

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-0111180

Owner: Sanofi-Aventis U.S.
Address: P.O. Box 9720, Kansas City, MO 64134-9720

Continuing Authority: Same as above
Address: Same as above

Facility Name: Sanofi-Aventis U.S.
Facility Address: 10236 Marion Park Drive, Kansas City, MO 64137-1405

Legal Description: NE ¼, NW ¼, Sec. 35, T48N, R33W, Jackson County
Latitude/Longitude: +3856387/-09432003

Receiving Stream: Unnamed Tributary to Blue River (U)
First Classified Stream and ID: Blue River (P) (00419), 2001 303(d) List
USGS Basin & Sub-watershed No.: (10300101 – 010070)

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

FACILITY DESCRIPTION

Outfall #002 – Pharmaceutical Manufacturing – SIC #2834
Stormwater runoff/pharmaceutical manufacturing facility
Total Area Drained: 170 acres
Impervious Surface Area Drained: 42 acres
Flow is dependent upon precipitation.

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.

August 21, 2009
Effective Date


Mark N. Templeton, Director, Department of Natural Resources

August 20, 2014
Expiration Date


Karl Fett, Director, Kansas City Regional Office

| A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS | | | | PAGE NUMBER 2 of 5 | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------------------|----------------|--------------------------|-------------------------|--------------|
| | | | | PERMIT NUMBER MO-0111180 | | |
| 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 upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below: | | | | | | |
| OUTFALL NUMBER AND EFFLUENT PARAMETER(S) | UNITS | FINAL EFFLUENT LIMITATIONS | | | MONITORING REQUIREMENTS | |
| | | DAILY MAXIMUM | WEEKLY AVERAGE | MONTHLY AVERAGE | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| <u>Outfall #002</u> | | | | | | |
| Flow | MGD | * | | * | once/quarter** | 24 hr. total |
| pH – Units | SU | *** | | *** | once/quarter** | grab |
| Settleable Solids | mL/L/hr | 1.5 | | 1.0 | once/quarter** | grab |
| Total Petroleum Hydrocarbons | mg/L | 10 | | 10 | once/quarter** | grab |
| Chemical Oxygen Demand | mg/L | 120 | | 90 | once/quarter** | grab |
| Oil & Grease | mg/L | 15 | | 10 | once/quarter** | grab |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2010</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS. | | | | | | |
| Chemical Oxygen Demand Compliance Report | See Special Conditions # 13 | | | Once in 2010 | | |
| REPORT SHALL BE SUBMITTED <u>ONCE/PERMIT CYCLE</u> ; THE REPORT IS DUE <u>OCTOBER 28, 2010</u> . | | | | | | |
| B. STANDARD CONDITIONS | | | | | | |
| IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN. | | | | | | |

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** Sample once per quarter in the months that a discharge occurs. (See table below for reporting details)

| Sample discharge at least once for the months of: | Report is due: |
|---------------------------------------------------|----------------|
| January, February, March (1st Quarter) | April 28 |
| April, May, June (2nd Quarter) | July 28 |
| July, August, September (3rd Quarter) | October 28 |
| October, November, December (4th Quarter) | January 28 |

- *** 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.

C. SPECIAL CONDITIONS

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

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

2. All outfalls must be clearly marked in the field.
3. 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.
 - (c) That the effluent limit established in part A of the permit will be exceeded.
4. Report as no-discharge when a discharge does not occur during the report period.
 5. Water Quality Standards
 - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:

- (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
- (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
- (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
- (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
- (5) There shall be no significant human health hazard from incidental contact with the water;
- (6) There shall be no acute toxicity to livestock or wildlife watering;
- (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
- (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

C. SPECIAL CONDITIONS (continued)

6. The permittee shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be prepared within 30 days and implemented within 90 days of permit issuance. The SWPPP must be kept on-site and should not be sent to DNR unless specifically requested. The SWPPP must be reviewed and updated, if needed, every five (5) years or as site conditions change. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:

Storm Water Management For Industrial Activities, Developing Pollution Prevention Plans and Best Management Activities, (Document number EPA 832-R-92-006) published by the United States Environmental Protection Agency (USEPA) in September 1992.

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 storm water. Minimum BMPs are listed in SPECIAL CONDITIONS #7 below.
 - (b) The SWPPP must include a schedule for a bi-monthly site inspection and a brief written report. The inspections must include observation and evaluation 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 DNR 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 DNR.
7. Permittee shall adhere to the following minimum Best Management Practices:
- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of storm water from these substances.
 - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to storm water or provide other prescribed BMP's such as plastic lids and/or portable spill pans to prevent the commingling of storm water with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
 - (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
 - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
8. The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency.
9. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.
10. Before releasing water that has accumulated in secondary containment areas it must be examined for hydrocarbon odor and presence of a sheen. When the presence of hydrocarbons is indicated, and at a minimum of once/quarter, this water must be tested for Total Petroleum Hydrocarbons (TPH). The suggested analytical method for testing TPH is non-Halogenated Organic by Gas Chromatography method 8015 (also known as OA1 and OA2). However, if the permittee so desires to use other approved testing methods (i.e. EPA 1664), they may do so. If the concentration for TPH exceeds 10mg/L, the water shall be taken to a WWTP for treatment.
11. Substances, regulated by federal law under the Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), that are transported, stored, or used for maintenance, cleaning or repair, shall be managed according to RCRA and CERCLA.

C. SPECIAL CONDITIONS (continued)

12. During tank integrity tests of the 400,000 gallon fire suppression tank for this facility, water drained from the fire suppression tank shall not be discharged to waters of the state. All water drained from the fire suppression tank during these integrity tests shall be either collected and sent to the POTW or immediately diverted to the sanitary sewer system.
13. This facility is required to submit a one-time report, no later than October 28, 2010 detailing the steps that have been and/or will be taken to comply with final effluent limitations for Chemical Oxygen Demand (COD). The report should include any sampling and testing conducted as well as a map and detailed narrative indicating the sources of COD.

PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than six (6) months prior to the permit's expiration date. Failure to apply for renewal may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.

TERMINATION

In order to terminate this permit, the permittee shall notify the department by submitting Form J, included with the State Operating Permit. The permittee shall complete Form J and mail it to the department at the address noted in the cover letter of this permit. Proper closure of any storage structure is required prior to permit termination. A closure plan shall be submitted to the department and approved prior to initiating closure activities.

DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this permit. Any noncompliance with this permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

Missouri Department of Natural Resources
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0111180
SANOFI-AVENTIS U.S.

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:

- Major
- Minor
- Industrial Facility
- Variance
- Master General Permit
- General Permit Covered Facility
- And/or permit with widespread public interest

Part I – Facility Information

Facility Type: Pharmaceutical Manufacturing
Facility SIC Code(s): 2834

Facility Description:
Stormwater runoff/pharmaceutical manufacturing facility

Have any changes occurred at this facility or in the receiving water body that effects effluent limit derivation?

No

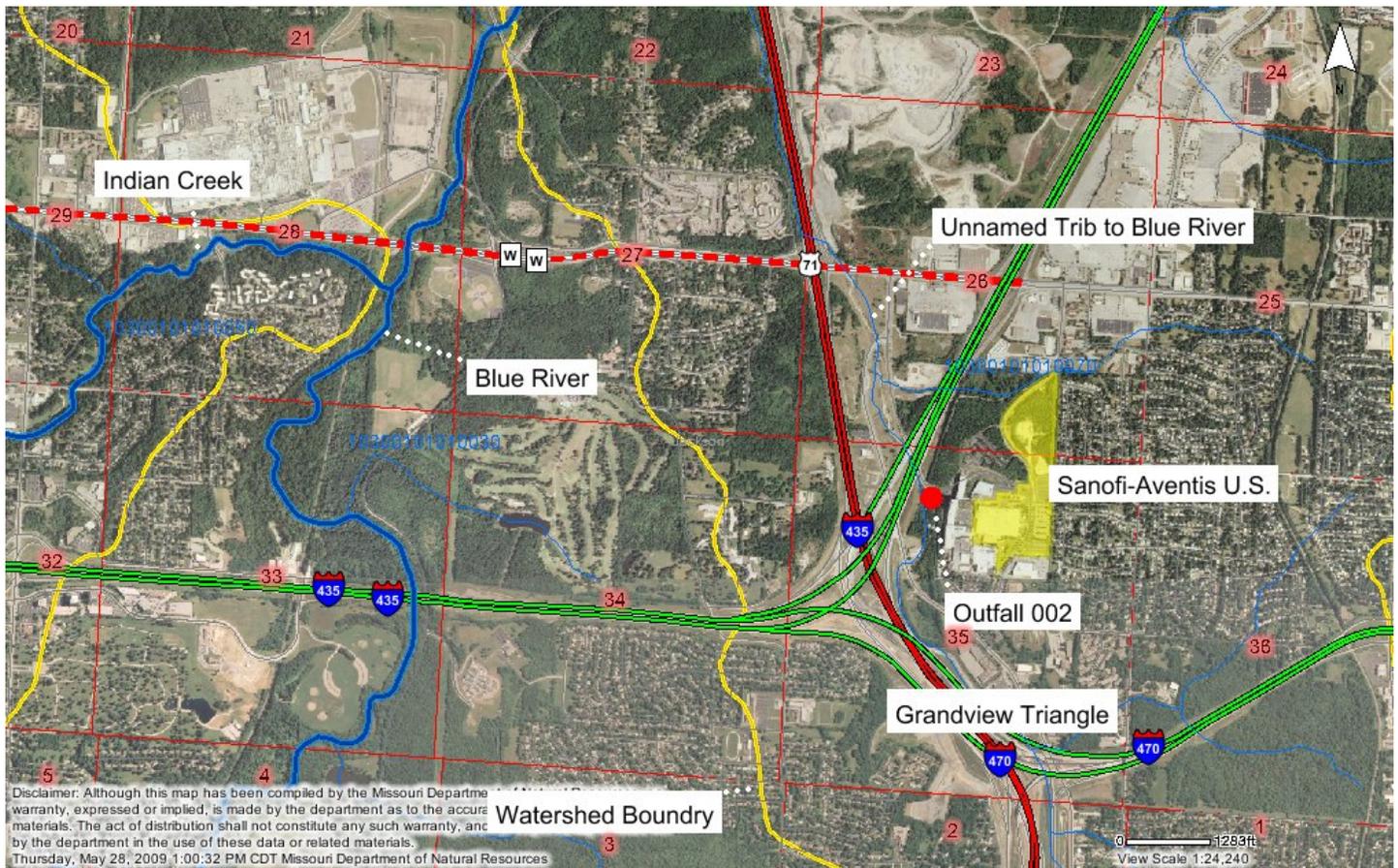
Application Date: 02/08/2008
Expiration Date: 08/07/2008

Last Inspection: 09/20/2007 In Compliance

OUTFALL(S) TABLE:

| OUTFALL | DESIGN FLOW (MGD) | TREATMENT LEVEL | EFFLUENT TYPE | DISTANCE TO CLASSIFIED SEGMENT (MI) |
|---------|-------------------|-----------------|---------------|-------------------------------------|
| #002 | 429.8 | BMP* | Stormwater | 2.15 |

* BMP means Best Management Practice



Outfall #002

Legal Description: NE ¼, NW ¼, Sec. 35, T48N, R33W

Latitude/Longitude: +3856387/-09432003

Receiving Stream: Unnamed Tributary to the Blue River (U)

First Classified Stream and ID: Blue River (P) (00419), 2001 303(d) List

USGS Basin & Sub-watershed No.: (10300101 – 010070)

Receiving Water Body's Water Quality & Facility Performance History:

Quarterly discharge monitoring reports from the previous permit cycle were reviewed and it was found that this facility exceeded the COD permit limitations once in 2005, once in 2007, and once in 2009. These COD exceedances all occurred in the first quarter of each year. The facility has attributed these exceedances to application of lawn fertilizers in the residential area that drains through Outfall #002. The current permit will require, by means of a special condition, a detailed report identifying the sources of COD as well as steps to be taken to comply with final effluent limitations.

Comments:

This permit used to have two outfalls; Outfall #001 draining the southern portion of the property and Outfall #002 draining the northern portion. The buildings on the southern portion of the complex have been purchased by Aptuit and Sanofi-Aventis no longer owns property that drains into Outfall #001. This outfall was, therefore, eliminated from this operating permit in 2006.

This facility has conducted a stormwater drainage study to determine the design flow for Outfall #002. Based on a 25-year 24-hour rainfall event with a rainfall depth of six inches, it was determined the design flow of Outfall #002 is 429.8 MGD. To measure the actual flow at the outfall for reporting purposes, the largest rainfall event recorded at the National Weather Service's Pleasant Hill Facility for the quarter is used. The amount of rainfall is compared to the six inches of rainfall used to determine the design flow. The ratio of actual rainfall to design flow rainfall (six inches) is used to convert the design flow of 429.8 MGD to the actual flow at the outfall.

The following description of exposure of stormwater to significant materials was provided by the facility:

"No significant materials are exposed to stormwater. Most raw materials, products, and waste materials are loaded and unloaded in covered docks. Fuel oils are stored in outside tanks with secondary containment and controlled discharges. Isopropanol, acetone, ethanol, and bulk waste solvents are unloaded/loaded in secondary containment with no exposure to stormwater. Lawn maintenance chemicals are applied by professional applicators."

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
 - Public Sewer District
 - County
 - Public Water Supply Districts
 - Private sewer company regulated by the Public Service Commission
 - State or Federal agencies

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 is not required to have a certified operator.

Part III – 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.

- Missouri or Mississippi River [10 CSR 20-7.015(2)]
- Lake or Reservoir [10 CSR 20-7.015(3)]
- Losing [10 CSR 20-7.015(4)]
- Metropolitan No-Discharge [10 CSR 20-7.015(5)]
- Special Stream [10 CSR 20-7.015(6)]
- Subsurface Water [10 CSR 20-7.015(7)]
- 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* | 8-DIGIT HUC | EDU** |
|---------------------------------|-------|-------|----------------------------|-------------|------------------------------------------|
| Unnamed Tributary to Blue River | U | N/A | General Criteria | 10300101 | Central Plains/ Blackwater/ Lamine |
| Blue River | P | 00419 | LWW, AQL, SCR, WBC-A*** | | |

* - 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

*** - UAA has not been conducted.

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)].

Part IV – Rationale and Derivation of Effluent Limitations & Permit Conditions

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:

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

Not Applicable

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

ANTI-BACKSLIDING:

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

All limits in this Factsheet are at least as protective as those previously established; therefore, backsliding does not apply.

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.

Not Applicable

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

COMPLIANCE AND ENFORCEMENT:

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

Not Applicable

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

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)].

Pretreatment programs are required at any POTW (or combination of POTW operated by the same authority) and/or municipality with a total design flow greater than 5.0 MGD and receiving industrial wastes that interfere with or pass through the treatment works or are otherwise subject to the pretreatment standards. Pretreatment programs can also be required at POTWs/municipals with a design flow less than 5.0 MGD if needed to prevent interference with operations or pass through.

Several special conditions pertaining to the permittee's pretreatment program may be included in the permit, and are as follows:

- Implementation and enforcement of the program,
- Annual pretreatment report submittal,
- Submittal of list of industrial users,
- Technical evaluation of need to establish local limitations, and
- Submittal of the results of the evaluation

Not Applicable

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.

Not Applicable

A RPA was not conducted for this facility.

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 (BOD₅) 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.

Not Applicable

Influent monitoring is not being required to determine percent removal.

SANITARY SEWER OVERFLOWS (SSOs), BYPASSES, INFLOW & INFILTRATION (I&I) – PREVENTION/REDUCTION:

Sanitary Sewer Systems (SSSs) are municipal wastewater collection system that convey domestic, commercial, and industrial wastewater, and limited amounts of infiltrated groundwater and storm water (i.e. I&I), to a POTW. SSSs are not designed to collect large amounts of storm water runoff from precipitation events.

Untreated or partially treated discharges from SSSs are commonly referred to as SSOs. SSOs have a variety of causes including blockages, line breaks, sewer defects that allow excess storm water and ground water to overload the system, lapses in sewer system operation and maintenance, inadequate sewer design and construction, power failures, and vandalism. A SSOs is defined as an untreated or partially treated sewage release from a SSS. SSOs can occur at any point in an SSS, during dry weather or wet weather. SSOs include overflows that reach waters of the state. SSOs also include overflows out of manholes and onto city streets, sidewalks, and other terrestrial locations. SSSs can back up into buildings, including private residences. When sewage backups are caused by problems in the publicly-owned portion of an SSS, they are considered SSOs.

Not Applicable

This facility is not required to develop or implement a program for maintenance and repair of the collection system; however, it is a violation of Missouri State Environmental Laws and Regulations to allow untreated wastewater to discharge to waters of the state.

SCHEDULE OF COMPLIANCE (SOC):

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

Not Applicable

This permit does not contain a SOC.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP):

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

In accordance with the EPA's *Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* [EPA 832-R-92-006] (Storm Water Management), BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Storm Water Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of storm water discharges.

Applicable

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

VARIANCE:

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

Not Applicable

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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

Not Applicable

Wasteload allocations were not calculated.

WLA MODELING:

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

Not Applicable

A WLA study was either not submitted or determined not applicable by department staff.

WATER QUALITY STANDARDS:

Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, [40 CFR 122.44(d)(1)] directs the department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

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

Applicable

In accordance with the 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. Furthermore, WET testing is a means by which the department determines that [10 CSR 20-7.031(3)(D, F, & G)] are being met by the permitted facility. In addition to justification for the WET testing, WET tests are required under [10 CSR 20-6.010(8)(A)4] to be performed by specialists who are properly trained in conducting the test according to the methods prescribed by the Federal Government as referenced in [40 CFR Part 136]. WET test will be required by all facilities meeting the following criteria:

Facility is a designated Major.

Facility continuously or routinely exceeds its design flow.

Facility (industrial) that alters its production process throughout the year.

Facility handles large quantities of toxic substances, or substances that are toxic in large amounts.

Facility has Water Quality-based Effluent Limitations for toxic substances (other than NH3)

Facility is a municipality or domestic discharger with a Design Flow > 22,500 gpd.

Other - Please justify

Not applicable :

At this time, the permittee is not required to conduct WET test for this facility.

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

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

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

Applicable

Blue River is listed on the 2001 Missouri 303(d) List for Chlordane.

The facility is not considered to be a source of the above listed pollutant(s) or considered to contribute to the impairment of the reference waterbody.

Part V – Effluent Limits Determination

Outfall #002 – Main Facility Outfall

EFFLUENT LIMITATIONS TABLE:

| PARAMETER | UNIT | BASIS FOR LIMITS | DAILY MAXIMUM | WEEKLY AVERAGE | MONTHLY AVERAGE | MODIFIED | PREVIOUS PERMIT LIMITATIONS |
|------------------------------|------------------------------------------------------------------------------------------------------------------|------------------|---------------|----------------|-----------------|----------|-----------------------------|
| FLOW | GPD | 1 | * | | * | NO | SAME |
| CHEMICAL OXYGEN DEMAND | MG/L | 9 | 120 | | 90 | NO | SAME |
| SETTLABLE SOLIDS | ML/L/HR | 1/9 | 1.5 | | 1.0 | NO | SAME |
| pH | SU | 1 | 6.5 – 9.0 | | 6.5 – 9.0 | YES | 6.0 – 9.0 |
| TOTAL PETROLEUM HYDROCARBONS | MG/L | 9 | 10 | | 10 | NO | SAME |
| OIL & GREASE | MG/L | 1/9 | 15 | | 10 | NO | SAME |
| MONITORING FREQUENCY | Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below. | | | | | | |

* - Monitoring requirement only.

Basis for Limitations Codes:

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

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.
- **pH.** Effluent limitation range is from 6.5 to 9.0 Standard pH Units (SU), as per [10 CSR 20-7.031(4)(E)]. pH is not to be averaged.
- **Oil & Grease.** Conventional pollutant, effluent limitation for protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum.
- **Chemical Oxygen Demand.** Effluent limitations are protective and have been retained from previous state operating permit.
- **Settleable Solids.** Effluent limitations are protective and have been retained from the previous operating permit.
- **Total Petroleum Hydrocarbons.** Effluent limitations are protective and have been retained from previous state operating permit. These limits are consistent with those given to other facilities in the state of Missouri who perform activities similar to this facility.
- **Minimum Sampling and Reporting Frequency Requirements.** Sampling and reporting frequency requirements have been retained from previous state operating permit.

Part VI – 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.

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 7/10/2009 to 8/12/2009. No responses received or responses to the Public Notice of this operating permit do not warrant the modification of effluent limits and/or the terms and conditions of this permit.

DATE OF FACT SHEET: MAY 28, 2009

COMPLETED BY:

**JIMMY COLES, ENVIRONMENTAL SPECIALIST I
KANSAS CITY REGIONAL OFFICE
NPDES PERMITS UNIT
(816)-622-7051
JIMMY.COLES@DNR.MO.GOV**