability Analysis**

Part IX – 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.

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 June 28, 2013 – July 29, 2013.

Public Notice Comments:
During the public notice period the city expressed concerns regarding wastewater technology being able to meet the quarterly average values expressed in the final permit limits. The Department does acknowledge the cities concern and is willing to address this issue once operational data is available. Also, language from the City's AOC with the Department and the final MOU have been included in the fact sheet at the request of the city.

DATE OF FACT SHEET: 06/14/2013

COMPLETED BY:

CHRIS WIEBERG
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION
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Appendices

APPENDIX #1 - CLASSIFICATION WORKSHEET:

ITEM	POINTS POSSIBLE	POINTS ASSIGNED
Maximum Population Equivalent (P.E.) served (Max 10 pts.)	1 pt./10,000 PE or major fraction thereof.	5
Maximum: 10 pt Design Flow (avg. day) or peak month; use greater (Max 10 pts.)	1 pt. / MGD or major fraction thereof.	5
EFFLUENT DISCHARGE RECEIVING WATER SENSITIVITY:		
Missouri or Mississippi River	0	
All other stream discharges except to losing streams and stream reaches supporting whole body contact	1	
Discharge to lake or reservoir outside of designated whole body contact recreational area	2	
Discharge to losing stream, or stream, lake or reservoir area supporting whole body contact recreation	3	3
PRELIMINARY TREATMENT - Headworks		
Screening and/or comminution	3	3
Grit removal	3	3
Plant pumping of main flow (lift station at the headworks)	3	3
PRIMARY TREATMENT		
Primary clarifiers	5	
Combined sedimentation/digestion	5	
Chemical addition (except chlorine, enzymes)	4	
REQUIRED LABORATORY CONTROL – performed by plant personnel (highest level only)		
Push – button or visual methods for simple test such as pH, Settleable solids	3	
Additional procedures such as DO, COD, BOD, titrations, solids, volatile content	5	
More advanced determinations such as BOD seeding procedures, fecal coliform, nutrients, total oils, phenols, etc.	7	7
Highly sophisticated instrumentation, such as atomic absorption and gas chromatograph	10	
ALTERNATIVE FATE OF EFFLUENT		
Direct reuse or recycle of effluent	6	
Land Disposal – low rate	3	
High rate	5	
Overland flow	4	
Total from page **ONE (1)**	----	29

APPENDIX #1 - CLASSIFICATION WORKSHEET (CONTINUED):

ITEM	POINTS POSSIBLE	POINTS ASSIGNED
VARIATION IN RAW WASTE (highest level only) (DMR exceedances and Design Flow exceedances)		
Variation do not exceed those normally or typically expected	0	
Recurring deviations or excessive variations of 100 to 200 % in strength and/or flow	2	2
Recurring deviations or excessive variations of more than 200 % in strength and/or flow	4	
Raw wastes subject to toxic waste discharge	6	
SECONDARY TREATMENT		
Trickling filter and other fixed film media with secondary clarifiers	10	
Activated sludge with secondary clarifiers (including extended aeration and oxidation ditches)	15	15
Stabilization ponds without aeration	5	
Aerated lagoon	8	
Advanced Waste Treatment Polishing Pond	2	
Chemical/physical – without secondary	15	
Chemical/physical – following secondary	10	
Biological or chemical/biological	12	
Carbon regeneration	4	
DISINFECTION		
Chlorination or comparable	5	
Dechlorination	2	
On-site generation of disinfectant (except UV light)	5	
UV light	4	
SOLIDS HANDLING - SLUDGE		
Solids Handling Thickening	5	
Anaerobic digestion	10	
Aerobic digestion	6	6
Evaporative sludge drying	2	2
Mechanical dewatering	8	8
Solids reduction (incineration, wet oxidation)	12	
Land application	6	6
Total from page **TWO (2)**	----	39
Total from page **ONE (1)**	---	29
Grand Total	---	68

☐ - A: 71 points and greater
☒ - B: 51 points – 70 points
☐ - C: 26 points – 50 points
☐ - D: 0 points – 25 points

APPENDIX #2 – RPA RESULTS:

Parameter	CMC*	RWC Acute*	CCC*	RWC Chronic*	n**	Range	CV***	MF	RP Yes/No
Total Ammonia as Nitrogen (Summer) mg/L	12.1	13.1	1.5	13.1	55	0.01-3.9	2.131	3.337	Yes
Total Ammonia as Nitrogen (Winter) mg/L	12.1	11	3.1	11	55	0.06-4	1.536	2.756	Yes
Copper, Total Recoverable	40.6	77.7	24	77.7	16	2.5-30	0.664	2.589	Yes

N/A – Not Applicable
* - Units are (µg/L) unless otherwise noted.
** - If the number of samples is greater than 10, then the CV value must be used in the WQBEL for the applicable constituent.
*** - Coefficient of Variation (CV) is calculated by dividing the Standard Deviation of the sample set by the Mean of the same sample set.
RWC – Receiving Water Concentration. It is the concentration of a toxicant or the parameter toxicity in the receiving water after mixing (if applicable).
n – Is the number of samples.
MF – Multiplying Factor. 99% Confidence Level and 99% Probability Basis.
RP – Reasonable Potential. It is where an effluent is projected or calculated to cause an excursion above a water quality standard based on a number of factors including, as a minimum, the four factors listed in 40 CFR 122.44(d)(1)(ii).

Reasonable Potential Analysis is conducted as per (TSD, EPA/505/2-90-001, Section 3.3.2). A more detailed version including calculations of this RPA is available upon request.

APPENDIX #3 – AFFORDABILITY:

Missouri Department of Natural Resources
Water Protection Program
Affordability Determination and Finding
(In accordance with RSMo 644.145)

City of Fulton
Residential Connections: 3,667
Commercial Connections: 626, including 15 Industrial and 25 City
Total Connections: 4,293

Introduction & Scope

Section 644.145 RSMo requires the Missouri Department of Natural Resources (Department) to make a "finding of affordability" when "issuing permits under" or "enforcing provisions of" state or federal clean water laws "pertaining to any portion of a combined or separate sanitary sewer system or publicly-owned treatment works."

The City of Fulton (City) has entered into Abatement Order on Consent AOC No. 2013-WPCB-1241 with the Department, which requires the City to complete improvements to its collection system that will eliminate inflow and infiltration (I/I) and reduce the amount of Sanitary Sewer Overflows (SSOs) the wastewater treatment facility (facility) experiences. These improvements also include eliminating all discharges from the facility's peak flow clarifier. In addition, the City will construct upgrades to its current facility that will enable the effluent to comply with all permitted effluent limitations contained in draft Missouri State Operating Permit (MSOP) No. MO-0103331. The AOC further provides an extension of time for the City to comply with Escherichia Coliform and ammonia limits as set forth in draft MSOP No. MO-0103331. The City has explained to the Department that it is not beneficial for the City to invest its finances in completing the upgrades to its facility until the City determines its design flow after completing I/I improvements to the collection system.

This affordability finding covers the City's initial obligations to implement its I/I Program and complete upgrades to its facility that will enable the effluent to comply with all permitted effluent limitations contained in draft MSOP No. MO-0103331.

The City plans to spend at least $693,000.00 for capital improvement items to address I/I in its collection system.
The 2013 Facility Plan improvements consist of improvements which will address issues identified in the Abatement Order on Consent (AOC) No. 2011-WPCB-1122. Improvements include the elimination of Outfall 002 as well as ammonia and disinfection improvements. Improvements are also designed to meet the current draft operating permit which reduces the allowable BOD and TSS limits. While this project will decrease the effluent ammonia levels and will be capable of being operated to achieve some denitrification, it will not significantly decrease the effluent Total Nitrogen (TN) and Total Phosphorus (TP) effluent levels. The expected capital cost of the project (in 2013 dollars) is $12,980,000.

Once the 2013 Facility Plan improvements are operational, it is proposed that the receiving stream (Stinson Creek) be allowed to assimilate and that the Stinson Creek TMDL be re-evaluated to determine if biological nutrient removal is necessary. If required, the biological nutrient removal improvements will consist of a RAS selector basin, aeration basin baffle walls and mixers, replacement of RAS pumps, aeration basin distribution box replacement, an alum system, and site piping modifications. These improvements are expected to limit effluent concentrations to a quarterly average of 8 mg/L TN and 1.0 mg/L TP. The 2013 cost of the improvements is $3,500,000. Biological nutrient removal improvements are proposed to be constructed by 2026. At a 3% cost inflation per year, the 2026 cost of the improvements is $5,200,000.

Once the Tier 1 biological nutrient removal improvements are operational, it is proposed that Stinson Creek again be allowed to assimilate and that the Stinson Creek TMDL again be re-evaluated to determine if enhanced nutrient removal is necessary. If required, the enhanced nutrient removal improvements will consist of a denitrifying sand filtration facility, an intermediate pumping station, and associated site work and site piping. These improvements are expected to limit effluent concentrations to an quarterly average of 4 mg/L TN and 0.1mg/L TP. The 2013 cost of the improvements is $7,500,000. Enhanced nutrient removal improvements are proposed to be constructed by 2035, if required. At a 3% cost inflation per year, the 2035 cost of the improvements is $14,400,000.

A third tier of nutrient removal phase was considered but deemed impractical and unaffordable. Tier 3 would consist of running half of the effluent flow through a membrane treatment plant. The combined effluent would likely have limits of 2 mg/L TN and 0.05 TP (Striking a Balance Between Nutrient Removal and Sustainability[1]). This would require the installation of microfiltration and reverse osmosis (RO) membranes. Additionally, the RO brine would require disposal. The estimated capital cost for a membrane plant to treat half of Fulton's peak day flow would be approximately $30-40 million dollars, in 2013 dollars, assuming deep well injection is an appropriate RO brine disposal method. The $30-40 million dollars would be in addition to the disinfection and ammonia, Tier 1, and Tier 2 improvements, while representing very marginal nutrient removal (approximately 2 mg/L TN and 0.05 mg/L TP). Operating costs would double over the Tier 2 operating costs. The authors of the referenced paper cite that using RO to remove TN and TP is, "impractical due to high costs, significant impacts on GHG (greenhouse gasses), and brine disposal challenges." (pg 635).

[1]Falk MW, Reardon DJ, Jimenez J, Neethling JB. Water Environment Federation. Presented at the Nutrient Recovery and Management Conference, 2011.

Statutory Criteria

(1) A community's financial capability and ability to raise or secure necessary funding

Municipal Bond Rating (if applicable):	No Bond Rating
Bonding Capacity:	$10 Million
(General Obligation Bond capacity allowed by constitution: Cities = up to 20% of taxable tangible property Sewer Districts = up to 5% of taxable tangible property)	
Current outstanding debt:	$16.915 Million[1]

As of January 2012, the City has an obligation to pay $2.165 million to the State Revolving Fund (SRF) for sewer projects. The City estimates that the remaining sewer SRF loan, in the amount of $2,165,000, will be paid off in 2021 and the Drinking Water SRF loan will be paid off in 2029.

The City operates the Wastewater Department on the monthly charge for the average residential household using 5,000 gallons per month. The City passed a 25% rate increase in December 2010 and an additional rate increase of 25% was passed in December 2011. This gave the City approximately $400,000.00 annually to spend towards I/I improvements in its collection system. Currently, the sewer rate is $32.86 a month, not including a half-cent sales tax from the City's Capital Improvement Plan, which is approximately $6.50 a month for sewer, and an additional $6.50 per month for drinking water. According to the City, this rate structure is sufficient to pay for the I/I Improvements. Therefore the City has demonstrated financial capability to raise and secure the necessary funding.

(2) Affordability of pollution control options for the individuals or households of the community

Current annual operating costs (exclude depreciation):	$1,226,843.00
Current user rate:	$39.36
Estimated capital cost of pollution control options:	$33,273,000.00
Annual costs of additional after 2016 upgrades are completed	$1,600,000.00
Annual costs of additional after 2026 upgrades are completed	Unknown
Annual costs of additional after 2036 upgrades are completed	Unknown
Estimated resulting monthly user rate after the 2016 upgrades:	47.03
Estimated resulting monthly user rate after the 2036 upgrades:	$73.21
Adjusted Median Household Income:	$44,303.00
Resulting User Rate as a percent of Median Household Income:	1.98% (does not include future operational cost increases for Tiers 1 and 2 for nutrient removal)

	Financial Impact	**Residential Indicator (Usage Rate as a percent of Median Household Income)**
	Low	Less than 1% MHI
	Medium	Between 1% and 2% MHI
X	High	Greater than 2% MHI, (The percentage of MHI as calculated above does not consider operational costs of nutrient removal therefore it is assumed that the percentage is greater than 2%)

The residential user rate is 1.98% of MHI and will be a high burden for most customers.

[1] Per e-mail from City on 3/14/2012

(3) An evaluation of the overall costs and environmental benefits of the control technologies:

Under the Missouri Clean Water Law and the Federal Clean Water Act, SSOs are prohibited because they cause public health and environmental hazards. Effective June 30, 2010, a revision to 10 CSR 20-7.015, Effluent Regulations eliminated the provision that allowed facilities to discharge effluent from their peak flow clarifiers, because these discharges bypass secondary treatment, a requirement of the Clean Water Act. Additionally, draft MSOP No. MO-0103331 requires disinfection to treat bacteria, and establishes stringent effluent limitations on the receiving stream, Stinson Creek, a Class C receiving stream, which is protected for warm water aquatic life, human health-fish consumption, whole body contact recreation, and livestock and wildlife watering. Stinson Creek was also on the 2008 Missouri 303(d) list for low dissolved oxygen and organic sediment and is now subject to the Stinson Creek TMDL. The City plans to spend approximately $12,980,000 toward I/I improvements and facility upgrades over the next 13 years.

(4) An inclusion of ways to reduce economic impacts on distressed populations in the community, including but not limited to low and fixed income populations:

Potentially Distressed Populations	
Unemployment[2] for *[Fulton, Callaway County]*	6.8%
Adjusted Median Household Income[3] *[Fulton, Callaway County]*	$44,303.00
Percent Population Growth/Decline[4] (1990-2010)	+25.8%
Percent of Households in Poverty[5]	13.0%

(5) An assessment of other community investments relating to environmental improvements

The City has no other obligations under this AOC.

(6) An assessment of factors set forth in the United States Environmental Protection Agency's (EPA) guidance, including but not limited to the "Combined Sewer Overflow Guidance for Financial Capability Assessment and Schedule Development" that may ease the cost burdens of implementing wet weather control plans, including but not limited to small system considerations, the attainability of water quality standards, and the development of wet weather standards

See Section (2) of this analysis for the residential indicator as outlined in the above-referenced EPA guidance.

[2] Unemployment data from Missouri Department of Economic Development for December 2011 - http://www.missourieconomy.org/pdfs/urel1112.pdf

[3] Median Household Income data from American Community Survey – Median income in the past 12 months – http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t
Note: The median household income is adjusted for inflation according to the method suggested in the EPA CSO guidance for financial capability assessment and schedule development (http://www.epa.gov/npdes/pubs/csofc.pdf)

[4] 2010 Census Population Data - http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t
2000 Census Population Data - http://www.census.gov/popest/data/cities/totals/2009/tables/SUB-EST2009-04-29.xls 1990 Census Population Data – http://www.census.gov/prod/cen1990/cp1/cp-1-27.pdf

[5] Poverty data – American Community Survey -http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t

Secondary indicators for consideration:

Socioeconomic, Debt and Financial Indicators

Indicators	Strong (3 points)	Mid-Range (2 points)	Weak (1 point)	Score
Bond rating indicator[6]	Above BBB or Baa	BBB or Baa	Below BBB or Baa	N/A[6]
Overall net debt[7] as a % of full market property value[8]	Below 2% 1.58%	2% - 5%	Above 5%	3
Unemployment Rate	>1% below Missouri's average	± 1% of Missouri's average	>1% above Missouri's average	2
Median household income	More than 25% above Missouri's MHI	± 25% of Missouri's MHI	More than 25% below Missouri's MHI	2
Property tax revenues[9] as a % of full market property value	Below 2% 0.5%	2% - 4%	Above 4%	3
Property tax collection rate[10]	Above 98% 106.4%	94% - 98%	Below 94%	3

Average Score for Financial Capability Matrix: 2.6
Residential Indicator (from Criteria #2 above): 1.98% (The percentage of MHI as calculated above does not consider operational costs of nutrient removal therefore it is assumed that the percentage is greater than 2%)

Financial Capability Matrix

Financial Capability Indicators Score from above ↓	**Residential Indicator (User rate as a % of MHI)**		
	Low (Below 1%)	Mid-Range (Between 1.0% and 2.0%)	High (Above 2.0%)
Weak (below 1.5)	Medium Burden	High Burden	High Burden
Mid-Range (1.5 – 2.5)	Low Burden	Medium Burden	High Burden
Strong (above 2.5)	Low Burden	Low Burden	X Medium Burden

Suggested Financial Burden: Medium Burden

(7) An assessment of any other relevant local community economic condition:

Fulton's population grew 25.8% from 1990-2010. In terms of economic strength, Callaway County is fairly above average when compared to other counties in the State. The percentage of labor force is 2% above the State average, the per capita wealth[11] is 2% above the State average, and per capita income is 23% below the State's average.

In terms of retail sales, Callaway County loses retail customers to surrounding counties and the County residents spend less than the state average on retail goods and services. The buying power index of Callaway County residents is about average when compared to the rest of the regional economy[12].

Conclusion

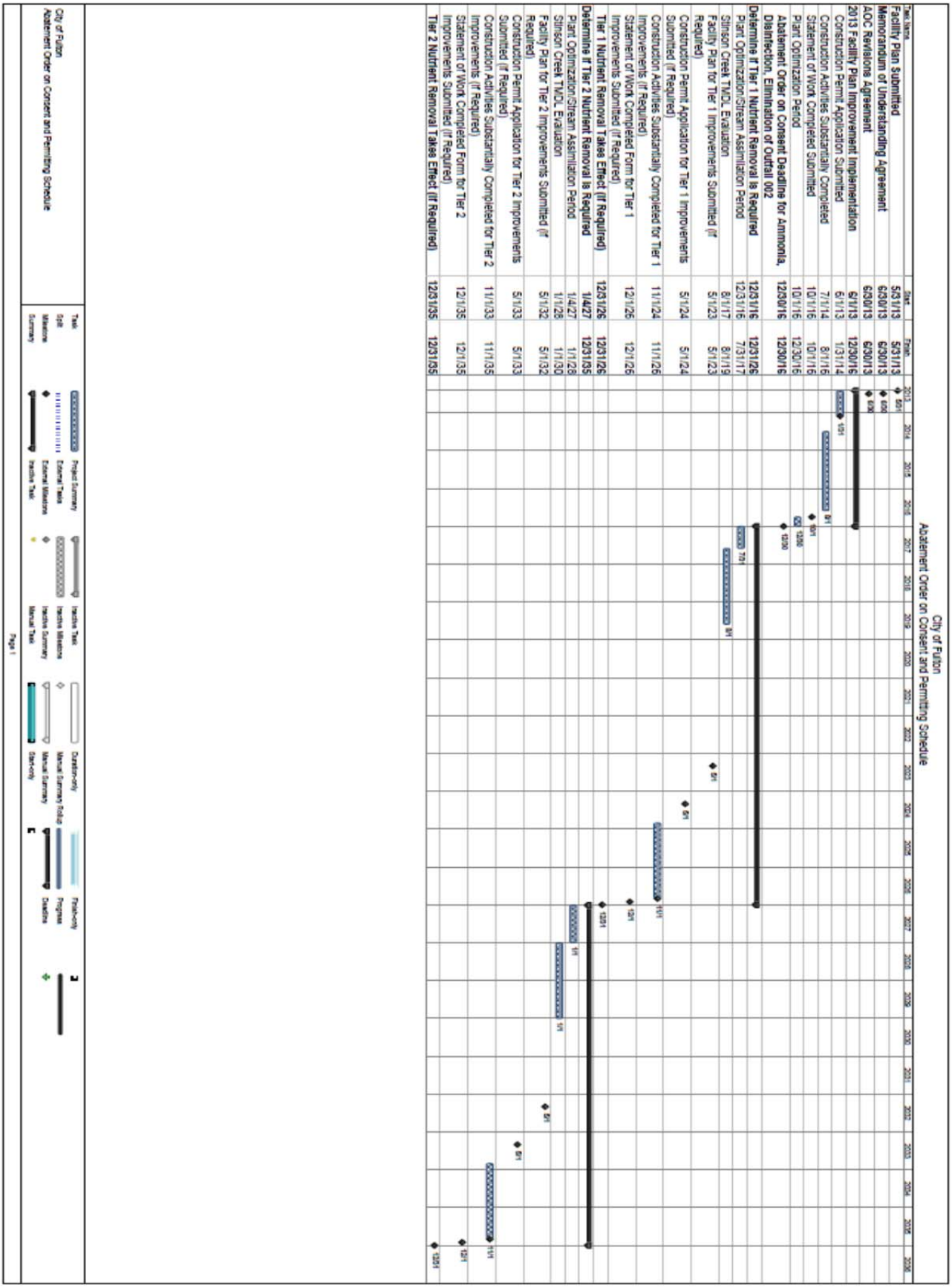
As a result of reviewing the above criteria, the Department hereby finds that the action described above will result in a medium burden with regard to the community's overall financial capability and a financial impact for most individual customers/households.

New Permit Requirements or Requirements Now Being Enforced:

The proposed new permit requirements may require the design, construction and operation of new technology. The facility is required to; upgrade to meet TMDL effluent limits for Carbonaceous Biochemical Oxygen Demand, Total Suspended Solids, Total Nitrogen and Total Phosphorus.

[6] City of Fulton has never had a bond rating (per Mayor Benton on 3/14/2012)
[7] 2010 Fulton Comprehensive Annual Financial Report (Table 13 – page 73)
[8] 2010 Fulton Comprehensive Annual Financial Report (Table 13 – page 73)
[9] 2010 Fulton Comprehensive Annual Financial Report (Table 9 – page 69)
[10] 2010 Fulton Comprehensive Annual Financial Report (Table 9 – page 69)
[11] Per capita wealth is calculated by taking a sum of appraised value of residential property, mobile homes and motor vehicles and this sum is then divided by County population.
[12] Source: http://www.missourieconomy.org/pdfs/central_wia_retail_trade_analysis.pdf

APPENDIX #4 – ABATEMENT ODER ON CONSENT AND PERMIT REOUIREMENT IMPLEMENTATION SCHEDULE:



APPENDIX 5 – STINSON CREEK TOTAL MAXIMUM DAILY LOAD IMPLEMENTATION MEMORANDUM OF UNDERSTANDING:

Stinson Creek Total Maximum Daily Load Implementation Memorandum of Understanding

The parties to this Stinson Creek Total Maximum Daily Load ("TMDL") Implementation Memorandum of Understanding ("MOU") are the Missouri Department of Natural Resources ("MDNR") and the City of Fulton, Missouri ("City"). The City and MDNR may collectively be referred to as the "Parties".

1. **Background.** The City of Fulton is the continuing authority for the Fulton Wastewater Treatment Facility ("WWTF"), which is operated under the Missouri State Operating Permit MO-0103331 ("NPDES permit"). The Parties entered into an Abatement Order on Consent ("AOC") on August 2, 2011 that includes obligations under a wastewater collection system and treatment facilities correction and management program. The Parties revised the AOC to modify schedules for program implementation which was fully executed on August 21, 2013.

   The Fulton WWTF discharges to Stinson Creek, which was first listed on Missouri's Section 303(d) List of impaired waters in 1994 due to low dissolved oxygen and violation of general criteria due to high volatile suspended solids levels. MDNR and the United States Environmental Protection Agency ("USEPA") developed a TMDL to ultimately restore stream conditions and attain water quality standards. MDNR placed the proposed Stinson Creek TMDL on public notice on September 28, 2009. TMDL comments were provided by the City, the Missouri Public Utilities Alliance ("MPUA"), and USEPA with concerns over various scientific and implementation issues. The final Stinson Creek TMDL was approved by the USEPA on May 26, 2010. On January 11, 2013, MDNR placed the Fulton WWTF NPDES permit renewal on public notice, which was consistent with the approved TMDL implementation plan. USEPA made an interim objection to the draft NPDES permit during the public notice period, requesting that MDNR demonstrate that the draft permit is consistent with TMDL wasteload allocation ("WLA") assumptions. The City's draft NPDES permit was revised and went through public notice from June 28 to July 29, 2013 and the Parties entered into a revised AOC and this MOU to resolve USEPA's interim objection.

2. **Total Maximum Daily Load Implementation Overview.** This MOU establishes phased implementation of the Stinson Creek TMDL using an adaptive management approach, in which plant improvements are followed by water quality studies and assessments until beneficial uses are restored, subsequent TMDL phases are developed, or the City implements the final phase of nutrient removal upgrades (Tier 2 as referenced in the June 2013 draft NPDES permit). Revisions to the TMDL, including revised wasteload and load allocations, may be undertaken in the event that new dissolved oxygen criteria and/or nutrient criteria are established for Stinson Creek. Any new site-specific DO or Nutrient criteria would need to be approved by the Missouri Clean Water Commission ("MCWC") and USEPA.

3. **Implementation of Wastewater Treatment Facility Improvements.** Each phase of WWTF improvements are established within this MOU and are consistent with the renewed NPDES operating permit and the City's investment and financing in wastewater infrastructure. The NPDES permit's schedule of compliance may be modified upon application if the City is ~~not~~ financially incapable of implementing the next phase of upgrades. Alternatively, a discharger-specific variance may be granted upon application if the City is found to be financial incapable to implement the next phase of upgrades. This permit may be reopened and modified if changes become necessary to assure compliance with Missouri's Water Quality Standards.

   The City will develop a UAA Factor 6 variance related to the nutrient WLAs that are beyond the limits of technology and/or affordability. The variance will be based upon the sequences covered in this MOU and will be consistent with the process within the 10 CSR 20-7.031 rulemaking proposed in June 2013. The variance will resolve the difference between the existing TMDL WLAs and the final limits established in the permit for enhanced nutrient removal (Tier 2 as referenced in the June 2013 draft NPDES permit). The variance will be presented to the MCWC for approval. If approved by the MCWC, MDNR will submit the variance to USEPA for approval.

4. **Stream Assessments, Impairment Decisions, and Subsequent TMDL Phases.** After each phase of WWTF improvements, MDNR will perform an in-stream water quality study to determine whether applicable water quality standards have been attained in Stinson Creek.

   a. Attainment will be assessed by: (1) comparing monitoring results to the state's numeric criteria for dissolved oxygen and narrative criteria for the protection of aquatic life, as translated using the Missouri Stream Condition Index (MSCI) scale described in the February 2002 MDNR document "Biological Criteria for Wadeable/Perennial Streams in Missouri" (or subsequently developed methods agreed to by the department and the city) and (2) applying procedures described in that version of the MDNR "Methodology for the Development of the Section 303(d) List" in effect at the time of the assessment. MSCI scores will be compared to those of reference streams applicable to Stinson Creek (e.g., size, geology, etc.) contained within the Ozark/Moreau/Loutre Ecological Drainage Unit. The City will pursue continued implementation consistent with the phased approach outlined in this Agreement if Stinson Creek is found to continue to be impaired. If narrative criteria for the protection of aquatic life are attained and statewide dissolved oxygen criteria are not attained, then these findings may form the basis for development of site-specific dissolved oxygen criteria. MDNR will work collaboratively with the City to design and schedule monitoring activities. The Parties will meet to present and discuss stream assessment findings at least 90 days prior to MDNR's public notice of the impairment decision during the next biennial Integrated Missouri Water Quality Report (305(b) Report).

b. If Stinson Creek is determined to be attaining applicable water quality standards, then MDNR will remove Stinson Creek from Category 4 during the next 305(b) Report and no further additional actions shall be required under this MOU or the TMDL.

c. Phased limits and improvements may also be modified if new data or analyses reasonably demonstrate that water quality standards may be attained by different receiving water quality targets or improvements (e.g., enhanced nitrogen removal may be delayed if enhanced phosphorus removal is demonstrated to lead to attainment of water quality standards or habitat improvements may result in use attainment). In addition, phased limits and improvements may be modified if a demonstration is made that factors other than point source nutrient or organic loading cause the impairment (e.g., habitat, nonpoint source pollution or impacts, etc.).

5. **MOU Implementation Schedule.** The Parties will implement the MOU commitments within the timeframes included in Attachment 1. Schedules may be modified due to various circumstances including, but not limited to, monitoring delays due to adverse hydrologic conditions, sequencing of the next 305(b) Reports, time requirements for criteria or TMDL approval, and MDNR or City funding limitations.

6. **NPDES Permit Modifications and MOU Termination.** If MOU timelines are adjusted during implementation, MDNR will modify the NPDES permit schedule of compliance upon the application for modification by the City. In addition, MDNR will modify the City's NPDES permit upon application to establish a longer schedule of compliance, when practical, if MDNR does not perform stream assessments, the Parties disagree on assessment findings, or if USEPA disapproves the use attainment decision or a subsequent TMDL phase. If water quality standards are attained, the City will apply for NPDES permit modification to remove future permit limits and schedules of compliance. In addition, the effluent limitations and requirements that resulted in water quality standards attainment will be maintained. MDNR will not unreasonably withhold any permit modification requests under these provisions. This MOU will be fulfilled and terminated after water quality standards are attained and permit modification is complete. Should future upgrades be necessary, the City may utilize new socio-economic data to evaluate affordability and seek additional variance from water quality standards.

7. **Correspondence.** Correspondence or documentation with regard to the conditions outlined in this MOU shall be directed to:

Mr. Bill Johnson
City of Fulton, Missouri
East 4th Street
P.O. Box 130
Fulton, MO 65251

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

Agreed to this 18th day of March, ~~2013~~ 2014

John Madras

John Madras, Director
Water Protection Program
Missouri Department of Natural Resources

Agreed to this 8 day of JANUARY, ~~2013~~ 2014

LeRoy D. Benton

The Honorable Mayor LeRoy Benton
City of Fulton, Missouri

ATTACHMENT 1 - MOU IMPLEMENTATION SCHEDULE

Task	Responsible Party	Target Completion Period
WWTF Improvements – 2013 Facility: Planning, Design, Construction, & Start-Up (Covered by AOC) • Bypass (Outfall 002) Elimination • Preliminary Treatment Upgrades • Ammonia Removal • Additional Clarification • Disinfection	City	Present - Dec 2016
Establish Water Quality Improvement Goals & Beneficial Use Assessment	MDNR & City	Present - Dec 2014
Develop Quality Assurance Project Plan (QAPP) for Water Quality Studies	MDNR & City	Aug 2016 – Dec 2016
This timeframe will be needed allow the stream to respond to the first round of plant upgrades that are required to occur as a result of the AOC between Department and the City		Dec 2016-May 2017
*Field Water Quality Studies: Dependent upon Stream Response & Hydrologic Conditions. Stream studies to evaluate the first round of upgrade will be concluded around September of 2018. Given the 305(b) report is a biennial report occurring on even number years, the first instance of removal from the report would occur after September 2018 would be in 2020. If at the end of September 2018 the Department decides that the data collected does not support removal from the 305(b) report the facility will proceed to the next stage of the schedule which is biological nutrient removal facility planning and design.	MDNR & City	May 2017 – Jan 2019
Remove the impairment from the biennial Integrated Missouri Water Quality Report (305(b) Report) if data supports use attainment.	MDNR & City	Jan 2019 - Dec 2020
WWTF Improvements – Biological Nutrient Removal Facility Public Outreach, Engineer Selection, Facility Planning, Bond Election, Financing, Planning, & Design, & Bidding (Tier 1 as referenced in the June 2013 draft NPDES permit, only if needed depending upon use attainment)	City	Dec 2020– May 2024
WWTF Improvements – Biological Nutrient Removal Contract Award, Construction & Start-Up (Tier 1 as referenced in the June 2013 draft NPDES permit, only if needed depending upon use attainment)	City	May 2024 - Dec 2026
Develop Revise Quality Assurance Project Plan (QAPP) for Water Quality Studies based upon prior water quality study findings and any new data quality objectives.	MDNR & City	Jan 2027 – May 2027
*Field Water Quality Studies: Dependent upon Stream Response & Hydrologic Conditions. Stream studies to evaluate the first round of upgrade will be concluded around September of 2028. Given the 305(b) report is a biennial report occurring on even number years, the first instance of removal from the report would occur after September 2028 would be in 2030. If at the end of September 2028 the Department decides that the data collected does not support removal from the 305(b) report the facility will proceed to the next stage of the schedule which is biological nutrient removal facility planning and design.	MDNR & City	May 2027 – Jan 2029
Remove the impairment from the biennial Integrated Missouri Water Quality Report (305(b) Report) if data supports use attainment	MDNR & City	Jan 2029 - Dec 2030
WWTF Improvements – Enhanced Nutrient Removal Public Outreach, Engineer Selection, Facility Planning, Bond Election, Financing, Design, Bidding Facility Planning & Design (Tier 2 as referenced in the June 2013 draft NPDES permit, only if needed depending upon use attainment)	City	Dec 2030 – May 2033
WWTF Improvements – Enhanced Removal Contract Award, Construction & Start Up (Tier 2 as referenced in the June 2013 draft NPDES permit, only if needed depending upon use attainment)	City	May 2033 – Dec 2035

* If the Department determines that the data from the field water quality studies does not support use attainment, the next phase of WWTF improvements shall be implemented as soon as practical.

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.

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.

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.
   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 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

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 permittees 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.

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.

STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
MAY 1, 2013

PART II - SPECIAL CONDITIONS – PUBLICLY OWNED TREATMENT WORKS
SECTION A – INDUSTRIAL USERS

1. Definitions

Definitions as set forth in the Missouri Clean Water Laws and approved by the Missouri Clean Water Commission shall apply to terms used herein.

Significant Industrial User (SIU). Except as provided in the *General Pretreatment Regulation* 10 CSR 20-6.100, the term Significant Industrial User means:

1. All Industrial Users subject to Categorical Pretreatment Standards; and
2. Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the Publicly-Owned Treatment Works (POTW) (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's or for violating any Pretreatment Standard or requirement.

Clean Water Act (CWA) is the the federal Clean Water Act of 1972, 33 U.S.C. § 1251 et seq. (2002).

2. Identification of Industrial Discharges

Pursuant to 40 CFR 122.44(j)(1), all POTWs shall identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging to the POTW subject to Pretreatment Standards under section 307(b) of the CWA and 40 CFR 403.

3. Application Information

Applications for renewal or modification of this permit must contain the information about industrial discharges to the POTW pursuant to 40 CFR 122.21(j)(6)

4. Notice to the Department

Pursuant to 40 CFR 122.42(b), all POTWs must provide adequate notice of the following:

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging these pollutants; and
2. Any substantial change into the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
3. For purposes of this paragraph, adequate notice shall include information on:
   i. the quality and quantity of effluent introduced into the POTW, and
   ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

For POTWs without an approved pretreatment program, the notice of industrial discharges which was not included in the permit application shall be made as soon as practicable. For POTWs with an approved pretreatment program, notice is to be included in the annual pretreatment report required in the special conditions of this permit. Notice may be sent to:

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

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

PART III – SLUDGE AND BIOSOLIDS FROM DOMESTIC AND INDUSTRIAL WASTEWATER TREATMENT FACILITIES

SECTION A – GENERAL REQUIREMENTS

1. This permit pertains to sludge requirements under the Missouri Clean Water Law and regulation for domestic wastewater and industrial process wastewater. This permit also incorporates applicable federal sludge disposal requirements under 40 CFR 503 for domestic wastewater. The Environmental Protection Agency (EPA) has principal authority for permitting and enforcement of the federal sludge regulations under 40 CFR 503 for domestic wastewater. EPA has reviewed and accepted these standard sludge conditions. EPA may choose to issue a separate sludge addendum to this permit or a separate federal sludge permit at their discretion to further address the federal requirements.
2. These Part III Standard Conditions apply only to sludge and biosolids generated at domestic wastewater treatment facilities, including public owned treatment works (POTW), privately owned facilities and sludge or biosolids generated at industrial facilities.
3. Sludge and Biosolids Use and Disposal Practices:
    a. The permittee is authorized to operate the sludge and biosolids treatment, storage, use, and disposal facilities listed in the facility description of this permit.
    b. The permittee shall not exceed the design sludge volume listed in the facility description and shall not use sludge disposal methods that are not listed in the facility description, without prior approval of the permitting authority.
    c. The permittee is authorized to operate the storage, treatment or generating sites listed in the Facility Description section of this permit.
4. Sludge Received from other Facilities:
    a. Permittees may accept domestic wastewater sludge from other facilities including septic tank pumpings from residential sources as long as the design sludge volume is not exceeded and the treatment facility performance is not impaired.
    b. The permittee shall obtain a signed statement from the sludge generator or hauler that certifies the type and source of the sludge
5. These permit requirements do not supersede nor remove liability for compliance with county and other local ordinances.
6. These permit requirements do not supersede nor remove liability for compliance with other environmental regulations such as odor emissions under the Missouri Air Pollution Control Law and regulations.
7. This permit may (after due process) be modified, or alternatively revoked and reissued, to comply with any applicable sludge disposal standard or limitation issued or approved under Section 405(d) of the Clean Water Actor under Chapter 644 RSMo.
8. In addition to STANDARD CONDITIONS, the Department may include sludge limitations in the special conditions portion or other sections of a site specific permit.
9. Alternate Limits in the Site Specific Permit.
    Where deemed appropriate, the Department may require an individual site specific permit in order to authorize alternate limitations:
    a. A site specific permit must be obtained for each operating location, including application sites.
    b. To request a site specific permit, an individual permit application, permit fee, and supporting documents shall be submitted for each operating location. This shall include a detailed sludge/biosolids management plan or engineering report.
10. Exceptions to these Standard Conditions may be authorized on a case-by-case basis by the Department, as follows:
    a. The Department will prepare a permit modification and follow permit notice provisions as applicable under 10 CSR 20-6.020, 40 CFR 124.10, and 40 CFR 501.15(a)(2)(ix)(E). This includes notification of the owner of the property located adjacent to each land application site, where appropriate.
    b. Exceptions cannot be granted where prohibited by the federal sludge regulations under 40 CFR 503.

SECTION B – DEFINITIONS

1. Best Management Practices include agronomic loading rates, soil conservation practices and other site restrictions.
2. Biosolids means organic fertilizer or soil amendment produced by the treatment of domestic wastewater sludge.
3. Biosolids land application facility is a facility where biosolids are spread onto the land at agronomic rates for production of food or fiber. The facility includes any structures necessary to store the biosolids until soil, weather, and crop conditions are favorable for land application.
4. Class A biosolids means a material that has met the Class A pathogen reduction requirements or equivalent treatment by a Process to Further Reduce Pathogens (PFRP) in accordance with 40 CFR 503.
5. Class B biosolids means a material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PFRP) in accordance with 40 CFR 503.
6. Domestic wastewater means wastewater originating from the sanitary conveniences of residences, commercial buildings, factories and institutions; or co-mingled sanitary and industrial wastewater processed by a (POTW) or a privately owned facility.
7. Industrial wastewater means any wastewater, also known as process water, not defined as domestic wastewater. Per 40 CFR Part 122, process water means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.
8. Mechanical treatment plants are wastewater treatment facilities that use mechanical devices to treat wastewater, including septic tanks, sand filters, extended aeration, activated sludge, contact stabilization, trickling filters, rotating biological discs, and other similar facilities. It does not include wastewater treatment lagoons and constructed wetlands for wastewater treatment.
9. Operating location as defined in 10 CSR 20-2.010 is all contiguous lands owned, operated or controlled by one (1) person or by two (2) or more persons jointly or as tenants in common.
10. Plant Available Nitrogen (PAN) is the nitrogen that will be available to plants during the growing seasons after biosolids application.
11. Public contact site is land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.
12. Sludge is the solid, semisolid, or liquid residue removed during the treatment of wastewater. Sludge includes septage removed from septic tanks or equivalent facilities. Sludge does not include carbon coal byproducts (CCBs)
13. Sludge lagoon is part of a mechanical wastewater treatment facility. A sludge lagoon is an earthen basin that receives sludge that has been removed from a wastewater treatment facility. It does not include a wastewater treatment lagoon or sludge treatment units that are not a part of a mechanical wastewater treatment facility.
14. Septage is the material pumped from residential septic tanks and similar treatment works (with a design population of less than 150 people). The standard for biosolids from septage is different from other sludges.

SECTION C – MECHANICAL WASTEWATER TREATMENT FACILITIES

1. Sludge shall be routinely removed from wastewater treatment facilities and handled according to the permit facility description and sludge conditions of this permit.
2. The permittee shall operate the facility so that there is no sludge discharged to waters of the state.
3. Mechanical treatment plants shall have separate sludge storage compartments in accordance with 10 CSR 20, Chapter 8. Failure to remove sludge from these storage compartments on the required design schedule is a violation of this permit.

SECTION D – SLUDGE DISPOSED AT OTHER TREATMENT FACILITY OR CONTRACT HAULER

1. This section applies to permittees that haul sludge to another treatment facility for disposal or use contract haulers to remove and dispose of sludge.
2. Permittees that use contract haulers are responsible for compliance with all the terms of this permit including final disposal, unless the hauler has a separate permit for sludge or biosolids disposal issued by the Department; or the hauler transports the sludge to another permitted treatment facility.
3. Haulers who land apply septage must obtain a state permit.
4. Testing of sludge, other than total solids content, is not required if sludge is hauled to a municipal wastewater treatment facility or other permitted wastewater treatment facility, unless it is required by the accepting facility.

SECTION E – INCINERATION OF SLUDGE

1. Sludge incineration facilities shall comply with the requirements of 40 CFR 503 Subpart E; air pollution control regulations under 10 CSR 10; and solid waste management regulations under 10 CSR 80.
2. Permittee may be authorized under the facility description of this permit to store incineration ash in lagoons or ash ponds. This permit does not authorize the disposal of incineration ash. Incineration ash shall be disposed in accordance with 10 CSR 80; or if the ash is determined to be hazardous with 10 CSR 25.
3. In addition to normal sludge monitoring, incineration facilities shall report the following as part of the annual report, quantity of sludge incinerated, quantity of ash generated, quantity of ash stored, and ash used or disposal method, quantity, and location. Permittee shall also provide the name of the disposal facility and the applicable permit number.

SECTION F – SURFACE DISPOSAL SITES AND SLUDGE LAGOONS

1. Surface disposal sites of domestic facilities shall comply with the requirements in 40 CFR 503 Subpart C; air pollution control regulations under 10 CSR 10; and solid waste management regulations under 10 CSR 80.
2. Sludge storage lagoons are temporary facilities and are not required to obtain a permit as a solid waste management facility under 10 CSR 80. In order to maintain sludge storage lagoons as storage facilities, accumulated sludge must be removed routinely, but not less than once every two years unless an alternate schedule is approved in the permit. The amount of sludge removed will be dependent on sludge generation and accumulation in the facility. Enough sludge must be removed to maintain adequate storage capacity in the facility.
    a. In order to avoid damage to the lagoon seal during cleaning, the permittee may leave a layer of sludge on the bottom of the lagoon, upon prior approval of the Department; or
    b. Permittee shall close the lagoon in accordance with Section H.

SECTION G – LAND APPLICATION

1. The permittee shall not land apply sludge or biosolids unless land application is authorized in the facility description or the special conditions of the issued NPDES permit.
2. Land application sites within a 20 miles radius of the wastewater treatment facility are authorized under this permit when biosolids are applied for beneficial use in accordance with these standard conditions unless otherwise specified in a site specific permit. If the permittee's land application site is greater than a 20 mile radius of the wastewater treatment facility, approval must be granted from the Department.
3. Land application shall not adversely affect a threatened or endangered species or its designated critical habitat.
4. Biosolids shall not be applied unless authorized in this permit or exempted under 10 CSR 20, Chapter 6.
    a. This permit does not authorize the land application of domestic sludge except for when sludge meets the definition of biosolids.
    b. This permit authorizes "Class A or B" biosolids derived from domestic wastewater and/or process water sludge to be land applied onto grass land, crop land, timber or other similar agricultural or silviculture lands at rates suitable for beneficial use as organic fertilizer and soil conditioner.
5. Public Contact Sites:

    Permittees who wish to apply Class A biosolids to public contact sites must obtain approval from the Department after two years of proper operation with acceptable testing documentation that shows the biosolids meet Class A criteria. A shorter length of testing will be allowed with prior approval from the Department. Authorization for land applications must be provided in the special conditions section of this permit or in a separate site specific permit.
    a. After Class B biosolids have been land applied, public access must be restricted for 12 months.
    b. Class B biosolids are only land applied to root crops, home gardens or vegetable crops whose edible parts will not be for human consumption.

6. Agricultural and Silvicultural Sites:

Septage – Based on Water Quality guide 422(WQ422) published by the University of Missouri

a. Haulers that land apply septage must obtain a state permit
b. Do not apply more than 30,000 gallons of septage per acre per year.
c. Septage tanks are designed to retain sludge for one to three years which will allow for a larger reduction in pathogens and vectors, as compared to other mechanical type treatment facilities.
d. To meet Class B sludge requirements, maintain septage at 12 pH for at least thirty (30) minutes before land application. 50 pounds of hydrated lime shall be added to each 1,000 gallons of septage in order to meet pathogen and vector stabilization for septage biosolids applied to crops, pastures or timberland.
e. Lime is to be added to the pump truck and not directly to the septic tanks, as lime would harm the beneficial bacteria of the septic tank.

Biosolids - Based on Water Quality guide 423, 424, and 425 (WQ423, WQ424, WQ425) published by the University of Missouri;

a. Biosolids shall be monitored to determine the quality for regulated pollutants
b. The number of samples taken is directly related to the amount of sludge produced by the facility (See Section I of these Standard Conditions). Report as dry weight unless otherwise specified in the site specific permit. Samples should be taken only during land application periods. When necessary, it is permissible to mix biosolids with lower concentrations of biosolids as well as other suitable Department approved material to reach the maximum concentration of pollutants allowed.
c. Table 1 gives the maximum concentration allowable to protect water quality standards

TABLE 1

Biosolids Ceiling Concentration [1]	
Pollutant	Milligrams per kilogram dry weight
Arsenic	75
Cadmium	85
Copper	4,300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7,500

[1] Land application is not allowed if the sludge concentration exceeds the maximum limits for any of these pollutants

d. The low metal concentration biosolids has reduced requirements because of its higher quality and can safely be applied for 100 years or longer at typical agronomic loading rates. (See Table 2)

TABLE 2

Biosolids Low Metal Concentration [1]	
Pollutant	Milligrams per kilogram dry weight
Arsenic	41
Cadmium	39
Copper	1,500
Lead	300
Mercury	17
Nickel	420
Selenium	36
Zinc	2,800

[1] You may apply low metal biosolids without tracking cumulative metal limits, provided the cumulative application of biosolids does not exceed 500 dry tons per acre.

e. Each pollutant in Table 3 has an annual and a total cumulative loading limit, based on the allowable pounds per acre for various soil categories.

TABLE 3

Pollutant	CEC 15+		CEC 5 to 15		CEC 0 to 5	
	Annual	Total [1]	Annual	Total [1]	Annual	Total [1]
Arsenic	1.8	36.0	1.8	36.0	1.8	36.0
Cadmium	1.7	35.0	0.9	9.0	0.4	4.5
Copper	66.0	1,335.0	25.0	250.0	12.0	125.0
Lead	13.0	267.0	13.0	267.0	13.0	133.0
Mercury	0.7	15.0	0.7	15.0	0.7	15.0
Nickel	19.0	347.0	19.0	250.0	12.0	125.0
Selenium	4.5	89.0	4.5	44.0	1.6	16.0
Zinc	124.0	2,492.0	50.0	500.0	25.0	250.0

[1] Total cumulative loading limits for soils with equal or greater than 6.0 pH (salt based test) or 6.5 pH (water based test)

TABLE 4 - Guidelines for land application of other trace substances [1]

Cumulative Loading	
Pollutant	Pounds per acre
Aluminum	4,000[2]
Beryllium	100
Cobalt	50
Fluoride	800
Manganese	500
Silver	200
Tin	1,000
Dioxin	(10 ppt in soil)[3]
Other	[4]

[1] Design of land treatment systems for Industrial Waste, 1979. Michael Ray Overcash, North Carolina State University and Land Treatment of Municipal Wastewater, EPA 1981.)

[2] This applies for a soil with a pH between 6.0 and 7.0 (salt based test) or a pH between 6.5 to 7.5 (water based test). Case-by-case review is required for higher pH soils.

[3] Total Dioxin Toxicity Equivalents (TEQ) in soils, based on a risk assessment under 40 CFR 744, May 1998.

[4] Case by case review. Concentrations in sludge should not exceed the 95th percentile of the National Sewage Sludge Survey, EPA, January 2009.

Best Management Practices – Based on Water Quality guide 426 (WQ426) published by the University of Missouri

a. Use best management practices when applying biosolids.
b. Biosolids cannot discharge from the land application site
c. Biosolid application is subject to the Missouri Department of Agriculture State Milk Board concerning grazing restrictions of lactating dairy cattle.
d. Biosolid application must be in accordance with section 4 of the Endangered Species Act.
e. Do not apply more than the agronomic rate of nitrogen needed.
f. The applicator must document the Plant Available Nitrogen (PAN) loadings, available nitrogen in the soil and crop removals unless the nitrogen content of the biosolids does not exceed 50,000 milligrams per kilogram of total nitrogen on a dry weight basis and biosolids application rate is less than two dry tons per acre per year.
    i. PAN can be determined as follows and is in accordance with WQ426
    (Nitrate + nitrite nitrogen) + (organic nitrogen x 0.2) + (ammonia nitrogen x volatilization factor[1]).
    [1] Volatilization factor is 0.7 for surface application and 1 for subsurface application.

g. Buffer zones are as follows:
    i. 300 feet of a water supply well, sinkhole, lake, pond, water supply reservoir or water supply intake in a stream;
    ii. 300 feet of a losing stream, no discharge stream, stream stretches designated for whole body contact recreation, wild and scenic rivers, Ozark National Scenic Riverways or outstanding state resource waters as listed in the Water Quality Standards, 10 CSR 20-7.031;
    iii. 150 feet if dwellings;
    iv. 100 feet of wetlands or permanent flowing streams;
    v. 50 feet of a property line or other waters of the state, including intermittent flowing streams.

h. Slope limitation for application sites are as follows;
    i. A slope 0 to 6 percent has no rate limitation
    ii. Applied to a slope 7 to 12 percent, the applicator may apply biosolids when soil conservation practices are used to meet the minimum erosion levels
    iii. Slopes > 12, apply biosolids only when grass is vegetated and maintained with at least 80 percent ground cover at a rate of two dry tons per acre per year or less.

i. No biosolids may be land applied in an area that it is reasonably certain that pollutants will be transported into waters of the state.

j. Do not apply biosolids to sites with soil that is snow covered, frozen or saturated with liquid without prior approval by the Department.

k. Biosolids / sludge applicators must keep detailed records up to five years.

SECTION H – CLOSURE REQUIREMENTS

1. This section applies to all wastewater facilities (mechanical, industrial, and lagoons) and sludge or biosolids storage and treatment facilities and incineration ash ponds. It does not apply to land application sites.
2. Permittees of a domestic wastewater facility who plan to cease operation must obtain Department approval of a closure plan which addresses proper removal and disposal of all residues, including sludge, biosolids. Mechanical plants, sludge lagoons, ash ponds and other storage structures must obtain approval of a closure plan from the Department. Permittee must maintain this permit until the facility is closed in accordance with the approved closure plan per 10 CSR 20 – 6. 010 and 10 CSR 20 – 6.015.
3. Residuals that are left in place during closure of a lagoon or earthen structure or ash pond shall not exceed the agricultural loading rates as follows:
    a. Residuals shall meet the monitoring and land application limits for agricultural rates as referenced in Section H of these standard conditions.
    b. If a wastewater treatment lagoon has been in operation for 15 years or more without sludge removal, the sludge in the lagoon qualifies as a Class B biosolids with respect to pathogens due to anaerobic digestion, and testing for fecal coliform is not required. For other lagoons, testing for fecal coliform is required to show compliance with Class B biosolids limitations. In order to reach Class B biosolids requirements, fecal coliform must be less than 2,000,000 colony forming units or 2,000,000 most probable number. All fecal samples must be presented as geometric mean per gram.
    c. The allowable nitrogen loading that may be left in the lagoon shall be based on the plant available nitrogen (PAN) loading. For a grass cover crop, the allowable PAN is 300 pounds/acre.
        i. PAN can be determined as follows:
        (Nitrate + nitrite nitrogen) + (organic nitrogen x 0.2) + (ammonia nitrogen x volatilization factor[1]).
        [1] Volatilization factor is 0.7 for surface application and 1 for subsurface application.
4. When closing a domestic wastewater treatment lagoon with a design treatment capacity equal or less than 150 persons, the residuals are considered “septage” under the similar treatment works definition. See Section B of these standard conditions. Under the septage category, residuals may be left in place as follows:
    a. Testing for metals or fecal coliform is not required
    b. If the wastewater treatment lagoon has been in use for less than 15 years, mix lime with the sludge at a rate of 50 pounds of hydrated lime per 1000 gallons (134 cubic feet) of sludge.
    c. The amount of sludge that may be left in the lagoon shall be based on the plant available nitrogen (PAN) loading. 100 dry tons/acre of sludge may be left in the basin without testing for nitrogen. If 100 dry tons/acre or more will be left in the lagoon, test for nitrogen and determine the PAN using the calculation above. Allowable PAN loading is 300 pounds/acre.

5. Residuals left within the domestic lagoon shall be mixed with soil on at least a 1 to 1 ratio, the lagoon berm shall be demolished, and the site shall be graded and contain ≥70% vegetative density over 100% of the site so as to avoid ponding of storm water and provide adequate surface water drainage without creating erosion.
6. Lagoons and/or earthen structure and/or ash pond closure activities shall obtain a storm water permit for land disturbance activities that equal or exceed one acre in accordance with 10 CSR 20-6.200
7. When closing a mechanical wastewater and/or industrial process wastewater plant; all sludge must be cleaned out and disposed of in accordance with the Department approved closure plan before the permit for the facility can be terminated.
    a. Land must be stabilized which includes any grading, alternate use or fate upon approval by the Department, remediation, or other work that exposes sediment to stormwater per 10 CSR 20-6.200. The site shall be graded and contain ≥70% vegetative density over 100% of the site, so as to avoid ponding of storm water and provide adequate surface water drainage without creating erosion.
    b. Per 10 CSR 20-6.015(4)(B)6, Hazardous Waste shall not be land applied or disposed during industrial and mechanical plant closures unless in accordance with Missouri Hazardous Waste Management Law and Regulations under 10 CSR 25.
    c. After demolition of the mechanical plant / industrial plant, the site must only contain clean fill defined in RSMo 260.200 (5) as uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the Department for fill or other beneficial use. Other solid wastes must be removed.
8. If sludge from the domestic lagoon or mechanical treatment plant exceeds agricultural rates under Section G and/or H, a landfill permit or solid waste disposal permit must be obtained if the permittee chooses to seek authorization for on-site sludge disposal under the Missouri Solid Waste Management Law and regulations per 10 CSR 80, and the permittee must comply with the surface disposal requirements under 40 CFR 503, Subpart C.

SECTION I – MONITORING FREQUENCY

1. At a minimum, sludge or biosolids shall be tested for volume and percent total solids on a frequency that will accurately represent sludge quantities produced and disposed. Please see the table below.

TABLE 5

Design Sludge Production (dry tons per year)	Monitoring Frequency (See Notes 1 and 2)			
	Metals, Pathogens and Vectors	Nitrogen TKN [1]	Nitrogen PAN [2]	Priority Pollutants and TCLP [3]
0 to 100	1 per year	1 per year	1 per month	1 per year
101 to 200	biannual	biannual	1 per month	1 per year
201 to 1,000	quarterly	quarterly	1 per month	1 per year
1,001 to 10,000	1 per month	1 per month	1 per week	--[4]
10,001 +	1 per week	1 per week	1 per day	--[4]

[1] Test total Kjeldahl nitrogen, if biosolids application is 2 dry tons per acre per year or less

[2] Calculate plant available nitrogen, if biosolids application is more than 2 dry tons per acre per year.

[3] Priority pollutants (40 CFR 122.21, Appendix D, Tables II and III) and toxicity characteristic leaching procedure (40 CFR 261.24) is required only for permit holders that must have a pre-treatment program.

[4] One sample for each 1,000 dry tons of sludge.

Note 1: Total solids: A grab sample of sludge shall be tested one per day during land application periods for percent total solids. This data shall be used to calculate the dry tons of sludge applied per acre.

Note 2: Total Phosphorus: Total phosphorus and total potassium shall be tested at the same monitoring frequency as metals.

2. If you own a wastewater treatment lagoon or sludge lagoon that is cleaned out once a year or less, you may choose to sample only when the sludge is removed or the lagoon is closed. Test one composite sample for each 100 dry tons of sludge or biosolids removed from the lagoon during the year within the lagoon at closing. Composite sample must represent various areas at one-foot depth.
3. Additional testing may be required in the special conditions or other sections of the permit. Permittees receiving industrial wastewater may be required to conduct additional testing upon request from the Department.
4. At this time, the Department recommends monitoring requirements shall be performed in accordance with, "POTW Sludge Sampling and Analysis Guidance Document," United States Environmental Protection Agency, August 1989, and the subsequent revisions.

SECTION J – RECORD KEEPING AND REPORTING REQUIREMENTS

1. The permittee shall maintain records on file at the facility for at least five years for the items listed in these standard conditions and any additional items in the Special Conditions section of this permit. This shall include dates when the sludge facility is checked for proper operation, records of maintenance and repairs and other relevant information.
2. Reporting period
    a. By January 28th of each year, an annual report shall be submitted for the previous calendar year period for all mechanical wastewater treatment facilities, sludge lagoons, and sludge or biosolids disposal facilities.
    b. Permittees with wastewater treatment lagoons shall submit the above annual report only when sludge or biosolids are removed from the lagoon during the report period or when the lagoon is closed.
3. Report Forms. The annual report shall be submitted on report forms provided by the Department or equivalent forms approved by the Department.
4. Reports shall be submitted as follows:

    Major facilities (those serving 10,000 persons or 1 million gallons per day) shall report to both the Department and EPA. Other facilities need to report only to the Department. Reports shall be submitted to the addresses listed as follows:

    DNR regional office listed in your permit
    (see cover letter of permit)
    ATTN: Sludge Coordinator

    EPA Region VII
    Water Compliance Branch (WACM)
    Sludge Coordinator
    11201 Renner Blvd.
    Lenexa, KS 66219

5. Annual Report Contents. The annual report shall include the following:
    a. Sludge and biosolids testing performed. Include a copy or summary of all test results, even if not required by the permit.
    b. Sludge or biosolids quantity shall be reported as dry tons for quantity generated by the wastewater treatment facility, the quantity stored on site at the end of the year, and the quantity used or disposed.
    c. Gallons and % solids data used to calculate the dry ton amounts.
    d. Description of any unusual operating conditions.
    e. Final disposal method, dates, and location, and person responsible for hauling and disposal.
        i. This must include the name, address for the hauler and sludge facility. If hauled to a municipal wastewater treatment facility, sanitary landfill, or other approved treatment facility, give the name of that facility.
        ii. Include a description of the type of hauling equipment used and the capacity in tons, gallons, or cubic feet.

f. Contract Hauler Activities

If contract hauler, provide a copy of a signed contract from the contractor. Permittee shall require the contractor to supply information required under this permit for which the contractor is responsible. The permittee shall submit a signed statement from the contractor that he has complied with the standards contained in this permit, unless the contract hauler has a separate sludge or biosolids use permit.

g. Land Application Sites:

i. Report the location of each application site, the annual and cumulative dry tons/acre for each site, and the landowners name and address. The location for each spreading site shall be given as a legal description for nearest ¼, ¼, Section, Township, Range, and county, or UTM coordinates. If biosolids application exceeds 2 dry tons/acre/year, reports biosolids nitrogen results, Plant Available Nitrogen (PAN) in pounds/acre, crop nitrogen requirement.

ii. If the "Low Metals" criteria are exceeded, report the annual and cumulative pollutant loading rates in pounds per acre for each applicable pollutant, and report the percent of cumulative pollutant loading which has been reached at each site.

iii. Report the method used for compliance with pathogen and vector attraction requirements.

iv. Report soil test results for pH, CEC, and phosphorus. If none was tested during the year, report the last date when tested and results.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH

FORM B2 – APPLICATION FOR CONSTRUCTION OR OPERATING PERMIT FOR FACILITIES WHICH RECEIVE PRIMARILY DOMESTIC WASTE AND HAVE A DESIGN FLOW MORE THAN 100,000 GALLONS PER DAY

FOR AGENCY USE ONLY	
CHECK NUMBER	
DATE RECEIVED	FEE SUBMITTED

PART A – BASIC APPLICATION INFORMATION

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, a 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- 0103331 Expiration Date 8/11/2010
- ☐ An operating permit modification: Permit #MO-_____ Reason: _____

1.1 Is this a Federal/State Funded Project? ☐ Yes ☒ No Funding Agency/Project #: _____

1.2 Is the appropriate fee included with the application (See instructions for appropriate fee)? ☒ Yes ☐ No

2. FACILITY

NAME		TELEPHONE NUMBER WITH AREA CODE	
FULTON WASTEWATER TREATMENT FACILITY		573-642-2414	
ADDRESS (PHYSICAL)	CITY	STATE	ZIP
1025 WORSHAM CIRCLE	FULTON	MO	65251

2.1 **LEGAL DESCRIPTION** (Plant Site): SE ¼, NW ¼, NE ¼, Sec. 21, T 47N, R 9W CALLAWAY County

2.2 UTM Coordinates Easting (X): 3850133 Northing (Y): -9155526
For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

3. OWNER

NAME	TITLE	TELEPHONE NUMBER WITH AREA CODE	
CITY OF FULTON		573-592-3111	
ADDRESS	CITY	STATE	ZIP
18 EAST 4TH STREET, P.O. BOX 130	FULTON	MO	65251-0130

3.1 Request review of draft permit prior to Public Notice? ☒ Yes ☐ No

4. CONTINUING AUTHORITY: Permanent organization which will serve as the continuing authority for the operation, maintenance and modernization of the facility.

NAME		CITY	
CITY OF FULTON		FULTON	
ADDRESS	CERTIFICATE NUMBER (IF APPLICABLE)	STATE	ZIP
18 EAST 4TH STREET, P.O. BOX 130		MO	65251-0130

5. OPERATOR

NAME	TITLE	TELEPHONE NUMBER WITH AREA CODE
JOSEPH CHISM	OPERATOR	573-642-2414

6. FACILITY CONTACT

NAME	TITLE
~~JOSEPH CHISM~~ DARRELL DUNLAP PE	~~OPERATOR~~ SUPER. OF UTILITIES

MO 780-1805 (09-08)

592-3111

FACILITY NAME	PERMIT NO.	OUTFALL NO.
FULTON WASTEWATER TREATMENT FACILITY	MO- 103331	002

PART A – BASIC APPLICATION INFORMATION

7. ADDITIONAL FACILITY INFORMATION

7.1 BRIEF DESCRIPTION OF FACILITIES

OUTFALL NO. 002

SINGLE CELL LAGOON USED FOR PEAK INFLOW AND INFILTRATION. SLUDGE RETAINED IN LAGOON. ORIGINAL DESIGN FLOW 4.58 MGD.

7.2 TOPOGRAPHIC MAP. ATTACH TO THIS APPLICATION A TOPOGRAPHIC MAP OF THE AREA EXTENDING AT LEAST ONE MILE BEYOND FACILITY PROPERTY BOUNDARIES. THIS MAP MUST SHOW THE OUTLINE OF THE FACILITY AND THE FOLLOWING INFORMATION. (YOU MAY SUBMIT MORE THAN ONE MAP IF ONE MAP DOES NOT SHOW THE ENTIRE AREA.)

a. The area surrounding the treatment plant, including all unit processes.
b. The location of the downstream landowner(s). (See Item 10.)
c. The major pipes or other structures through which wastewater enters the treatment works and the pipes or other structures through which treated wastewater is discharged from the treatment plant. Include outfalls from bypass piping, if applicable.
d. The actual point of discharge.
e. Wells, springs, other surface water bodies and drinking water wells that are: 1) within ¼ mile of the property boundaries of the treatment works, and 2) listed in public record or otherwise known to the applicant.
f. Any areas where the sewage sludge produced by the treatment works is stored, treated or disposed.
g. If the treatment works receives waste that is classified as hazardous under the Resource Conservation and Recovery Act, or RCRA, by truck, rail or special pipe, show on the map where that hazardous waste enters the treatment works and where it is treated, stored or disposed.

7.3 PROCESS FLOW DIAGRAM OR SCHEMATIC. PROVIDE A DIAGRAM SHOWING THE PROCESSES OF THE TREATMENT PLANT. ALSO, PROVIDE A WATER BALANCE SHOWING ALL TREATMENT UNITS, INCLUDING DISINFECTION (E.G. CHLORINATION AND DECHLORINATION). THE WATER BALANCE MUST SHOW DAILY AVERAGE FLOW RATES AT INFLUENT AND DISCHARGE POINTS AND APPROXIMATE DAILY FLOW RATES BETWEEN TREATMENT UNITS. INCLUDE A BRIEF NARRATIVE DESCRIPTION OF THE DIAGRAM.

7.4 FACILITY SIC CODE	DISCHARGE SIC CODE:	FACILITY NAICS CODE:	DISCHARGE NAICS CODE:
4952.			

7.5 NUMBER OF SEPARATE DISCHARGE POINTS

2

7.6 NUMBER OF PEOPLE PRESENTLY CONNECTED OR POPULATION EQUIVALENT	DESIGN POPULATION EQUIVILENT
12,196	47,500

NUMBER OF UNITS PRESENTLY CONNECTED

HOMES _____ APARTMENTS _____ TRAILERS _____ OTHER _____

TOTAL DESIGN FLOW (ALL OUTFALLS)	ACTUAL FLOW
4.58 ~~4.98~~ MGD	2.33 MGD

7.7 DOES ANY BYPASSING OCCUR ANYWHERE IN THE COLLECTION SYSTEM OR AT THE TREATMENT FACILITY?

Yes ☒ No ☐ (If Yes, attach an explanation.)

7.8 LENGTH OF THE SANITARY SEWER COLLECTION SYSTEM IN MILES

88.92

7.9 IS INDUSTRIAL WASTE DISCHARGED TO THE FACILITY IDENTIFIED IN ITEM 2? Yes ☒ No ☐

7.10 WILL THE DISCHARGE BE CONTINUOUS THROUGH THE YEAR? Yes ☐ No ☒

A. DISCHARGE WILL OCCUR DURING THE FOLLOWING MONTHS	B. HOW MANY DAYS OF THE WEEK WILL THE DISCHARGE OCCUR?
VARIES	0

7.11 IS WASTEWATER LAND APPLIED? (If Yes, Attach Form I)	7.12 DOES THIS FACILITY DISCHARGE TO A LOSING STREAM OR SINKHOLE?
Yes ☐ No ☒	Yes ☐ No ☒

7.13 HAS A WASTE LOAD ALLOCATION STUDY BEEN COMPLETED FOR THIS FACILITY?

Yes ☐ No ☒

7.14 LIST ALL PERMIT VIOLATIONS, INCLUDING EFFLUENT LIMIT EXCEEDANCES IN THE LAST FIVE YEARS.

ATTACH A SEPARATE SHEET IF NECESSARY. IF NONE, WRITE NONE.

8. LABORATORY CONTROL INFORMATION

8.1 LABORATORY WORK CONDUCTED BY PLANT PERSONNEL		
Lab work conducted outside of plant.	Yes ☒	No ☐
Push–button or visual methods for simple test such as pH, settleable solids.	Yes ☒	No ☐
Additional procedures such as Dissolved Oxygen, Chemical Oxygen Demand, Biological Oxygen Demand, titrations, solids, volatile content.	Yes ☒	No ☐
More advanced determinations such as BOD seeding procedures, fecal coliform, nutrients, total oils, phenols, etc.	Yes ☐	No ☒
Highly sophisticated instrumentation, such as atomic absorption and gas chromatograph.	Yes ☐	No ☒

MO 780-1805 (09-08)

FACILITY NAME	PERMIT NO.	OUTFALL NO.
FULTON WASTEWATER TREATMENT FACILITY	MO- 103331	2

PART A – BASIC APPLICATION INFORMATION

9. SLUDGE HANDLING, USE AND DISPOSAL

9.1 IS THE SLUDGE A HAZARDOUS WASTE AS DEFINED BY 10 CSR 25?
Yes ☐ No ☒

9.2 SLUDGE PRODUCTION, INCLUDING SLUDGE RECEIVED ROM OTHERS
Design Dry Tons/Year RETAINED IN LAGOON Actual Dry Tons/Year

9.3 CAPACITY OF SLUDGE HOLDING STRUCTURES

9.4 SLUDGE STORAGE PROVIDED
Cubic Feet Days of Storage Average Percent Solids of Sludge ☐ No Sludge Storage is Provided

9.5 TYPE OF STORAGE
☐ Holding Tank ☐ Basin ☐ Building ☐ Concrete Pad ☐ Other (Describe) LAGOON

9.6 SLUDGE TREATMENT
☐ Anaerobic Digester ☐ Storage Tank ☐ Lime Stabilization ☒ Lagoon
☐ Aerobic Digester ☐ Air or Heat Drying ☐ Composting ☐ Other (Attach Description)

9.7 SLUDGE USE OR DISPOSAL
☐ Land Application ☐ Contract Hauler ☐ Hauled to Another Treatment Facility ☐ Solid Waste Landfill
☒ Surface Disposal (Sludge Disposal Lagoon, Sludge Held For More Than Two Years) ☐ Incineration
☐ Other (Attach Explanation Sheet) _____

9.8 PERSON RESPONSIBLE FOR HAULING SLUDGE TO DISPOSAL FACILITY

NAME			
FULTON			
ADDRESS	CITY	STATE	ZIP
1025 WORSHAM CIRCLE	FULTON	MO	65251-0130
CONTACT PERSON	TELEPHONE NUMBER WITH AREA CODE	PERMIT NO	
JOE CHISM	573-642-2414	MO-	

9.9 SLUDGE USE OR DISPOSAL FACILITY
☒ By Applicant ☐ By Others (Complete Below)

NAME			
ADDRESS	CITY	STATE	ZIP
CONTACT PERSON	TELEPHONE NUMBER WITH AREA CODE	PERMIT NO	
		MO-	

9.10 DO THE SLUDGE OR BIOSOLIDS DISPOSAL COMPLY WITH FEDERAL SLUDGE REGULATIONS UNDER 40 CFR 503?
☒ Yes ☐ No (Attach Explanation)

10. DOWNSTREAM LANDOWNER(S). (ATTACH ADDITIONAL SHEETS AS NECESSARY.)

NAME			
STATE OF MISSOURI - Department of Mental Health			
ADDRESS	CITY	STATE	ZIP
600 EAST 5th Street	Fulton	MO	65251

11. DRINKING WATER SUPPLY INFORMATION NEED NAME

11.1 SOURCE OF YOUR DRINKING WATER SUPPLY

A. PUBLIC SUPPLY (MUNICIPAL OR WATER DISTRICT WATER) (IF PUBLIC, PLEASE GIVE NAME OF PUBLIC SUPPLY)
CITY OF FULTON

B. PRIVATE WELL

C. SURFACE WATER (LAKE, POND OR STREAM)

11.2 DOES YOUR DRINKING WATER SOURCE SERVE AT LEAST 25 PEOPLE AT LEAST 60 DAYS PER YEAR (NOT NECESSARILY CONSECUTIVE DAYS)? Yes ☒ No ☐

11.3 DOES YOUR SPPLY SERVE HOUSING THAT IS OCCUPIED YEAR ROUND BY THE SAME PEOPLE? THIS DOES NOT INCLUDE HOUSING THAT IS OCCUPIED SEASONALLY? Yes ☒ No ☐

END OF PART A

MO 780-1805 (09-08)

MAKE ADDITIONAL COPIES OF THIS FORM FOR EACH OUTFALL

FACILITY NAME	PERMIT NO.	OUTFALL NO.
FULTON WASTEWATER TREATMENT FACILITY	MO- 0103331	002

PART B – ADDITIONAL APPLICATION INFORMATION

20. INFLOW AND INFILTRATION

ESTIMATE THE AVERAGE NUMBER OF GALLONS PER DAY THAT FLOW INTO THE TREATMENT WORKS FROM INFLOW AND INFILTRATION.

201,370 Gallons Per Day

BRIEFLY EXPLAIN ANY STEPS UNDERWAY OR PLANNED TO MINIMIZE INFLOW AND INFILTRATION.

FLOW MONITORING PROGRAM IN PROGRESS TO IDENTIFY INFLOW/INFILTRATION SOURCES

20.1 OPERATION AND MAINTENANCE PERFORMED BY CONTRACTOR(S)

ARE ANY OPERATIONAL OR MAINTENANCE ASPECTS (RELATED TO WASTEWATER TREATMENT AND EFFLUENT QUALITY) OF THE TREATMENT WORKS THE RESPONSIBILITY OF A CONTRACTOR?

Yes ☐ No ☒ If Yes, list the name, address, telephone number and status of each contractor and describe the contractor's responsibilities. (Attach additional pages if necessary.)

NAME

MAILING ADDRESS

TELEPHONE NUMBER WITH AREA CODE

RESPONSIBILITIES OF CONTRACTOR

20.2 SCHEDULED IMPROVEMENTS AND SCHEDULES OF IMPLEMENTATION. PROVIDE INFORMATION ABOUT ANY UNCOMPLETED IMPLEMENTATION SCHEDULE OR UNCOMPLETED PLANS FOR IMPROVEMENTS THAT WILL AFFECT THE WASTEWATER TREATMENT, EFFLUENT QUALITY OR DESIGN CAPACITY OF THE TREATMENT WORKS. IF THE TREATMENT WORKS HAS SEVERAL DIFFERENT IMPLEMENTATION SCHEDULES OR IS PLANNING SEVERAL IMPROVEMENTS, SUBMIT SEPARATE RESPONSES FOR EACH. (IF NONE, GO TO QUESTION B-20.3.)

A. List the outfall number that is covered by this implementation schedule	B. Indicate whether the planned improvements or implementation schedule are required by local, state or federal agencies.
Outfall No. 2	Yes ☒ No ☒

20.3 WASTEWATER DISCHARGES:

COMPLETE QUESTIONS 20.4 THROUGH 20.7 ONCE FOR EACH OUTFALL (INCLUDING BYPASS POINTS) THROUGH WHICH EFFLUENT IS DISCHARGED. DO NOT INCLUDE INFORMATION ON COMBINED SEWER OVERFLOWS IN THIS SECTION.

20.4 DESCRIPTION OF OUTFALL

OUTFALL NUMBER 2

A. LOCATION

¼ SE ¼ NW ¼ NE Section 21 Township 47N Range 9 ☐ E ☒ W

UTM Coordinates Easting (X): +3850239 Northing (Y): -9156151

For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

B. Distance from Shore (If Applicable)	C. Depth Below Surface (If Applicable)	D. Average Daily Flow Rate
_____ ft.	_____ ft.	0.5 mgd

E. Does this outfall have either an intermittent or periodic discharge?

☐ Yes ☒ No If Yes, Provide the following information:

Number of Days Per Year Discharge Occurs:	Average Duration of Each Discharge:	Average Flow Per Discharge:	Months in Which Discharge Occurs:
100	24	0.5 mgd	7

Is Outfall Equipped with a Diffuser? ☐ Yes ☒ No

20.5 DESCRIPTION OF RECEIVING WATER

B. Name of Receiving Water

STINSON CREEK

B. Name of Watershed (If Known)	U.S. Soil Conservation Service 14-Digit Watershed Code (If Known)
B. Name of State Management/River Basin (If Known)	U.S. Geological Survey 8-Digit Hydrologic Cataloging Unit Code (If Known)
MISSOURI RIVER	10300102-27000
B. Critical Flow of Receiving Stream (If Applicable) Acute _____ cfs Chronic _____ cfs	B. Total Hardness of Receiving Stream at Critical Low Flow (If Applicable) mg/L of $CaCO_3$

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FACILITY NAME	PERMIT NO.	OUTFALL NO.
FULTON WASTEWATER TREATMENT FACILITY	MO- 0103331	002

PART B – ADDITIONAL APPLICATION INFORMATION (CONTINUED)

20.6 DESCRIPTION OF TREATMENT

A. WHAT LEVELS OF TREATMENT ARE PROVIDED? Check All That Apply

☐ Primary ☒ Secondary ☐ Advanced ☐ Other (Describe)

B. INDICATE THE FOLLOWING REMOVAL RATES (AS APPLICABLE)

Design BOD_5 Removal Or Design $CBOD_5$ Removal 98 % Design SS Removal 96 %

Design P Removal ___% Design N Removal ___% Other _____ ___%

C. What type of disinfection is used for the effluent from this outfall? If disinfection varies by season, please describe:

If disinfection is by chlorination, is dechlorination used for this outfall? ☐ Yes ☒ No

Does the treatment plant have post aeration? ☐ Yes ☒ No

20.7 EFFLUENT TESTING DATA. ALL APPLICANTS THAT DISCHARGE TO WATERS OF THE U.S. MUST PROVIDE EFFLUENT TESTING DATA FOR THE FOLLOWING PARAMETERS. PROVIDE THE INDICATED EFFLUENT DATA FOR **EACH OUTFALL THROUGH WHICH EFFLUENT IS DISCHARGED**. DO NOT INCLUDE INFORMATION OF COMBINED SEWER OVERFLOWS IN THIS SECTION. ALL INFORMATION REPORTED MUST BE BASED ON DATA COLLECTED THROUGH ANALYSIS CONDUCTED USING 40 CFR PART 136 METHODS. IN ADDITION, THIS DATA MUST COMPLY WITH QA/QC REQUIREMENTS OF 40 CFR PART 136 AND OTHER APPROPRIATE QA/QC REQUIREMENTS FOR STANDARD METHODS FOR ANALYTES NOT ADDRESSED BY 40 CFR PART 136.

OUTFALL NUMBER 002

PARAMETER	MAXIMUM DAILY VALUE		AVERAGE DAILY VALUE		
	VALUE	UNITS	VALUE	UNITS	NO. OF SAMPLES
pH (Minimum)	7	S.U.		S.U.	7
pH (Maximum)	8	S.U.		S.U.	7
FLOW RATE	1	MGD	0.5	MGD	100
TEMPERATURE (Winter)	15	°C	7	°C	7
TEMPERATURE (Summer)	24	°C	20.5	°C	7

*For pH report a minimum and a maximum daily value.

POLLUTANT		MAXIMUM DAILY DISCHARGE		AVERAGE DAILY DISCHARGE			ANALYTICAL METHOD	ML/MDL
		CONC.	UNITS	CONC.	UNITS	NO. OF SAMPLES		
Conventional and Nonconventional Compounds								
BIOCHEMICAL OXYGEN DEMAND (Report One)	BOD_5	69	mg/L	43	mg/L	7	SM 5210 B	
	$CBOD_5$		mg/L		mg/L			
FECAL COLIFORM			#/100 mL		#/100 mL			
TOTAL SUSPENDED SOLIDS (TSS)		47	mg/L	26.48	mg/L	7	SM 2540 D	
AMMONIA (AS N)			mg/L	0	mg/L			
CHLORINE (TOTAL RESIDUAL, TRC)			mg/L		mg/L		NEED	
DISSOLVED OXYGEN		9	mg/L	5	mg/L	7		
TOTAL KJELDAHL NITROGEN (TKN)			mg/L		mg/L		FORM D	
NITRATE PLUS NITRITE NITROGEN			mg/L		mg/L			
OIL AND GREASE			mg/L		mg/L			
PHOSPHORUS (TOTAL)			mg/L		mg/L			
TOTAL DISSOLVE SOLIDS (TDS)			mg/L		mg/L			
OTHER			mg/L		mg/L			

END OF PART B

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PART C - CERTIFICATION

30. CERTIFICATION

All applicants must complete the Certification Section. This certification must be signed by an officer of the company or city official. All applicants must complete all applicable sections as explained in the Application Overview. By signing this certification statement, applicants confirm that they have reviewed the entire form and have completed all sections that apply to the facility for which this application is submitted.

ALL APPLICANTS MUST COMPLETE THE FOLLOWING 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 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.

PRINTED NAME AND OFFICIAL TITLE (MUST BE AN OFFICER OF THE COMPANY OR CITY OFFICIAL)

DARRELL DUNLAP, UTILITIES SUPERINTENDENT

SIGNATURE

Darrell Dunlap

TELEPHONE NUMBER WITH AREA CODE

573-592-3111

DATE SIGNED

08/17/2010

Upon request of the permitting authority, you must submit any other information necessary to assess wastewater treatment practices at the treatment works or identify appropriate permitting requirements.

For Design Flows Less than 1 Million Gallons Per Day, Send Completed Form to:	For Design Flows of 1 Million Gallons Per Day or Greater, Send Completed Form to:
Appropriate Regional Office Map of regional offices with addresses and phone numbers is available on the Web at www.dnr.mo.gov/regions/ro-map.pdf.	Department of Natural Resources Water Protection Program ATTN: NPDES Permits and Engineering Section P.O. Box 176 Jefferson City, MO 65102

END OF PART C.
REFER TO THE APPLICATION OVERVIEW TO DETERMINE WHICH OTHER PARTS OF FORM B2 YOU MUST COMPLETE.

Do not complete the remainder of this application, unless:

1. Your facility design flow is equal to or greater than 1,000,000 gallons per day.
2. Your facility is a pretreatment treatment works.
3. Your facility is a combined sewer system.

Submittal of an incomplete application may result in the application being returned. Permit fees for returned applications shall be forfeited. Permit fees for applications being processed by the department that are withdrawn by the applicant shall be forfeited.

MAKE ADDITIONAL COPIES OF THIS FORM FOR EACH OUTFALL.

FACILITY NAME	PERMIT NO.	OUTFALL NO.
FULTON WASTEWATER TREATMENT FACILITY	MO-0103331	002 001

PART D – EXPANDED EFFLUENT TESTING DATA

40. EXPANDED EFFLUENT TESTING DATA

Refer to the supplemental application information to determine whether Part D applies to the treatment works.

40.1 EFFLUENT TESTING: IF THE TREATMENT WORKS HAS A DESIGN FLOW GREATER THAN OR EQUAL TO 1 MILLION GALLONS PER DAY OR IT HAS (OR IS REQUIRED TO HAVE) A PRETREATMENT PROGRAM, OR IS OTHERWISE REQUIRED BY THE PERMITTING AUTHORITY TO PROVIDE THE DATA, THEN PROVIDE EFFLUENT TESTING DATA FOR THE FOLLOWING POLLUTANTS. PROVIDE THE INDICATED EFFLUENT TESTING INFORMATION **FOR EACH OUTFALL THROUGH WHICH EFFLUENT IS DISCHARGED.** DO NOT INCLUDE INFORMATION ON COMBINED SEWER OVERFLOWS IN THIS SECTION. ALL INFORMATION REPORTED MUST BE BASED ON DATA COLLECTED THROUGH ANALYSIS CONDUCTED USING 40 CFR PART 136 METHODS. IN ADDITION, THIS DATA MUST COMPLY WITH QA/QC REQUIREMENTS OF 40 CFR PART 136 AND OTHER APPROPRIATE QA/QC REQUIREMENTS FOR STANDARD METHODS FOR ANALYTES NOT ADDRESSED BY 40 CFR PART 136. INDICATE IN THE BLANK ROWS PROVIDED BELOW ANY DATA YOU MAY HAVE ON POLLUTANTS NOT SPECIFICALLY LISTED IN THIS FORM. EFFLUENT TESTING MUST NOT BE MORE THAN FOUR AND ONE-HALF YEARS OLD. see instream testing for 2007, 2008, 2009 and part of 2010

OUTFALL NUMBER (Complete Once for Each Outfall Discharging Effluent to Waters of the State.)

POLLUTANT	MAXIMUM DAILY DISCHARGE				AVERAGE DAILY DISCHARGE					ANALYTICAL METHOD	ML/MDL
	CONC	UNITS	MASS	UNITS	CONC	UNITS	MASS	UNITS	NO. OF SAMPLES		
METALS (TOTAL RECOVERABLE), CYANIDE, PHENOLS AND HARDNESS											
ANTIMONY											
ARSENIC											
BERYLLIUM											
CADMIUM											
CHROMIUM											
COPPER											
LEAD											
MERCURY											
NICKEL											
SELENIUM											
SILVER											
THALLIUM											
ZINC											
CYANIDE											
TOTAL PHENOLIC COMPOUNDS											
HARDNESS (as $CaCO_3$)											
USE THIS SPACE (OR A SEPARATE SHEET) TO PROVIDE INFORMATION ON OTHER METALS REQUESTED BY THE PERMIT WRITER.											