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-0125598
Owner:	Malden Board of Public Works
Address:	111 East Laclede Street, Malden MO, 63863
Continuing Authority:	Same as above
Address:	Same as above
Facility Name:	Malden Industrial Park Wastewater Treatment Facility
Facility Address:	Malden Industrial Park, Malden, MO, 63863
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 land application of wastewater 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.

December 1, 2016
Effective Date

Harry D. Bozoian, Director, Department of Natural Resources

June 30, 2021
Expiration Date

John Madras, Director, Water Protection Program

FACILITY DESCRIPTION (continued)

Permitted Feature #001- Outfall has been eliminated

Permitted Feature #002 – POTW – SIC #4952
The use or operation of this facility shall be by or under the supervision of a Certified "D" Operator.
Four cell aerated lagoon/Additional two cell No-discharge storage lagoon /sludge is retained in lagoon.
Design population equivalent is 6,800
Design dry weather flow is 680,000.
Design flow is 720,732 gallons per day (1-in-10 year design including net rainfall minus evaporation).
Actual flow is 486,791 gallons per day.
Design sludge production is 71 dry tons per year.

Legal Description:	SE ¼, Sec. 28, T23N, R10E, Dunklin County
UTM Coordinates:	X=770309, Y=4055444
Receiving Stream:	Tributary to Ditch #0
First Classified Stream and ID:	8-20-13 MUDD V1.0 (C) (3960)
USGS Basin & Sub-watershed No.:	(08020204-0503)

Design Basis:	**Average Annual**
Design with 1-in-10 year flows:	720,732

Storage Basin/Tank:
Storage Lagoon A:
Overall Depth 14 Feet
Top Berm Dimensions 634x401 feet

Storage Lagoon B:
Overall Depth 14 Feet
Top Berm Dimensions 710x 634 feet

Storage Capacity (in Days):
Design: 61 days

Permitted Feature #003 – Center Pivot Land Application Field

Legal Description:	Sec. 29, T23N, R10E, Dunklin County
UTM Coordinates:	X=767959, Y= 4055751
Receiving Stream:	Tributary to Lateral Ditch #1
First Classified Stream and ID:	8-20-13 MUDD V1.0 (C) (3960)
USGS Basin & Sub-watershed No.:	(08020204-0504)

Land Application:
Irrigation Volume/year: 263 million gallons at design loading (including 1-in-10 year flows)
Irrigation areas: 371 acres total available
Application rates: 1 inch/day; 3 inches/week; 26 inches/year
Equipment type: Center Pivot Irrigation
Vegetation: Row Crops
Application rate is based on: Consumptive irrigation needs

PERMITTED FEATURE #002	TABLE A-1. IRRIGATION SYSTEM LIMITATIONS AND MONITORING REQUIREMENTS	PAGE NUMBER 3 of 8
		PERMIT NUMBER MO-0125598

The permittee is authorized to conduct land application of wastewater as specified in the application for this permit. The final limitations shall become effective on **December 1, 2016** and remain in effect until expiration of the permit. The land application of wastewater shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT PARAMETER(S)	UNITS	FINAL LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Storage Basin Operational Monitoring (Notes 1& 2, Page 4)						
Storage Basin Freeboard (Note 3, Page 4)	feet	*			once/month	measured
Precipitation	inches	*			daily	total
Irrigated Wastewater (Notes 2 & 4, Page 4)						
Total Kjeldahl Nitrogen as N (Note 5, Page 4)	mg/L	*			once/quarter**	grab
Nitrate Nitrogen as N (Note 5, Page 4)	mg/L	*			once/year	grab

MONITORING REPORTS SHALL BE SUBMITTED ANNUALLY; THE FIRST REPORT IS DUE JANUARY 28, 2018.

PERMITTED FEATURE #003	TABLE A-2. IRRIGATION SYSTEM LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to conduct land application of wastewater as specified in the application for this permit. The final limitations shall become effective on **December 1, 2016** and remain in effect until expiration of the permit. The land application of wastewater shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT PARAMETER(S)	UNITS	FINAL LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Land Application Operational Monitoring (Note 2, Page 4)						
Irrigation Period	hours	*			daily	total
Volume Irrigated	gallons	*			daily	total
Application Area	acres	*			daily	total
Application Rate	inches	*			daily	total

MONITORING REPORTS SHALL BE SUBMITTED ANNUALLY; THE FIRST REPORT IS DUE JANUARY 28, 2018.

* Monitoring requirement only.
** See table below for quarterly sampling

Minimum Sampling Requirements			
Quarter	**Months**	**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

Note 1 - **No-discharge facility requirements**. Wastewater shall be stored and land applied during suitable conditions so that there is no discharge from the storage basins or irrigation site. An emergency discharge may occur when excess wastewater has accumulated above feasible irrigation rates due to precipitation exceeding the 1-in-10-year 365-day rainfall, or the 25-year 24-hour storm event.

Note 2 - Records shall be maintained and summarized into an annual operating report, which shall be submitted by January 28th of each year for the previous calendar year period using report forms approved by the Department. The summarized annual report is in addition to the reporting requirements listed in Table A. The summarized annual report shall include the following:

a. Record of maintenance and repairs performed during the year, average number of times per month the facility is checked to see if it is operating properly, and description of any unusual operating conditions encountered during the year;
b. The number of days the storage basin(s) has discharged during the year, the discharge flow, the reasons discharge occurred and effluent analysis performed; and
c. A summary of the irrigation operations including freeboard at the start and end of the irrigation season, the number of days of irrigation for each month, the total gallons irrigated, the total acres used, crops grown, crop yields per acre, the application rate in inches/acre per day and for the year, the monthly and annual precipitation received at the facility, a summary of testing results for wastewater and soils, and calculations for nitrogen applied and crop removal of nitrogen if required by Special Condition 19 (l).

Note 3 - Storage Basin freeboard shall be reported as Storage Basin water level in feet below the overflow level. See Special Conditions for Wastewater Irrigation System requirements.

Note 4 - Wastewater that is irrigated shall be sampled at the irrigation pump or wet well. If irrigation did not occur during the report period, report as "No Irrigation".

Note 5 - Monitor once per year during the months of March through November. Wastewater irrigation rates shall not exceed a nitrogen application rate of 150 pounds total nitrogen per acre per year, and the applied wastewater shall not exceed ten (10) mg/l of nitrate nitrogen as N. If the nitrogen application exceeds a rate of 150 pounds total nitrogen per acre per year, and/or the applied wastewater exceeds ten (10) mg/l of nitrate nitrogen as N, see Special Condition #19 (l) for additional requirements.

B. 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, 2015, and hereby incorporated as though fully set forth herein.

C. SPECIAL CONDITIONS

1. Emergency Discharge. An emergency discharge from wastewater storage structures may only occur if rainfall exceeds the 1 in 10 year 365-day rainfall (Data taken from the Missouri Climate Atlas), or the 25-year 24-hour (Data taken from NRCS Urban Hydrology for Small Watersheds) rainfall events. **Discharge for any other reason shall constitute a permit violation and shall be reported in accordance with Standard Conditions, Part 1, Section B.2.b.** Monitoring shall take place once in the first six (6) hours of discovery of the discharge and then once per day following the initial sampling period until the discharge ceases. The facility shall submit test results, along with the number of days the storage basin(s) has discharged during the month, to the Southeast Regional Office by the 28th day of the month after the discharge ceases. Permittee shall monitor for the following constituents:

Constituent	**Units**
Flow	MGD
Biochemical Oxygen Demand$_5$	mg/L
Total Suspended Solids	mg/l
Ammonia as N	mg/L
pH – Units	SU
Oil & Grease	mg/L
*E. coli**	#/100mL
Total Nitrogen	mg/L
Total Phosphorus	mg/L

* Sampling for *E. coli* is only required during the recreational months of April – October.

C. SPECIAL CONDITIONS (continued)

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 including acute and chronic Whole Effluent Toxicity (WET) tests, 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 permitted features must be clearly marked in the field. The permitted features and land application fields shall also be marked on the aerial or topographic site map included with the Operation and Maintenance manual.

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

6. Changes in existing pollutants or the addition of new pollutants to the treatment facility

   The permittee must provide adequate notice to the Director of the following:
   (a) 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 those pollutants; and
   (b) Any substantial change in 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.
   (c) For purposes of this paragraph, adequate notice shall include information on;
      (1) the quality and quantity of effluent introduced into the POTW, and
      (2) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

C. SPECIAL CONDITIONS (continued)

7. Report as no-discharge when land application does not occur during the report period.

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

9. 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.

10. The permittee shall develop and implement a program for maintenance and repair of the collection system. The recommended guidance is the US EPA's Guide For Evaluating Capacity, Management, Operation, And Maintenance (CMOM) Programs At Sanitary Sewer Collection Systems (Document number EPA 305-B-05-002) or the Departments' CMOM Model located at http://dnr.mo.gov/env/wpp/permits/docs/cmom-template.doc. For additional information regarding the Departments' CMOM Model, see the CMOM Plan Model Guidance document at http://dnr.mo.gov/pubs/pub2574.htm.

    The permittee shall also submit a report to the Southeast Regional Office annually, by January 28th, for the previous calendar year. The report shall contain the following information:
    (a) A summary of the efforts to locate and eliminate sources of excessive infiltration and inflow into the collection system serving the facility for the previous year.
    (b) A summary of the general maintenance and repairs to the collection system serving the facility for the previous year.
    (c) A summary of any planned maintenance and repairs to the collection system serving the facility for the upcoming calendar year. This list shall include locations (GPS, 911 address, manhole number, etc.) and actions to be taken.

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), and with Standard Condition Part I, Section B, subsection 2.b. Bypasses are to be reported to the Southeast Regional Office or by using the online Sanitary Sewer Overflow/Facility Bypass Application located at: http://dnr.mo.gov/modnrcag/ 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 locked except when opened by the permittee to perform operational monitoring, sampling, maintenance, mowing, or for inspections by the Department.

14. At least one (1) warning sign shall be placed on each side of the facility enclosure (does not pertain to application fields) 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. The permittee shall develop, maintain and implement an Operation and Maintenance (O&M) Manual that includes all necessary items to ensure the operation and integrity of the waste handling and land application systems, including key operating procedures, an aerial or topographic site map with the permitted features, land application fields, and irrigation buffer zones marked, and a brief summary of the operation of the facility. The O & M manual shall be made available to the operator. The O&M Manual shall be reviewed and updated when there is a change in equipment and at least every five years.

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

17. The berms of the storage basin(s) shall be mowed and kept free of any deep-rooted vegetation, animal dens, or other potential sources of damage to the berms.

C. SPECIAL CONDITIONS (continued)

18. The facility shall ensure that adequate provisions are provided to prevent surface water intrusion into the storage basin(s) and to divert stormwater runoff around the storage basin(s) and protect embankments from erosion.

19. Wastewater Irrigation System.
    (a) Discharge Reporting. Any unauthorized discharge from the storage basin(s) or irrigation system shall be reported to the Department as soon as possible but always within 24 hours. Discharge is allowed only as described in the Facility Description and Effluent Limitations sections of this permit.
    (b) Storage Basin Operating Levels - No-discharge Systems. The minimum and maximum operating water levels for the storage basin(s) shall be clearly marked in each of the storage basins where the water levels can be manipulated by valves. Each storage basin shall be operated so that the maximum water elevation does not exceed one foot below the Emergency Spillway except due to exceedances of the 1-in-10 year, 365-day or 25-year, 24-hour storm events according to National Weather Service data. Wastewater shall be land applied whenever feasible based on soil and weather conditions and permit requirements. To ensure maximum storage capacity for the winter months, the storage basin(s) shall be lowered to the minimum operating level during the months of September to November unless the department approves a specific deviation from this requirement.
    (c) Emergency Spillway. Lagoons and earthen storage basins should have an emergency spillway to protect the structural integrity of earthen structures during operation at near full water levels and in the event of overflow conditions. The spillway shall be at least one foot below top of berm.
    (d) General Irrigation Requirements. The wastewater irrigation system shall be operated so as to provide uniform distribution of irrigated wastewater over the entire irrigation site. A complete ground cover of vegetation shall be maintained on the irrigation site unless the system is approved for row crop irrigation. The wastewater irrigation system shall be capable of irrigating the annual design flow during an application period of less than 100 days or 800 hours per year. If the facility determines that night time irrigation is needed, the facility shall submit a night time land application plan to the Department's Water Protection Program for review and approval. Night time irrigation shall only occur when the Department has approved the night time land application plan.
    (e) Saturated/Frozen Conditions. There shall be no irrigation during ground frost, frozen, snow covered, or saturated soil conditions, or when precipitation is imminent or occurring.
    (f) Slope Restrictions. Wastewater application on slopes exceeding 10%, the hourly application rate shall not exceed one-half (1/2) the design sustained permeability and in no case shall exceed one-half (1/2) inch per hour.
    (g) Set Backs. There shall be no irrigation within:
        (1) 300 feet of any sinkhole, losing stream, or any other feature that may provide a connection to the ground water table and the surface;
        (2) 300 feet from any existing potable water supply well not located on the property
        (3) 150 feet of dwelling or public use areas
        (4) 100 feet of any gaining perennial or intermittent streams or tributaries, public or privately owned pond or lake. As a compliance alternative a 35-foot vegetative buffer that is permanently covered with perennial vegetation maybe substituted for the 100 foot set-back requirement.
        (5) 50 feet of the property line or public road,
    (h) Public Access Restrictions. Public access shall not be allowed to public use area irrigation sites when application is occurring.
    (i) Grazing and Harvesting of Forage Crops Restrictions. Grazing of animals shall be deferred as per the following:
        (1) From May 1 to October 30, the minimum deferment from grazing or forage harvesting shall be 14 days.
        (2) From November 1 to April 30, the minimum deferment from grazing or forage harvesting shall be 30 days.
    (j) Irrigated Wastewater Disinfection. Wastewater shall be disinfected prior to land application (not storage) to public use areas.
    (k) Agronomic Application Rates. Wastewater land applications shall not exceed agronomic rates to ensure agricultural use of nutrients and prevent contamination of surface and groundwater. The agronomic rate is the amount of wastewater applied to a field to meet the fertilizer recommendation.
    (l) Nitrogen Loading Rates. Wastewater irrigation rates shall not exceed a nitrogen application rate of 150 pounds total nitrogen per acre per year, and the applied wastewater shall not exceed ten (10) mg/l of nitrate nitrogen as N. Hydraulic application rates exceeding 60 inches per acre per year shall calculate nitrogen loading rates and include results in the annual report. The calculation procedures are as follows: (Total N) x (0.226) x (inches per acre irrigated) = pounds total N per acre. Where Total N = [Total Kjeldahl Nitrogen (TKN) as N] + [Nitrate Nitrogen as N]. If the applied wastewater exceeds 150 pounds total nitrogen per acre/year, the permittee must reduce the application rates or submit a revised permit application to request use of the Plant Available Nitrogen (PAN) method based on crop nitrogen requirements for harvested crops, along with calculations to show the amount of plant-available nitrogen provided and the amount of nitrogen that will be utilized by the vegetation to be grown. PAN availability factors for surface application are: [Ammonia N x 0.6] + [Nitrate N x 0.9] + [Organic N x 0.6] = PAN. If the applied wastewater exceeds ten (10) mg/l of nitrate nitrogen as N, then the facility shall submit a revised permit application to request use of the Plant Available Nitrogen (PAN) method based on crop nitrogen

C. SPECIAL CONDITIONS (continued)

requirements for harvested crops, along with calculations to show the amount of plant-available nitrogen provided and the amount of nitrogen that will be utilized by the vegetation to be grown.

(m) Equipment Checks during Irrigation. The irrigation system and application site shall be visually inspected at least once/day during wastewater irrigation to check for equipment malfunctions and runoff from the irrigation site.

20. Land Application Sites. To add additional land application sites or convert any of the land to public use areas, a construction permit, geohydrological evaluation, soils report, and permit modification may be required. The facility shall contact the Department for a written determination. Additionally, the O&M Manual shall be updated to include the additional land application site(s) and a copy of the updated sections of the O&M Manual shall be submitted to the Southeast Regional Office.

21. 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.
    (f) When calculating monthly averages, one-half of the minimum detection limit (MDL) should be used instead of a zero. Where all data are below the MDL, the “<MDL” shall be reported as indicated in item (c).

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0125598
MALDEN INDUSTRIAL PARK WASTEWATER TREATMENT FACILITY

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 stormwater 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 Minor

Part I – Facility Information

Facility Type: POTW - SIC #4952

Facility Description:
Four cell aerated lagoon/ additional two cell storage lagoon/ center pivot irrigation field/sludge retained in lagoon.

Have any changes occurred at this facility or in the receiving water body that effects effluent limit derivation?
☒ - No.

Application Date: 05/03/2016
Expiration Date: 06/30/2016

PERMITTED FEATURE(S) TABLE:

PERMITTED FEATURE	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE
#001	1.02	Storage Basin(s)	Domestic
#002	No Discharge	Land Application	Domestic

Facility Performance History:
The facility converted to a no discharge facility in 2014. Since conversion discharge monitoring reports show no violations. This facility was last inspected on March 17th 2016. The conditions of the facility at the time of inspection were found to be satisfactory.

Comments:
Changes in this permit include the addition of Total Kjeldahl Nitrogen and Nitrate. Pretreatment program requirements have been removed as the program was deactivated in 2009 due to the last industrial contributor disconnecting. See Part VII of the Fact Sheet for further information regarding the addition and removal of effluent parameters. Special conditions were updated to include the addition of inflow and infiltration reporting requirements, reporting of Non-detects and bypass reporting requirements.

Part II – Operator Certification Requirements

☒ - This facility is required to have a certified operator.

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 20-9.020(2)(A)], requirements for operation by certified personnel shall apply to all wastewater treatment systems, if applicable, as listed below:

Owned or operated by or for a

- ☒ - Municipalities
- ☐ - Federal agency
- ☐ - County
- ☐ - Public Sewer District
- ☐ - State agency
- ☐ - Private Sewer Company regulated by the Public Service Commission
- ☐ - Public Water Supply Districts

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

The Department requires this facility to retain the services of a certified operator due to: Facility is owned by a municipality and has a design population equivalent of 6,800.

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

Operator's Name: Charles A. Miller
Certification Number: 2389
Certification Level: 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 not required to conduct operational monitoring.

Part IV – Receiving Stream Information

While this facility is no discharge, a receiving stream is listed for the purposes of showing what stream would be affected in the event of an emergency release due to an acute or chronic rain event.

RECEIVING STREAM(S) TABLE: PERMITTED FEATURE #002

WATER-BODY NAME	CLASS	WBID	DESIGNATED USES*	12-DIGIT HUC	DISTANCE TO CLASSIFIED SEGMENT (MI)
8-20-13 MUDD V1.0	C	3960	AQL, IRR, LWW, SCR, WBCB	08020204-0503	0

RECEIVING STREAM(S) TABLE: PERMITTED FEATURE #003

WATER-BODY NAME	CLASS	WBID	DESIGNATED USES*	12-DIGIT HUC	DISTANCE TO CLASSIFIED SEGMENT (MI)
Tributary to Lateral Ditch #1	--	--	General Criteria	08020204-0504	0.8
8-20-13 MUDD V1.0	C	3960	AQL, IRR, LWW, SCR, WBCB		

*As per 10 CSR 20-7.031 Missouri Water Quality Standards, the department defines the Clean Water Commission's water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and 1st classified receiving stream's beneficial water uses to be maintained are in the receiving stream table in accordance with [10 CSR 20-7.031(1)(C)].

Uses which may be found in the receiving streams table, above:

10 CSR 20-7.031(1)(C)1.:
AQL = Protection of aquatic life (Current narrative use(s) are defined to ensure the protection and propagation of fish shellfish and wildlife, which is further subcategorized as: WWH = Warm Water Habitat; **CDF** = Cold-water fishery (Current narrative use is cold-water habitat.); **CLF** = Cool-water fishery (Current narrative use is cool-water habitat); EAH = Ephemeral Aquatic Habitat; MAH = Modified Aquatic Habitat; LAH = Limited Aquatic Habitat. This permit uses AQL effluent limitations in 10 CSR 20-7.031 Table A for all habitat designations unless otherwise specified.)

10 CSR 20-7.031(1)(C)2.: Recreation in and on the water
WBC = Whole Body Contact recreation where the entire body is capable of being submerged;
WBC-A = Whole body contact recreation that supports swimming uses and has public access;
WBC-B = Whole body contact recreation that supports swimming;
SCR = Secondary Contact Recreation (like fishing, wading, and boating).

10 CSR 20-7.031(1)(C)3. to 7.:
HHP (formerly HHF) = Human Health Protection as it relates to the consumption of fish;
IRR = Irrigation for use on crops utilized for human or livestock consumption;
LWW = Livestock and wildlife watering (Current narrative use is defined as LWP = Livestock and Wildlife Protection);
DWS = Drinking Water Supply;
IND = Industrial water supply

10 CSR 20-7.031(1)(C)8-11.: Wetlands (10 CSR 20-7.031 Table A currently does not have corresponding habitat use criteria for these defined uses)
WSA = Storm- and flood-water storage and attenuation; WHP = Habitat for resident and migratory wildlife species; WRC = Recreational, cultural, educational, scientific, and natural aesthetic values and uses; WHC = Hydrologic cycle maintenance.

10 CSR 20-7.031(6): **GRW** = Groundwater

RECEIVING STREAM MONITORING REQUIREMENTS:
No receiving water monitoring requirements recommended at this time.

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(o); 40 CFR Part 122.44(l)] that requires a reissued permit to be as stringent as the previous permit with some exceptions.

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

☒ - 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.

- Pretreatment program requirements have been removed. The municipality has deactivated their pretreatment program as the only industrial contributor is no longer in the community. Metals monitoring requirement has been removed from the emergency discharge monitoring requirements table.

ANTIDEGRADATION:
In accordance with Missouri's Water Quality Standard [10 CSR 20-7.031(3)], 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.

☒ - No degradation proposed and no further review necessary. Facility did not apply for authorization to increase pollutant loading or to add additional pollutants to their discharge.

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.

BIOSOLIDS & SEWAGE SLUDGE:
Biosolids are solid materials resulting from domestic wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Additional information regarding biosolids and sludge is located at the following web address: http://extension.missouri.edu/main/DisplayCategory.aspx?C=74, items WQ422 through WQ449.

☒ - Permittee is not authorized to land apply biosolids. Sludge/biosolids are stored in the lagoon. The permittee must submit a sludge management plan for approval that details removal and disposal plans when sludge is to be removed from lagoons.

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 not currently under Water Protection Program enforcement action.

DISCHARGE MONITORING REPORTS:
On July 30, 2013, EPA proposed the Clean Water Act National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, which requires electronic reporting of NPDES information rather than the currently-required paper-based reports from permitted facilities. To comply with the upcoming federal rule, the Department is asking all permittees to begin submitting discharge monitoring data online. For permittees already using the Department's eDMR data reporting system, those permittees will be required to exclusively use the eDMR data reporting system.

☒ - The permittee/facility is not currently using the eDMR data reporting system. To sign up for the eDMR system, visit the Department's eDMR page at http://dnr.mo.gov/env/wpp/edmr.htm..

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

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

REMOVAL EFFICIENCY:

This facility is subject to the Secondary Treatment standard of 85% removal [40 CFR Part 133.102(a)(3) & (b)(3)]. 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). This is a no-discharge facility, therefore removal efficiency is 100% and influent monitoring is not required.

SANITARY SEWER OVERFLOWS (SSO) AND INFLOW AND INFILTRATION (I&I):

Sanitary Sewer Overflows (SSOs) are defined as untreated sewage releases and are considered bypassing under state regulation [10 CSR 20-2.010(11)] and should not be confused with the federal definition of bypass. SSOs result from a variety of causes including blockages, line breaks, and sewer defects that can either allow wastewater to backup within the collection system during dry weather conditions or allow excess stormwater and groundwater to enter and overload the collection system during wet weather conditions. SSOs can also result from lapses in sewer system operation and maintenance, inadequate sewer design and construction, power failures, and vandalism. SSOs include overflows out of manholes, cleanouts, broken pipes, and other into waters of the state and onto city streets, sidewalks, and other terrestrial locations.

Inflow and Infiltration (I&I) is defined as unwanted intrusion of stormwater or groundwater into a collection system. This can occur from points of direct connection such as sump pumps, roof drain downspouts, foundation drains, and storm drain cross-connections or through cracks, holes, joint failures, faulty line connections, damaged manholes, and other openings in the collection system itself. I&I results from a variety of causes including line breaks, improperly sealed connections, cracks caused by soil erosion/settling, penetration of vegetative roots, and other sewer defects. In addition, excess stormwater and groundwater entering the collection system from line breaks and sewer defects have the potential to negatively impact the treatment facility.

Missouri RSMo §644.026.1.(13) mandates that the Department issue permits for discharges of water contaminants into the waters of this state, and also for the operation of sewer systems. Such permit conditions shall ensure compliance with all requirements as established by sections 644.006 to 644.141. Standard Conditions Part I, referenced in the permit, contains provisions requiring proper operation and maintenance of all facilities and systems of treatment and control. Missouri RSMo §644.026.1.(15) instructs the Department to require proper maintenance and operation of treatment facilities and sewer systems and proper disposal of residual waste from all such facilities. To ensure that public health and the environment are protected, any noncompliance which may endanger public health or the environment must be reported to the Department within 24 hours of the time the permittee becomes aware of the noncompliance. Standard Conditions Part I, referenced in the permit, contains the reporting requirements for the permittee when bypasses and upsets occur. The permit also contains requirements for permittees to develop and implement a program for maintenance and repair of the collection system. The permit requires that the permittee submit an annual report to the Department for the previous calendar year that contains a list of all SSOs and building backups (locations, features of collection system where the SSO/building backup occurred, volumes, durations, receiving stream, causes, mitigation efforts, and actions to prevent reoccurrences), a summary of efforts taken by the permittee to locate and eliminate sources of excess I & I, a summary of general maintenance and repairs to the collection system, and a summary of any planned maintenance and repairs to the collection system for the upcoming calendar year.

☒ - 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) or the Departments' CMOM Model located at http://dnr.mo.gov/env/wpp/permits/docs/cmom-template.doc. For additional information regarding the Departments' CMOM Model, see the CMOM Plan Model Guidance document at http://dnr.mo.gov/pubs/pub2574.htm. The CMOM identifies some of the criteria used 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):

Per 644.051.4 RSMo, a permit may be issued with a Schedule of Compliance (SOC) to provide time for a facility to come into compliance with new state or federal effluent regulations, water quality standards, or other requirements. Such a schedule is not allowed if the facility is already in compliance with the new requirement, or if prohibited by other statute or regulation. A SOC includes 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. *See also* Section 502(17) of the Clean Water Act, and 40 CFR §122.2. For new effluent limitations, the permit includes interim monitoring for the specific parameter to demonstrate the facility is not already in compliance with the new requirement. Per 40 CFR § 122.47(a)(1) and 10 CSR 20-7.031(10), compliance must occur as soon as possible. If the permit provides a schedule for meeting new water quality based effluent limits, a SOC must include an enforceable, final effluent limitation in the permit even if the SOC extends beyond the life of the permit.

A SOC is not allowed:

- For effluent limitations based on technology-based standards established in accordance with federal requirements, if the deadline for compliance established in federal regulations has passed. 40 CFR § 125.3.
- For a newly constructed facility in most cases. Newly constructed facilities must meet applicable effluent limitations when discharge begins, because the facility has installed the appropriate control technology as specified in a permit or antidegradation review. A SOC is allowed for a new water quality based effluent limit that was not included in a previously public noticed permit or antidegradation review, which may occur if a regulation changes during construction.
- To develop a TMDL, UAA, or other study associated with development of a site specific criterion. A facility is not prohibited from conducting these activities, but a SOC may not be granted for conducting these activities.

In order to provide guidance to Permit Writers in developing SOCs, and attain a greater level of consistency, on April 9, 2015 the Department issued an updated policy on development of SOCs. This policy provides guidance to Permit Writers on the standard time frames for schedules for common activities, and guidance on factors that may modify the length of the schedule such as a Cost Analysis for Compliance.

☒ - This permit does not contain a SOC.

SEWER EXTENSION AUTHORITY SUPERVISED PROGRAM:

In accordance with [10 CSR 20-6.010(6)(A)], the department may grant approval of a permittee's Sewer Extension Authority Supervised Program. These approved permittees regulate and approve construction of sanitary sewers and pump stations, which are tributary to this wastewater treatment facility. The permittee shall act as the continuing authority for the operation, maintenance, and modernization of the constructed collection system. See http://dnr.mo.gov/env/wpp/permits/sewer-extension.htm.

☒ - The permittee does not have a department approved Sewer Extension Authority Supervised Program.

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.

In lieu of requiring sampling in the site-specific permit, the facility is required to develop and implement a Stormwater Pollution Prevention Plan. A facility can apply for conditional exclusion for "no exposure" of industrial activities and materials to stormwater by submitting to the Department a completed NPDES Form 3510-11 – No Exposure Certification for Exclusion from NPDES Stormwater Permitting. That document and additional information may be found at http://water.epa.gov/polwaste/npdes/stormwater/Conditional-No-Exposure-Exclusion.cfm. Upon approval on the "No Exposure", the permit can be modified to remove the SWPPP requirements. If the facility chooses to retain the conditional exclusion for "no exposure", the facility is required to renew the "No Exposure" exemption during the permit renewal period by submitting NPDES Form 3510-11 with Form B2.

☒ - At this time, the permittee is not required to develop and implement a SWPPP. As the permittee is a no-discharge facility, the use of best management practices to reduce stormwater flows into the treatment basin or into the application fields should be considered and employed.

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 not drafted under premises of a petition for variance.

WATER QUALITY STANDARDS:
Per [10 CSR 20-7.031(4)], 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.

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.

☒ - This facility does not anticipate bypassing.

Part VI – Permit Limits Determination

PERMITTED FEATURE #001 – STORAGE BASIN

- **Freeboard.** Monitoring requirement to verify adequate freeboard is maintained, so as to avoid and overflow of the storage basin.
- **Precipitation.** Monitoring requirement to ensure appropriate land application is conducted to account for accumulated water in the storage basin.
- **Total Kjeldahl Nitrogen.** Monitoring requirement only. Monitoring for Total Kjeldahl Nitrogen as N is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(C)]
- **Nitrate Nitrogen as N.** Monitoring requirement only. Monitoring for Nitrate Nitrogen as N is included to determine nutrient loading rates on the land application fields. [10 CSR 20-6.015(4)(C)]

PERMITTED FEATURE #002 – IRRIGATION FIELD

- **Irrigation Period.** Monitoring requirement only. Monitoring for the Irrigation Period is included to determine if proper application is occurring on the land application fields.
- **Volume Irrigated**. Monitoring requirement only. Monitoring for the Volume Irrigated is included to determine if proper application is occurring on the land application fields.
- **Application Area.** Monitoring requirement only. Monitoring for the Application Area is included to determine if proper application is occurring on the land application fields.
- **Application Rate**. Monitoring requirement only. Monitoring for the Application Rate is included to determine if proper application is occurring on the land application fields.

Sampling Frequency Justification:
Sampling frequency has been set to daily for Irrigation Period, Volume Irrigated, Application Area and Application Rate. Free board frequency of monthly and rainfall frequency of daily has remained the same. Total Kjeldahl Nitrogen and Nitrate has been set to once per quarter and once per year respectively due to irrigation of over 24 inches a year of wastewater.

Sampling Type Justification:
Due to the discharge being from irrigation from a storage basin, a grab sample is a representative and appropriate sample type. Variation in nutrient concentration is not expected over a 24 hour period.

Part VII – Cost Analysis for Compliance

Pursuant to Section 644.145, RSMo, when issuing permits under this chapter that incorporate a new requirement for discharges from publicly owned combined or separate sanitary or storm sewer systems or publicly owned treatment works, or when enforcing provisions of this chapter or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq., pertaining to any portion of a publicly owned combined or separate sanitary or storm sewer system or [publicly owned] treatment works, the Department of Natural Resources shall make a "finding of affordability" on the costs to be incurred and the impact of any rate changes on ratepayers upon which to base such permits and decisions, to the extent allowable under this chapter and the Federal Water Pollution Control Act. This process is completed through a cost analysis for compliance. Permits that do not include new requirements may be deemed affordable.

☒ - 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.

Cost Analysis for Compliance - 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 –Cost Analysis for Compliance**

Part VIII – Administrative Requirements

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

PERMIT SYNCHRONIZATION:
The Department of Natural Resources is currently undergoing a synchronization process for operating permits. Permits are normally issued on a five-year term, but to achieve synchronization many permits will need to be issued for less than the full five years allowed by regulation. The intent is that all permits within a watershed will move through the Watershed Based Management (WBM) cycle together will all expire in the same fiscal year. This will allow further streamlining by placing multiple permits within a smaller geographic area on public notice simultaneously, thereby reducing repeated administrative efforts. This will also allow the Department to explore a watershed based permitting effort at some point in the future. Renewal applications must continue to be submitted within 180 days of expiration, however, in instances where effluent data from the previous renewal is less than 4 years old, that data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit.

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 September 16, 2016 to October 17, 2016. No comments were received during this time period.

DATE OF FACT SHEET: 07/20/2016

COMPLETED BY:

SHAWN MASSEY, ENVIRONMENTAL SPECIALIST
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - DOMESTIC WASTEWATER UNIT
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Appendices

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

APPENDIX - 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	0
Recurring deviations or excessive variations of 100 to 200 % in strength and/or flow	2	0
Recurring deviations or excessive variations of more than 200 % in strength and/or flow	4	0
Raw wastes subject to toxic waste discharge	6	0
SECONDARY TREATMENT		
Trickling filter and other fixed film media with secondary clarifiers	10	0
Activated sludge with secondary clarifiers (including extended aeration and oxidation ditches)	15	0
Stabilization ponds without aeration	5	0
Aerated lagoon	8	8
Advanced Waste Treatment Polishing Pond	2	0
Chemical/physical – without secondary	15	0
Chemical/physical – following secondary	10	0
Biological or chemical/biological	12	0
Carbon regeneration	4	0
DISINFECTION		
Chlorination or comparable	5	0
Dechlorination	2	0
On-site generation of disinfectant (except UV light)	5	0
UV light	4	0
SOLIDS HANDLING - SLUDGE		
Solids Handling Thickening	5	0
Anaerobic digestion	10	0
Aerobic digestion	6	0
Evaporative sludge drying	2	0
Mechanical dewatering	8	0
Solids reduction (incineration, wet oxidation)	12	0
Land application	6	0
Total from page **TWO (2)**	----	12
Total from page **ONE (1)**	---	5
Grand Total	---	17

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

APPENDIX – COST ANALYSIS FOR COMPLIANCE:

Missouri Department of Natural Resources
Water Protection Program
Cost Analysis for Compliance
(In accordance with RSMo 644.145)

Malden Industrial Park Wastewater Treatment Facility, Permit Renewal
Malden Board of Public Works
Missouri State Operating Permit #MO-0125598

Section 644.145 RSMo requires the Department of Natural Resources (DNR) 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 for publicly-owned treatment works."

This cost analysis is based on data available to the Department as provided by the permittee and data obtained from readily available sources. For the most accurate analysis, it is essential that the permittee provides the Department with current information about the City's financial and socioeconomic situation. The financial questionnaire available to permittees on the DNR website (http://dnr.mo.gov/forms/780-2511-f.pdf) should have been submitted with the permit renewal application. If it was not received with the renewal application, the Department sent a request to complete it with the welcome letter.

The Department is required to issue a permit with final effluent limits in accordance with 644.051.1.(1) RSMo, 644.051.1.(2) RSMo, and the Clean Water Act. The practical result of this analysis is to incorporate a compliance schedule into the permit in order to mitigate adverse impact to distressed populations resulting from new costs for the wastewater treatment facility.

Facility Description:

Residential Connections:	1,608
Commercial Connections:	237
Total Connections for this facility:	1,845

New Permit Requirements:

The permit requires compliance with new monitoring requirements for total Kjeldahl Nitrogen and Nitrates.

Anticipated Costs Associated with Complying with the New Requirements:

The total cost estimated for new quarterly and annual monitoring requirements is $152 annually. This cost, if financed through user fees, might cost each household an extra $0.006[1] per month. A community sets their user rates based on several factors. The percentage of the current user rate that is available to cover new debt is unknown to the Department.

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

Due to the minimal cost associated with this new permit requirement, the Department anticipates City has the means to raise $152 annually.

(2) Affordability of pollution control options for the individuals or households at or below the median household income level of the community;

The total cost estimated for the new quarterly and annual monitoring requirements is $152 annually. This cost, if financed through user fees, might cost each household an extra $0.006[1] per month. This would make the additional cost per household as a percent of median household income (MHI) 0.000002%[2] based on the City's MHI of $31,172. Due to the minimal cost associated with this new requirement, the Department anticipates an extremely low to no rate increase will be necessary that could impact individuals or households of the community.

(3) Inclusion of ongoing costs of operating and maintaining the existing wastewater collection and treatment system, including payments on outstanding debts for wastewater collection and treatment systems when calculating projected rates:

The community did not provide the Department with information, nor could it be found through readily available data.

(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. This requirement includes but is not limited to:

(a) Allowing adequate time in implementation schedules to mitigate potential adverse impacts on distressed populations resulting from the costs of the improvements and taking into consideration local community economic considerations.
(b) Allowing for reasonable accommodations for regulated entities when inflexible standards and fines would impose a disproportionate financial hardship in light of the environmental benefits to be gained.

Socioeconomic Data[3-6]:

Potentially Distressed Populations – City of Malden	
Total Population	4,285
Unemployment	7.0%
Adjusted Median Household Income (MHI)	$31,172
Percent Change in MHI (2000-2012)	+36.1%
Percent Population Growth/Decline (2000-2012)	-10.7%
Median Age in Years	41.9
Percent of Households in Poverty	23.3%
Percent of Households Relying on Food Stamps	30.3%

(5) An assessment of other community investments and operating costs relating to environmental improvements and public health protection;

The community did not report any other investments relating to environmental improvements.

(6) An assessment of factors set forth in the United States Environmental Protection Agency's 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*;*

The new sampling requirements associated with this permit will not impose a financial burden on the community, nor will the new requirements require the City of Malden to seek funding from an outside source.

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

The community did not report any other relevant local economic conditions.

The Department contracted with Wichita State University to complete an assessment tool that would allow for predictions on rural Missouri community populations and future sustainability. The purpose of the study is to use a statistical modeling analysis in order to determine factors associated with each rural Missouri community that would predict the future population changes that could occur in each community. A stepwise regression model was applied to 19 factors which were determined as predictors of rural population change in Missouri. The model established a hierarchy of the predicting factors which allowed the model to place a weighted value on each of the factors. A total of 745 rural towns and villages in Missouri received a weighted value for each of the predicting factors. The weighted values for each town / village were then added together to determine an overall decision score. The overall decision scores were then divided into five categories and each town was assigned to a different categorical group based on the overall decision score.

The categorical groups were developed from the range of overall scores across all rural towns and villages within Missouri. The range covers 1,191 score points (-245 to 946).

Based on the assessment tool, the City of Malden has been determined as a category 1 community. This means that the City of Malden could potentially face more challenging socioeconomic circumstances over time and may have significant declines in population in the future. The Department has determined an adequate schedule of compliance that will alleviate the potential financial burdens the City of Malden may face due to the necessary upgrades required to meet the new permit requirements. If your community experiences a decline in population which results in the inability to secure the necessary funding for an upgrade to meet the new requirements within this permit, a modification to the schedule of compliance may be necessary. At that time, please contact the Department and send an application for a modification to the schedule of compliance with justification for the time necessary to comply with this permit.

Conclusion and Finding

As a result of new regulations, the Department is proposing modifications to the current operating permit that may require the permittee to increase monitoring. The Department identified the actions for which cost analysis for compliance is required under Section 644.145 RSMo.

The Department estimates the cost for quarterly total Kjeldahl Nitrogen and annual Nitrate is $152 per year. Should these additional costs be financed through user fees, it may require user fees 0.000002% of the community's MHI.

The Department considered the eight (8) criteria presented in subsection 644.145.3 when evaluating the cost associated with the relevant actions. Taking into consideration these criteria, this analysis examined whether the above referenced permit modifications affects the ability of an individual customer or household to pay a utility bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household. As a result of reviewing the above criteria, the Department hereby finds that the action described above may result in a low burden with regard to the community's overall financial capability and a low financial impact for most individual customers/households; therefore, the new permit requirements are affordable.

References:

1. ((152/1845)/12 months) =$0.006
2. (0.006/(31,172/12))*100 = 0.000002%
3. Unemployment data was obtained from Missouri Department of Economic Development (July 2014) – http://www.missourieconomy.org/pdfs/urel1407.pdf
4. Median Household Income data from American Community Survey – Median income in the past 12 months – http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?fpt=table
5. Population trend data was obtained from online at: 2012 Census Bureau Population Data - http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?fpt=table, 2000 Census Bureau Population Data - http://www.census.gov/popest/data/cities/totals/2009/tables/SUB-EST2009-04-29.xls, 1990 Census Bureau Population Data - http://www.census.gov/prod/cen1990/cp1/cp-1-27.pdf
6. Poverty data – American Community Survey- http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t

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;
      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, 2015

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 Act or 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 removal when either of the following occurs: 1) When biosolids are greater than 50,000 mg/kg TN; or 2) When biosolids are land applied at an application rate greater 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 percent, 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, 2, and 3)			
	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 (PAN) when either of the following occurs: 1) when biosolids are greater than 50,000 mg/kg TN; or 2) when biosolids are land applied at an application rate greater than two 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.
Note 3: Table 5 is not applicable for incineration and permit holders that landfill their sludge.

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. The facility shall report PAN when either of the following occurs: 1) When biosolids are greater than 50,000 mg/kg TN; or 2) when biosolids are land applied at an application rate greater than two dry tons per acre per year.
        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.

RECEIVED

MAY 03 2016

MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
FORM A – APPLICATION FOR NONDOMESTIC PERMIT UNDER MISSOURI CLEAN WATER LAW

WATER PROTECTION PROGRAM

FOR AGENCY USE ONLY	
CHECK NUMBER	
DATE RECEIVED 5-3-16	FEE SUBMITTED

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

1. This application is for:

☐ An operating permit for a new or unpermitted facility:
Please indicate the original Construction Permit # _____

☑ An operating permit renewal:
Please indicate the permit # MO- 0125598 Expiration Date June 30, 2016

☐ An operating permit modification:
Please indicate the permit # MO-_____ Modification Reason: ____

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

2. FACILITY

NAME		TELEPHONE NUMBER WITH AREA CODE	
Malden Industrial Park Lagoon		(573) 276-4502	
		FAX (573) 276-4109	
ADDRESS (PHYSICAL) Malden Industrial Park	CITY Malden	STATE MO	ZIP CODE 63863

3. OWNER

NAME	EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE	
Malden Board of Public Works	ted@newwavecomm.net	(573) 276-4502	
		FAX (573) 276-4109	
ADDRESS (MAILING) 111 East Laclede Street	CITY Malden	STATE MO	ZIP CODE 63863

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

4. CONTINUING AUTHORITY

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

5. OPERATOR

NAME	CERTIFICATE NUMBER	TELEPHONE NUMBER WITH AREA CODE	
Charles A Miller	2389	(573) 281-5013	
		FAX	
ADDRESS (MAILING) 111 East Laclede Street	CITY Malden	STATE MO	ZIP CODE 63863

6. FACILITY CONTACT

NAME	TITLE	TELEPHONE NUMBER WITH AREA CODE
Ted Bellers	City Administrator	(573) 276-4502
	E-MAIL ADDRESS ted@newwavecomm.net	FAX (573) 276-4109

7. ADDITIONAL FACILITY INFORMATION

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

001 NW ¼ SE ¼ Sec 28 T 23N R 10E Dunklin County
UTM Coordinates Easting (X):_____ Northing (Y): _____
For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

002 ____¼ ____¼ Sec ____ T ____ R ____ ____ County
UTM Coordinates Easting (X): _____ Northing (Y): _____

003 ____¼ ____¼ Sec ____ T ____ R ____ ____ County
UTM Coordinates Easting (X):_____ Northing (Y):_____

004 ____¼ ____¼ Sec ____ T ____ R ____ ____ County
UTM Coordinates Easting (X):_____ Northing (Y): _____

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

001 – SIC 4952 and NAICS _____ 002 – SIC_____ and NAICS _____
003 – SIC_____ and NAICS _____ 004 – SIC_____ and NAICS _____

8.	ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION (Complete all forms that are applicable.)		
A.	Is your facility a manufacturing, commercial, mining or silviculture waste treatment facility? If yes, complete Form C or 2F. (2F is the U.S. EPA's Application for Storm Water Discharges Associate with Industrial Activity.)	YES ☐	NO ☑
B.	Is application for storm water discharges only? If yes, complete Form C or 2F.	YES ☐	NO ☑
C.	Is your facility considered a "Primary Industry" under EPA guidelines: If yes, complete Forms C or 2F and D.	YES ☐	NO ☑
D.	Is wastewater land applied? If yes, complete Form I.	YES ☑	NO ☐
E.	Is sludge, biosolids, ash or residuals generated, treated, stored or land applied? If yes, complete Form R.	YES ☐	NO ☑
F.	If you are a Class IA CAFO, please disregard part D and E of this section. However, please attach any revision to your Nutrient Management Plan.		
F.	Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.		

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

NAME			
City of Malden			
ADDRESS	CITY	STATE	ZIP CODE
PO Box 411	Malden	MO	63863

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT)	TELEPHONE NUMBER WITH AREA CODE
Ted Bellers, City Administrator	(573) 276-4502
SIGNATURE Ted Bellers	DATE SIGNED 4/29/14

MO 780-1479 (07-14)

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

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

HAVE YOU INCLUDED:

- ☑ Appropriate Fees?
- ☑ Map at 1" = 2000' scale?
- ☑ Signature?
- ☐ Form C or 2F, if applicable?
- ☐ Form D, if applicable?
- ☑ Form I (Irrigation), if applicable?
- ☐ Form R (Sludge), if applicable?
- ☐ Revised Nutrient Management Plan, if applicable?

INSTRUCTIONS FOR COMPLETING FORM A - APPLICATION FOR NONDOMESTIC PERMIT

1. Check which option is applicable. **Do not check more than one item.** Nondomestic permit refer to permits issued by the Department of Natural Resources' Water Protection Program for all **nondomestic** wastewater treatment facilities, including all industry, stormwater, and Class IA Concentrated Animal Feeding Operations (CAFO). **This includes all nondomestic wastewater treatment facilities that incorporate domestic wastewater into the operating permit.**

1.1 OPERATING PERMIT FEES

If the application is for a site-specific permit re-issuance, send no fees. You will be invoiced separately by the department.

Discharges covered by section 644.052.4 RSMo. (Primary or Categorical Facilities)

$3,500 for a design flow under 1 mgd

$5,000 for a design flow of 1 mgd or more

A. Discharges covered by section 644.052.5 RSMo. (Secondary or Noncategorical Facilities).

$1,500 for a design flow under 1 million gallons per day (mpg)

$2,500 for a design flow of 1 mgd or more

SITE-SPECIFIC STORMWATER DISCHARGE FEES

A. $1,350 for a design flow under 1 mgd

B. $2,350 for a design flow of 1 mgd or more

CAFO OPERATING PERMIT FEES

A. $5,000 for site-specific permit (Class IA)

OPERATING PERMIT MODIFICATIONS are subject to the following fees:

A. Major Modifications - 25 percent of annual fee.

B. Minor Modifications (in accordance with 40 CFR 122.63, including transfers) - $100

Note: Facility name and address changes where owner, operator and continuing authority remain the same are not considered transfers.

Incomplete permit applications and/or related engineering documents will be returned by the department if they are not completed in the time frame established in a comment letter from the department to the owner. 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.

2. Facility - Provide the name by which this facility is known locally. Example: Southwest Sewage Treatment Plant, Country Club Mobile Home Park, etc. Also include the street address or location of the facility. If the facility lacks a street name or route number, give the names of the closest intersection, highway, county road, etc.

3. Owner - Provide the legal name and address of owner.

3.1 Prior to submitting a permit to public notice, the department shall provide the permit applicant 15 days to review the draft permit for nonsubstantive drafting errors. In the interest of expediting permit issuance, permit applicants may waive the opportunity to review draft permits prior to public notice. Check YES to review the draft permit prior to public notice. Check NO to waive the process and expedite the permit.

4. Continuing Authority - Permanent organization that will serve as the continuing authority for the operation, maintenance and modernization of the facility. The regulatory requirement regarding continuing authority is available at www.sos.mo.gov/adrules/csr/current/10csr/10c20-6a.pdf or contact the appropriate Department of Natural Resources regional office.

5. Operator - Provide the name, certificate number and telephone number of the person operating the facility.

6. Provide the name, title and work telephone number of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application and who can be contacted by the department, if necessary.

7.1 An outfall is the point at which wastewater is discharged. Outfalls should be given in terms of the legal description of the facility. Global Positioning System, or GPS, is a satellite-based navigation system. The department prefers that a GPS receiver is used at the outfall pipe and the displayed coordinates submitted. If access to a GPS receiver is not available, please use a mapping system to approximate the coordinates; the department's mapping system is available at www.dnr.mo.gov/internetmapviewer/.

7.2 List only your primary Standard Industrial Classification, or SIC, and North American Industry Classification System code for each outfall. The SIC system was devised by the U.S. Office of Management and Budget to cover all economic activities. To find the correct SIC code, an applicant may check his or her unemployment insurance forms or contact the Missouri Division of Employment Security, 573-751-3215. The primary SIC code is that of the operation that generates the most revenue. If this information is not available, the number of employees or, secondly, production rate may be used to determine your SIC code. Additional information is on the Web for Standard Industrial Codes at www.osha.gov/pls/imis/sicsearch.html and for the North American Industry Classification System at www.census.gov/naics or contact the appropriate Department of Natural Resources regional office.

8. If you answer yes to A, B, C, D, or E, then you must complete and file the supplementary form(s) indicated. A U.S. Geological Survey 1" = 2,000' scale map must be submitted with the permit application showing all outfalls, the receiving stream and the location of the downstream property owners. This type of map is available on the Web at www.dnr.mo.gov/internetmapviewer/ or from the Missouri Department of Natural Resources' Geological Survey in Rolla at 573-368-2125.

INSTRUCTIONS FOR COMPLETING FORM A - APPLICATION FOR NONDOMESTIC PERMIT (CONTINUED)

9. Please provide the name and address of the first downstream landowner, different from that of the permitted facility, through whose property the discharge will flow. Also, please indicate the location on the map. For discharges that leave the permitted facility and flow under a road or highway, or along the right-of-way, the downstream property owner is the landowner that the discharge flows to after leaving the right-of-way. For no discharge facilities, provide this information for the location where discharge would flow if there was one. For land application sites, include the owners of the land application sites and all adjacent landowners.

10. Signature - All applications must be signed as follows and the signature must be **original**:
    A. For a corporation, by an officer having responsibility for the overall operation of the regulated facility or activity or for environmental matters.
    B. For a partnership or sole proprietorship, by a general partner or the proprietor.
    C. For a municipal, state, federal or other public facility, by either a principal executive officer or by an individual having overall responsibility for environmental matters at the facility.

This completed form, along with the applicable permit fees, should be submitted to the Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176. Submittal of an incomplete application may result in the application being returned. A map of the department's regional offices with addresses and phone numbers can be viewed at www.dnr.mo.gov/regions/ro-map.pdf. If there are any questions concerning this form, contact the appropriate regional office or the Department of Natural Resources' Water Protection Program, Permits and Engineering Section at 800-361-4827 or 573-751-6825.

For More Information
Missouri Department of Natural Resources
Water Protection Program
P.O. Box 176
Jefferson City, MO 65102-0176
800-361-4827 or 573-751-1300
www.dnr.mo.gov/env/wpp/index.html

RECEIVED

MAY 0 3 2016

WATER PROTECTION PROGRAM

MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM

FORM I – PERMIT APPLICATION FOR OPERATION OF WASTEWATER IRRIGATION SYSTEMS

FOR AGENCY USE ONLY
PERMIT NUMBER MO -
DATE RECEIVED

INSTRUCTIONS: The following forms must be submitted with Form I: FORM B or B2 for domestic wastewater.
FORM A for industrial wastewater.

1. FACILITY INFORMATION

1.1 Facility Name
Malden Industrial Park Lagoon

1.2 Permit Number
MO- 0125598

1.3 Type of wastewater to be irrigated: ☐ Domestic ☑ Municipal ☐ State/National Park ☐ Seasonal business
☐ Municipal with Pretreatment Program or Significant Industrial Users ☐ Other (explain) _____

SIC Codes (list all that apply, in order of importance) 4952

1.4 Months when the business or enterprise will operate or generate wastewater:
☑ 12 months per year ☐ Part of year (list Months): ___

1.5 This system is designed for:
☑ No-discharge ☐ Partial irrigation when feasible and discharge rest of time.
☐ Irrigation during recreation season (April – October) and discharge during November – March.
☐ Other (explain) ___

1.6 List the Facility outfalls which will be applicable to the irrigation system.
Outfall Numbers: 002

2. STORAGE BASINS

2.1 Number of storage basins: 6

Type of basin: ☐ Steel ☐ Concrete ☐ Fiberglass ☐ Earthen
☑ Earthen with membrane liner

3. LAND APPLICATION SYSTEM

3.1 Number of irrigation sites 1 Total Acres 371

Location: NW ¼, SE ¼, ___ ¼, Sec 29 T 23N R 10E Dunklin County 371 Acres

Location: ___ ¼, ___ ¼, ___ ¼, Sec ___ T ___ R ___ _____ County _____ Acres

Attach pages as needed.

3.2 Attach a site map showing topography, storage basins, irrigation sites, property boundary, streams, wells, roads, dwellings, and other pertinent features.

3.3 Type of vegetation: ☐ Grass hay ☐ Pasture ☐ Timber ☑ Row crops ☐ Other (describe) _____

3.4 Wastewater flow (dry weather) gallons/day:

Average annual: 446,000 Seasonal _____ Off-season _____

Months of seasonal flow: 12

3. LAND APPLICATION SYSTEM (continued)

3.5 Land Application rate per acre (design flow including 1 in 10 year stormwater flows):

Design: 26 inches/year ____ inches/hour 1 inches/day 3 inches/week

Actual: 26 inches/year ____ inches/hour 1 inches/day 3 inches/week

Total Irrigation per year (gallons): 263 MG Design 201 MG Actual

Actual months used for Irrigation (check all that apply):

☐ Jan ☐ Feb ☑ Mar ☑ Apr ☑ May ☑ Jun ☑ Jul ☑ Aug ☑ Sep ☑ Oct ☑ Nov ☑ Dec

3.6 Land Application Rate is based on:

☐ Nutrient Management Plan (N&P)

☐ Hydraulic Loading

☑ Other (describe) consumptive irrigation needs

3.7 Equipment type: ☐ Sprinklers ☐ Gated pipe ☑ Center pivot ☐ Traveling gun ☐ Other (describe) ____

Equipment Flow Capacity: 138k Gallons per hour 1435 Total hours of operation per year

3.8 **Public Use Areas.** Public access shall not be allowed to public use area irrigation sites when application is occurring. Method of Public Access Restriction:

☐ Site is Fenced ☐ Wastewater disinfection prior to irrigation ☑ Site is not for public use

☑ Other (describe): Warning Signs

3.9 Separation distance (in feet) from the outside edge of the wetted irrigation area to nearby down gradient features:

1k Permanent flowing stream 1k Losing Stream 1k Intermittent (wet weather) stream 9k Lake or pond

6k Property boundary 6k Dwellings 2k Water supply well ____ Other (describe) ____

3.10 The facility must develop and retain an Operation and Maintenance (O&M) Plan for the irrigation system.

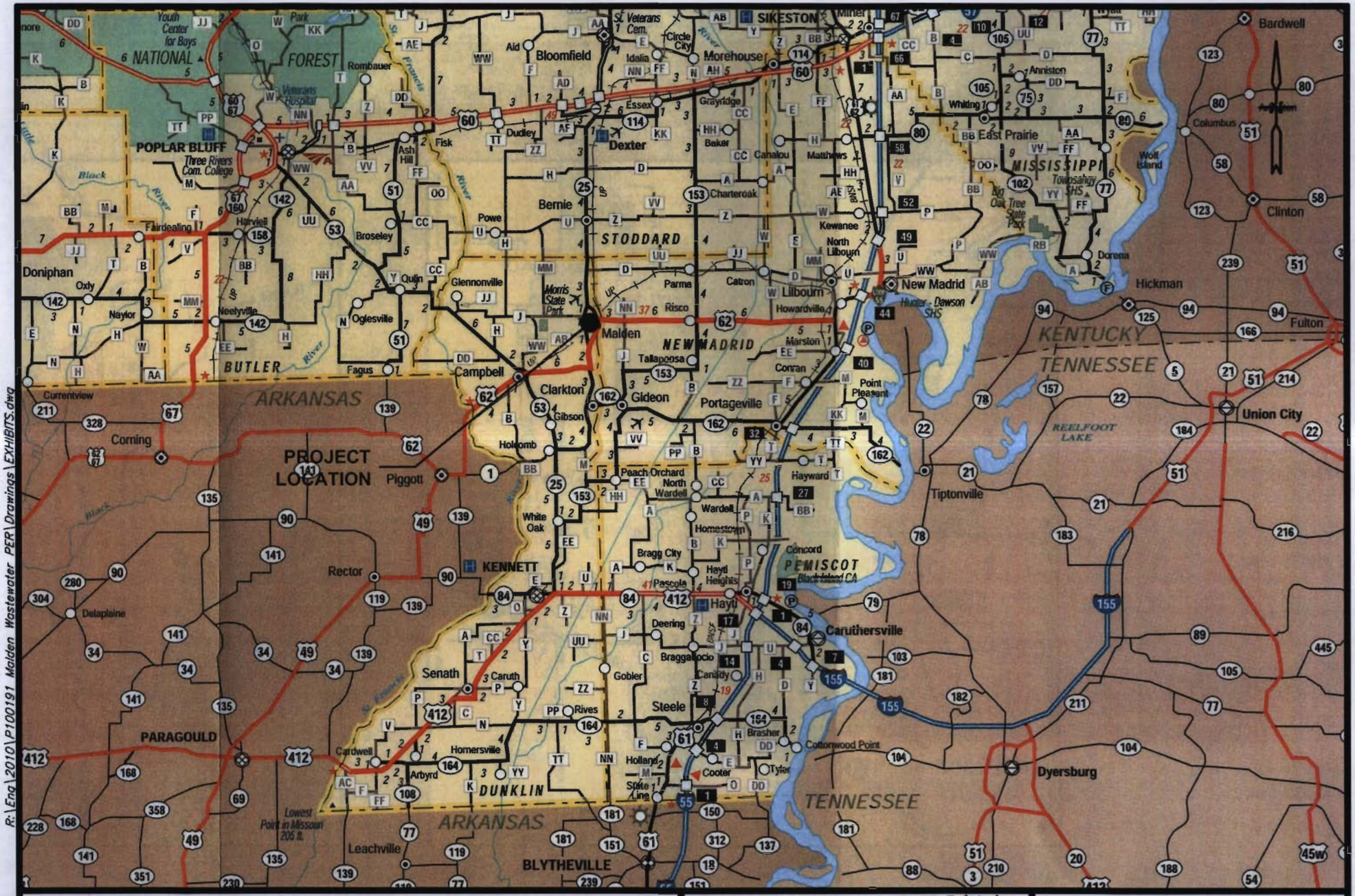
Date of O&M Plan: 12/29/02

4. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment.

OWNER OR AUTHORIZED REPRESENTATIVE	OFFICIAL TITLE
Ted Bellers	City Administrator
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE
ted@newwavecomm.net	(573) 276-4502
SIGNATURE	DATE SIGNED
Ted Bellers	4/29/14

780-1686 (06-14)



WASTEWATER FACILITY IMPROVEMENTS
MALDEN, MISSOURI

FIGURE 1 - VICINITY MAP

DRAWN BY: MDW DATE: 7/27/10
CHECKED BY: GCB DATE: 7/27/10
DRAWING FILE: EXHIBITS.dwg
JOB: P100191
NO SCALE

THIS BAR WILL MEASURE 1" WHEN PRINTED AT FULL SCALE.

SMITH&CO. ENGINEERS
901 VINE STREET; P.O. BOX 72
POPLAR BLUFF, MISSOURI 63902
(573) 785-9621 FAX: (573) 785-2651 WWW.SHSMITHCO.COM
CIVIL ENGINEERING • SURVEYING •
GEOTECHNICAL & ENVIRONMENTAL SERVICES • MATERIAL TESTING

R:\Eng\2010\P100191 Malden Wastewater PER\Drawings\EXHIBITS.dwg
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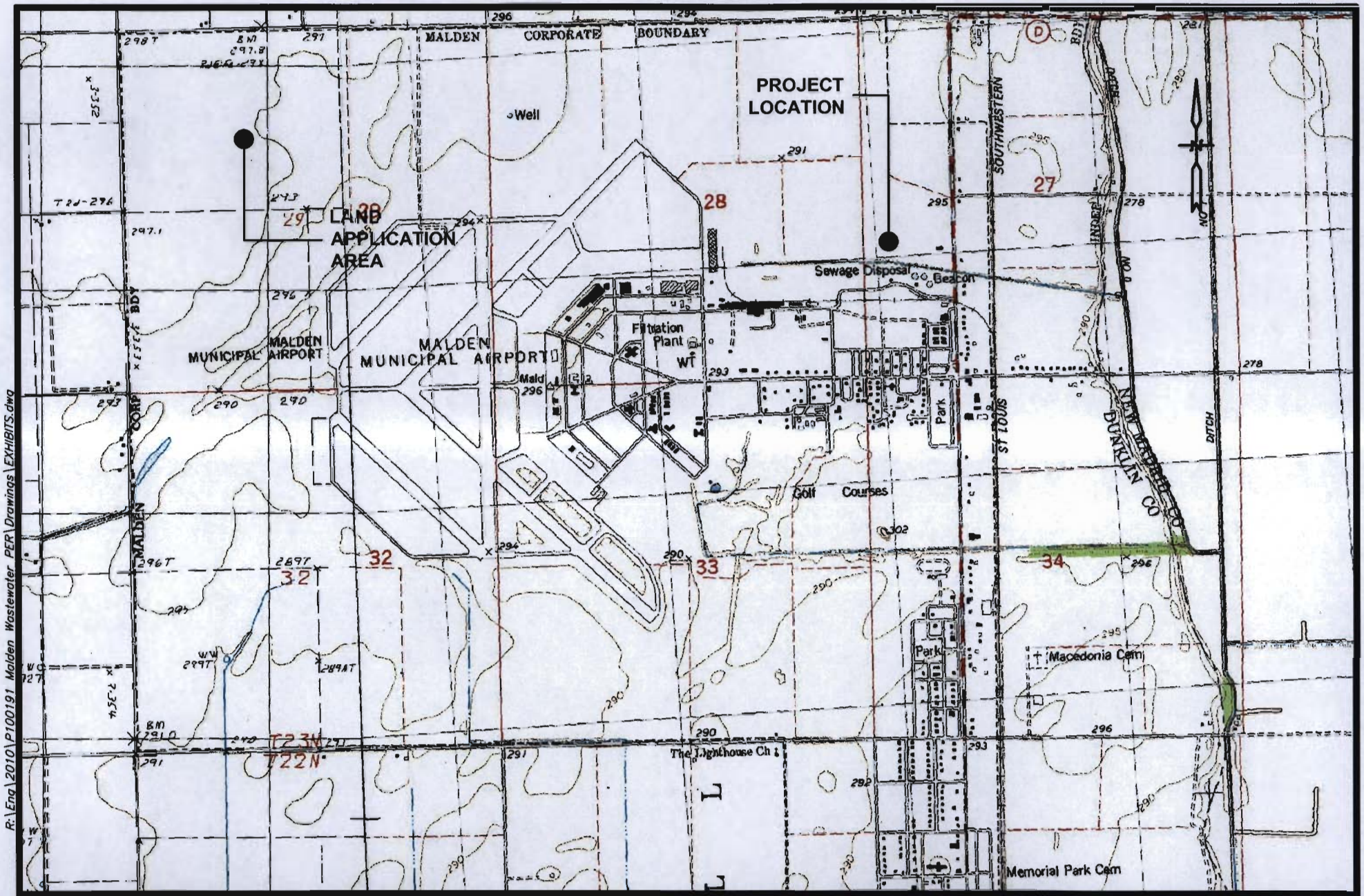

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WASTEWATER FACILITY IMPROVEMENTS
MALDEN, MISSOURI

FIGURE 2 - TOPOGRAPHIC MAP

DRAWN BY: MDW DATE: 7/27/10
CHECKED BY: GCB DATE: 7/27/10
DRAWING FILE: EXHIBITS.dwg
JOB: P100191
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