

5.110 Lazy Acres Subdivision WWTP
Pike County
#MO-0129984

July 2, 2010

KDC Properties, LLC
15181 Pike 313
Bowling Green, MO 63334

Dear Permittee:

Pursuant to the Federal Water Pollution Control Act, under the authority granted to the State of Missouri and in compliance with the Missouri Clean Water Law, we have issued and are enclosing your State Operating Permit to discharge from Lazy Acres Subdivision Wastewater Treatment Plant.

Please read your permit and attached Standard Conditions. They contain important information on monitoring requirements, effluent limitations, sampling frequencies and reporting requirements.

Monitoring reports required by the special conditions must be submitted on a periodic basis. Copies of the necessary report forms are enclosed and should be mailed to the regional office listed below. Please contact that office for additional forms.

This permit is both your Federal NPDES Permit and your new Missouri State Operating Permit and replaces all previous State Operating Permits issued for this facility under this permit number. In all future correspondence regarding this facility, please refer to your State Operating Permit number and facility name as shown on page one of the permit.

If you were adversely affected by this decision, you may be entitled to an appeal before the administrative hearing commission pursuant to 10 CSR 20-1.020 and Section 621.250, RSMo. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it

Lazy Acres Subdivision WWTP
July 2, 2010
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is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission. Contact information for the AHC is as follows:

Administrative Hearing Commission
Truman State Office Building, Room 640
301 W. High Street
P.O. Box 1557
Jefferson City, Missouri 65102
phone: 573-751-2422
fax: 573-751-5018
website: www.oa.mo.gov/ahc.

Please be aware that this facility may also be subject to any applicable county or other local ordinances or restrictions.

If you have any questions concerning this permit, please do not hesitate to contact the Northeast Regional Office at 1709 Prospect Drive, Macon, MO 63552, (660) 385-8000.

Sincerely,

NORTHEAST REGIONAL OFFICE



Irene Crawford
Regional Director

IC/bfm

Enclosures: Missouri State Operating Permit #MO-0129984
Standard Conditions Parts I & III
Discharge Monitoring Report
Form J – Request for Termination of a State Operating Permit

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-0129984

Owner: KDC Properties, LLC
Address: 15181 Pike 313, Bowling Green, MO 63334

Continuing Authority: Same as above
Address: Same as above

Facility Name: Lazy Acres Subdivision WWTP
Facility Address: ~ 1/3 mile northeast of CR 314 & Hwy 161 intersection, Bowling Green, MO 63334

Legal Description: Landgrant 01759, Pike County
UTM Coordinates: X= 655188.606, Y= 4351239.634

Receiving Stream: Unnamed tributary to West Sulphur Creek (U)
First Classified Stream and ID: Sulphur Creek (C) (00169)
USGS Basin & Sub-watershed No.: (07110008-010004)

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

FACILITY DESCRIPTION

Outfall #001 – Subdivision – SIC #4952 – No Certified Operator Required

Septic Tank Effluent Gravity and Septic Tank Effluent Pump collection system / AdvanTex AX100 Treatment System – one train with three filter pods / sludge is removed by contract hauler

Design population equivalent is 99.9
Design flow is 10,000 gallons per day
Actual flow is 1,700 gallons per day
Design sludge production is 2.8 dry tons/year

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

July 2, 2010
Effective Date


Mark N. Templeton, Director
Department of Natural Resources

July 1, 2015
Expiration Date


Irene Crawford
Regional Director, Northeast Regional Office

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS				PAGE NUMBER 2 of 5		
				PERMIT NUMBER MO-0129984		
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 <u>three (3)</u> years from the date of issuance of this permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u>						
Flow	MGD	*		*	once/quarter****	24 hr. estimate
Biochemical Oxygen Demand ₅	mg/L		45	30	once/quarter****	Composite**
Total Suspended Solids	mg/L		45	30	once/quarter****	Composite**
pH – Units	SU	***		***	once/quarter****	grab
Ammonia as N	mg/L	*		*	once/quarter****	grab
Temperature	°C	*		*	once/quarter****	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>OCTOBER 28, 2010</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 <u>Parts I & III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** A composite sample made up from a minimum of four grab samples collected within a 24 hour period with a minimum of two hours between each grab sample.
- *** 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

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

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 two (2) years before the date of expiration of this permit 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
Biochemical Oxygen Demand ₅	mg/L		45	30	once/quarter****	Composite**
Total Suspended Solids	mg/L		45	30	once/quarter****	Composite**
pH – Units	SU	***		***	once/quarter****	grab
Ammonia as N (May 1 – Oct 31)	mg/L		12.1	4.6	once/quarter****	grab
(Nov 1 – April 30)			12.1	4.6		
Temperature	°C	*		*	once/quarter****	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE OCTOBER 28, 2013. 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 Parts I & III STANDARD CONDITIONS DATED October 1, 1980 and August 15, 1994, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** A composite sample made up from a minimum of four grab samples collected within a 24 hour period with a minimum of two hours between each grab sample.
- *** 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

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

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.

C. SPECIAL CONDITIONS (continued)

2. All outfalls must be clearly marked in the field.
3. Permittee will cease discharge by connection to a facility with an area-wide management plan per 10 CSR 20-6.010(3)(B)1. or 2. within 90 days of notice of its availability. The permittee shall obtain department approval for closure or alternate use of the facility.
4. Changes in Discharges of Toxic Substances
The permittee shall notify the Director as soon as it knows or has reason to believe:
 - (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
 - (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (4) The level established in Part A of the permit by the Director.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
5. Report as no-discharge when a discharge does not occur during the report period.
6. Water Quality Standards
 - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
7. Sludge and Biosolids Use For Domestic Wastewater Treatment Facilities
 - (a) Permittee shall comply with the pollutant limitations, monitoring, reporting, and other requirements in accordance with the attached permit Standard Conditions.
 - (b) If sludge is not removed by a contract hauler, permittee is authorized to land apply biosolids. Permit Standard Conditions, Part III shall apply to the land application of biosolids. The department may require submittal of a biosolids management plan for department review and approval as determined appropriate on a case-by-case basis.
8. The permittee shall comply with any applicable requirements listed in 10 CSR 20-8 and 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.

D. SCHEDULE OF COMPLIANCE

Ammonia as N

1. The final daily maximum and monthly average Ammonia as N limits shall become effective three (3) years after the issue date of the permit. The Effluent Regulation, 10 CSR 20-7.031(10) allows the permittee up to three (3) years from the issuance date of this permit to comply with new or revised National Pollutant Discharge Elimination System (NPDES) or Missouri operating permit limitations based on criteria in the Clean Water Commission Regulations. It states that such compliance “shall be achieved with all deliberate speed and no later than three (3) years from the date of issuance of the permit.” Therefore modification to the facilities must be made if required to meet the final effluent limits of this permit.
2. If modifications to the facility are required to meet the final effluent limits of this permit, the KDC Properties, LLC shall submit engineering plans, engineering specifications, and a construction permit application by **July 2, 2011**, for changes to the Lazy Acres Subdivision Wastewater Treatment Plant so the discharge from the facility will meet the final effluent limits for Ammonia as N.
3. If completion of construction will be more than 1 year, KDC Properties, LLC shall submit interim progress reports every 12 months from **July 2, 2010**.
4. If KDC Properties, LLC determines that modifications to the facility are not needed to meet the final effluent limits of this permit, the KDC Properties, LLC shall submit a letter to the department by **July 2, 2011** stating that modifications are not needed for the Lazy Acres Subdivision Wastewater Treatment Plant to meet the final effluent limitations of this permit.
5. The Lazy Acres Subdivision Wastewater Treatment Plant will meet final effluent limits by **July 2, 2013**.

PERMIT TRANSFER

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

PERMIT RENEWAL REQUIREMENTS

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

TERMINATION

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

DUTY OF COMPLIANCE

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

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

Missouri Department of Natural Resources
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0129984
LAZY DAYS SUBDIVISION WASTEWATER TREATMENT PLANT

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

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

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

This Factsheet is for:

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

Part I – Facility Information

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

Facility Description:

Subdivision – SIC #4952 – **No Certified Operator Required**

Septic Tank Effluent Gravity and Septic Tank Effluent Pump collection system / AdvanTex AX100 Treatment System – one train with three filter pods / sludge is removed by contract hauler

Design population equivalent is 99.9.

Design flow is 10,000 gallons per day.

Actual flow is 1,700 gallons per day.

Design sludge production is 2.8 dry tons/year.

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

No

Application Date: 06/17/2009
Expiration Date: 08/28/2009

Last Inspection: 10/19/2004

In Compliance

Non Compliance

OUTFALL(S) TABLE:

OUTFALL	DESIGN FLOW (GPD)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
#001	10,000	Secondary	Domestic	~ 6

Outfall #001

Landgrant 01759

Latitude/Longitude: +3917479/-09112012

Receiving Stream: Unnamed tributary to West Sulphur Creek (U)

First Classified Stream and ID: Sulphur Creek (C) (00169)

USGS Basin & Sub-watershed No.: (07110008-010004)

EDU: Central Plains/Cuivre/Salt

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

No Basin Inventory or Stream Survey has been conducted for this facility.

Comments:

The facility failed to submit Flow and Temperature on the 1st and 2nd Quarter 2005 Discharge Monitoring Reports (DMR). The facility failed to submit Flow, Ammonia as N, and Temperature on the 3rd Quarter 2006 DMR. The facility failed to meet the permitted effluent limits for Biochemical Oxygen Demand on the 4th Quarter 2008 DMR.

Part IIA – Operator Certification Requirements

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



This facility is not required to have a certified operator.

Part IIB– Operational Monitoring

As per [10 CSR 20-9.010(4)], the facility is not required to conduct operational monitoring.

Part III – Receiving Stream Information

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

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

Missouri or Mississippi River [10 CSR 20-7.015(2)]

Lake or Reservoir [10 CSR 20-7.015(3)]

Losing [10 CSR 20-7.015(4)]

Metropolitan No-Discharge [10 CSR 20-7.015(5)]

Special Stream [10 CSR 20-7.015(6)]

Subsurface Water [10 CSR 20-7.015(7)]

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

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

RECEIVING STREAM(S) TABLE:

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	8-DIGIT HUC	EDU**
Unnamed tributary to West Sulphur Creek	U	NA	General Criteria	07110008	Central Plains /Cuivre/Salt
Sulphur Creek	C	00169	LWW, AQL, WBC-B***		

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

** - Ecological Drainage Unit

*** - UAA has not been conducted.

Part IV – Rationale and Derivation of Effluent Limitations & Permit Conditions**ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:**

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

Not Applicable

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

ANTI-BACKSLIDING:

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

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

ANTIDegradation:

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

Renewal no degradation proposed and no further review necessary.

AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:

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

BIO-SOLIDS, SLUDGE, & SEWAGE SLUDGE:

Bio-solids are solid materials resulting from wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sludge is any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect. Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works.

Applicable (renewal and modifications to existing operating permits)

This facility has been approved to land apply as per Permit Standard Conditions III and with a Department approved bio-solids management plan.

COMPLIANCE AND ENFORCEMENT:

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

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)].

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.

Applicable

A RPA was conducted on appropriate parameters. Please see **APPENDIX A – RPA RESULTS**.

REMOVAL EFFICIENCY:

Removal efficiency is a method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD₅) and Total Suspended Solids (TSS) for Publicly Owned Treatment Works (POTWs)/municipals. Please see the United States Environmental Protection Agency's (EPA) website for interpretation of percent removal requirements for National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage @ www.epa.gov/fedrgstr/EPA-WATER/1999/August/Day-04/w18866.htm.

Not Applicable

Influent monitoring is not being required to determine percent removal.

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

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

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

Not Applicable

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

SCHEDULE OF COMPLIANCE (SOC):

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

Applicable

The time given for effluent limitations of this permit listed under Interim Effluent Limitation and Final Effluent Limitations were established in accordance with [10 CSR 20-7.031(10)]. The facility is required to meet the effluent limitation for Ammonia as N.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP):

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

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

Not Applicable

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

VARIANCE:

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

Not Applicable

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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

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).

WLA MODELING:

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

Not Applicable

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

WATER QUALITY STANDARDS:

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

WHOLE EFFLUENT TOXICITY (WET) TEST:

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

Not applicable :

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

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

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

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

Not Applicable

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

Part V – Effluent Limits Determination

Outfall #001 – Main Facility Outfall

EFFLUENT LIMITATIONS TABLE:

PARAMETER	Unit	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
Flow	MGD	1	*		*	NO	S
Biochemical Oxygen Demand ₅	mg/L	1		45	30	NO	S
Total Suspended Solids	mg/L	1		45	30	NO	S
pH	SU	1	6.5 – 9		6.5 – 9	YES	6-9
Temperature	°C	1/5/9	*		*	NO	S
Ammonia as N (Interim)	mg/L	2/5	*		*	NO	S
Ammonia as N (Final) (May 1 – Oct 31)	mg/L	2/3/5	12.1		4.6	YES	*
Ammonia as N (Final) (Nov 1 – Apr 30)	mg/L	2/3/5	12.1		4.6	YES	*
ESCHERICHIA COLI	**	1/2	Please see Escherichia Coli (E. coli) in the Derivation and Discussion Section below.				
MONITORING FREQUENCY	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.						

* - Monitoring requirement only.

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

*** - Parameter not previously established in previous state operating permit.

Basis for Limitations Codes:

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

OUTFALL #001 – DERIVATION AND DISCUSSION OF LIMITS:

- **Flow.** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the department, which may require the submittal of an operating permit modification.
- **Biochemical Oxygen Demand (BOD₅).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **Total Suspended Solids (TSS).** Effluent limitations from the previous state operating permit have been reassessed and verified that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **pH.** Initially effluent limitation were been retained from previous state operating permit, however, the regulations were revised to change the pH range to 6.5 – 9.0 SU and the permit has been changed to reflect this change. Please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**
- **Temperature.** Monitoring requirement due to the toxicity of Ammonia varies by temperature.

- **Total Ammonia Nitrogen.** Early Life Stages Present Total Ammonia Nitrogen criteria apply [10 CSR 20-7.031(4)(B)7.C. & Table B3] default pH 7.8 SU No mixing considerations allowed; therefore, WLA = appropriate criterion. The facility submitted stream data to conduct a time of travel study, which found the time of travel for the effluent to reach the first classified water is 203.44 days, therefore the WLA for Chronic Criteria is adjusted for ammonia decay. Using $[NH_3N]_t = [NH_3N]_{t=0} \times e^{-kt}$ where $[NH_3N]_t$ = ammonia concentration at the confluence with the classified segment; $[NH_3N]_{t=0}$ = ammonia concentration at pipe = C_e ; $k=NH_3$ oxidation per day $(k_{1,20})\theta_1^{(Temp-20)}$; $k_{1,20} = 0.3$ per day; $\theta_1 =$ temperature correction factor = 1.083 ammonia nitrogen = 0.01 mg/L.

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

The facility discharges to an unclassified stream. The unclassified stream is located approximately 6 miles from the outfall. To calculate decay, the facility provided the average cross section area for the unclassified stream. The calculated Acute WLA was greater than the criteria maximum concentration (CMC) for Total Ammonia Nitrogen; therefore the Acute WLA was set to the CMC for calculating effluent limits.

Summer: May 1 – October 31

LTA_a = 12.1 mg/L (0.321) = 3.89 mg/L [CV = 0.6, 99th Percentile]

MDL = 3.89 mg/L (3.11) = 12.1 mg/L [CV = 0.6, 99th Percentile]

AML = 3.89 mg/L (1.19) = 4.6 mg/L [CV = 0.6, 95th Percentile, n=30]

Winter: November 1 – April 30

LTA_a = 12.1 mg/L (0.321) = 3.89 mg/L [CV = 0.6, 99th Percentile]

MDL = 3.89 mg/L (3.11) = 12.1 mg/L [CV = 0.6, 99th Percentile]

AML = 3.89 mg/L (1.19) = 4.6 mg/L [CV = 0.6, 95th Percentile, n=30]

- **Escherichia coli (E. coli).** This facility may be required to have E. coli effluent limitations when Missouri adopts the implementation of the E. coli standards, as per [10 CSR 20-7.031(4)(C)].
- **Minimum Sampling and Reporting Frequency Requirements.** Sampling and reporting frequency requirements have been retained from previous state operating permit.

Part VI – Administrative Requirements

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

PUBLIC NOTICE:

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

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

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

- The Public Notice period for this operating permit is tentatively schedule to begin on May 21, 2010 or is in process.

The Public Notice period for this operating permit was from (DATE) to (DATE). Responses to the Public Notice of this operating permit warrant the modification of effluent limits and/or the terms and conditions of this permit. (Please explain). (Also if applicable – Due to the major modifications of this permit, this operating permit is to be placed on Public Notice again, which is tentatively scheduled to begin on (DATE) or is in process.

The Public Notice period for this operating permit was from (DATE) to (DATE). 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 Factsheet: April 22, 2010

Date of Public Notice: May 21, 2010

Submitted by

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Date

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Date

APPENDIX A – RPA RESULTS:

CONSTITUENT	CMC*	RWC ACUTE*	CCC*	RWC CHRONIC*	REASONABLE POTENTIAL	# OF SAMPLES**	CV***
AMMONIA AS N SUMMER	12.1	19.84	1.5	19.84	YES	9	0.6
AMMONIA AS N WINTER	12.1	76.64	3.1	76.64	YES	10	0.6

N/A – Not Applicable

* - Units are (µg/L) unless otherwise noted.

** - If the number of samples is greater than 10, then the CV value must be used in the WQBEL for the applicable constituent.

*** - Coefficient of Variation (CV) is calculated by dividing the Standard Deviation of the sample set by the Mean of the same sample set.

Reasonable Potential Analysis is conducted as per (TSD, EPA/505/2-90-001, Section 3.3.2).

A more detailed version including calculations of this RPA is available upon request.