

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

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

Permit No. MO-0127710

Owner: Ameren Missouri  
Address: 1901 Chouteau Avenue, P.O. Box 66149, MC602, St. Louis, MO 63166-6149

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Ameren Missouri, Peno Creek Energy Center  
Address: 16303 Industrial Park Road, Bowling Green, MO 63334

Legal Description: SW ¼, SW ¼, Sec. 22, T53N, R3W, Pike County  
UTM Coordinates: X= 652583, Y=4357476

Receiving Stream: Unnamed Tributary to Peno Creek (U)  
First Classified Stream and ID: Peno Creek (C) (99) **Losing Stream**  
USGS Basin & Sub-watershed No.: (07110007-0401)

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

January 1, 2013  
Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

December 31, 2015  
Expiration Date

John Madras, Director, Water Protection Program

**FACILITY DESCRIPTION (CONT.)**

Outfall #001 - Generating Station – SIC #4911

Discharges from this outfall are dependent upon accumulated stormwater within the fuel oil containment structure. Outfall #001's contributory streams are the No. 2 fuel oil storage tank containment, fuel oil unloading containment, the fuel oil forwarding skid, and stormwater. Discharges pass through an oil/water separator.

Legal Description: SW ¼, SW ¼, Sec. 22, T53N, R3W, Pike County

UTM Coordinates: X= 652583, Y=4357476

Receiving Stream: Unnamed Tributary to Peno Creek (U)

First Classified Stream and ID: Peno Creek (C) (99) **Losing Stream**

USGS Basin & Sub-watershed ID: (07110007-0401)

Design Flow: 0.117 MGD

Outfall #002 - Generating Station – SIC #4911

This on-site detention basin primarily receives stormwater and the discharge flows are controlled via orifices in a concrete structure. It also receives effluent from outfall #001.

Legal Description: SW ¼, SW ¼, Sec. 22, T53N, R3W, Pike County

UTM Coordinates: X= 652114, Y=4356764

Receiving Stream: Unnamed Tributary to Peno Creek (U)

First Classified Stream and ID: Peno Creek (C) (99) **Losing Stream**

USGS Basin & Sub-watershed ID: (07110007-0401)

Design Flow: dependent upon precipitation

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 3 of 6	
					PERMIT NUMBER MO-0127710	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim effluent limitations shall become effective upon issuance and remain in effect until 1 year and 364 days of issuance. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u>						
Iron, Total Recoverable	µg/L	*		*	once/quarter***	grab
MONITORING REPORTS SHALL BE SUBMITTED <b>QUARTERLY</b> ; THE FIRST REPORT IS DUE <u>APRIL 28, 2013</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PERMIT NUMBER MO-0127710	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u>						
Flow	MGD	*		*	once/quarter***	24 hr. estimate
Oil & Grease	mg/L	15		10	once/quarter***	grab
Total Petroleum Hydrocarbons	mg/L	*		*	once/quarter***	grab
Benzene	µg/L	*		*	once/quarter***	grab
Ethylbenzene	µg/L	*		*	once/quarter***	grab
Toluene	µg/L	*		*	once/quarter***	grab
Xylene	µg/L	*		*	once/quarter***	grab
pH	SU	**		**	once/quarter***	grab
Iron, Total Recoverable	µg/L	1,000		1,000	once/quarter***	grab
MONITORING REPORTS SHALL BE SUBMITTED <b>QUARTERLY</b> ; THE FIRST REPORT IS DUE <u>APRIL 28, 2013</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

**B. STANDARD CONDITIONS**

IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED PART I STANDARD CONDITIONS DATED October 1, 1980, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)**

- \* Monitoring requirement only.
- \*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.
- \*\*\* See table below for quarterly sampling.

<b>Minimum Sampling Requirements</b>			
<b>Quarter</b>	<b>Months</b>	<b>Effluent Parameters</b>	<b>Report is Due</b>
First	January, February, March	Sample at least once during any month of the quarter	April 28 <sup>th</sup>
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

**C. SPECIAL CONDITIONS**

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

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.
2. All outfalls must be clearly marked in the field.
3. Changes in Discharges of Toxic Substances

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

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
    - (4) The level established in Part A of the permit by the Director.
  - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
4. Report as no-discharge when a discharge does not occur during the report period.
  5. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
  6. Water Quality Standards
    - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
    - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
      - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
      - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;

**C. SPECIAL CONDITIONS cont.**

- (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. Before releasing water that has accumulated in secondary containment areas, it must be examined for hydrocarbon odor and presence of sheen. When the presence of hydrocarbons is indicated, and at a minimum of once/quarter, this water must be tested for Total Petroleum Hydrocarbons (TPH). The suggested analytical method for testing TPH is non-Halogenated Organic by Gas Chromatography method 8015 (also known as OA1 and OA2). However, if the permittee so desires to use other approved testing methods (i.e. EPA 1664), they may do so. If there is a detectable concentration of TPH, the water shall be taken for appropriate treatment. A summary of secondary containment sampling shall be submitted quarterly in accordance with the following table:

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

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

Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators, (Document number EPA 833-B-09-002) published by the United States Environmental Protection Agency (USEPA) in February 2009.

The SWPPP must include the following:

- (a) A listing of specific Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter storm water. Minimum BMPs are listed in SPECIAL CONDITIONS #8 below.
- (b) The SWPPP must include a schedule for twice per month site inspections and brief written reports. The inspections must include observation and evaluation of BMP effectiveness. Deficiencies must be corrected within seven (7) days and the actions taken to correct the deficiencies shall be included with the written report, including photographs. Any corrective measure that necessitates major construction may also need a construction permit. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to DNR personnel upon request.
- (c) A provision for designating an individual to be responsible for environmental matters.
- (d) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of DNR.

8. Permittee shall adhere to the following minimum Best Management Practices:

- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of storm water from these substances.
- (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.

**C. SPECIAL CONDITIONS cont.**

- (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to storm water or provide other prescribed BMP's such as plastic lids and/or portable spill pans to prevent the commingling of storm water with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
  - (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
  - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
9. The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency.

**D. SCHEDULE OF COMPLIANCE**

- 1. The permittee must obtain compliance with the final effluent limits as soon as possible, but no longer than two years after issuance of this permit.
- 2. Within one year of issuance of this permit, the permittee shall submit a report detailing progress made in attaining compliance with the final effluent limits.

**Missouri Department of Natural Resources**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-0127710**  
**AMEREN MISSOURI - PENO CREEK ENERGY CENTER**

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

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

A Factsheet is not an enforceable part of an operating permit.

This Factsheet is for an Industrial Facility.

### **Part I – Facility Information**

Facility Type: IND  
Facility SIC Code(s): 4911

#### **Facility Description:**

The Peno Creek Energy Center is located on a 27-acre parcel; comprised of four 55.4 megawatt (mw) simple-cycle combustion turbine generating (CTG) units and other auxiliary supporting equipment. Natural gas, alternatively No. 2 fuel oil, is used for combustion. The four CTG are Pratt & Whitney "Twin Pack" FT-8 models with existing discharges primarily regulated via NPDES Permit MO-0127710. The fuel oil tank and its containment collect stormwater. Stormwater discharged at outfall #001 is checked for pollutants. The discharge from outfall #001 travels approximately 2.66 miles before reaching the losing stream portion of the unnamed tributary to Peno Creek and travels approximately 7.82 miles to Peno Creek, the first classified stream.

#### **Outfall #001 – Fuel Oil Containment and Oil/Water Separator**

This outfall is the discharge from the facility coalescing oil and water separator. The contained areas where the potential for spillage of significant amounts of oil exist are:

1. **Fuel Oil Truck Unloading Area.**
  - The fuel oil truck unloading containment consists of a 130' x 20' concrete pad that is sloped to two grated trenches. Drainage from these trenches is piped by gravity to the fuel oil storage tank containment.
2. **Fuel Oil Storage Tank Area**
  - The fuel oil containment area has a capacity of 1,628,000 gallons within the bermed area and is equipped with a high density polyethylene (HDPE) plastic liner. One 1,300,000-gallon fuel oil tank containing No. 2 fuel oil is located inside the bermed area. Drainage from the bermed area collects in a concrete sump, from which it is piped by gravity to the oil/water separator. This drainage is normally isolated with a post indicator valve (PIV) located just outside the berm.
3. **Fuel Oil Forwarding Area**
  - The fuel oil forwarding skid provides containment for the fuel oil start waste. Drainage from the fuel oil forwarding skid is piped by gravity to the fuel oil storage tank containment. Separate dedicated tanks are provided for aborted CTG fuel oil start waste. This isolated waste is managed via appropriate regulations and transported off-site.

The oil and water separator consists of a gravity-fed, double wall, buried cylindrical steel tank that is normally filled with water. The separator is equipped with internal baffles, oil coalescing plates, level switches, and pump out nozzles. The separator is designed for a maximum of 100 gpm liquid flow and to remove particles that are  $\geq 20$  microns in size. Liquid capacity of the separator is approximately 2,000 gallons, with integral oil storage of 1,200 gallons.

The maximum design effluent oil concentration from the separator is 10 ppm. The separator receives drainage from all containment areas at the plant. Level switches on the oil/water separator provide indication to the plant operators of high oil level, where upon pump out will be required by a waste hauler (Keisel Company, St. Louis, MO). Effluent from the oil/water separator is pumped, using a maximum 100 gpm pump, and designated as Outfall #001.

Wastewater streams processed via the oil and water separator are:

- 1- Accumulated stormwater from the fuel unloading, fuel oil tank, and fuel forwarding skid containments.
- 2- Minor discharges may occur onto rock/gravel covered yard surfaces during connection, disconnection, and initial flush of the demineralized water unit. Demineralized water is provided via a mobile trailer-mounted unit that is generated off-site by the vendor.
- 3- Sanitary wastewater from the service building is collected in the sanitary storage tank that is periodically pumped out by the City of Bowling Green and the contents transported to the city of Bowling Green POTW (MO-0023141).
- 4- Off-line CTG Compressor Cleaning – CTG compressors are cleaned off-line in accordance with manufacturer’s recommendations, dependent upon unit operating hours, maintenance requirements, and ambient conditions. A detergent based cleaner may be utilized during off-line compressor cleaning events. This wastewater drains to unit specific storage tanks and the wastewater detention basin.
- 5- Drains from CTG unit enclosures are routed to the storage tanks that are periodically pumped and the contents managed off-site.
- 6- Fire Protection System Testing – The main facility fire protection system consists solely of treated water. The system is tested periodically to assess operability. Discharges from the protection system would be typically less than 10,000 gallons and would be contributory to the facility wastewater detention basin.

The fuel forwarding skid fire protection system consists of treated water and antifreeze. The system is tested periodically to assess operability. Discharges from the system would enter the fuel oil containment area. If an incident or test occurs that creates flow into the fuel oil containment area, the valve to the oil water separator would remain closed. A contractor would be retained to remove the water from the containment for proper disposal.

- 7- Stormwater is managed via the on-site stormwater detention basin (formerly Outfall #002). This detention basin primarily receives stormwater and the discharge flows are controlled via orifices in a concrete structure; it also receives effluent from outfall #001.
- 8- When maintenance is required for the Demineralized Water Storage Tank (DWST) or Raw Water Storage Tank (RWST), draining of the tank contents of the DWST or RWST flows via the existing stormwater conveyances to the facility stormwater detention basin. Water in the DWST would be characterized as high-quality demineralized water. The RWST contents would be potable water from the City of Bowling Green. No chemicals or other additives are utilized for the water contained in the DWST or RWST. Prior to draining, the tank contents would be verified to have a pH between 6.5 to 9.0. Tank draining is very infrequent occurrence.
- 9- Peno Creek Energy Center uses high-pressure washing of exterior plant surfaces using potable water with no detergents. Washing operations are anticipated to be infrequent. All runoff would be directed to rock/gravel yard areas and/or existing stormwater conveyances which are contributory to the facility stormwater detention basin.

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

- No.

Application Date: 12/07/11

Expiration Date: 06/14/12

Last Inspection: 08/07/12

In Compliance ;

Non-Compliance

**OUTFALL(S) TABLE:**

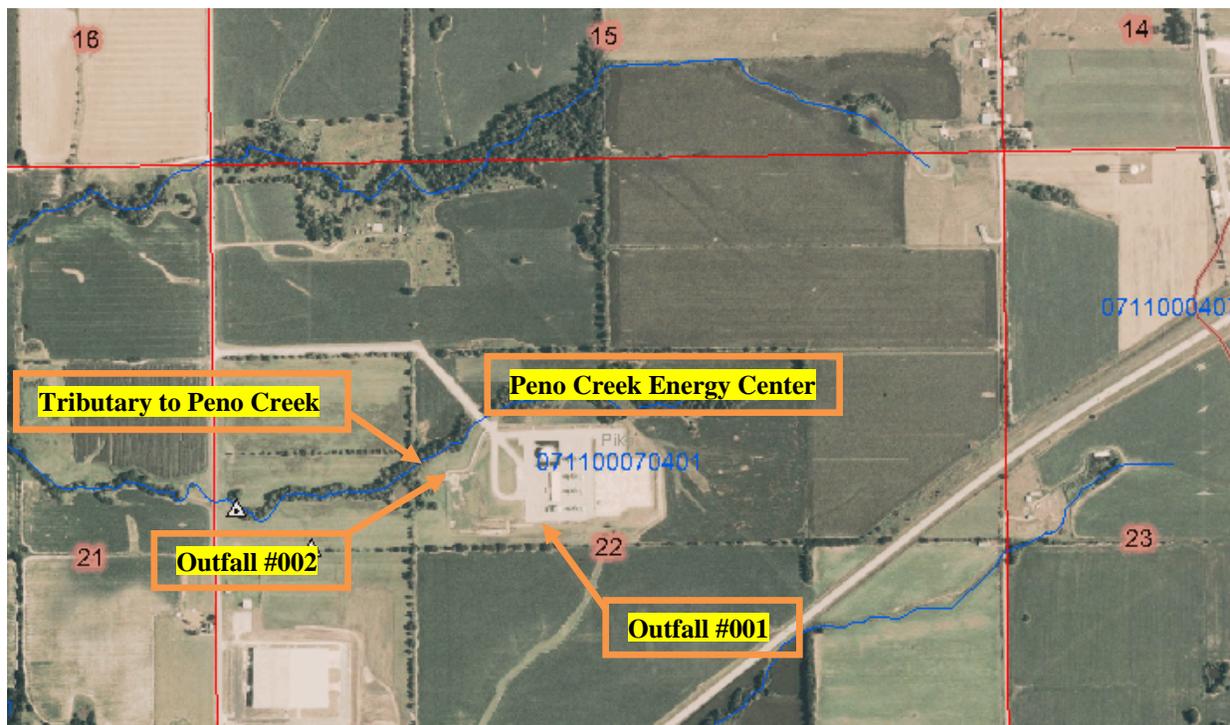
OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
#001	0.18	IND	Oil/water separator discharge	7.82

Outfall #001 - Generating Station – SIC #4911

Legal Description: SW ¼, SW ¼, Sec. 22, T53N, R3W, Pike County  
 UTM Coordinates: X= 652583, Y=4357476  
 Receiving Stream: Unnamed Tributary to Peno Creek (U)  
 First Classified Stream and ID: Peno Creek (C) (99) **Losing Stream**  
 USGS Basin & Sub-watershed ID: (07110007-0401)  
 Design Flow: 0.117 MGD

Outfall #002 - Generating Station – SIC #4911

Legal Description: SW ¼, SW ¼, Sec. 22, T53N, R3W, Pike County  
 UTM Coordinates: X= 652114, Y=4356764  
 Receiving Stream: Unnamed Tributary to Peno Creek (U)  
 First Classified Stream and ID: Peno Creek (C) (99) **Losing Stream**  
 USGS Basin & Sub-watershed ID: (07110007-0401)  
 Design Flow: dependent upon precipitation



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

No impairment is found on record on the receiving waterbody. Peno Creek is a losing stream [10 CSR 20-7.015(4)].

Comments:

The facility’s 5-year Discharge Monitoring Report (DMR) from 6/30/07 - 3/31/12 was evaluated. The following concentrations were reported on March 31, 2011:

Benzene	5 mg/L (5,000 µg/L)
BTEX	25 mg/L (25,000 µg/L)
Toluene	5 mg/L (5,000 µg/L)
Xylene	10 mg/L (10,000 µg/L)

Although not exceeding limits, these concentrations were noted unusual of the facility’s normal reported data during the entire permit cycle.

FACILITY CHEMICAL USAGE

- Laboratory Reagents (primarily pH buffers)
  - Laboratory wastewater drains is commingled with sanitary wastewater and transported to the City of Bowling Green POTW.
- Equipment Maintenance and/or Lubrication Solvents

Chemical	CAS Number
Methylene Chloride*	75-09-2
Tetrachloroethylene*	127-18-4
Toluene*	108-88-3
Trichloroethane	71-55-6
Trichloroethene	79-01-6
Methyl Chloride*	74-87-3
Ethylbenzene*	100-41-4

\*- Has Water Quality Standard (10 CSR 20-7, Table A)

- Approximately 30 gallons of FireFighter PG Freeze Protection Fluid Concentrate is contained in the fire protection system for fuel forwarding skid.
- Miscellaneous household cleaning products.
- Commercial Chemical Products
  - Detergent products for off-line compressor cleaning; wastewater is collected in the respective unit storage tanks and managed offsite

SIGNIFICANT MATERIALS WITH THE POTENTIAL TO IMPACT STORMWATER QUALITY THAT HAVE BEEN IDENTIFIED AT THE FACILITY

- **No. 2 Fuel Oil.** Stored in a 1,300, 000-gallon above ground tank within a high density polyethylene lined berm. The facility typically stores approximately 760,000 gallons of fuel oil. The containment is sized for the maximum capacity of the fuel oil tank and precipitation from a 25-year, 24-hour event. A fuel oil truck unloading area is adjacent to the tank. During any fuel oil unloading activities, the truck driver is present to monitor for the presence of any spillage within the fuel oil unloading area. Any accumulated stormwater within the fuel oil storage containment is drained to the oil & water separator.
- **Oil Filled Transformer.** The oil is used for cooling and insulation. All transformers contain mineral oil that is less than 1 ppm of PCB. Maintenance Power Transformer (333 gallons of oil capacity) and BOP Auxiliary Transformers #1 & 2 (314 gallons of oil capacity)
- **New and Used Oil.** Stored in 55-gallon drums in an area adjacent to the plant office/service building where exposure to precipitation is minimized and containment is provided via the gravel ground surface.
- **Hazardous Wastes.** The facility is classified as a small quantity hazardous waste generator. Satellite accumulation areas can be located at the site, which can receive hazardous waste for up to one year. At that time, the waste must be moved to the main storage area where it is shipped off site within 180 days in accordance with federal regulations.
- **Natural Gas.** Delivered via pipeline to the facility.
- **Fertilizers, Pesticides, Herbicides, and Soil Conditioners.** Krovar, Round-up, and 2,4-D are applied to gravel and blacktop surface areas inside the fence and west of the fenced area by a licensed contractor, two to three times per year, in the spring and summer. The herbicides are brought to the plant site via the contractor's tank trucks and applied in the selected areas. Pesticides are only applied inside the buildings and other structures, and do not impact stormwater runoff.

Peno Creek Energy facility relies on numerous routine management practices to:

1. Help prevent containment of stormwater runoff
2. Ensure appropriate and timely responses to spills and other unanticipated events

The facility has a **Spill Prevention, Control, and Countermeasure (SPCC) Plan**. It describes various management practices to minimize oil spills/releases and their contact within stormwater runoff. The SPCC Plan also designates a plant spill coordinator who is available to provide technical assistance and advice related to spill prevention, clean-up, waste management, and reporting. Written emergency procedures are also in place to provide guidance in addressing chemical spills and releases. Periodic training also provided to designated plant personnel to instruct them on the proper response to such incidents. Preventive maintenance activities also include routine inspections of above ground storage tanks, valves, pipelines, flange joints, and associated equipment. Plant staffs conduct many of these daily, while making their rounds.

The normal procedure when water has accumulated in these areas will be to visually inspect for oil sheen and odors. If there is minor residual, the accumulated mixture will be tested for closed cup flash point and benzene. The following discharge criteria have been established:

- Closed Cup Flash Point:  $\geq 200^{\circ}\text{F}$
- Benzene:  $\leq 0.13 \text{ mg/L}$

These criteria are based on discharge screening levels contained in June 1992, USEPA “Guidance To Protect POTW Workers From Toxic and Reactive Gases and Vapors” document. If analyses of the accumulated stormwater in these containments meet these discharge criteria, the areas will be manually drained by opening the appropriate post indicator valve, which will allow them to drain to the oil/water separator. If a large spill occurs, or if visual inspection or analysis indicated the presence of fuel oil, the oil must be removed from the containment area with skimmers or absorption devices and hauled away for disposal. The remaining water will be tested for closed cup flash point and benzene. If test results meet the discharge criteria, the water may then be drained through the oil/water separator. If the accumulated stormwater contains unacceptable levels of benzene or exhibits unacceptable flash point, it will be removed by a waste hauler.

## **Part II – Operator Certification Requirements**

As per [10 CSR 20-6.010(8) Terms and Conditions of a Permit], permittee 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:

Not Applicable;

This facility is not required to have a certified operator.

## **Part III – Receiving Stream Information**

### **APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:**

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

Losing [10 CSR 20-7.015(4)]:

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

**RECEIVING STREAM(S) TABLE:**

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	12-DIGIT HUC**
Tributary to Peno Creek	U	n/a	General Criteria	07110007-0401
Peno Creek	C	99	LWW, AQL, CLF, WBC-B	

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

\*\* - Hydrological Unit Code

**MIXING CONSIDERATIONS**

Mixing Zone: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(a)].

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

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

**ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:**

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

Not Applicable;

The facility is an existing facility and discharges to a Losing Stream.

**ANTI-BACKSLIDING:**

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

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

**ANTIDegradation:**

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

- Renewal no degradation proposed and no further review necessary.

**AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:**

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

**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://dnr.mo.gov/env/wpp/pub/index.html>, items WQ422 through WQ449.

Not applicable;

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

**COMPLIANCE AND ENFORCEMENT:**

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

Not Applicable;

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

**PRETREATMENT PROGRAM:**

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

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

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

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

Not Applicable;

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

**REASONABLE POTENTIAL ANALYSIS (RPA):**

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standard.

In accordance with [40 CFR Part 122.44(d)(iii)] if the permit writer determines that any give pollutant has the reasonable potential to cause, or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for that pollutant.

Not Applicable;

A RPA was not conducted for this facility. However as pollutants were detected, monitoring requirement remains.

**REMOVAL EFFICIENCY:**

Removal efficiency is a method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD<sub>5</sub>) and Total Suspended Solids (TSS) for Publicly Owned Treatment Works (POTWs)/municipals.

Not Applicable;

Influent monitoring is not being required to determine percent removal.

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

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

- Not applicable.

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

**SCHEDULE OF COMPLIANCE (SOC):**

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

Applicable;

This permit contains an SOC. See Section D of the permit.

**STORM WATER POLLUTION PREVENTION PLAN (SWPPP):**

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

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

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

Applicable;

The permittee is required to develop and implement a SWPPP.

**VARIANCE:**

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

Not Applicable;

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

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

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

Applicable;

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

$$C = \frac{(C_s \times Q_s) + (C_e \times Q_e)}{(Q_e + Q_s)} \quad (\text{EPA/505/2-90-001, Section 4.5.5})$$

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

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

Water quality based maximum daily and average monthly effluent limitations were calculated using methods and procedures outlined in USEPA's "Technical Support Document For Water Quality-based Toxics Control" (EPA/505/2-90-001).

Number of Samples "n":

Additionally, in accordance with the TSD for water quality-based permitting, effluent quality is determined by the underlying distribution of daily values, which is determined by the Long Term Average (LTA) associated with a particular Wasteload Allocation (WLA) and by the Coefficient of Variation (CV) of the effluent concentrations. Increasing or decreasing the monitoring frequency does not affect this underlying distribution or treatment performance, which should be, at a minimum, be targeted to comply with the values dictated by the WLA. Therefore, it is recommended that the actual planned frequency of monitoring normally be used to determine the value of "n" for calculating the AML. However, in situations where monitoring frequency is once per month or less, a higher value for "n" must be assumed for AML derivation purposes. Thus, the statistical procedure being employed using an assumed number of samples is "n = 4" at a minimum. For Total Ammonia as Nitrogen, "n = 30" is used.

**WLA MODELING:**

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

Not Applicable;

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

**WATER QUALITY STANDARDS:**

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

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

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

Not Applicable;

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

**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 head works. A bypass, which includes blending, 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 20-2.010(11) defines a bypass as the diversion of wastewater from any portion of wastewater treatment facility or sewer system 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.

- Not Applicable;

This facility does not bypass.

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

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

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

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

**Part V – Effluent Limits Determination**

**EFFLUENT LIMITATIONS TABLE: *Outfall #001***

PARAMETER	UNIT	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	MGD	*		*	NO	*
OIL & GREASE	MG/L	15		10	NO	15/10
TOTAL PETROLEUM HYDROCARBON	MG/L	*		*	NO	*
BENZENE	µG/L	*		*	NO	*
ETHYLBENZENE	µG/L	*		*	NO	*
TOLUENE	µG/L	*		*	NO	*
XYLENE	µG/L	*		*	NO	*
pH	SU	**		**	YES	6.0-9.0
IRON, TOTAL RECOVERABLE	µG/L	1000		1000	NEW PARAMETER	****

- \* Monitoring requirement only.
- \*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.
- \*\*\*\* Parameter not previously established in previous state operating permit.

**OUTFALL #001 – DERIVATION AND DISCUSSION OF LIMITS:**

- **Flow.** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the Department, which may require the submittal of an operating permit modification.
- **Oil & Grease.** A conventional pollutant with a Water Quality Standard. For the protection of aquatic life (AQL), the effluent limitations are 10 mg/L monthly average and 15 mg/L daily maximum (10 CSR 20-7, Table A).
- **Total Petroleum Hydrocarbons (GRO, DRO, ORO).** Monitoring requirement only. TPH is a surrogate for pollutants of concern associated with petroleum storage.
- **Benzene.** This pollutant of concern is known to be present in connection with petroleum storage. Benzene’s monitoring requirements remains.
- **Ethylbenzene.** This pollutant of concern is known to be present in connection with petroleum storage. Ethylbenzene’s monitoring requirements remains.
- **Toluene.** This pollutant of concern is known to be present in connection with petroleum storage. Toluene’s monitoring requirements remains.
- **Xylene.** This pollutant of concern is known to be present in connection with petroleum storage. Xylene’s monitoring requirements remains.
- **pH.** In accordance with [10 CSR 20-7.031(4)(E)], pH shall be maintained in the range from six and one-half to nine (6.5-9.0) standard units.

- **Iron (total recoverable).** For the protection of aquatic life (AQL), the Water Quality Standard (WQS) for Iron is 1,000 µg/L. The facility's expanded effluent testing showed a concentration of 4.1 mg/L (4,100 µg/L). Based on the waste load allocation (WLA) calculation below, effluent limitations have been established.

$$\text{Chronic WLA: } C_e = ((0.18 \text{ cfs} + 0.0)1,000 \mu\text{g/L} - (0.0 * 0.0))/0.18 \text{ cfs}$$
$$C_e = 1,000 \mu\text{g/L}$$

$$\text{LTA}_c = 1,000 \mu\text{g/L} (0.527) = 527 \mu\text{g/L}$$
$$\text{LTA}_a = 1,000 \mu\text{g/L} (0.321) = 321 \mu\text{g/L}$$

$$[\text{CV} = 0.6, 99^{\text{th}} \text{ Percentile}]$$
$$[\text{CV} = 0.6, 99^{\text{th}} \text{ Percentile}]$$

$$\text{MDL} = 321 \mu\text{g/L} (3.11) = 998.3 \mu\text{g/L}$$
$$\text{AML} = 321 \mu\text{g/L} (1.55) = 497.6 \mu\text{g/L}$$

$$[\text{CV} = 0.6, 99^{\text{th}} \text{ Percentile}]$$
$$[\text{CV} = 0.6, 95^{\text{th}} \text{ Percentile}, n = 4]$$

AQL: The effluent limits for Iron to protect the WQS are **998.3 µg/L** daily maximum and **497.6 µg/L** monthly average.

For the protection of groundwater (GRW), the Water Quality Standard (WQS) for Iron is 300 µg/L. Given the fact that the first classified stream that the facility's effluent flows into is a losing stream, GRW criterion is utilized to calculate a waste load allocation (WLA) for Iron. Additionally, the existence of drinking water wells in the area justifies this WLA on the basis of human health risk.

$$\text{Chronic WLA: } C_e = ((0.18 \text{ cfs} + 0.0) 300 \mu\text{g/L} - (0.0 * 0.0))/0.18 \text{ cfs}$$
$$C_e = 300 \mu\text{g/L}$$

$$\text{For losing stream: AML} = \text{WLA} = 300 \mu\text{g/L}$$
$$\text{MDL} = 300 \mu\text{g/L} (2.01) = 603 \mu\text{g/L}$$

$$[\text{CV} = 0.6, 99^{\text{th}} \text{ Percentile}, n=4]$$

GRW: The effluent limits for Iron to protect the WQS are **603 µg/L** daily maximum and **300 µg/L** monthly average.

The protection of GRW/Human Health limits is more protective than the AQL calculation. However, WR-46: Groundwater Resources of Missouri (Volume II) reports that groundwater water samples from glacial drift in northeast Missouri have more than 1.0 mg/L (1,000 µg/L) of iron. Therefore, for this permit cycle, **1,000 µg/L** daily maximum and **1,000 µg/L** monthly average have been established. <http://www.dnr.mo.gov/pubs/WR46.pdf>

#### **OUTFALL #002 – DERIVATION AND DISCUSSION OF LIMITS:**

This outfall was deleted on 10/27/2006. The facility believed that it was appropriate to relocate volatile organic parameters from outfall #002 (stormwater detention pond) to outfall #001 having taken into consideration this outfall's contributory streams—fuel oil storage tank containment, fuel oil unloading containment, and the fuel oil forwarding skid. With the deletion of outfall #002, the facility commits to developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) to control any pollutants that would be discharged from the stormwater detention basin. However, the staff site visit to the facility on August 7, 2012 determines that the potential for this outfall to discharge still exist. Thus, outfall #002 has been reestablished with SWPPP requirements only.

#### **Part VI – Finding of Affordability**

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

Not Applicable;

The Department is not required to determine findings of affordability because the facility is not a **combined or separate sanitary sewer system for a publically-owned treatment works.**

## **Part VII – 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.

This permit will expire on **December 31, 2015** in order to meet the permit synchronization goals.

### **PUBLIC NOTICE:**

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

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

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

- The Public Notice period for this operating permit is tentatively scheduled to begin in November 2012.

The Public Notice period for this operating permit was from November 3, 2012 to December 3, 2012. No responses received or responses to the Public Notice of this operating permit do not warrant the modification of effluent limits and/or the terms and conditions of this permit.

**DATE OF FACT SHEET:** DECEMBER 4, 2012

### **COMPLETED BY:**

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