

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-0135917

Owner: Emery L. Ferguson  
Address: 3340 West Division, Springfield, MO 65802

Continuing Authority: Same as Above  
Address: Same as Above

Facility Name: All Metal Recycling Inc.  
Facility Address: 3340 W. Division, Springfield MO 65802

Legal Description: NW¼, NW¼, NW¼, Sec. 16, T29N, R22W, Greene County  
UTM Zone 15: #001: X = 469388, Y = 4119836; #002: X = 469399, Y = 4119989

Receiving Stream: Tributary to North Branch Wilson Creek  
First Classified Stream and ID: North Branch Wilson Creek (P) (3375) 303 (d) Losing  
USGS Basin & Sub-watershed No.: Headwaters - Wilson Creek (11010002-0301)

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 - SIC # 5093, metal recycling facility, stormwater only, drains 6.46 acres  
Outfall #002 - SIC # 5093, metal recycling facility, stormwater only, drains 4 acres

This permit authorizes only stormwater 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, 2016  
Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

December 31, 2020  
Expiration Date

John Madras, Director, Water Protection Program

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<b>OUTFALLS #001 &amp; #002</b>						
<b>TABLE A</b>						
<b>FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>						
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 on <b>January 1, 2016</b> , and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
<b>PHYSICAL</b>						
Flow	MGD	*			once/quarter	24 hr. est.
Precipitation	Inches	*			once/quarter	measured
<b>CONVENTIONAL</b>						
Chemical Oxygen Demand (Note 1)	mg/L	*			once/quarter	grab **
Oil & Grease	mg/L	10			once/quarter	grab **
pH – Units	SU	6.5 – 9.0			once/quarter	grab **
Settleable Solids	mL/L/hr	0.5			once/quarter	grab **
Total Suspended Solids (Note 1)	mg/L	*			once/quarter	grab **
<b>METALS</b>						
Aluminum, Total Recoverable (Note 1)	µg/L	*			once/quarter	grab **
Copper, Total Recoverable (Note 1)	µg/L	*			once/quarter	grab **
Iron, Total Recoverable (Note 1)	µg/L	*			once/quarter	grab **
Lead, Total Recoverable (Note 1)	µg/L	*			once/quarter	grab **
Zinc, Total Recoverable (Note 1)	µg/L	*			once/quarter	grab **
<b>AUTOMOTIVE CONSTITUENTS</b>						
Benzene (Note 1)	µg/L	*			once/quarter	grab **
Ethylbenzene (Note 1)	µg/L	*			once/quarter	grab **
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>APRIL 28, 2016</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						

\* Monitoring requirement

\*\* All samples shall be collected from a discharge resulting from a precipitation event greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable precipitation event. If a precipitation event does not occur within the reporting period, report as no discharge. The total amount of precipitation should be noted from the event from which the samples were collected.

Note 1 - This parameter incorporates a Benchmark Value associated with Best Management Practices (BMPs). See Special Condition #10 for Benchmark Value, page 5 of the permit.

**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

**B. STANDARD CONDITIONS**

In addition to specified conditions stated herein, this permit is subject to the attached PART I standard conditions dated AUGUST 1, 2014, and hereby incorporated as though fully set forth herein.

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

C. SPECIAL CONDITIONS (CONTINUED)

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 by the Director in accordance with 40 CFR 122.44(f).
- (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. Reporting of Non-Detects

- (a) An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way that the precision and accuracy of the analyzed result can be enumerated.
- (b) The permittee shall not report a sample result as "Non-Detect" without also reporting the detection limit of the test. Reporting as "Non Detect" without also including the detection limit will be considered failure to report, which is a violation of this permit.
- (c) The permittee shall provide the "Non-Detect" sample result using the less than sign and the minimum detection limit (e.g. <10).
- (d) The permittee shall use one-half of the detection limit for the non-detect result when calculating and reporting monthly averages.
- (e) See Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.

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

8. Any pesticide discharge from any point source shall comply with the requirements of Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 136 ET. SEQ.) and the use of such pesticides shall be in a manner consistent with its label.

9. The permittee shall implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must be prepared and implemented upon permit issuance. The SWPPP must be kept on-site and should not be sent to the department 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 stormwater. The BMPs at the facility should be designed to meet this value during rainfall event up to the 10 year, 24 hour rain event.
- (b) The SWPPP must include a schedule for once per month site inspections and brief written reports. The inspection report must include precipitation information for the entire period since last inspection, as well as observations and evaluations 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. 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 department 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 the department.

**C. SPECIAL CONDITIONS (CONTINUED)**

10. This permit stipulates pollutant benchmarks applicable to your discharge. The benchmarks do not constitute direct numeric effluent limitations; therefore, a benchmark exceedance alone is not a permit violation. Benchmark monitoring and visual inspections shall be used to determine the overall effectiveness of SWPPP and to assist you in knowing when additional corrective action may be necessary to protect water quality. If a sample exceeds a benchmark concentration you must review your SWPPP and your BMPs to determine what improvements or additional controls are needed to reduce that pollutant in your stormwater discharge(s).

<b>OUTFALL #001 &amp; #002</b>	
<b>PARAMETER</b>	<b>BENCHMARK</b>
Chemical Oxygen Demand (COD)	120 mg/L
Aluminum, Total Recoverable	750 µg/L
Copper, Total Recoverable	23 µg/L
Iron, Total Recoverable	4000 µg/L
Lead, Total Recoverable	15 µg/L
Zinc, Total Recoverable	188 µg/L
Benzene	5 µg/L
Ethylbenzene	320 µg/L

Any time a benchmark exceedance occurs a Corrective Action Report (CAR) must be completed. A CAR is a document that records the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. CARs must be retained with the SWPPP and available to the department upon request. If the efforts taken by the facility are not sufficient and subsequent exceedances of a benchmark occur, the facility must contact the department if a benchmark value cannot be achieved. Failure to take corrective action to address a benchmark exceedance and failure to make measureable progress towards achieving the benchmarks is a permit violation.

11. Permittee shall adhere to the following minimum Best Management Practices (BMPs):
- (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 stormwater from these substances.
  - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
  - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater 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.
  - (f) Ensure that adequate provisions are provided to prevent surface water intrusion into the storage basin, to divert stormwater runoff around the storage basin, and to protect embankments from erosion.
12. 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.
13. Before releasing water that has accumulated in secondary containment areas it must be examined for hydrocarbon odor and presence of a sheen. On-site remediation may take place prior to testing. If the presence of hydrocarbons is indicated, this water must be tested for Total Petroleum Hydrocarbons (TPH). The analytical method for testing TPH must comply with EPA approved testing methods listed in [40 CFR 136] and the water must be tested prior to release to ensure compliance with water quality standards. If the concentration for TPH exceeds 10mg/L, the water shall be taken to a WWTP for treatment.
14. Release of a hazardous substance must be reported to the department in accordance with 10 CSR 24-3.010. A record of each reportable spill shall be retained with the SWPPP and made available to the department upon request.

**MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-0135917**  
**ALL METAL RECYCLING, INC.**

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

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)2.] a factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (operating permit) listed below. A factsheet is not an enforceable part of an operating permit. This factsheet is for an industrial facility.

**Part I. FACILITY INFORMATION**

Facility Type: Industrial  
 Facility SIC Code: 5093  
 NAICS: 521930  
 Application Date: 12/31/2013 and amended 03/03/2014  
 Expiration Date: 07/07/2014  
 Last Inspection: 06/14/2014: In Compliance

**FACILITY DESCRIPTION:**

This facility is a metal recycler. This facility is not eligible for the general permit because they discharge to a losing stream. The facility receives and processes scrap metal for transport off site. The material is stored in stockpiles while waiting for separation and loading into transportation vehicles. Vehicles are accepted and crushed at the facility as a portion of that process, the oil in the vehicles is drained and collected in an above ground storage tank. The storage tanks are continuously monitored and managed through the facilities SWPPP as well as the SPCC plan. Materials with significant exposure include scrap metal, vehicles, and stockpiles of those materials and equipment used in the processing of those materials (loaders and crushers). The facility has stated it's best management practices (BMPs) include mechanical debris separation, hay bales, absorbing waddles, or sediment waddles.

At the permit renewal, the facility has identified a second area where the site discharges stormwater. This outfall is established at this time as outfall #002.

**OUTFALL TABLE:**

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE
#001	n/a	BMPs	stormwater only (6.46 acres)
#002	n/a	BMPs	stormwater only (4 acres)

**FACILITY PERFORMANCE HISTORY & COMMENTS:**

The facility has had one exceedance of Oil and Grease in 2010 (22 mg/L) and again in 2013 (15 mg/L). One exceedance of settleable solids occurred in 2010 (0.8 mL/L/hr). Limits are retained for these two parameters.

**Part II. RECEIVING STREAM INFORMATION**

**RECEIVING WATER BODY'S WATER QUALITY:**

This facility was under a general permit until July of 2008 when a site specific permit was issued because the facility discharges to a losing stream. No in-stream water quality data is available. See Appendix A: Geohydrologic Evaluation.

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

✓ As per Missouri's Effluent Regulations [10 CSR 20-7.015(1)(B)], the waters of the state are divided into the following seven 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:
- Lake or Reservoir:
- Losing:  see Appendix A
- Metropolitan No-Discharge:
- Special Stream:
- Subsurface Water:
- All Other Waters:

Classes [10 CSR 20-7.031(1)(F)1. to 8.] of water bodies which may be found in the receiving streams table below are:

Lakes: L1 = drinking supply lakes; L2 = major reservoirs; L3 = other

Streams: P = permanent streams; P1 = standing water of P streams; C = may cease flow in droughts but maintains permanent pools; E = ephemeral; W = natural wetlands

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

Uses which may be found in the following receiving streams table:

10 CSR 20-7.031(1)(C)1.: Protection and propagation of fish, shellfish, and wildlife (formerly AQL; this permit uses AQL effluent limitations in 10 CSR 20-7.031 Table A for all habitat temperature designations unless otherwise specified)

WWH = Warm Water Habitat; CLH = Cool Water Habitat; CDH = Cold Water Habitat; EAH = Ephemeral Aquatic Habitat; MAH = Modified Aquatic Habitat; LAH = Limited Aquatic Habitat

10 CSR 20-7.031(1)(C)2.: Recreation in and on the water

WBC = Whole Body Contact; WBC-A = public swimming; WBC-B = swimming

SCR = Secondary Contact Recreation (like fishing, wading, and boating)

10 CSR 20-7.031(1)(C)3. to 7.: HHP (formerly HHF) = Human Health Protection (fish consumption); IRR = irrigation;

LWP (formerly LWL) = Livestock And Wildlife Protection; DWS = Drinking Water Supply;

IND = industrial water supply

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

✓ As per Missouri's stormwater regulations [10 CSR 20.6.200(6)(B)2.] and federal regulations [40 CFR 122.26(b)(14)], the department shall establish limits necessary to protect waters of the state. Effluent limitations or benchmarks for stormwater are established using best professional judgment based on the category, impairments, technology available, and designated uses of the receiving stream.

**RECEIVING STREAM(S) TABLE:**

OUTFALL	WATERBODY NAME	CLASS	WBID	DESIGNATED USES	DISTANCE TO CLASSIFIED SEGMENT	12-DIGIT HUC
#001	North Branch Wilson Creek (Losing)	C	3375	AQL, GRW, LWL, WBC-B	0 mi	Headwaters – Wilson Creek 11010002-0301
#002	Tributary to North Branch Wilson Creek	n/a	n/a	GEN	0.05 mi to losing stream	

AQL= Protection of Warm Water Aquatic Life and Human Health-Fish Consumption; C= Streams may cease flow in dry periods; CDF= Cold Water Fishery; CLF= Cool Water Fishery; DWS= Drinking Water Supply; E= Ephemeral stream; GEN= General Criteria; GRW = Groundwater; HUC= Hydrologic Unit Code; IND= Industrial; IRR=Irrigation; LWL= Livestock & Wildlife Watering; N/A= Not Applicable; P= Permanent; SCR= Secondary Contact Recreation; W= Wetland; WBC= Whole Body Contact Recreation; WBID= Water Body Identification Number

**MIXING CONSIDERATIONS:**

Mixing Zone: Not Allowed [10 CSR 20-7.031(5)(A)4.B.(I)(a)].

Zone of Initial Dilution: Not Allowed [10 CSR 20-7.031(5)(A)4.B.(I)(b)].

**RECEIVING STREAM MONITORING REQUIREMENTS:**

No receiving water monitoring requirements recommended at this time.

### **Part III. 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.

- ✓ Limitations in this operating permit for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
  - ✓ The Department determines that technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
    - ✓ The previous permit limits were established in error, based on limits for continuous discharges; however, this facility has stormwater outfalls. This renewal establishes limits appropriate for stormwater discharges. There will be no changes to industrial activities onsite or the composition of the stormwater discharge as a result of this renewal. The benchmark concentrations and required corrective actions are just as protective of the applicable water quality standards and previous limits.
    - ✓ The previous permit required monitoring for toluene and total xylenes. This permit continues the monitoring requirement for benzene and ethylbenzene as indicator parameters. According to the discharge monitoring report, the facility's discharges of toluene and total xylenes are not numerically near to the aquatic life or groundwater Missouri water quality standards.
    - ✓ The previous permit required monitoring for manganese. This parameter is being removed because in this location of the state, the discharge of manganese to a losing stream is unlikely to impact groundwater; there is no aquatic life protection standard for manganese. Manganese was listed within Missouri's groundwater standards because it may produce objectionable flavors in beverages and may stain laundry. This facility discharges to a losing stream hence the monitoring within the previous permit. However, the City of Springfield supplies the potable water in this area; Greene County is found within Special Area C, as codified in 10 CSR 23-3.100(3) and thus prohibits drilling shallow groundwater wells which makes it unlikely manganese discharges from this facility into a losing stream would negatively affect the lower aquifer which is used for household consumption.

#### **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.

#### **BIOSOLIDS & SEWAGE SLUDGE:**

Biosolids are solid materials resulting from domestic wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Additional information regarding biosolids and sludge is located at the following web address:

<http://extension.missouri.edu/main/DisplayCategory.aspx?C=74>, items WQ422 through WQ449.

- ✓ 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.

#### **INDUSTRIAL SLUDGE:**

Industrial sludge is solids, semi-solids, or liquid residue generated during the treatment of industrial process wastewater in a treatment works; including but not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment process; scum and solids filtered from water supplies and backwashed; and a material derived from industrial sludge.

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

**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)(1)(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.

**SCHEDULE OF COMPLIANCE (SOC):**

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

✓ Not applicable. This permit does not contain a SOC. Because the facility only samples once per quarter, no schedule of compliance is afforded for those limits which were converted from monthly average to daily maximum. Additionally, benchmarks are not permit limits, therefore, any exceedance will be addressed by corrective action reports.

**SPILL REPORTING:**

Per 10 CSR 24-3.010, any emergency involving a hazardous substance must be reported to the department's 24 hour Environmental Emergency Response hotline at (573) 634-2436 at the earliest practicable moment after discovery. The department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the Noncompliance Reporting requirement found in Standard Conditions Part I.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP):**

In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; (2) Authorized under section 402(p) of the CWA for the control of stormwater discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure. Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of stor water discharges.

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

**303(d) LIST:**

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.

✓ Applicable. North Branch Wilson Creek (WBID 3811; just a few feet downstream from outfall #001) is listed on the 2014 Missouri 303(d) List for zinc.

✓ This facility has the potential to contribute to the above listed pollutant. Currently, the 303(d) list indicates the source of the zinc impairment is mining wastes. However, the facility is a metals recycling facility and they will begin monitoring for total recoverable zinc.

**TOTAL MAXIMUM DAILY LOAD (TMDL):**

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; hence, the purpose of a TMDL is to determine the pollutant loading a specific waterbody can assimilate without exceeding water quality standards. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation.

✓ Applicable. This facility is within the James River watershed which is impaired for nutrients (nitrogen and phosphorus). However, the TMDL lists urban runoff as the source of the nutrient pollution; this facility is not likely a contributor to the impairment.

**VARIANCE:**

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

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

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

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

✓ Not applicable. Wasteload allocations were not calculated. Stormwater discharges are not applicable to wasteload allocations for this facility.

**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(4)], general criteria shall be applicable to all waters of the state at all times including mixing zones.

Additionally, [40 CFR 122.44(d)(1)] directs the Department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

**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 a WET test for this facility. Facilities which discharge only stormwater which is effectively limited through the permit parameters and benchmarks are not required to conduct WET testing. This facility is considered a “minor”.

## **Part IV. EFFLUENT LIMITS AND BENCHMARKS DETERMINATION**

### **OUTFALL #001 & #002 – STORMWATER OUTFALLS**

Effluent limitations derived and established in the below table are based on current operations of the facility. Future permit action due to facility modification may contain new operating permit terms and conditions that supersede the terms and conditions, including effluent limitations, of this operating permit.

Due to the nature of the discharges from these outfalls being stormwater, only a maximum daily limit (MDL) or monitoring requirement (with associated benchmark) will be implemented for many of the parameters listed below. Stormwater events are acute occurrences that result in the greatest concentrations of pollutants being discharged in the first part of the runoff. This first flush can best be represented by a grab sample within the first hours of runoff. Additionally, stormwater events are highly variable. Recording an average monthly limit (AML) is not representative of the nature of these discharges. Similarly, the Technical Support Document (EPA/505/2-90-001) is written for continuous discharges, of which stormwater is not. Many of the parameters which previously required a monitoring only requirement will now have a benchmark value associated with that monitoring requirement. These benchmark values will be listed under the individual discussion and derivation of each parameter containing such a value.

#### **BENCHMARKS**

Benchmark concentrations are **not** effluent limitations; benchmark exceedance, therefore, is not a permit violation. Benchmark monitoring data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective action(s) may be necessary to comply with the technology based effluent limitations (TBEL). Failure to take corrective action is a violation of the permit. Benchmark exceedance alone is not a permit violation.

The benchmarks listed in the derivation discussion below have been determined to be feasible, affordable and protective of water quality. These benchmark values are consistent with other stormwater permits including the Environmental Protection Agency's (EPA's) Multi-Sector General Permit For Stormwater Discharges Associated With Industrial Activity (MSGP) which was recently re-issued in 2015. The facility will be required to monitor for all these parameters and if the benchmarks are exceeded at all in the following permit cycle, then the permit writer will use best professional judgment to determine if effluent limitations will be necessary to protect water quality.

(see table on next page)

PARAMETERS OUTFALLS #001 & #002	UNIT	BASIS	DAILY MAXIMUM LIMIT	BENCH- MARK	PREVIOUS PERMIT LIMITS	MINIMUM SAMPLING FREQUENCY	MINIMUM REPORTING FREQUENCY	SAMPLE TYPE
<b>PHYSICAL</b>								
FLOW	MGD	1	*	-	SAME †	ONCE/QUARTER	ONCE/QUARTER	ESTIMATE
PRECIPITATION	INCHES	6	*	-	NEW	ONCE/QUARTER	ONCE/QUARTER	24 HR. TOT
<b>CONVENTIONAL</b>								
CHEMICAL OXYGEN DEMAND	MG/L	6, 8	**	120	NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
OIL & GREASE	MG/L	1, 3	10	-	15, 10	ONCE/QUARTER	ONCE/QUARTER	GRAB
pH	SU	1, 3	6.5-9.0	-	SAME	ONCE/QUARTER	ONCE/QUARTER	GRAB
SETTLABLE SOLIDS	M L/L/HR	6	0.5	-	1, 0.5	ONCE/QUARTER	ONCE/QUARTER	GRAB
TOTAL SUSPENDED SOLIDS	MG/L	6, 8	**	100	NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
<b>METALS</b>								
ALUMINUM, TOTAL RECOV.	µg/L	6, 8, 9	**	750	*	ONCE/QUARTER	ONCE/QUARTER	GRAB
COPPER, TOTAL RECOVERABLE	µg/L	6, 9	**	23	NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
IRON, TOTAL RECOVERABLE	µg/L	6, 8, 9	**	4000	*	ONCE/QUARTER	ONCE/QUARTER	GRAB
LEAD, TOTAL RECOVERABLE	µg/L	6, 9	**	15	*	ONCE/QUARTER	ONCE/QUARTER	GRAB
ZINC, TOTAL RECOVERABLE	µg/L	6, 9	**	188	NEW	ONCE/QUARTER	ONCE/QUARTER	GRAB
<b>AUTOMOTIVE CONSTITUENTS</b>								
BENZENE	µg/L	6, 9	**	5	*	ONCE/QUARTER	ONCE/QUARTER	GRAB
ETHYLBENZENE	µg/L	6, 9	**	320	*	ONCE/QUARTER	ONCE/QUARTER	GRAB

\* - Monitoring requirement only

\*\* - Monitoring with associated benchmark

† The facility will report in MGD to fall in line with other industrial operating permits, previous reporting type was gallons per day.

**Basis for Limitations Codes:**

1. State or Federal Regulation/Law
2. Water Quality Standard (includes RPA)
3. Water Quality Based Effluent Limits
4. Antidegradation Review/Policy

5. Water Quality Model
6. Best Professional Judgment
7. TMDL or Permit in lieu of TMDL
8. Benchmark based on MSGP

9. Benchmark based on Missouri Water Quality Standards

## **DERIVATION AND DISCUSSION OF LIMITS AND BENCHMARKS:**

### **PHYSICAL:**

#### **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.

#### **Precipitation**

Monitoring only requirement; measuring the amount of precipitation [(10 CSR 20-6.200(2)(C)1.E(VI)] during an event is necessary to ensure adequate stormwater management exists at the site. Knowing the amount of potential stormwater runoff can provide the permittee a better understanding of specific control measure that should be employed to ensure protection of water quality.

### **CONVENTIONAL:**

#### **Chemical Oxygen Demand (COD)**

Monitoring requirement with associated benchmark . This parameter had monitoring only in the previous permit. Monitoring for this parameter is necessary because of the antifreeze and other chemicals found on site which can cause oxygen depletion. The MSGP suggests 120 mg/L as the benchmark for this parameter and the permit writer has used best professional judgment to accept this benchmark for this facility.

#### **Oil & Grease**

Conventional pollutant, in accordance with 10 CSR 20-7.031 Table A: *Criteria for Designated Uses*; 10 mg/L (chronic standard) will be applied as the daily maximum limit.

#### **pH**

6.5-9.0 SU. The Water Quality Standard [10 CSR 20-7.031(5)(E)], states water contaminants shall not cause pH to be outside the range of 6.5-9.0 SU. No mixing zone is allowed due to the classification of the receiving stream, therefore the water quality standard must be met at the outfall.

#### **Settleable Solids (SS)**

Continued from previous permit. There is no water quality standard for SS; however, sediment discharges can negatively impact aquatic life habitat. Settleable solids are also a valuable indicator parameter. Solids monitoring allows the permittee to identify increases in sediment and solids that may indicate uncontrolled materials leaving the site. Because the facility discharges to a losing stream, the previous permit requirements have been evaluated and deemed protective of the receiving stream. 0.5 mL/L/hr will be applied as the limit because the receiving stream is a losing stream.

#### **Total Suspended Solids (TSS)**

Monitoring requirement with associated benchmark . This parameter had monitoring only in the previous permit. Monitoring for this parameter is necessary because of the materials stored on site and to determine the effectiveness of BMPs in place. The MSGP suggests 100 mg/L as the benchmark value for TSS for this type of facility; the permit writer has evaluated this parameter and determined it is consistent with other similar facilities located within the same region and will therefore be utilized.

### **METALS:**

#### **Aluminum, Total Recoverable**

Monitoring for this parameter was required in the previous permit. This permit has identified aluminum as a constituent of concern for the industry therefore monitoring with associated benchmark is required. Aluminum is found in many different parts of cars. The Missouri water quality standard for protection of aquatic life is 750 mg/L and will be applied as the benchmark.

#### **Copper, Total Recoverable**

This parameter was not included in the previous permit, but because the EPA has determined this parameter is a constituent of concern for this industry, monitoring with an associated benchmark is deemed necessary. Copper is found in brake pads and as an alloy in radiators. The 2015 MSGP lists the benchmark value as 25.3 µg/L when the water hardness is between 175 to 200 mg/L. This is resembling Missouri's water quality standards for copper; the protection of aquatic life standard is 23 µg/L. Since the outfalls discharge to a losing stream, the more stringent value will be used.

### **Iron, Total Recoverable**

Monitoring requirement with associated benchmark. The EPA has identified this as a parameter of concern for the industry. The chronic water quality standard for iron is 1000 µg/L. The department has determined the chronic standard is not applicable to acute stormwater events. Chronic effluent limitations are based on the organism's ability to survive within the maximum concentration for seven days. Storm events are acute, rarely lasting seven days. Conversely, acute water quality standards are representative of stormwater discharges; however, there is no acute water quality standard for iron. Iron is ubiquitous within the state of Missouri and is found within clay soils. Clay soils retain iron, and the iron content could be up to of 5.5% of the soil's solids components. After reviewing other sources of data, the department has concluded Kentucky's surface water quality standards for warm water aquatic habitat is reasonable and may be applied as a benchmark for Missouri. 40 CFR 122.44(k) indicates that a BMP-based approach is appropriate where numeric limitations are infeasible. In accordance with the department's current stormwater permitting strategy and EPA stormwater permitting guidance, it is the permit writer's best professional judgment that an iron benchmark of 4000 µg/L is both feasible and protective of water quality at this facility. This benchmark is accompanied by a TSS benchmark of 100 mg/L. Using these parameters combined, the permit writer had used best professional judgment to determine all numeric and general criteria are protected. Hence, the benchmark will be 4000 µg/L. By allowing a 4000 µg/L benchmark, the 1000 µg/L chronic standard will still be protected within the receiving stream during an acute stormwater event.

### **Lead, Total Recoverable**

Monitoring requirement with associated benchmark. Lead is a component of vehicles and is a constituent of concern for the industry. Lead is found in steel alloys and batteries. Iron benchmarks are found at 1000 µg/L in the MOR203 general permit for metal fabrication, and MOR60A general permit for motor vehicle salvage and scrap metal yards. The latter is the general permit the facility was under until the time it was noticed they were within 1000 feet of a losing stream and a general permit was no longer applicable. The 1000 µg/L benchmark will be applicable to this facility at this time to coincide with other facilities performing the same work.

### **Zinc, Total Recoverable**

This parameter is a constituent of concern for this type of facility as identified by the Environmental Protection Agency in the 2015 Multi-Sector General Permit. Monitoring requirement with associated benchmark. The Missouri water quality standards for protection of aquatic life when the water hardness is between 175 to 199 mg/L is 188 µg/L and will be used as the benchmark value. Also, the receiving stream is on the 303(d) list for this parameter.

## **AUTOMOTIVE CONSTITUENTS:**

### **Benzene**

The previous permit required monitoring for this constituent. The Missouri water quality standard limits effluents to 5 µg/L for groundwater. Because the facility discharges to a losing stream, the facility is held to the groundwater standard. This permit will provide a benchmark for this parameter of 5 µg/L. This parameter will serve as a surrogate for toluene and total xylenes.

### **Ethylbenzene**

The previous permit required monitoring for this constituent. The Missouri water quality standards limits effluents to 320 µg/L for protection of aquatic life. This permit will provide a benchmark for this parameter. This parameter will serve as a surrogate for toluene and total xylenes.

## **SAMPLING AND REPORTING REQUIREMENTS:**

Due to upcoming federal regulations, all facilities will need to begin submitting their discharge monitoring reports electronically. To begin the process, please visit <http://dnr.mo.gov/env/wpp/edmr.htm>. This process is expected to save time, lessen paperwork, and reduce operating costs for both the facilities and the water protection program. Additional information may also be found at <http://dnr.mo.gov/pubs/pub2474.pdf>.

### **SAMPLING FREQUENCY JUSTIFICATION**

Sampling and Reporting Frequency was retained from previous permit. Quarterly sampling is representative for stormwater discharges and appropriate for stormwater permits. Quarterly sampling is in-line with other permits of similar type.

### **SAMPLING TYPE JUSTIFICATION**

Grab sampling is appropriate for stormwater discharges. For further information on sampling and testing methods, see 10 CSR 20-7.015(9)(D)2.

## **Part V. COMPLIANCE WITH SWPPP REQUIREMENTS TO ACHIEVE BENCHMARK VALUES**

The purpose of a SWPPP is to comply with all applicable stormwater regulations by creating an adaptive management plan to control and mitigate pollution of stormwater runoff. Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged with during storm events. The following paragraph outlines the general steps the permittee should take to determine which BMPs will work to achieve the benchmark values discussed in Part V above. This section is not intended to be all encompassing or restrict the use of any physical BMP or operational and maintenance procedure that will assist in pollution control. Additional steps or revisions to the SWPPP may be required to meet the requirements of the permit. Additional information can be found in 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].

In order to effectively control the pollutants being discharged in stormwater runoff, potential stormwater pollution sources must be identified. Areas which should be included in the SWPPP are identified in 40 CFR 122.26(b)(14). The pollutants of concern that have already been identified in Part V above can be used to assist in identifying potential sources. Once these potential sources of stormwater pollution have been identified, a plan should be formulated to best control the amount of pollutant being released and discharged by each activity or source. This should include, but is not limited to, minimizing exposure to stormwater, good housekeeping measures, proper facility and equipment maintenance, spill prevention and response, vehicle traffic control, and proper materials handling. Once a plan has been developed, employ the control measures that have been determined to be adequate to achieve the benchmark values discussed above. Conduct monitoring and inspections of the BMPs to ensure they are working properly. Re-evaluate any BMP that is not achieving compliance with permitting requirements. For example, if sample results from either outfall show values of TSS above the benchmark value, the BMP being employed is deficient in controlling stormwater pollution. Corrective action should be taken to repair, improve or replace the failing BMP. This internal evaluation is required at least once per month but should be continued more frequently if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established. If failures continue to occur and the permittee feels there are no practicable or cost-effective BMPs that will sufficiently reduce a pollutant concentration in the discharge to the benchmark values established in the permit, the permittee can submit a request to re-evaluate the benchmark values. This request needs to include a detailed explanation of why the facility is unable to comply with the permit conditions and unable to establish BMPs to achieve the benchmark values. Provide financial data of the company and documentation of cost associated with BMPs for review. This will allow the department to conduct a cost analysis on control measures and actions taken by the facility to determine cost-effectiveness of BMPs. The request should also include the SWPPP, which should contain adequate documentation of BMPs employed, failed BMPs, corrective actions, and all other required information. The request shall be submitted in the form of an operating permit modification application. Appropriate application forms can be found on the Department's website: <http://dnr.mo.gov/forms/index.html>.

## **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.

### **PERMIT SYNCHRONIZATION:**

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

### **PUBLIC NOTICE:**

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

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

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

- ✓ The Public Notice period for this operating permit was from July 10, 2015 to August 10, 2015. One letter was received. Responses to the Public Notice of this operating permit warrant the modification of benchmarks and/or the terms and conditions of this permit. The modifications below do not require an additional public notice. The below comments were paraphrased from the comment letter:

Comment #1. Commenter requested mercury monitoring be removed from the permit citing the facility has only removed three mercury switches from vehicles over the last two years and atmospheric deposition from other sources is more likely to contribute to pollution of waters of the state.

Response #1. The department agrees this parameter may be removed from the permit because the facility states they recycle the switches through the End of Life Vehicle Solution program and very few (*de minimis* quantities) are received on site in any given year.

Comment #2a. Commenter requested the metals cadmium and nickel be removed from monitoring requirements citing little reasonable potential for discharges from this facility to contribute to pollution of waters of the state and indicating they were not recorded as present within the permit renewal materials.

Response #2a. The department agrees monitoring for cadmium and nickel could be burdensome and after receiving additional information in an email dated August 24, 2015, the facility has technology in place (Filtrexx Metal Removal Socks and sediment socks) which are appropriate for the type of facility, pollutants at the site, and stormwater discharges. However, the Filtrexx Envirosoxx have only been tested for the removal of the metals cadmium, chromium, copper, nickel, lead, and zinc. The department will use aluminum, copper, lead, and zinc as metal indicator parameters for the benchmarks. The receiving stream is also on the 303(d) list for zinc.

Comment #2b. Commenter requested the metal manganese be removed from monitoring and benchmark requirements citing little reasonable potential for discharges from this facility to contribute to pollution of waters of the state indicating they were not recorded as present within the permit renewal materials and limits for groundwater are based on the propensity to stain laundry and produce objectionable flavors in beverages.

Response #2b. Monitoring for manganese was in the previous permit. After review of additional data supplied by Environmental Works, the department agrees this parameter does not have limits associated with aquatic life toxicity. This facility discharges to a losing stream normally indicating groundwater standards should apply. Because of the nature of this particular metal to only affect taste and color, and the City of Springfield supplies the potable water in this area, this parameter was removed from the permit.

Comment #3. Commenter requested that iron be removed as a benchmark constituent and requested monitoring only citing the groundwater standard is a chronic standard and stormwater events are acute events; iron concentrations discharged from this site are not acutely toxic. Additionally, iron is naturally occurring and the benchmark places unjustified burden on the permittee.

Response #3. A 4000 µg/L benchmark will be applicable to this facility at this time. The EPA has identified this parameter as a constituent of concern for the industry therefore a benchmark is compulsory. The previous permit had monitoring only. The previous permit writer included iron for monitoring to determine reasonable potential. However, as with all stormwater discharges, reasonable potential analysis is not completed because of the fleeting nature of the stormwater. The department agrees the standards are chronic. Iron removal prediction rates were not reported on the Filtrexx website for the mechanical BMP technology (metals filtration sock) used at the site. The permit writer has changed the iron benchmark from 1000 to 4000 µg/L.

**DATE OF FACT SHEET:** SEPTEMBER 2015

**COMPLETED BY:**

PAM HACKLER, ENVIRONMENTAL SCIENTIST  
MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
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APPENDIX A – GEOHYDROLOGIC EVALUATION



Missouri Department Of Natural Resources

Division of Geology and Land Survey  
P.O. Box 250  
Rolla, Missouri 65402-0250  
Phone - 573.368.2161 Fax - 573.368.2111  
E-mail - gspgeol@dnr.mo.gov

Project ID Number

LWE09079

County

GREENE

Geohydrologic Evaluation of Liquid-Waste Treatment Site

Project **All Metal Recycling** Quadrangle **SPRINGFIELD**  
Location **NW1/4 NW1/4 NW1/4** Section **16** Township **29 N** Range **22 W**  
Additional Location Information **3340 W. Division, Springfield, MO 65802**  
Latitude **37 Deg 13 Min 34 Sec** Longitude **93 Deg 20 Min 44 Sec**

**Owner** All Metal Recycling (417) 862-0011  
Emory Ferguson  
3340 W. Division, Springfield, MO 65802

**Requestor** MDNR, Southwest Regional Office (417) 891-4300  
Chris Ray  
2040 W. Woodland, Springfield, MO 65807



Previous Reports  Not Applicable

Date  
Identification Number  
Fiscal Year

<b>Facility Type</b>	<b>Type of Waste</b>	<b>Funding Source</b>
<input type="radio"/> Mechanical treatment plant <input type="radio"/> Recirculating filter bed <input type="radio"/> Earthen lagoon with discharge <input type="radio"/> Earthen holding basin <input type="radio"/> Land application <input checked="" type="radio"/> Other type of facility	<input type="radio"/> Animal <input type="radio"/> Human <input checked="" type="radio"/> Process or industrial <input type="radio"/> Leachate <input type="radio"/> Other waste type	<input checked="" type="radio"/> PPG <input type="radio"/> WWLF-SRF <input type="radio"/> Non-Point Source <b>Other Information</b> <input type="radio"/> Plans were submitted <input type="radio"/> Site was investigated by NRCS <input type="radio"/> Soil or geotechnical data were submitted



**Date of Field Visit** 1/2/2009 **Stream Classification**  Gaining  Losing  No discharge

<b>Overall Geologic Limitations</b>	<b>Collapse Potential</b>	<b>Topography</b>	<b>Landscape Position</b>
<input type="radio"/> Slight <input type="radio"/> Moderate <input type="radio"/> Severe	<input checked="" type="radio"/> Not applicable <input type="radio"/> Slight <input type="radio"/> Moderate <input type="radio"/> Severe	<input checked="" type="radio"/> < 4% <input type="radio"/> 4% to 8% <input type="radio"/> 8% to 15% <input type="radio"/> > 15%	<input checked="" type="radio"/> Broad uplands <input type="radio"/> Ridgetop <input type="radio"/> Hillslope <input type="radio"/> Narrow ravine <input type="radio"/> Floodplain <input type="radio"/> Alluvial plain <input type="radio"/> Terrace <input type="radio"/> Sinkhole

**Bedrock** The uppermost bedrock is the Mississippian-age Burlington-Keokuk Limestone.

**Surficial Materials** Unconsolidated materials existing above bedrock can be described as clayey gravels (GC) residuum with approximately 60-80% angular to sub-rounded gravels composed of cherts and limestone.

Project ID Number **LWE09079**

Page 2

**Recommended Construction Procedures**

- Installation of clay pad
- Diversion of subsurface flow
- Rock excavation
- Compaction
- Artificial sealing
- Limit excavation depth

**Required Geologic Exploration**

(Missouri Clean Water Commission - 10 CSR 20 - 8.200 Wastewater Treatment Ponds)

**Determine Overburden Properties**

- Particle size analysis
- Standard Proctor density
- Permeability coefficient for undisturbed sample
- Atterburg limits
- Overburden thickness
- Permeability coefficient for remolded sample

**Determine Hydrologic Conditions**

- Groundwater elevation
- Direction of groundwater flow
- 25-year flood level
- 100-year flood level

**Notify Geologist**

- Before exploration
- During construction
- After construction
- Not necessary

**Remarks**

The unnamed tributary of Wilson's Creek that All Metal Recycling discharges into has previously been characterized as losing. This most recent stream evaluation concurs with that observation. Obvious flow loss was observed in several segments of the stream channel.

All Metal Recycling is located at 3340 West Division Street in Springfield, Missouri. The elevation of the site is approximately 680 feet msl. Observations at the site indicate the presence of approximately 5 to 15 feet of silty to inorganic clay (CL/CH) residuum with approximately 20-40% angular to sub-rounded gravels composed of fossiliferous to micritic cherts and solution-weathered fossiliferous limestone. Some areas along the lower quarter of a mile stretch could be called clayey gravels (GC), with approximately 60-80% of the same gravels as described above.

The uppermost bedrock is the Mississippian-age Burlington-Keokuk Limestone, which exhibits high permeability in this area. This formation is composed of the Burlington Limestone, a characteristically white to gray, medium- to coarsely crystalline, medium- to coarsely crinoidal, medium- to thick-bedded, often cross-stratified, chert-free to sparsely cherty limestone; and the Keokuk Limestone a bluish-gray, medium- to coarsely crystalline, medium-bedded limestone which contains abundant light-gray chert in the form of layers and nodules. Underlying the Burlington-Keokuk Limestone is the Mississippian-age Reeds Spring Limestone. This formation consists of alternating beds of dense, very fine-grained, gray or bluish-gray, slightly argillaceous limestone, and bluish-black to grayish-white, nodular and irregularly bedded chert. The chert has a distinctive light-gray border.

This document is a preliminary report. It is not a permit. Additional data may be required by the Department of Natural Resources prior to the issuance of a permit. This report is valid only at the above location and becomes invalid one year after the report date below.

Report By: Blake Smotherman

Report Date: 1/22/2009

CC WPP, SWRO





STANDARD CONDITIONS FOR NPDES PERMITS  
ISSUED BY  
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION  
REVISED  
AUGUST 1, 2014

These Standard Conditions incorporate permit conditions as required by 40 CFR 122.41 or other applicable state statutes or regulations. These minimum conditions apply unless superseded by requirements specified in the permit.

## Part I – General Conditions

### Section A – Sampling, Monitoring, and Recording

1. **Sampling Requirements.**
  - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - b. All samples shall be taken at the outfall(s) or Missouri Department of Natural Resources (Department) approved sampling location(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.
2. **Monitoring Requirements.**
  - a. Records of monitoring information shall include:
    - i. The date, exact place, and time of sampling or measurements;
    - ii. The individual(s) who performed the sampling or measurements;
    - iii. The date(s) analyses were performed;
    - iv. The individual(s) who performed the analyses;
    - v. The analytical techniques or methods used; and
    - vi. The results of such analyses.
  - b. If the permittee monitors any pollutant more frequently than required by the permit at the location specified in the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reported to the Department with the discharge monitoring report data (DMR) submitted to the Department pursuant to Section B, paragraph 7.
3. **Sample and Monitoring Calculations.** Calculations for all sample and monitoring results which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.
4. **Test Procedures.** The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 unless alternates are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure that the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations that are low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is “sufficiently sensitive” when; 1) the method minimum level is at or below the level of the applicable water quality criterion for the pollutant or, 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility’s discharge is high enough that the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015. These methods are also required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established. A permittee is responsible for working with their contractors to ensure that the analysis performed is sufficiently sensitive.
5. **Record Retention.** Except for records of monitoring information required by the permit related to the permittee’s sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

6. **Illegal Activities.**
  - a. The Federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than two (2) years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or both.
  - b. The Missouri Clean Water Law provides that any person or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six (6) months, or by both. Second and successive convictions for violation under this paragraph by any person shall be punished by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

### Section B – Reporting Requirements

1. **Planned Changes.**
  - a. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
    - i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
    - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1);
    - iii. The alteration or addition results in a significant change in the permittee’s sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
    - iv. Any facility expansions, production increases, or process modifications which will result in a new or substantially different discharge or sludge characteristics must be reported to the Department 60 days before the facility or process modification begins. Notification may be accomplished by application for a new permit. If the discharge does not violate effluent limitations specified in the permit, the facility is to submit a notice to the Department of the changed discharge at least 30 days before such changes. The Department may require a construction permit and/or permit modification as a result of the proposed changes at the facility.
2. **Non-compliance Reporting.**
  - a. The permittee shall report any noncompliance which may endanger health or the environment. Relevant information shall be provided orally or via the current electronic method approved by the Department, within 24 hours from the time the permittee becomes aware of the circumstances, and shall be reported to the appropriate Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. A written submission shall also be provided within five (5) business days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.



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- b. The following shall be included as information which must be reported within 24 hours under this paragraph.
    - i. Any unanticipated bypass which exceeds any effluent limitation in the permit.
    - ii. Any upset which exceeds any effluent limitation in the permit.
    - iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit required to be reported within 24 hours.
  - c. The Department may waive the written report on a case-by-case basis for reports under paragraph 2. b. of this section if the oral report has been received within 24 hours.
3. **Anticipated Noncompliance.** The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The notice shall be submitted to the Department 60 days prior to such changes or activity.
  4. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date. The report shall provide an explanation for the instance of noncompliance and a proposed schedule or anticipated date, for achieving compliance with the compliance schedule requirement.
  5. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs 2, 3, and 6 of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 2. a. of this section.
  6. **Other Information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.
  7. **Discharge Monitoring Reports.**
    - a. Monitoring results shall be reported at the intervals specified in the permit.
    - b. Monitoring results must be reported to the Department via the current method approved by the Department, unless the permittee has been granted a waiver from using the method. If the permittee has been granted a waiver, the permittee must use forms provided by the Department.
    - c. Monitoring results shall be reported to the Department no later than the 28<sup>th</sup> day of the month following the end of the reporting period.
- b. Notice.
    - i. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
    - ii. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section B – Reporting Requirements, paragraph 5 (24-hour notice).
  - c. Prohibition of bypass.
    - i. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
      1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
      2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
      3. The permittee submitted notices as required under paragraph 2. b. of this section.
    - ii. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three (3) conditions listed above in paragraph 2. c. i. of this section.
3. **Upset Requirements.**
    - a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 3. b. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
    - b. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
      - i. An upset occurred and that the permittee can identify the cause(s) of the upset;
      - ii. The permitted facility was at the time being properly operated; and
      - iii. The permittee submitted notice of the upset as required in Section B – Reporting Requirements, paragraph 2. b. ii. (24-hour notice).
      - iv. The permittee complied with any remedial measures required under Section D – Administrative Requirements, paragraph 4.
    - c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

## Section C – Bypass/Upset Requirements

1. **Definitions.**
  - a. *Bypass*: the intentional diversion of waste streams from any portion of a treatment facility, except in the case of blending.
  - b. *Severe Property Damage*: substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
  - c. *Upset*: an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. **Bypass Requirements.**
  - a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.

## Section D – Administrative Requirements

1. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Missouri Clean Water Law and Federal Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
  - a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
  - b. The Federal Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The Federal Clean Water Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement



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- imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.
- d. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 of the Missouri Clean Water Law or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 of the Missouri Clean Water Law or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed \$10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.
2. **Duty to Reapply.**
- a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
- c. A permittee with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
3. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
5. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
6. **Permit Actions.**
- a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
- i. Violations of any terms or conditions of this permit or the law;
- ii. Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
- iii. A change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- iv. Any reason set forth in the Law or Regulations.
- b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
7. **Permit Transfer.**
- a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
- b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
- c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.
8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.



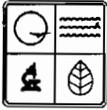
STANDARD CONDITIONS FOR NPDES PERMITS  
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10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.
11. **Inspection and Entry.** The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Federal Clean Water Act or Missouri Clean Water Law, any substances or parameters at any location.
12. **Closure of Treatment Facilities.**
  - a. Persons who cease operation or plan to cease operation of waste, wastewater, and sludge handling and treatment facilities shall close the facilities in accordance with a closure plan approved by the Department.
  - b. Operating Permits under 10 CSR 20-6.010 or under 10 CSR 20-6.015 are required until all waste, wastewater, and sludges have been disposed of in accordance with the closure plan approved by the Department and any disturbed areas have been properly stabilized. Disturbed areas will be considered stabilized when perennial vegetation, pavement, or structures using permanent materials cover all areas that have been disturbed. Vegetative cover, if used, shall be at least 70% plant density over 100% of the disturbed area.
13. **Signatory Requirement.**
  - a. All permit applications, reports required by the permit, or information requested by the Department shall be signed and certified. (See 40 CFR 122.22 and 10 CSR 20-6.010)
  - b. The Federal Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.
  - c. The Missouri Clean Water Law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.
14. **Severability.** The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

RECEIVED

AP17305

DEC 31 2013



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH  
FORM A - APPLICATION FOR CONSTRUCTION OR OPERATING PERMIT  
UNDER MISSOURI CLEAN WATER LAW WATER PROTECTION PROGRAM

FOR AGENCY USE ONLY	
CHECK NUMBER	
DATE RECEIVED	FEE SUBMITTED
12/31/13	88

Note PLEASE READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.

1. This application is for:

- An operating permit and antidegradation review public notice
- A construction permit following an appropriate operating permit and antidegradation review public notice
- A construction permit and concurrent operating permit and antidegradation review public notice
- A construction permit (submitted before Aug. 30, 2008 or antidegradation review is not required)
- An operating permit for a new or unpermitted facility Construction Permit # \_\_\_\_\_
- An operating permit renewal: permit # MO- 0135917 Expiration Date 7 July 2014
- An operating permit modification: permit # MO- Reason: \_\_\_\_\_

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

2. FACILITY

NAME		TELEPHONE WITH AREA CODE	
All Metal Recycling, Inc.		(417) 862-0011	
ADDRESS (PHYSICAL)		CITY	STATE ZIP CODE
3340 West Division		Springfield	MO 65802

3. OWNER

NAME		E-MAIL ADDRESS	TELEPHONE WITH AREA CODE	
Emery L. Ferguson			(417) 862-0011	
ADDRESS (MAILING)		CITY	STATE	ZIP CODE
3340 W. Division		Springfield	MO	65802

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

4. CONTINUING AUTHORITY

NAME		TELEPHONE WITH AREA CODE	
Same as Above			
ADDRESS (MAILING)		CITY	STATE ZIP CODE

5. OPERATOR

NAME		CERTIFICATE NUMBER	TELEPHONE WITH AREA CODE	
Same as Above				
ADDRESS (MAILING)		CITY	STATE	ZIP CODE

6. FACILITY CONTACT

NAME		TITLE	TELEPHONE WITH AREA CODE	
Mr. Emery Ferguson		Owner	(417) 862-0011	
			FAX	

7. ADDITIONAL FACILITY INFORMATION

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

001 NW 1/4 NW 1/4 Sec 16 T 29N R 22W GRE County  
 UTM Coordinates Easting (X): 469388mE Northing (Y): 4119837mN  
 For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

002 1/4 1/4 Sec T R County  
 UTM Coordinates Easting (X): Northing (Y):

003 1/4 1/4 Sec T R County  
 UTM Coordinates Easting (X): Northing (Y):

004 1/4 1/4 Sec T R County  
 UTM Coordinates Easting (X): Northing (Y):

7.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.  
 001 - SIC 5093 and NAICS 521930 002 - SIC and NAICS  
 003 - SIC and NAICS 004 - SIC and NAICS

SW  
Greene

**8. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION**  
**(Complete all forms that are applicable.)**

A.	Is your facility a manufacturing, commercial, mining or silviculture waste treatment facility? If yes, complete Form C (unless storm water only, then complete U.S. Environmental Protection Agency Form 2F per Item C below).	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
B.	Is your facility considered a "Primary Industry" under EPA guidelines: If yes, complete Forms C and D.	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
C.	Is application for storm water discharges only? If yes, complete EPA Form 2F.	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
D.	Attach a map showing all outfalls and the receiving stream at 1" = 2,000' scale.		
E.	Is wastewater land applied? If yes, complete Form I.	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
F.	Is sludge, biosolids, ash or residuals generated, treated, stored or land applied? If yes, complete Form R.	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

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

NAME			
N/A - Discharges directly to Waters of the State			
ADDRESS	CITY	STATE	ZIP CODE

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

NAME AND OFFICIAL TITLE (TYPE OR PRINT)	TELEPHONE WITH AREA CODE
Emery Ferguson - Owner	(417) 862-0011
SIGNATURE	DATE SIGNED
	12/26/13

MO 780-1479 (01-09)

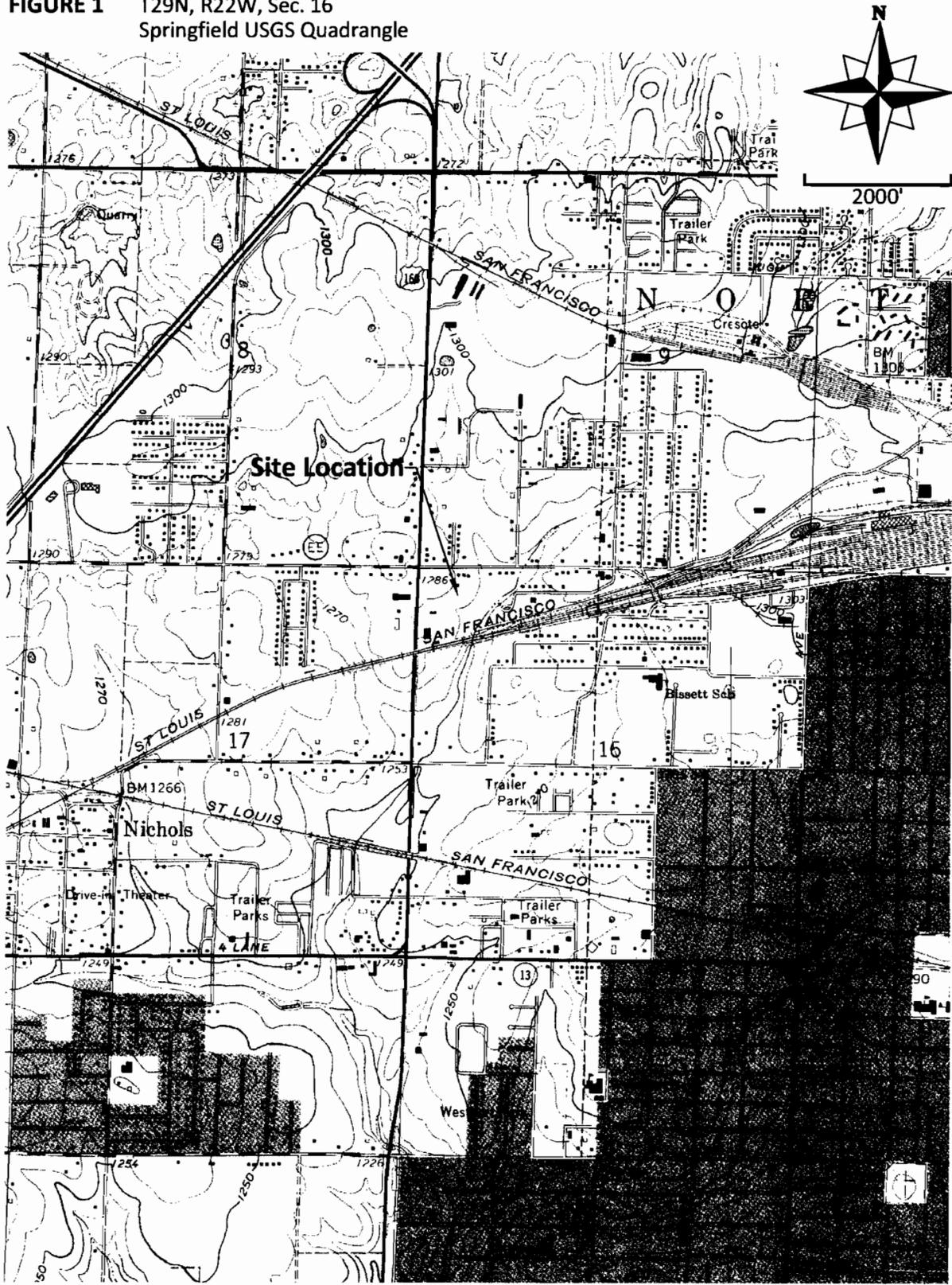
**BEFORE MAILING, PLEASE ENSURE ALL SECTIONS ARE COMPLETED AND ADDITIONAL FORMS, IF APPLICABLE, ARE INCLUDED.**

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

HAVE YOU INCLUDED:

- Appropriate Fees?
- Map at 1" = 2000' scale?
- Signature?
- Form C, if applicable?
- Form D, if applicable?
- Form 2F, if applicable?
- Form I (Irrigation), if applicable?
- Form R (Sludge), if applicable?

**FIGURE 1** T29N, R22W, Sec. 16  
Springfield USGS Quadrangle



**FIGURE 2**





Continued from the Front

**IV. Narrative Description of Pollutant Sources**

A. For each outfall, provide an estimate of the area (include units) of impervious surfaces (including paved areas and building roofs) drained to the outfall, and an estimate of the total surface area drained by the outfall.

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
OF #001	10.46 acres	10.46 acres			

B. Provide a narrative description of significant materials that are currently or in the past three years have been treated, stored or disposed in a manner to allow exposure to storm water; method of treatment, storage, or disposal; past and present materials management practices employed to minimize contact by these materials with storm water runoff; materials loading and access areas, and the location, manner, and frequency in which pesticides, herbicides, soil conditioners, and fertilizers are applied.

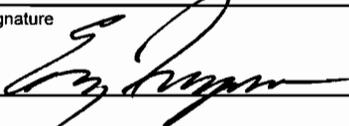
The facility is a metal recycler. The facility receives and process scrap metal for transport off site. The material is stored in stockpiles while waiting for separating and loading into transportation vehicles. Vehicles are accepted and crushed at the facility and as a portion of that process the oil in the vehicles is drained and collected in above ground storage tanks. The storage tanks are continuously monitored as managed through the facilities stormwater pollution protection plan as well as their spill prevention control and countermeasures plan. Materials with significant exposure include scrap metal and vehicles, stockpiles of those materials and equipment used in the processing of those materials (loaders & crushers).

C. For each outfall, provide the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of the treatment the storm water receives, including the schedule and type of maintenance for control and treatment measures and the ultimate disposal of any solid or fluid wastes other than by discharge.

Outfall Number	Treatment	List Codes from Table 2F-1
OF #001	Outfall #001 is continuously monitored through the facilities SWPPP & SPCCP, inspections and routine maintenance. BMP's, including, grit separation (trash screen), hay bales and/or petroleum absorbing wattles and/or sediment wattles are placed prior to the outfall location ensuring that all stormwater meets the facilities permit requirements.	

**V. Nonstormwater Discharges**

A. I certify under penalty of law that the outfall(s) covered by this application have been tested or evaluated for the presence of nonstormwater discharges, and that all nonstormwater discharged from these outfall(s) are identified in either an accompanying Form 2C or Form 2E application for the outfall.

Name and Official Title (type or print)	Signature	Date Signed
President		12/26/13

B. Provide a description of the method used, the date of any testing, and the onsite drainage points that were directly observed during a test.

None

**VI. Significant Leaks or Spills**

Provide existing information regarding the history of significant leaks or spills of toxic or hazardous pollutants at the facility in the last three years, including the approximate date and location of the spill or leak, and the type and amount of material released.

None

**VII. Discharge Information**

A, B, C, & D: See instructions before proceeding. Complete one set of tables for each outfall. Annotate the outfall number in the space provided.  
Table VII-A, VII-B, VII-C are included on separate sheets numbers VII-1 and VII-2.

E. Potential discharges not covered by analysis – is any toxic pollutant listed in table 2F-2, 2F-3, or 2F-4, a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?  
 Yes (list all such pollutants below)  No (go to Section IX)

- Oil & Grease
- Aluminum
- Iron
- Benzene
- Toluene
- Ethylbenzene
- Xylenes

**VIII. Biological Toxicity Testing Data**

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?  
 Yes (list all such pollutants below)  No (go to Section IX)

**IX. Contract Analysis Information**

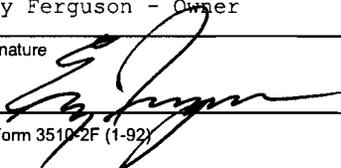
Were any of the analyses reported in Item VII performed by a contract laboratory or consulting firm?

Yes (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)  No (go to Section X)

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
Midwest Environmental Consultants	1350 E. Kingsley, Suite E Springfield, Missouri 65804	(417) 886-9200	Oil & Grease Aluminum Iron Benzene Toluene Ethylbenzene Xylenes
PDC Laboratories	1805 West Sunset Springfield, Missouri 65807	(417) 864-8924	

**X. Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Name & Official Title (Type Or Print) Emery Ferguson - Owner	B. Area Code and Phone No. (417) 862-0011
C. Signature 	D. Date Signed 12/26/13



