

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended, 1

Permit No. MO-G698xxx

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

FACILITY DESCRIPTION

All Outfalls – SIC # 1442

Discharge of wash water, stormwater and return water from aggregate dredging operations on the Missouri and Mississippi Rivers.

This permit authorizes only wastewater, including 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 Section 644.051.6 of the Law.

March 14, 2013

Effective Date


Sara Parker Pauley, Director, Department of Natural Resources

March 13, 2018

Expiration Date


John Madros, Director, Water Protection Program

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Wash Water, Stormwater and Return Water</u> (Notes 1, 2, 3 & 4)						
Flow	MGD	*		*	once/month**	24 hr estimate
Settleable Solids	mL/L/hr	*		*	once/month**	grab
Total Suspended Solids	mg/L	*		*	once/month**	grab
pH – Units	SU	***		***	once/month**	grab
Oil & Grease	mg/L	15		10	once/month**	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE _____. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

B. STANDARD CONDITIONS

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

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** When no discharge occurs during the reporting period, the report shall state “no discharge.”
- *** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.

Note 1 - In addition to this permit, any discharge of fill material into a stream (intermittent or otherwise) will necessitate a U.S. Army Corps of Engineers’ 404 Permit (Clean Water Act) and the state’s Clean Water Act Section 401 Water Quality Certification.

Note 2 - Samples shall be collected at least once per month during periods of operation only. When facility is not in operation, report as “no discharge” or “inactive.”

Note 3 - This permit only authorizes the discharge of wash water, stormwater and return water. The actual dredging activity is not authorized by this permit.

Note 4 – Monitoring requirements apply to land-based discharges only.

APPLICABILITY

1. This permit does not apply to discharges to streams or lakes other than the Missouri or Mississippi Rivers.
2. This permit will not be issued for discharges within 1,000 feet upstream of a drinking water supply intake unless written consent is granted by the water supply operator.
3. This permit will not be issued for discharges within two stream miles upstream of biocriteria reference locations identified or described in state regulation 10 CSR 20, Chapter 7. These regulations are available at many libraries or on the internet at <http://www.sos.mo.gov/adrules/csr/csr.asp>.
4. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site specific permit, the Department may require any person to obtain a site specific operating permit [10 CSR 20-6.010 (13)].

APPLICABILITY (continued)

The Department may require the permittee to apply for and obtain a site specific or different general permit if:

- (a) The permittee is not in compliance with the conditions of this general permit;
 - (b) The discharge no longer qualifies for this general permit due to changed site conditions and regulations; or
 - (c) Information becomes available that indicates water quality standards have been or may be violated.
5. Any owner/operator authorized by a general permit may request to be excluded from the coverage of the general permit and apply for a site specific permit [10 CSR 20-6.010 (13)].
 6. This permit does not authorize or address placement of solid material into the Missouri or Mississippi Rivers.

REQUIREMENTS AND STORMWATER POLLUTION PREVENTION PLAN GUIDELINES

Note: These requirements do not supersede nor remove liability for compliance with county and other local ordinances.

1. Water Quality Standards

- (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community; and
 - (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.
2. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage and dispensers including spill prevention, control and counter measures.
 3. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
 4. Permittee shall adhere to the following Best Management Practices (BMPs):
 - (a) To the extent practicable, prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehousing activities and prevent the contamination of stormwater from these substances;
 - (b) Provide for the collection and proper disposal of waste products including, but not limited to, petroleum waste products and solvents. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage and dispensers, and shall include spill prevention, control and counter measures;
 - (c) Store all paint, solvents, petroleum products and petroleum waste products in appropriate storage containers such as drums, cans, or cartons so that these materials are safely contained and not exposed to stormwater;
 - (d) Establish and maintain good housekeeping practices on the site to keep trash and other solid waste from entering waters of the state. Implementation of best practices shall serve as an ongoing analysis of alternatives that fulfill the requirements of 10 CSR 20-7.031 as the Antidegradation review;
 - (e) Designate an individual as responsible for environmental matters. Inspect, once per month on workdays, any structure that functions to prevent pollution from stormwater or to remove pollutants from stormwater. In addition, inspect these structures within 24 hours of each rainfall event of one inch or more. Inspect the facility in general to ensure that any BMPs are continually implemented and remain effective. The Department advises that a log book be maintained to record the inspections; and
 - (f) Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.

REQUIREMENTS AND STORMWATER POLLUTION PREVENTION PLAN GUIDELINES (continued)

5. 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; or
 - (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.

TRANSFER OF OWNERSHIP

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

TERMINATION

In order to terminate the permit, the permittee shall notify the Department by submitting Form H, along with a copy of the State Operating Permit. The permittee shall complete Form H and mail it to the Department at the address noted in the cover letter of this permit.

RENEWAL

If dredging activities will continue after the expiration date of this general permit, then the permittee must reapply to the Department for the permit to be re-issued. In order for the permit to be re-issued, the permittee should submit the appropriate application form(s) at least 30 days before the expiration of the permit.

DUTY TO COMPLY

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

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

Missouri Department of Natural Resources

Fact Sheet – Master General Permit Renewal

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. Permits in Missouri 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). NPDES operating permits are issued for a period of five (5) years unless otherwise specified. All new or renewed permits issued under this Master General Permit will have effective dates that occur on the first (1st) of the month.

A Fact Sheet gives pertinent information regarding the applicable regulations, rational for the development of the NPDES Missouri State Operating Permit (operating permit), and the public participation process for operating permit listed below.

A Fact Sheet is not an enforceable part of an operating permit.

This Fact Sheet is for a Major ; Minor ; Industrial Facility ; Variance ; Master General Permit ; and/or permit with widespread public interest .

Facility Information

The following Facility Information shall appear on the coverage document issued to a General Permit Covered Facility.

NPDES #:
Facility Name:
Facility Address:
Owner's Name:
Owner's Address:

Facility Region:
Facility County:

Facility Type:
Facility SIC Code(s):

Facility Description: Discharge of wash water, stormwater and return water from aggregate dredging operations on the Missouri and Mississippi Rivers.

Comments: _____

Outfalls

A full description of each outfall shall appear on the coverage document issued to a General Permit Covered Facility. The following information is required for each outfall.

Outfall #001
Legal Description: (detailed)
UTM:
Receiving Stream: Name (U), (C), (P) etc...
First Classified Stream and ID: Name (C) (P) (03216)
USGS Basin & Sub-watershed No.: (# – #)

Please mark the correct designated waters of the state categories of the receiving stream.

Missouri or Mississippi River [10 CSR 20-7.015(2)]:	Yes <input checked="" type="checkbox"/> ; No <input type="checkbox"/>
Lake or Reservoir [10 CSR 20-7.015(3)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
Lossing [10 CSR 20-7.015(4)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
Metropolitan No-Discharge [10 CSR 20-7.015(5)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
Special Stream [10 CSR 20-7.015(6)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
Subsurface Water [10 CSR 20-7.015(7)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
All Other Waters [10 CSR 20-7.015(8)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1st classified receiving stream's beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)]. This permit does not allow discharges within two miles upstream of a waterbody with the designated use of drinking water supply.

Rationale and Derivation of Effluent Limitations & Permit Conditions

ANTI-BACKSLIDING:

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

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

- Backsliding proposed in this Fact Sheet for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 § CFR 122.44.

- Not applicable

ANTIDegradation:

Policies which ensure protection of water quality for a particular water body where the water quality exceeds levels necessary to protect fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as outstanding natural resource waters. Antidegradation plans are adopted by each State to minimize adverse effects on water.

Applicable .

In accordance with Missouri's Water Quality Standards [10 CSR 20-7.031(2)], the Department is to document by means of an 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.

In accordance with Missouri Antidegradation Implementation Procedure (AIP), any discharge may assume significant degradation and complete an alternatives analysis to show the highest level of attainable effluent treatment. In the case of this general permit the implementation of BMPs serves as the ongoing analysis of alternatives. The conclusion of the analysis will show the highest level of attainable effluent treatment that is practicable, effective, reliable and economically efficient. The pollutant of concern from the wash water, storm water and return water from aggregate dredging operations covered by this general is pH. Settleable solids are not defined as pollutants of concern because they do not have numeric criteria. The monitoring and effluent limits for this discharge are adequate for prevention of degradation. The implementation of BMPs that aid in the reduction of these pollutants directly addresses the regulatory Antidegradation requirements.

Not Applicable .

APPLICABLE PERMIT PARAMETERS:

Effluent parameters for conventional, non-conventional, and toxic pollutants have been obtained from the previous NPDES operating permit for this facility, technology based effluent limits (TBEL), and from appropriate sections of the renewal application.

PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY

The need for an individual public notification process shall be determined and identified in the general permit. [10 CSR 20-6.020(1)(C)5.]

Applicable ;

Issuance of coverage to an individual facility under this Master General Permit **for the first time** shall be placed on Public Notice for 30 days in accordance with 10 CSR 20-6.020(1)(B) & (C).

Not Applicable ;

Public Notice is not required for issuance of coverage under this Master General Permit to individual facilities for the first time.

Public Notice of **reissuance** of coverage is not required unless the facility has been found to be in significant noncompliance [10 CSR 20-6.020(1)(C)4.].

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

A SWPPP is a plan to schedule activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. The plan may include, but is not limited to, treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

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.

Not Applicable ;

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

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 the total amount of pollutant that may be discharged into that stream without endangering its water quality.

Applicable ;

Not Applicable ;

Wasteload allocations were not calculated.

WHOLE EFFLUENT TOXICITY (WET) TEST:

As per [10 CSR 20-7.031(1)(CC)], a toxicity test conducted under specified laboratory conditions on specific indicator organism; and as per [40 CFR §122.2], the aggregate toxic effect of an effluent measured directly by a toxicity test.

Applicable ;

Effective July 15, 2005, upon revision, renewal, modification, or issuance, all Missouri State Operating Permits under the NPDES will incorporate use of the following guidelines for determining the applicability and requirements for WET testing. WET testing requirements are established by the WET Test Policy, 120 § 308 of the Federal Water Pollution Control Act, and 40 CFR § 136. Please check WET tests applicability for this facility:

- All major discharge facilities ;
- Facilities that are exceeding or routinely exceed their design flow ;
- Most municipals, domestic sewage dischargers ;
- Industrial dischargers or other dischargers that may alter their production processes throughout the year ;
- Facilities that may handle toxic substances ; or
- Facilities that have been granted seasonal relief of numeric limitations .

Not Applicable ;

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

Each Outfall

EFFLUENT LIMITATIONS TABLE:

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
Flow	mg/L	1/8	*		*	No	Not Applicable
Settleable Solids	mL/L	8	*		*	No	Not Applicable
Total Suspended Solids	mg/L	8	*		*	No	Not Applicable
pH	SU	2/3	6.5-9.0		6.5-9.0	No	Not Applicable
Oil & Grease	mg/L	2/3	15		10	No	Not Applicable

* Monitoring requirement only

Basis for Limitations Codes:

- | | |
|--|-----------------------------------|
| 1. State or Federal Regulation/Law | 6. Antidegradation Policy |
| 2. Water Quality Standard ² | 7. Water Quality Model |
| 3. Water Quality Based Effluent Limits | 8. Best Professional Judgment |
| 4. Lagoon Policy | 9. TMDL or Permit in lieu of TMDL |
| 5. Ammonia Policy | 10. WET test Policy |

² – Water Quality Standards also includes Reasonable Potential Analysis.

DERIVATION AND DISCUSSION OF LIMITS:

- **Settleable Solids & Total Suspended Solids** - Monitoring only. Data will be used to evaluate contributions of solids from these facilities to the Missouri & Mississippi Rivers.
- **pH** - 10 CSR 20-7.031(4)(E). Conventional pollutant. Water contaminants shall not cause pH to be outside the range of 6.5-9.0 standard pH units.
- **Oil & Grease** - 10 CSR 20-7.031 Table A. Conventional pollutant. Heavy equipment used in dredging operations are a potential source of Oil & Grease contaminants.

Administrative Requirements

PUBLIC NOTICE:

As per the Missouri Clean Water Law, the Missouri Clean Water Commission, and the federal Clean Water Act, persons wishing to comment on Missouri State Operating Permits are directed to do so by a Department approved Public Notice coversheet. This Public Notice coversheet is attached to a Missouri State Operating Permit during the Public Notice period.

This Permit was on Public Notice from January 4, 2013, to February 4, 2013. Below is a summary of the comment received during the Public Notice accompanied by a response from the Department.

Specific Comment Responses

DISCHARGES

The Department received a comment requesting that the language for types of discharges covered in Table A be consistent with the language in the facility description on page one of the draft permit. These changes have been made to the draft permit.

MONITORING REQUIREMENTS

The Department received a comment suggesting that Note No. 2 which stated, "Monitoring requirements apply to land-based discharges only" be left in the new permit. This note has been added back in to the draft permit.

MONITORING SAMPLE LOCATIONS

The Department received a comment regarding the monitoring sample location for stormwater discharges. Monitoring samples of stormwater discharges are to be taken from the same outfall locations of process water and wash water discharges. No changes have been made to the draft permit.

The Department complied with the requirements to allow the United States Environmental Protection Agency (EPA) a 90 day review period. The EPA responded that they did not have any comments to add.

Date of Fact Sheet: 3-11-2013

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