

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, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-0124729

Owner: Jasmin and Jameer Enterprises, LLC  
Address: 1601 NW US 50 Hwy., Kingsville, MO 64061

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Elm Quick Mart  
Facility Address: 1601 NW US 50 Hwy., Kingsville, MO 64061

Legal Description: NE ¼, NE ¼, Sec. 30, T47N, R28W, Johnson County  
Latitude/Longitude: +3851323/-09402354

Receiving Stream: Unnamed tributary to S. Fk. Blackwater River (U)  
First Classified Stream and ID: S. Fk. Blackwater River (C) (00924)  
USGS Basin & Sub-watershed No.: 10300104-010001

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

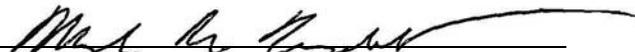
**FACILITY DESCRIPTION**

Outfall #001 - Truck stop- SIC #5541 – **No Certified Operator Required**

Three-cell lagoon / sludge is retained in lagoon.  
Design population equivalent is 13.  
Design flow is 10,000 gallons per day.  
Design sludge production is 0.2 dry tons/year.

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.

July 24, 2009  
Effective Date

  
Mark N. Templeton, Director, Department of Natural Resources

July 23, 2014  
Expiration Date  
MO 780-0041 (10-93)

  
Karl Fett, Director, Kansas City Regional Office

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 2 of 6	
					PERMIT NUMBER MO-0124729	
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 upon issuance and remain in effect until three (3) years from the date of issuance of this permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE (Note 1)	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u>						
Flow	MGD	*		*	once/month	24 hr. est.
Biochemical Oxygen Demand <sub>5</sub>	mg/L		65	45	once/month	grab
Total Suspended Solids	mg/L		120	70	once/month	grab
pH – Units	SU	**		**	once/month	grab
Ammonia as N	mg/L	*		*	once/month	grab
Temperature	°C	*		*	once/month	grab
Fecal Coliform	#/100 mL	*		*	once/month	grab
Oil and Grease	mg/L	*		*	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE <u>September 28, 2009</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</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.
- \*\* pH is measured in pH units and is not to be averaged. The pH is to be maintained at or above 6.0 pH units.

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 3 of 6	
					PERMIT NUMBER MO-0124729	
The final effluent limitations shall become effective three (3) years from the date of issuance of this permit and remain in effect until expiration of the permit. <u>See Section D, Schedule of Compliance, for requirements regarding the timeline for achieving compliance with the final effluent limitations.</u> 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 (Note 1)	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u>						
Flow	MGD	*		*	once/month	24 hr. est.
Biochemical Oxygen Demand <sub>5</sub>	mg/L		65	45	once/month	grab
Total Suspended Solids	mg/L		120	70	once/month	grab
pH – Units	SU	**		**	once/month	grab
Ammonia as N	mg/L	*		*	once/month	grab
Temperature	°C	*		*	once/month	grab
Fecal Coliform (Note 2)	#/100 mL	1000		400	once/month	grab
Oil and Grease	mg/L	*		*	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>September 28, 2012</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</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.
- \*\* pH is measured in pH units and is not to be averaged. The pH is to be maintained at or above 6.0 pH units.

Note 1- Weekly average is the total mass or concentration of all daily discharges sampled during any calendar week divided by the number of daily discharges sampled or measured during that week. Average all samples that fall within a calendar week (Sunday through Saturday). (e.g. If you have three samples between Sunday and Saturday, add the three values together and divide by 3) If you have multiple samples that lie in separate calendar weeks, do not average data from separate weeks together.

Note 2 - Final limitations and monitoring requirements for Fecal Coliform are applicable only during the recreational season from April 1 through October 31. The Monthly Average Limit for Fecal Coliform is expressed as a geometric mean.

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. 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.
4. Changes in Discharges of Toxic Substances

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

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
    - (4) The level established 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.
5. Report as no-discharge when a discharge does not occur during the report period.
  6. 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.

D. SCHEDULE OF COMPLIANCE

**Part 1**

1. By **(Six months from issued date)**, permittee shall submit to the department an **engineering evaluation** of the wastewater treatment plant. The evaluation should be comprehensive in nature, including future needs at the facility, but must include a plan and modifications necessary to ensure that the facility is operating properly. The engineering evaluation must be prepared by a professional engineer registered in the State of Missouri. Send the prepared submittal to the Missouri Department of Natural Resources, Kansas City Regional Office, 500 Northeast Colbern Road, Lee's Summit, MO 64086.
2. Within 180 days of department approval of the plan, submit to the department plans, specifications and a complete application for construction permit to enact changes to the facility.

**Part 2**

1. This permit contains interim effluent limitations which are applicable for three (3) years following issuance of this permit. The final limits shall apply thereafter.
2. After one year of monitoring events following the issuance of this permit (which would be **July 24, 2010**), determine, by analyzing effluent data, if the wastewater treatment facility could comply with the final effluent limitations for Fecal Coliform bacteria. **During the first year of monitoring a minimum of 12 months of monitoring data is required.** In the case that the lagoon will not discharge once per month, additional samples should be taken when the lagoon is discharging.
3. If the final Fecal Coliform bacteria limits could not be complied with, submit, within twelve (12) months after the end of the first year of monitoring events (or twenty four {24} months after the issuance of this permit) (no later than **July 24, 2012**), a completed application for a construction permit, and one copy each of an engineering report, plans and specifications prepared by a professional engineer registered in the State of Missouri. Send the prepared submittal to the Missouri Department of Natural Resources, Kansas City Regional Office, 500 Northeast Colbern Road, Lee's Summit, MO 64086. This submittal shall include wastewater treatment facility improvements to comply with the final effluent limits as listed in Section A. of this permit, designed in accordance with the Missouri Clean Water Law Regulation 10 CSR 20 Chapter 8.
4. Within fifteen (15) calendar days of receipt of any request for additional information or changes in the engineering report, plans or specifications, respond and if necessary submit engineering modifications to the department's address as shown in Paragraph D.3 above.
5. Within six (6) months of the issuance of the construction permit, construct the permitted wastewater treatment facility improvements.
6. Within fifteen (15) calendar days of completion of construction of wastewater treatment facility improvements, submit a Statement of Work Completed form, signed, sealed, and dated by a professional engineer registered in the State of Missouri certifying that the project has been completed substantially in accordance with the approved plans and specifications. In addition to the Statement of Work Completed, submit an application for a Missouri State Operating Permit modification, complete with the appropriate modification fee, to the department's address shown in Paragraph D.3 above.

#### 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.

This permit authorizes only the activities described in this permit. Compliance with this permit may not be considered a shield from compliance with any local ordinance, State Regulation or State Law.

**Missouri Department of Natural Resources**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-0124729**  
**ELM QUICK MART**

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:

Minor

**Part I – Facility Information**

Facility Type: Truck stop (NON-POTW)  
Facility SIC Code(s): 5541  
Facility contact: Syed Asif 816-566-3433; 816-786-8815

Facility Description:

Three cell lagoon/sludge is retained in lagoon

Elm Quick Mart is a convenience store with four above ground storage tanks enclosed in a concrete containment. The facility also has four gasoline dispensers and two diesel fuel dispensers.

See Appendix 3 for facility layout.

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

No

Application Date: May 15, 2009  
Expiration Date: March 7, 2007

Last Inspection: April 15, 2009  In Compliance  Non Compliance

On April 15, 2009, Patrick Peltz, inspector with the department found to be out of compliance for not renewing their permit and required the facility to repair their infiltration feature for the grease clean out. Mr. Peltz also noted that the facility did not have a stormwater permit for their above ground storage tanks. The facility since that time, has applied for the stormwater permit and was issued permit MO-G350282.

On November 13, 2008, Patrick Peltz issued the facility a notice of violation for failure to submit discharge monitoring reports, failure to apply for renewal of their operating permit, and for failure to maintain and operate the facility in accordance with the Missouri Clean Water Law and regulations. Mr. Peltz also noted that the clean out for the grease were in poor condition and that the grease ran into the wastewater system. At the time of the inspection, Mr. Peltz collected a sample of the effluent. The results of the analysis was 6.01mg/L for ammonia, 9.51 mg/L for biochemical oxygen demand, 6.65 pH Units, and 11 mg/L for total suspended solids.

**OUTFALL(S) TABLE:**

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
001	0.016	Equivalent to secondary	Domestic	0.85

## Outfall #001

Legal Description: NE ¼, NE ¼, Sec. 30, T47N, R28W, Johnson County  
Latitude/Longitude: +3851323/-09402354  
Receiving Stream: Unnamed tributary to S. Fk. Blackwater River (U)  
First Classified Stream and ID: S. Fk. Blackwater River (C) (00924)  
USGS Basin & Sub-watershed No.: 10300104-010001

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

April 2003 exceeded TSS and January 2004 to present no discharge monitoring reports submitted

Comments:

Facility is with the Water Pollutions' Kansas City Regional Office's Enforcement and Compliance Unit. Oil and Grease will be added due to the grease trap not being properly maintained. This permit will contain monitoring requirements for oil and grease. This parameter maybe reviewed at the next permit cycle to determine if oil and grease can be removed. If the facility maintains their grease trap properly and the monitoring results indicate that there has been no infiltration into the wastewater system, then oil and grease maybe removed.

**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.

- 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 1<sup>st</sup> 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 S. Fk. Blackwater River	U	NA	General Criteria	10300104	Central Plains/Blackwater/Lamine
S. Fk. Blackwater River	C	00924	LWW, AQL, WBC-B***		

\* - 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 was conducted on Oct. 26 & 29, 2009 and reviewed by the Internal Review Committee on March 27, 2008 and recommended to retain use for WBC.

**RECEIVING STREAM(S) LOW-FLOW VALUES TABLE:**

RECEIVING STREAM (U, C, P)	LOW-FLOW VALUES (CFS)		
	1Q10	7Q10	30Q10
Unnamed tributary to S. Fk. Blackwater River	0	0	0

**MIXING CONSIDERATIONS TABLE:**

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:**

No receiving water monitoring requirements recommended at this time.

**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 at this time. This facility retains the sludge in the lagoon. The facility has not reported any sludge removal nor indicated the type of sludge disposal. This permit is a renewal and in the previous permit cycle the facility has been approved to land apply; therefore if the facility does need to remove sludge and chooses to land apply then the facility must notify the department in writing 60 days prior to sludge removal and must then follow the requirements under Standard Conditions Part III.

**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 (BOD<sub>5</sub>) 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](http://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.

Applicable

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)]. In addition this facility has a schedule of compliance to conduct an engineering evaluation.

**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.

Not Applicable

At this time, the permittee is not required to develop and implement a SWPPP.

**VARIANCE:**

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

Not Applicable

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

**WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:**

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

Not Applicable

Wasteload allocations were not calculated.

**WLA MODELING:**

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

Not Applicable

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

**WATER QUALITY STANDARDS:**

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

**WHOLE EFFLUENT TOXICITY (WET) TEST:**

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

Not applicable :

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

**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

Not Applicable

This facility does not discharge to a 303(d) listed stream.

## Part V – Effluent Limits Determination

### Outfall #001 – 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	
BOD <sub>5</sub>	MG/L	1		65	45	NO	
TSS	MG/L	1		120	70	NO	
pH	SU	1	≥6		≥6	NO	
TEMPERATURE	°C	1/8	*		*	YES	***
AMMONIA AS N	MG/L	2/3/5	*		*	YES	***
OIL AND GREASE	MG/L	9	*		*	YES	***
ESCHERICHIA COLI	**	Please see Escherichia Coli (E. coli) in the Derivation and Discussion Section below.					
FECAL COLIFORM	**	1/2	1000		400	YES	***
MONITORING FREQUENCY	Minimum Sampling is MONTHLY and Reporting Frequency is MONTHLY						

\* - Monitoring requirement only.

\*\* - # of colonies/100mL; the Monthly Average for Fecal Coliform is a geometric mean.

\*\*\*\* - Parameter 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. Lagoon Policy
5. Ammonia Policy
6. Dissolved Oxygen Policy
7. Antidegradation Policy
8. Water Quality Model
9. Best Professional Judgment
10. TMDL or Permit in lieu of TMDL
11. WET Test Policy
12. Antidegradation Review
13. Dissolved Oxygen 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.
- **Biochemical Oxygen Demand (BOD<sub>5</sub>).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information**.
- **Total Suspended Solids (TSS).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information**.
- **pH.** Effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information**.
- **Temperature.** Monitoring requirement due to the toxicity of Ammonia varies by temperature.
- **Total Ammonia Nitrogen.** Monitoring requirement only. Monitoring for temperature and ammonia are included to determine whether "reasonable potential" to exceed water quality standards exists after the discharge begins.
- **Oil and Grease.** Monitoring requirement only. Monitoring for oil and grease are included to due to infiltration into the wastewater treatment system. If the grease trap is maintained properly this parameter maybe removed at the next permit cycle.
- **Escherichia coli (E. coli).** This facility may be required to have *E. coli* effluent limitations when Missouri adopts the implementation of the *E. coli* standards, as per [10 CSR 20-7.031(4)(C)]. (This will be updated upon promulgation of the regulation).

- **Fecal Coliform.** Discharge shall not contain more than a monthly geometric mean of 400 colonies/100 mL and a daily maximum of 1000 colonies/100 mL during the recreational season (April 1 – October 31), please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.** Future renewals of the facility operating permit will contain effluent limitations for E. coli, which will replace fecal coliform as the applicable bacteria criteria in Missouri's water quality standards.

## **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 is tentatively schedule to begin June 2009
- The Public Notice period for this operating permit was from (June 2009) to (July 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:** JUNE 4, 2009

### **COMPLETED BY:**

SUNNY WELLESLEY, ENVIRONMENTAL SPECIALIST  
KANSAS CITY REGIONAL OFFICE  
WATER PROTECTION PROGRAM

**Part VII – Appendices**

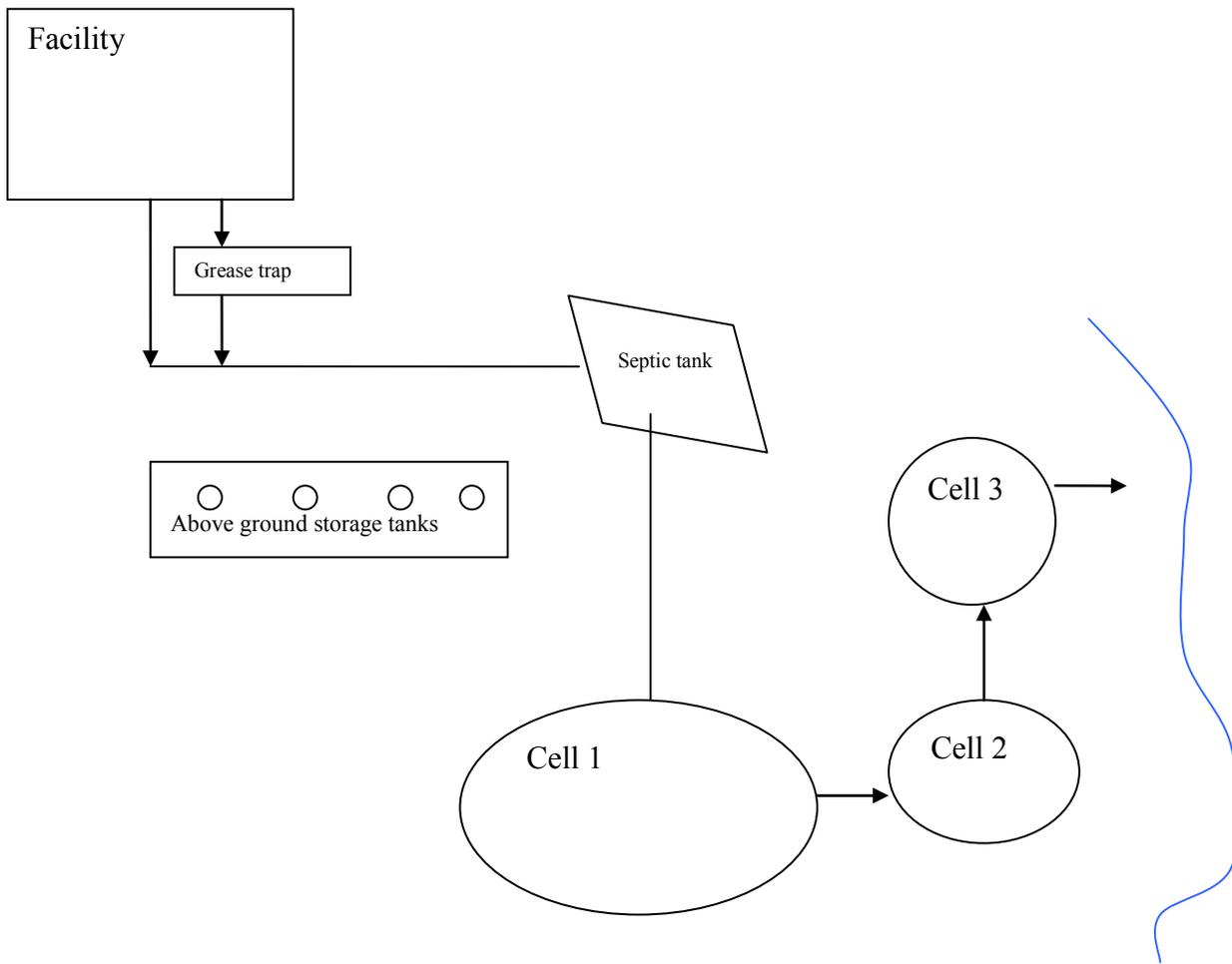
**APPENDIX # 1- FACILITY MAP VIEW**

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Thursday, June 4, 2009 10:35:01 AM CDT Missouri Department of Natural Resources

APPENDIX # 2- FACILITY DESIGN VIEW



Not to scale