

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-G760000

Owner:
Address:

Continuing Authority:
Address:

Facility Name:
Facility Address:

Legal Description:
UTM Coordinates:

Receiving Stream:
First Classified Stream and ID:
USGS Basin and Sub-watershed No.:

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 Codes 7999, 7997

Discharge of filter backwash and pool drainage from swimming pools and lined ponds which use chlorine as a sanitizer.

This permit authorizes only process wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with RSMo Section 621.250, 640.013, and 644.051.6; 10 CSR 20-1.020 and 20-6.020 of the Law.

August 1, 2014
Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

July 31, 2019
Expiration Date

John Madras, Director, Water Protection Program

APPLICABILITY

1. This Missouri State Operating Permit (permit) authorizes the discharge of process wastewater to waters of the state of Missouri from multiple industries, including but not limited to facilities with the primary Standard Industrial Classification (SIC) codes:

<u>SIC Code</u>	<u>Activity</u>
7999	Amusement and Recreation Services, Not Elsewhere Classified
7997	Membership Sports and Recreation Clubs

2. Coverage under this permit may be required for facilities that the Missouri Department of Natural Resources (department) determines are similar to facilities that are under the above SIC Codes.
3. This permit does not authorize discharge from facilities using sanitizing chemicals other than chlorine. The discharge may be filter backwash water and water drained from swimming pools, lined decorative ponds, and fountains, herein referred to as “pools or ponds” to waters of the state of Missouri. Discharges from pools or ponds at single-family residences are exempted from permit requirements.
4. Unlined natural or artificial lakes, farm ponds, siltation basins at construction sites, and stormwater detention basins are not covered under this permit.
5. This permit does not authorize discharges:
 - (a) Within 1,000 feet upstream of waters that have been identified as an Outstanding State Resource Water¹;
 - (b) Within the watershed of an Outstanding National Resource Water (ONRW)¹, which includes the Ozark National Scenic Riverways and the Wild and Scenic Rivers System;

¹ Identified or described in 10 CSR 20-7. These regulations are available at many libraries and online at www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp, or may be purchased from the department by calling the department’s Water Protection Program.

6. A facility located in the watershed of an ONRW must be operated in a no-discharge manner in accordance with 10 CSR 20-6.015(1)(B)(7). Any new or existing facility that plans to operate or currently operates within an ONRW must submit an application for this permit. The application must include an engineering report sealed by a professional engineer licensed in the state of Missouri. The engineering report must demonstrate the facility is capable of operating as a no-discharge facility. The engineering report will provide the details of water usage and the methods of land application.
7. The department may require any permittee (facility) authorized by a general permit to apply for a site-specific permit [10 CSR 20-6.010(13)(C)]. Cases where a site-specific permit may be required include, but are not limited to, the following:
 - (a) The discharge(s) is a significant contributor of pollution which impairs the beneficial uses of the receiving stream;
 - (b) The discharger is not in compliance with the conditions of the general permit; or
 - (c) A Total Maximum Daily Load (TMDL) containing requirements applicable to the discharge(s) is approved.
8. Facilities that are located within the watershed of a 303(d) listed impaired water or a watershed with an approved TMDL will need to be evaluated on a case-by-case basis for inclusion under this permit. Missouri’s 303(d) listed impaired waters or waters with approved TMDLs can be found at www.dnr.mo.gov/env/wpp/waterquality/index.html. Facilities that are found to be discharging the listed pollutant(s) of concern for any impaired water may be required to obtain a site-specific permit.
9. If a facility covered under a current general permit desires to apply for a site-specific permit, the facility may do so by contacting the department for application requirements and procedures.
10. Facilities covered under a current site-specific permit who desire to apply for inclusion under this general permit may contact the department for application requirements and procedures.

PERMIT EXEMPTIONS

1. Facilities that discharge directly to a combined sewer system with a department approved Long Term Control Plan [10 CSR 20-7.015(10)] or to a publicly owned treatment works that has consented to receiving such a discharge are exempt from permit requirements.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – ALL OUTFALLS

The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The discharges shall be controlled, limited, and monitored by the facility as specified in Table A-1 and Table A-2. Additionally, the facility is authorized to conduct land application of wastewater as specified in this permit. The land application shall be controlled, limited, and monitored by the facility as specified in Table A-3.

The final effluent limitations in Table A-1, A-2, and A-3 shall become effective upon issuance and remain in effect until expiration of the permit.

TABLE A-1	FILTER BACKWASH					
EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	SAMPLING FREQUENCY	SAMPLE TYPE
Total Residual Chlorine (Note 1)	mg/L	0.019 (0.13 ML)		0.019 (0.13 ML)	once/month***	grab
Flow (Note 2)	gallons	*		*	once/month***	estimate
pH	SU	**		**	once/month***	grab
Settleable Solids	ml/L	1.5		1.0	once/month***	grab
		DAILY MINIMUM	WEEKLY AVERAGE MINIMUM	MONTHLY AVERAGE MINIMUM	SAMPLING FREQUENCY	SAMPLE TYPE
Dissolved Oxygen	mg/L	5.0		5.0	once/month***	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE JANUARY 28, 20XX . IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE.						

TABLE A-2	POOL DRAINAGE					
EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	SAMPLING FREQUENCY	SAMPLE TYPE
Total Residual Chlorine (Note 1)	mg/L	0.019 (0.13 ML)		0.019 (0.13 ML)	once/year***	grab
Flow (Note 2)	gallons	*		*	once/year***	estimate
pH	SU	**		**	once/year***	grab
Settleable Solids	ml/L	1.5		1.0	once/year***	grab
		DAILY MINIMUM	WEEKLY AVERAGE MINIMUM	MONTHLY AVERAGE MINIMUM	SAMPLING FREQUENCY	SAMPLE TYPE
Dissolved Oxygen	mg/L	5.0		5.0	once/year***	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE JANUARY 28, 20XX . IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE.						

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – ALL OUTFALLS (continued)

TABLE A-3		LAND APPLICATION (Note 3)				
EFFLUENT PARAMETER(S)	UNITS	FINAL LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	SAMPLING FREQUENCY	SAMPLE TYPE
<u>Storage Basin Operational Monitoring</u>						
Storage Basin Freeboard (Note 4)	feet	*			once/month	measured
Precipitation	inches	*			daily	total
<u>Land Application Operational Monitoring</u> (Note 5)						
Irrigation Period	hours	*			daily	total
Volume Irrigated	gallons	*			daily	total
Application Area	acres	*			daily	total
Application Rate	inches	*			daily	total

MONITORING REPORTS SHALL BE SUBMITTED ANNUALLY TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE **JANUARY 28, 20XX**. IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE.

- * Monitoring requirement only.
- ** pH is measured in standard units and is not to be averaged. The acceptable range is a pH of 6.5-9.0.
- *** Monthly or yearly sampling is required depending on discharge. If a discharge occurs during the reporting period, samples shall be collected and tested for the parameters listed in Table A-1 and Table A-2. Report as no-discharge when a discharge does not occur during the reporting period. If more than one discharge occurs within the sampling frequency, testing is required for only one discharge event.

Note 1 - This permit contains a Total Residual Chlorine (TRC) limit.

- (a) This effluent limit is below the minimum quantification level (ML) of the most common and practical U.S. Environmental Protection Agency approved CLTRC methods. The department has determined the current acceptable ML for total residual chlorine to be 0.13 mg/L when using the DPD Colorimetric Method #4500 – CL G. from Standard Methods for the Examination of Waters and Wastewater. The facility will conduct analyses in accordance with this method, or equivalent, and report actual analytical values. Measured values greater than or equal to the minimum quantification level of 0.13 mg/L will be considered violations of the permit and values less than the minimum quantification level of 0.13 mg/L will be considered to be in compliance with the permit limitation. The minimum quantification level does not authorize the discharge of chlorine in excess of the effluent limits stated in the permit.
- (b) Do not chemically de-chlorinate if it is not needed to meet the limits in the permit.
- (c) If no chlorine was used in a given sampling period, an actual analysis is not necessary. Report as “0 mg/L” TRC.

Note 2 - Estimate the volume as the total gallons of water released. The release rate shall be controlled to avoid high volumes of water being discharged into small streams that can cause stream channel erosion, downstream flooding, or property damage.

Note 3 - This table only applies to no-discharge land application facilities. A facility shall report “not applicable” on the Discharge Monitoring Report if the facility is a discharging system.

Note 4 - Storage basin freeboard shall be reported as storage basin water level in feet below the overflow level.

Note 5 - Monitor daily during the months of March through November. If land application does not occur during the reporting period, report as “no application.”

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.

REQUIREMENTS

1. An annual report is required by the terms of this permit. This report will contain a list of all non-chlorine compounds and the estimated quantities added to the pond or pool. This report shall be submitted with the effluent data in Table A-1 and Table A-2 by January 28th of the reporting period.
2. Effluent limits for chlorine can be achieved through Best Management Practices. This may require installation of a de-chlorinating device.
3. Before the facility can discharge any pool water, the pool water must sit for a minimum of seven (7) days after the addition of chlorine. When no chlorine has been added to the pool water for at least seven (7) days, the pool water may be discharged.
4. The discharge shall not contain floating solids or visible foam in other than trace amounts.
5. In the event that a discharge is known to violate the Water Quality Standards (Requirement #8), the facility shall immediately cease the discharge and contact the department's Emergency Response Team at (573) 634-2436.
6. All outfalls or land application areas must be clearly marked in the field.
7. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (Section 644.055, RSMo). The fees table can be found at 10 CSR 20-6.011 Appendix A.
8. **Water Quality Standards**
 - (a) To the extent required by law, discharges to waters of the state shall not cause a violation of Missouri Water Quality Standards (10 CSR 20-7.031), including both specific and general criteria.
 - (b) **General Criteria.** The following 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 Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200-260.247, RSMo.
9. **Changes in Discharges of Toxic Substances**

The facility shall notify the department as soon as it knows or has reason to believe:

 - (a) That an 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;
 - (3) Five hundred micrograms per liter (500 µg/L) for 2,5-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
 - (4) One milligram per liter (1 mg/L) for antimony;
 - (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - (6) The notification level established by the department in accordance with 40 CFR 122.44(f).
 - (b) That the facility has begun or is expected to begin to use or manufacture as an intermediate product, by-product, final product, or waste product any toxic pollutant which was not reported in the permit application.
 - (c) Toxic pollutants shall consist of, but are not limited to pollutants listed in 10 CSR 20-7.031 Table A or 40 CFR 122.21 Appendix D.

REQUIREMENTS (continued)

10. 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)(A) and (B), and 307(a)(2) of the Clean Water Act (CWA), if the effluent standard or limitation issued or approved:
 - (1) Contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
 - (2) Controls any pollutant not limited in this permit.
 - (b) Incorporate new or modified effluent limitations or other conditions if the result of a wasteload allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards (10 CSR 20-7.031).
 - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, an effluent limit derived from a TMDL is developed for the receiving waters, which would then be included in a list of waters of the state not fully achieving Missouri Water Quality Standards.
- The permit, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

STORAGE BASIN REQUIREMENTS

- 1. No-discharge Systems: The minimum and maximum operating water levels for the storage basin shall be clearly marked. Each basin shall be operated so that the maximum water elevation does not exceed two feet below the Emergency Spillway except due to exceedances of the 10-year or 25-year, 24-hour storm events according to National Weather Service data. Wastewater shall be land applied whenever feasible based on soil and weather conditions and permit requirements. Storage basin(s) shall be lowered to the minimum operating level prior to each winter by November 30.
- 2. Storage basins shall have an emergency spillway to protect the structural integrity of structures during operation at near full water levels and in the event of overflow conditions. The spillway shall be at least one foot below the top of the berm. It is a violation of this permit to place material in the emergency spillway or otherwise cause it to cease to function properly, as this may result in a catastrophic failure of the storage basin.
- 3. The storage basin berms shall be mowed and kept free of any trees, muskrat dens, or other potential sources of damage to the berms.
- 4. Any unauthorized discharge from the storage basin shall be reported to the department as soon as possible but always within 24 hours of the facility becoming aware of the discharge.

LAND APPLICATION REQUIREMENTS

- 1. Land application of wastewater:
 - (a) Shall not result in a discharge of wastewater from land application fields;
 - (b) Shall not occur during frozen, snow covered, or saturated soil conditions, or when a forecasted precipitation event is likely to produce runoff within 24 hours of land application;
 - (c) Shall occur only during daylight hours;
 - (d) Shall not be land applied within 30 days prior to crop harvesting or grazing by cattle;
 - (e) Shall not exceed 0.25 inches/hour; 1.0 inch/week; and 24 inches/year;
 - (f) Shall not occur on slopes exceeding 12 percent (%);
 - (g) Shall not cause surface ponding of applied wastewater or runoff from the application site during land application; and
 - (h) Shall not occur within:
 - (1) 50 feet of the property line or public road;
 - (2) 300 feet up gradient of a public or privately owned drinking water impoundment or intake, or water supply well not located on property;
 - (3) 150 feet of an occupied residence, public building, or public use area; and
 - (4) 300 feet of a sinkhole, losing stream, or other direct conduit to groundwater;
- 2. Before pool water can be land applied, the pool water must sit for a minimum of seven (7) days after the addition of chlorine. When no chlorine has been added to the pool water for at least seven (7) days, the pool water may be land applied.
- 3. The wastewater land application system shall be operated so as to provide uniform distribution of wastewater over the entire irrigation site.
- 4. For row crop irrigation, a complete ground cover of vegetation shall be maintained on the land application site unless the crop field has erosion control measures or a slope of 3% or less.

LAND APPLICATION REQUIREMENTS (continued)

5. The land application site and system shall be visually inspected at least hourly during wastewater land application to check for runoff and equipment malfunctions. A log of inspections shall be kept and made available to the department upon request.
6. There shall be no land application of any pollutant in sufficient amounts to cause harm to the soil structure or productivity, or cause stress or toxicity to plant life.
7. These requirements do not supersede nor remove liability for compliance with county and other local ordinances.
8. Records shall be maintained and summarized into an annual operating report, which shall be submitted by January 28th of each year for the previous calendar year period using report forms approved by the department. The summarized annual report is in addition to the reporting requirements listed in Table A-3.
 - (a) No-discharge Land Application Facilities - The summarized annual report shall include the following:
 - (1) Record of maintenance and repairs performed during the year, average number of times per month the facility is checked to see if it is operating properly, and description of any unusual operating conditions encountered during the year;
 - (2) The number of days the storage basin(s) has discharged during the year, the discharge flow, the reasons discharge occurred, and effluent analysis performed;
 - (3) A summary of the land application operations including freeboard at the start and end of the land application season, the number of days of land application for each month, the total gallons land applied, the total acres used, crops grown, crop yields per acre, the application rate in inches/acre/day and for the year, the monthly and annual precipitation received at the facility, a summary of testing results for wastewater; and
 - (4) A summary of any problems or deficiencies encountered, corrective action taken, and improvements planned.

PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an “Application for Transfer of Operating Permit” (www.dnr.missouri.gov/forms/780-1517-f.pdf) signed by the seller and buyer of the facility along with the appropriate modification fee.

PERMIT TERMINATION

This permit may be terminated when activities covered by this permit have ceased and no significant materials [as defined by 10 CSR 20-6.200(C)(27)] remain on the property or if on the property, are stored in such a way as to have no potential for pollution. In order to terminate this permit, the facility shall notify the department by completing and submitting Form H (www.dnr.missouri.gov/forms/780-1409-f.pdf).

PERMIT RENEWAL

Unless this permit is terminated, the facility shall submit an application for the renewal of this permit (www.dnr.missouri.gov/forms/780-0795-f.pdf) no later than thirty (30) days prior to the permit’s expiration date. Failure to apply for renewal may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.

DUTY OF COMPLIANCE

The facility shall comply with all conditions of this permit. Any noncompliance with this permit constitutes a violation of Chapter 644, Missouri Clean Water Law, 10 CSR 20-6, and 10 CSR 20-7. Noncompliance may result in enforcement action, termination of this authorization, or denial of the facility’s request for renewal.

Missouri Department of Natural Resources Fact Sheet MO-G760000 Swimming Pools and Lined Ponds

The Federal Water Pollution Control Act [Clean Water Act (CWA)] 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 CWA). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Missouri State Operating Permits (permit) are issued by the Missouri Department of Natural Resources (department) under an approved program, operating in accordance with federal and state laws (Federal CWA and Missouri Clean Water Law Section 644 as amended). Permits are issued for a period of five (5) years unless otherwise specified.

Per 40 CFR 124.56, 40 CFR 124.8, and 10 CSR 20-6.020(1)(A)(2), a Fact Sheet 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 permit listed below. A Fact Sheet is not an enforceable part of a permit.

This Fact Sheet is for a:

- Master General Permit

Part I - Facility Information

Facility Type: Industrial
Facility SIC Code(s): 7997, 7999
Facility Description: Facilities that discharge filter backwash and pool drainage from swimming pools and lined ponds which use chlorine as a sanitizer. It does not authorize discharges from other industrial activities.

Part II - Receiving Stream Information

Per 10 CSR 20-7.031 of the 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." Limits set by this permit are intended to be protective of General Criteria and designated uses.

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

Per Missouri Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into seven (7) categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation and Discussion of Limits section. This permit applies to facilities discharging to the following water body categories:

- Missouri or Mississippi River [10 CSR 20-7.015(2)]
- Lakes or Reservoirs [10 CSR 20-7.015(3)]
- Losing Streams [10 CSR 20-7.015(4)]
- Metropolitan No-Discharge Streams [10 CSR 20-7.015(5)]
- Special Streams [10 CSR 20-7.015(6)]
- Subsurface Waters [10 CSR 20-7.015(7)]
- All Other Waters [10 CSR 20-7.015(8)]

Missouri Water Quality Standards (10 CSR 20-7.031) 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 shall be maintained in accordance with 10 CSR 20-7.031(4). The benchmarks established by this permit are intended to be protective of all streams that fall within the categories of receiving water body indicated above. A general permit does not take into consideration site-specific conditions.

RECEIVING STREAM MONITORING REQUIREMENTS:

There are no receiving water monitoring requirements recommended at this time.

Part III - Rationale and Derivation of Effluent Limitations and Permit Conditions

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.

Not Applicable: All limits in this permit are at least as protective as those previously established.

ANTIDEGRADATION:

Antidegradation policies ensure protection of water quality for a particular water body on a pollutant by pollutant basis to ensure Water Quality Standards are maintained to support beneficial uses such as fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as Outstanding Natural Resource Waters [10 CSR 20-7.031(3)(C)]. Antidegradation policies are adopted to minimize adverse effects on water.

Applicable: The pollutant of concern in this permit is total residual chlorine. Compliance with the effluent limits established in this permit for the protection of General Criteria meets the requirements of Missouri's Antidegradation Review [10 CSR 20-7.031(3) and Table A and 10 CSR 20-7.015(9)(A)5].

PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY:

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

Not Applicable: Public Notice is not required for issuance of coverage under this permit to individual facilities for the first time.

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 a permit.

Not Applicable: This permit does not contain a SOC.

SET-BACKS:

Set-backs are common elements of permits and are established to provide a margin of safety in order to protect the receiving stream from accidents, spills, unusual events, etc. They are also established to show what receiving streams the permit writer considered in drafting the permit.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

A SWPPP is a series of steps and activities to identify sources of pollution or contamination, then select and carry out actions which prevent or control the pollution of stormwater discharges. 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.

Not Applicable: At this time, the facility is not required to develop and implement a SWPPP.

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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: WLA are not required at this time, thus no calculations were completed.

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 conditions to achieve water quality established under Section 303 of the CWA, including state narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

Per 10 CSR 20-7.031(1)(FF), a toxicity test conducted under specified laboratory conditions on specific indicator organism; and per 40 CFR §122.2, the aggregate toxic effect of an effluent measured directly by a toxicity 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 facility is not required to conduct a WET test.

Part IV - Effluent Limits Determination

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

EFFLUENT LIMITATIONS FOR TABLE A-1 AND TABLE A-2:

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED
TOTAL RESIDUAL CHLORINE	MG/L	2	0.019		0.019	NO
FLOW	GALLONS	1	*		*	NO
pH	SU	1	6.5-9		6.5-9	NO
SETTLABLE SOLIDS	M/L	8	1.5		1.0	NO
DISSOLVED OXYGEN**	MG/L	1	5.0		5.0	NO

* Monitoring requirement only

** For Dissolved Oxygen the Daily Maximum is a Daily Minimum and the Monthly Average is a Monthly Average Minimum.

Basis for Limitations Codes:

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

DERIVATION AND DISCUSSION OF LIMITS:

- **Total Residual Chlorine:** This limit corresponds to Missouri's acute toxicity criteria for the protection of aquatic life found in 10 CSR 7.031. Acute criteria will apply at the end of pipe because discharges are expected to be episodic in nature and lasting less than four days. Also, this permit will be issued to facilities where there is no mixing zone or zone of initial dilution allowed in their receiving streams.
- **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 facility is unable to obtain effluent flow, then it is the responsibility of the facility to inform the department, which may require the submittal of a permit modification.
- **pH:** pH is not to be averaged. Effluent limitation range is 6.5 – 9.0 Standard pH Units (SU) per 10 CSR 20-7.031(5)(E) and is established to protect Water Quality Standards in all receiving streams.
- **Settleable Solids:** Carried over from previous permit, necessary for protection of Water Quality Standards 10 CSR 20-7.031(4).
- **Dissolved Oxygen:** Protection of aquatic life (10 CSR 20-7.031, Table A).

SAMPLING FREQUENCY:

Sampling frequency is established in accordance with department policy. Effluent limitations are expressed in a daily maximum and a monthly average. Monthly or yearly monitoring is required depending on the parameter. Results from samples may be submitted as both the daily maximum and the monthly average. If the facility collects multiple samples during any month, the permit requires the facility to submit a monthly average. If no discharges occur during a sampling period, report as "no discharge."

Part V - 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 permit. The proposed determinations are tentative pending public comment.

PUBLIC NOTICE:

The department shall give public notice that a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest or because of 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 facility must be notified of the denial in writing.

The department must give public notice of a pending permit or of a new or reissued Missouri State Operating Permit. The public comment period is a length of time not less than 30 days following the date of the public notice, during which interested persons may submit written comments about the proposed permit.

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

The Public Notice period for this permit was from April 25, 2014, through May 26, 2014. No comments were received.

DATE OF FACT SHEET: MARCH 14, 2014

COMPLETED BY:

JOSHUA ERNST

ENVIRONMENTAL SPECIALIST

MISSOURI DEPARTMENT OF NATURAL RESOURCES

WATER PROTECTION PROGRAM

OPERATING PERMITS SECTION

(573) 751-1142

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STANDARD CONDITIONS FOR NPDES PERMITS
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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 28th 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.



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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.