

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-G970000

Owner: <name>  
Address: <address>

Continuing Authority: <name or same as above>  
Address: <address or same as above>

Facility Name: <name>  
Facility Address: <physical address>

Legal Description: <1/4, 1/4, 1/4, Sec. xx, TxxN, RxxW <county>County  
UTM Coordinates: X= Y=

Receiving Stream: <receiving stream> <C, P, L1, L2, L3>  
First Classified Stream and ID: <1<sup>st</sup> classified stream> <C, P, etc.> <ID number> 303(d) List  
USGS Basin & Sub-watershed No.: <USGS HUC 12#>

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

Standard Industrial Classification (SIC) Code: # 2875 (Fertilizers, Mixing Only)  
Stormwater runoff and compost wastewater discharges from yard waste composting operations less than 20 acres in size.

This permit authorizes only discharges as described above 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.

August 7, 2018  
Effective Date

  
Edward B. Galbraith, Director, Division of Environmental Quality

August 6, 2023  
Expiration Date

  
Chris Wieberg, Director, Water Protection Program

## APPLICABILITY

1. This permit authorizes the discharge of stormwater and compost wastewater from yard waste composting operations that are less than 20 acres in size. The acreage is measured by calculating the area that is affected by composting activities, including unloading areas; storage and handling of composting feedstock materials; and stockpiling of finished compost. It does not include buffer zones, parking lots, maintenance facilities, and stormwater control basins.

### SIC Code

2875

### Activity

Compost, Fertilizers (mixing only)

2. In accordance with 40 CFR 122.26(g), if a facility has no materials exposed to stormwater (all materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff), the facility may apply for No Exposure Certification in lieu of coverage for the stormwater portion of the discharge under this permit. A No Exposure Certification form (<https://dnr.mo.gov/forms/780-2828-f.pdf>) must be submitted with the application for permit coverage. No Exposure Certification Guidance may be found at <https://dnr.mo.gov/pubs/pub2729.htm>. No Exposure Certification requests shall be submitted electronically after such a system has been made available by the Department. Some examples of the no exposure requirements are:
  - a. Drums, barrels, tanks, and similar containers are tightly sealed, provided those containers are not deteriorated and do not leak (sealed means banded or otherwise secured and without operational taps or valves);
  - b. Adequately maintained vehicles are used in material handling; and
  - c. All industrial materials consist of final products other than products that would be mobilized by stormwater [10 CSR 20-6.200(1)(B)16].
3. This permit allows for the incorporation of up to 5% by volume of animal manure, sewage sludge, or similar materials. Facilities wishing to incorporate more than 5% by volume animal waste, biosolids, domestic sewage, or septage should apply for the MO-G920000 general permit.
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 of yard waste composting operations to apply for an individual site-specific permit, the Department may do so.
5. If at any time the holder of a general permit should desire to apply for an individual site-specific permit, the permittee may do so.
6. If at any time, the holder of an individual site-specific permit should desire to apply for a general permit, the permittee should contact the Department to determine applicability and procedures.
7. This permit does not apply to landfill operations or composting done in association with landfills.
8. This permit may apply to composting operations on landfill property if the composting operations are kept wholly separate from landfill operations, and the composting facility does not receive any discharge water (run-on) from the landfill.
9. For the purpose of this permit, stormwater is defined as precipitation from rain or melting snow/ice in sufficient quantities that it runs off over land and impervious surfaces discharging to waters of the state instead of infiltrating into the ground.
10. For the purpose of this permit, compost wastewater is any liquid (i.e., stormwater, process water, wash water, and/or leachate) that ponds, flows through or laterally from the base of the compost pile, or collects in an under-drainage system beneath the windrows. Leachate or “compost tea” is water that has moved through the compost pile and exits the bottom of the pile, either laterally or in an underdrainage system.
11. For the purpose of this permit, yard waste is defined as those plant waste products that are produced during private, public, or commercial lawn care and yard maintenance such as leaves, grass clippings, shrub and tree trimmings, and plant waste from greenhouses, flower gardens, and vegetable gardens.
12. For the creation or expansion of an earthen basin to treat and/or contain compost wastewater, the permittee shall seek a construction permit from the Department. The permittee is not required to seek a construction permit for the creation or expansion of a stormwater control basin that only receives stormwater that has had no contact with compost in any phase of the operation or compost wastewater. A land disturbance permit may be required in either scenario.

13. This permit applies to stockpiling of raw materials as necessary for the active production of compost and to the stockpiling of finished composts.
14. This permit does not address the compost quality, distribution, or use of the finished compost.
15. Discharges to the watersheds of a Metropolitan No-Discharge Stream (10 CSR 20-7.031 Table F) is prohibited except uncontaminated cooling water, non-contaminated stormwater flows, permitted stormwater discharges in compliance with permit conditions, and excess wet-weather bypass discharges not interfering with beneficial uses per 10 CSR 20-7.015(5) and 7.031(7). Existing interim discharges may be allowed until interceptors are available within 2,000 feet or a distance deems feasible by the Department, or unless construction of outfalls to alternative receiving waters not listed in Table F is deemed feasibly by the Department.
16. No facility shall be located in a way to allow water to be released into sinkholes, caves, fissures, or other openings in the ground that could drain into aquifers directly or indirectly (except losing streams) per 10 CSR 20-7.015(7).
17. Discharges to losing streams from industrial sources that treat influents containing significant amounts of organic loading shall apply for a site-specific permit to comply with the limitations found in 10 CSR 20-7.015(4).
18. This general permit does not authorize discharges within 100 feet up gradient or upstream of any well or water supply structure, such as an intake, within a water designated for drinking water supply as defined in 10 CSR 20-7.031.
19. For facilities discharging directly to Outstanding State Resource Waters:
  - a. Outstanding State Resource Waters are protected against any degradation in quality as defined in 10 CSR 20-7.015(6)(B) and 7.031(3)(C).
  - b. This permit authorizes stormwater discharge facilities to operate and continue to discharge only stormwater so long as the limitations set forth in this permit are not exceeded and no degradation of water quality occurs.
  - c. This permit does not authorize discharge of compost (process) wastewater per 10 CSR 20-7.015(6)(A).
  - d. Should a limit be exceeded or a facility's stormwater discharge be considered to cause degradation in the water quality, the facility must take corrective action to meet the limits or install corrective Best Management Practices (BMPs) and make tangible progress toward achieving compliance.
  - e. Failure to take corrective action to address a limit exceedance and failure to make tangible progress towards achieving compliance with limits is a permit violation. If limit exceedances or degradation in water quality continues to occur, the Department may require the facility to operate as a no-discharge facility under this permit or apply for a site-specific permit.
  - f. Detailed requirements concerning stormwater discharges are in the Stormwater Requirement section of this permit.
20. For facilities discharging within the watershed of Outstanding National Resource Water, which includes the Ozark National Riverways and the National Wild and Scenic Rivers System:
  - a. This permit authorizes no-discharge facilities [as defined in 10 CSR 20-6.015(1)(B)7.] to operate.
  - b. If a no-discharge facility desires to become authorized to discharge stormwater, the facility is directed to contact the Department to discuss applicability.
  - c. Any discharge from a no-discharge facility, including all waste flows and associated stormwater, will be considered a violation of this permit unless a catastrophic or chronic storm event [as defined in 10 CSR 20-6.015(1)(B)2.-3.] occurs. In the event of a catastrophic or chronic storm event, the no-discharge facility is authorized to release only the amount of stormwater required to prevent damage to the facility or established Best Management Practices (BMPs).
21. This general permit does not affect, remove, or replace any requirement of the Endangered Species Act; the National Historic Preservation Act; the Comprehensive Environmental Response, Compensation and Liability Act; or the Resource Conservation and Recovery Act. Determination of applicability to the above mentioned acts is the responsibility of the permittee.
22. Facilities that are located within the watershed of an impaired water as designated on the 305(b) Report must be evaluated on a case-by-case basis for inclusion under this permit. Missouri's impaired waters can be found at [www.dnr.mo.gov/env/wpp/waterquality/index.html](http://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.

The following are allowable additional discharges authorized under this permit:

- a. Discharges from fire-fighting activities;
  - b. Landscape watering, provided all pesticides, herbicides and fertilizers have been applied in accordance with manufacturer's instructions and water does not come in contact with compost feedstock;
  - c. Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled materials have been removed);
  - d. Routine external building wash down that does not use detergents.
23. Vehicle and equipment wash water with added detergents, acids, caustics, solvents, or other washing additives is authorized only if the total volume of water used is less than 500 gallons per day and the wash water is not discharged. This means that the wash water with said additives must enter settling basins or other treatment devices designed and operated to be no-discharge. It may soak into the ground, evaporate, or be contained within berms, in a tank, or a basin on site.

### EXEMPTIONS

1. Distribution or marketing of composts are exempt from obtaining a Missouri State Operating Permit. The Missouri Fertilizer Law (266.291, RSMo) and the Soil Conditioner Law (266.361, RSMo) may apply to these practices.
2. Uncomposted waste materials that are land applied in normal farming operations are exempt from permitting requirements. This exemption does not apply to stockpiles of materials that exceed two (2) acres in size at an operating location.
3. Compost sites which include less than 5% biosolids, septage, or any other form of domestic sewage; are under two (2) acres in size; and are operated so as not to discharge are exempt from permitting requirements of the Missouri Clean Water Law [10 CSR 20-6.015(3)(B)7.]. However, exemption from NPDES permitting does not imply an exemption from Solid Waste Management Program construction and operating permit requirements or Air Pollution Control Program requirements.

### FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR ALL DISCHARGES

<b>TABLE A</b>		<b>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 upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the facility as specified below:						
PARAMETERS	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		Daily Maximum	Weekly Average	Monthly Average	Sampling Frequency	Sample Type
<b>Permitted Feature #</b> <u>All Discharges for All Facilities</u> Limit Set: CW (Note 1)						
Flow	mgd	*		*	quarterly	24 hr. estimate
Biochemical Oxygen Demand <sub>5</sub>	mg/L	45		30	quarterly	grab
Total Suspended Solids	mg/L	100		50	quarterly	grab
pH	SU	6.5 – 9.0		6.5 – 9.0	quarterly	grab
Precipitation	inches	*		*	daily	24 hr. estimate
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> VIA THE DEPARTMENT'S EDMR SYSTEM AS REQUIRED BY THE FEDERAL NPDES ELECTRONIC REPORTING RULE. SHOULD A WAIVER TO EDMR BE GRANTED BY THE DEPARTMENT, PAPER REPORTS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE <u>MONTH 28, 201X</u> . IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE.						

\* Monitoring requirement only.

\*\* pH is measured in pH units and is not to be averaged.

Note 1 - If a discharge occurs during the reporting period, samples shall be collected and tested for the parameters listed in Table A. Report as no discharge when a discharge does not occur during the reporting period. If multiple samples are collected and analyzed during the sampling period, the multiple samples are to be averaged at intervals not exceeding one calendar month. Samples shall be collected at all permitted features/outfalls.

<b>TABLE B</b>	<b>Reporting Schedule for Quarterly Sampling</b>
Sample discharge at least once for the months of:	Report is due:
January, February, March (1st Quarter)	April 28
April, May, June (2nd Quarter)	July 28
July, August, September (3rd Quarter)	October 28
October, November, December (4th Quarter)	January 28

## REQUIREMENTS

1. Electronic Discharge Monitoring Report (eDMR) Submission System. Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally-consistent set of data about the NPDES program. All general permit covered facilities under this master general permit that have required discharge monitoring and reporting shall comply with the Department's requirements for electronic reporting.
  - a. Discharge Monitoring Reporting Requirements.
    - (1) Registration to participate in the Department's eDMR system is required as part of the application for general permit coverage in order to constitute a complete permit application and may be accessed at [dnr.mo.gov/env/wpp/edmr.htm](http://dnr.mo.gov/env/wpp/edmr.htm).
    - (2) The permittee must electronically submit compliance monitoring data via the eDMR system. In regard to Standard Conditions Part I, Section B, #7, the eDMR system is currently the only Department approved reporting method for this permit.
  - b. Other actions. The following shall be submitted electronically after such a system has been made available by the Department:
    - (1) General Permit Applications/Notices of Intent to discharge (NOIs);
    - (2) Notices of Termination (NOTs);
    - (3) No Exposure Certifications (NOEs); and
    - (4) Low Erosivity Waivers and Other Waivers from Stormwater Controls (LEWs).
  - c. Electronic Submissions. To access the eDMR system, use the following link in your web browser: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>.
  - d. Waivers from Electronic Reporting.
    - (1) The permittee must electronically submit compliance monitoring data and reports unless a waiver is granted by the Department in compliance with 40 CFR Part 127.
    - (2) The permittee may obtain a temporary or permanent electronic reporting waiver by first submitting an eDMR Waiver Request Form (Form 780-2692): <http://dnr.mo.gov/forms/780-2692-f.pdf>, by contacting the appropriate permitting office or emailing [edmr@dnr.mo.gov](mailto:edmr@dnr.mo.gov). The Department will either approve or deny this electronic reporting waiver request within 120 calendar days of receipt.
    - (3) Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period that the approved electronic reporting waiver is effective.
2. Outfalls and permitted features must be:
  - a. Clearly marked in the field. On classified waters, the signs must be clearly visible from land and water perspectives;
  - b. Free of weeds, brush or obstructive vegetation;
  - c. Above the normal high water mark of the waterbody to which it discharges; and
  - d. Maintained so that a sample of the discharge can be obtained at a point after the final treatment process and before the discharge mixes with receiving waters.
3. The composting mix shall not include more than 5% by volume of animal manure, sludges or similar materials. If included, these materials, and any other materials with the potential to cause odors, shall be mixed into the compost piles as soon as practicable, but within a maximum of 24 hours. Carbonaceous feedstocks such as wood chips and dried leaves may be held in reserve for an extended period of time up to one year from date of delivery to the facility so long as the piles are rotated and managed so as not to be a fire hazard. All other feedstock shall be incorporated into the composting windrows or piles as soon as possible, but always within 5 days of receipt.
4. Stormwater that has been allowed to comingle with compost wastewater (as defined), or leachate, is considered compost wastewater. Such waters may be collected and utilized in the composting process. If being discharged off site, care should be taken to ensure effluent limitations are not exceeded.
5. The Department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or evidence of off-site impacts from activities at the facility. If such an action is needed, the Department will specify in writing the sampling requirements, including such information as location and extent. It is a violation of this permit to fail to comply with said written notification to sample.
6. Facilities shall manage materials (products, stockpiles, waste piles, etc.) to aid in the prevention of these materials being transported off-site or into a water of the state during a high water event.
7. Any discharge shall not contain floating solids or visible foam in other than trace amounts.

8. The composting area shall have a base, which may be made of asphalt, concrete, compacted earth, or other materials and shall comply with the permeability limitations under 10 CSR 20-8.020(13)(A)4.
9. 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 can be found at 10 CSR 20-6.011.
10. Compliance with all requirements in this permit does not supersede nor remove liability for compliance with other state, city, county, or local ordinances. It is the responsibility of the permittee to know whether or not there are additional ordinances applying to their operation.
11. The permittee shall at all times properly maintain and operate 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.
12. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, termination, or notice to the Department of planned changes or anticipated non-compliance does not stay any permit condition.
13. The permittee shall give notice to the Department as soon as possible of any planned physical alterations, changes in process, or additions to the size of the permitted facility when:
  - a. The alteration or addition could significantly change the nature or increase the quantity of pollutants. This notification applies to pollutants subject to the effluent limitations of this permit as well as new pollutants that are different from pollutants listed in this permit; or
  - b. The alteration or addition results in a significant change in disposal practices and may justify the application of permit conditions that are different from or absent in the current permit.

#### STORMWATER REQUIREMENTS

1. This permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). When applying for coverage under this permit, a SWPPP that includes an Alternative Analysis of the Best Management Practices (BMPs) must be developed, implemented, and maintained at the facility. Failure to implement and maintain the chosen alternative is a permit violation. The Alternative Analysis is a structured evaluation of BMPs that are reasonable and cost effective. The analysis should include practices that are designed to be 1) non-degrading 2) less degrading, or 3) degrading water quality. The chosen BMP will be the most reasonable and cost effective while ensuring that the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The analysis must demonstrate why “no discharge” or “no exposure” are not feasible alternatives at the facility. Existing facilities with established SWPPPs and BMPs need not conduct an additional alternatives analysis unless new BMPs are established to address BMP failures. This structured analysis of BMPs serves as the Antidegradation review, fulfilling the requirements of 10 CSR 20-7.015(9)(A)5. and 7.031(3).
2. The facility shall select, install, use, operate, and maintain the BMPs 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*, (number EPA 833-B-09-002) published by the United States Environmental Protection Agency (EPA) in June 2015 (<https://www.epa.gov/npdes/industrial-stormwater-guidance>). The SWPPP must be kept on-site (either electronically or paper copy), readily available upon request, and should not be sent to the Department unless specifically requested. Throughout coverage under this permit, the facility must perform ongoing SWPPP review and revision to incorporate any site condition changes.
  - a. **New Facilities:** The new SWPPP for the facility must be prepared within 60 days and implemented within 180 days of permit issuance.
  - b. **Existing Facilities:** The existing SWPPP for your facility must be reviewed, revised as necessary, and implemented within 30 days of reissuance of coverage.
  - c. **Expanding Facilities:** The existing SWPPP for the facility, including the Alternative Analysis, must be reviewed and revised as necessary. Once expansion occurs the revised SWPPP must be implemented within 30 days of permit modification.
3. For all facilities, the SWPPP must include the following:
  - a. An assessment of all stormwater discharges associated with the facility, facility activities, and facility materials. This assessment must include a list of potential contaminants and an annual estimate of amounts that will be used in the described activities.

- b. A listing of BMPs and a narrative explaining how the BMPs will be implemented to control and minimize the amount of potential contaminants that enter stormwater.
  - c. A schedule for monthly site inspections and a brief written report, which includes the name of the inspector, the signature of the inspector, and the date. The inspections must include observation and analysis of BMP effectiveness, deficiencies, and corrective action that will be taken. Deficiencies must be corrected as soon as possible, but not longer than seven (7) days from discovery and must be documented in the inspection report. The facility may submit a written request to the Department justifying additional time, if necessary, to complete corrective action. The purpose of the SWPPP and the BMPs listed therein is to prevent pollution [10 CSR 20-2.010(56)] of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution of waters of the state or meeting limitations of this permit. Corrective action means the facility took steps to eliminate the deficiency. Routine maintenance, such as removing sediment from a sedimentation basin, is not considered a deficiency. Inspection reports must be kept with the SWPPP and must be made available to the Department upon request.
  - d. A provision for designating an individual to be responsible for environmental matters.
  - e. A provision for providing training to all personnel involved in material handling, material storage, and housekeeping of areas having materials exposed to stormwater. Proof of training must be made available to the Department upon request.
  - f. A detailed plan of action in the case of release or spill of a hazardous substance. A record of each reportable spill shall be retained with the Stormwater Pollution Prevention Plan (SWPPP) and made available to the Department upon request. The Department may also require the submittal of a written or electronic report detailing measures taken to clean up the spill within five (5) days of the spill. Such a report must include the type of material spilled, volume, date of spill, date clean-up was completed, clean-up method, and final disposal method. This requirement is in addition to the Noncompliance Reporting requirement found in Standard Conditions Part I.
  - g. A provision for evaluating effluent limitations established in this permit.
4. The following minimum BMPs must be implemented at all facilities:
- 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 on-site and arrange for proper disposal of waste products including, but not limited to, petroleum waste products, solid waste, de-icing/anti-icing products, and solvents.
  - c. Store all paints, solvents, petroleum products, petroleum waste products in storage containers (such as drums, cans, or cartons) so that these materials, and the storage containers themselves (where possible), 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 as stormwater under this permit. Provide spill prevention, control, and countermeasures to prevent any spill 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 prevent the contamination of groundwater.
  - d. Provide sediment and erosion control sufficient to prevent sediment loss off of the property, pollution of waters of the state, and to comply with the conditions of this permit, Missouri Clean Water Law, and the CWA. This may require the use of silt fences, sediment basins or other treatment structures.
  - e. Provide good housekeeping practices on-site to keep solid waste from entering waters of the state.

#### ANNUAL REPORT

1. Permittee shall draft an annual report by January 28 of each year for the previous calendar year period.
2. Permittee shall maintain the annual report with the SWPPP and make it available to the Department upon request.
3. The report shall include information on quantities and types of all raw materials stockpiled or composted during the year; results of any testing performed; quantity of compost sold, disposed or given away; and quantity of composting materials on-site at the end of the year. Permitted features, including storage basins and irrigation sites, shall be marked on an aerial or topographic site map included with the annual report.

#### STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Standard Conditions Part I, dated August 01, 2014, and hereby incorporated as though fully set forth herein.

### SPECIAL CONDITIONS

1. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to 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:
  - a. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
  - b. Controls any pollutant not limited in the permit.
2. This permit may be reopened and modified, or alternatively revoked and reissued, to:
  - a. Incorporate new or modified effluent limitations or other conditions if the results of a waste load allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards.
  - b. 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 current 303(d) list.

### PERMIT TRANSFER

1. This permit may not be transferred to a new owner in any fashion except by submitting an *Application for Transfer of Operating Permit* <http://dnr.mo.gov/forms/780-1517-f.pdf> signed by the seller and buyer of the facility along with the appropriate modification fee. In some cases, revocation and reissuance may be necessary. Standard Condition Part 1, Subsection D.7 applies.
2. Facilities with transfers carried out without prior notice to the Department will be considered to be operating without a permit and may be assessed an administrative penalty.

### PERMIT RENEWAL

1. Unless terminated, the permittee shall submit an application for the renewal of this permit by submitting *Form E-Application for General Permit* <http://dnr.mo.gov/forms/780-0795-f.pdf> no later than thirty (30) days prior to the permit's expiration date.
2. When a facility submits a timely and complete application in accordance with 10 CSR 20-6.010(5)(B), and (10)(E)1, as well as §644.051.10 RSMo 2015, and if the Department is unable through no fault of the permittee to issue a renewal prior to expiration of the previous permit, the terms and conditions of the expired permit are administratively continued and will remain fully effective and enforceable until such time when a permit action is taken. Failure to submit a renewal application for a facility that is still in operation is a violation of the Missouri Clean Water Law. Failure to apply for renewal of a permit may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.
3. As part of the complete application and as required by the federal NPDES eReporting rule, participation in the Department's Electronic Discharge Monitoring Report Submission System (eDMR) will be required. Facilities already participating in eDMR need not re-apply upon renewal. More information can be found at: <http://dnr.mo.gov/env/wpp/edmr.htm>.

### PERMIT TERMINATION

1. The permittee shall apply for permit termination when activities covered by this permit have ceased and no significant materials as defined by 10 CSR 20-6.200(1)(C)27. remain on the property or if on the property are stored in such a way as to have no potential for pollution. Whenever a release or a potential for release from a permitted facility is permanently eliminated, the existing permit may be terminated.
2. Proper closure of any storage structure is required prior to permit termination.
3. In order to terminate this permit, the permittee shall notify the Department's appropriate regional office by completing and submitting *Request for Termination of Operating Permit* <http://dnr.mo.gov/forms/780-1409-f.pdf>. The Department may require inspection of the premises prior to granting termination of a permit.

**Missouri Department of Natural Resources**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-G970000 FOR YARD WASTE COMPOSTING**

The Federal Water Pollution Control Act [Clean Water Act (CWA)] Section 402 of 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, operated 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. A Fact Sheet is not an enforceable part of an MSOP.

This Fact Sheet is for a:

Master General Permit

**Part I – Facility Information**

Facility Type: Industrial stormwater and wastewater runoff and other specified discharges from yard waste composting operations less than 20 acres in size.  
Facility SIC Code(s): 2875  
Facility Description: This permit authorizes the discharge of water from yard waste composting operations that are less than 20 acres in size. The acreage is measured by calculating the area that is affected by composting activities, including unloading areas, storage, handling of composting feedstock materials, and stockpiling of finished compost.

**PERMIT RENEWAL CHANGES – JUNE 2018:**

- Added language addressing the allowance of No Exposure Certifications.
- Added definitions for stormwater and compost wastewater.
- Added language regarding whether or not a construction permit is required for certain earthen basins.
- Replaced the setbacks for operations within 100 feet of a water course, 300 feet of a lake or water supply well, and 1000 feet of a losing stream or sinkhole with direct references to the Department's regulations for metropolitan no-discharge streams, water supply wells or other structures, conduits to groundwater, and losing streams.
- The prohibition to discharge to Outstanding State and National Resource Waters has been replaced with conditions outlining no discharge facility requirements as well as stormwater only discharges.
- Federal acts outside of the Clean Water Act have been listed in a separate condition and are the responsibility of the applicant to ensure compliance.
- Reference to impaired waters as part of the 303(d) list has been replaced with the 305(b) report, which is more inclusive of all impaired waters, including the 303(d) list and TMDL waters.
- Allowable other discharges have been added as well as conditions related to vehicle and equipment washing.
- Although part of the Department's regulations, an additional exemption has been added to the permit text related to composting sites under 2 acres meeting certain criteria.
- In order to come into compliance with the federal NPDES Electronic Reporting Rule, use of eDMR will be required in most instances. In the future and once made available by the Department, electronic applications and/or other forms and reports may also be required.
- Added conditions specific to certain general criteria such as good housekeeping and other best management practices to ensure compliance with the state's water quality standards. Further explanation is provided in the sections below.
- The required frequency for SWPPP site inspections was changed from weekly to monthly.
- The Annual Report is no longer required to be submitted, but rather kept on site.
- Updated general language of conditions to match current policies, statutes and regulations.

**CLARIFICATION:**

Compost is organic material that can be used as a soil amendment or as a medium to grow plants. Mature compost is a stable material with an organic component called humus that is dark brown or black and has a soil-like, earthy smell.

Composting is the controlled biological decomposition of organic material from a feedstock into a stable, humus-like product. Composting is carried out by combining organic wastes in proper ratios into piles, windrows, or vessels; adding bulking agents (e.g., wood chips) as necessary to accelerate the breakdown of organic materials; and allowing the finished material to fully stabilize and mature through a curing process.

Feedstocks are the materials stockpiled on, or delivered to, a composting site that serve as the main ingredients in the compost recipe. In general, carbonaceous materials such as large woody debris, brush, or dried leaves sometimes termed “brown” ingredients) are ground, shredded, or chipped to reduce particle size to 0.25 – 1.0 inch to increase the surface area available for microorganisms to initiate decomposition and then blended with other, more nitrogenous yard waste (sometimes termed “green” ingredients), such as grass clippings, vegetation, etc. to create a homogenous mixture that is then formed into long windrows or smaller piles for decomposition. Windrows and/or piles are sometimes covered or placed under a shelter to prevent water from evaporating. Windrows and piles are then turned periodically to foster aerobic decomposition and control odors.

When stockpiling feedstocks, piles of carbonaceous “brown” feedstocks such as untreated wood, dry leaves, straw, or wood chips can be stockpiled for extended periods of time and used as needed as a bulking agent. “Green” feedstocks deteriorate more quickly and should be incorporated into the windrows or piles within 5 days. Facilities may use up to 5% of manures, sludges, etc. If using manures, sludges, biosolids, or other odiferous materials are used as a feedstock these must be incorporated into the windrows or piles as soon as possible, but always within 24 hours of being delivered on site.

**Part II – Receiving Stream Information**

**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. This permit applies to facilities discharging to the following water body categories:

- Missouri or Mississippi River [10 CSR 20-7.015(2)];
- Lake or Reservoir [10 CSR 20-7.015(3)];
- Losing [10 CSR 20-7.015(4)];
- Metropolitan No-Discharge [10 CSR 20-7.015(5)];
- Special Stream [10 CSR 20-7.015(6)];
- Subsurface Water [10 CSR 20-7.015(7)];
- All Other Waters [10 CSR 20-7.015(8)];

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). A general permit does not take into consideration site-specific conditions.

**MIXING CONSIDERATIONS:**

This permit applies to receiving streams of varying low flow conditions. Therefore, the effluent limitations must be based on the smallest low flow streams considered, which includes waters without designated uses. As such, no mixing is allowed.

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

**RECEIVING STREAM MONITORING REQUIREMENTS:**

- Not Applicable: No receiving water monitoring requirements recommended at this time.

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

**305(B) REPORT, 303(d) LIST, & TOTAL MAXIMUM DAILY LOAD (TMDL):**

Section 305(b) of the Federal CWA 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, maintaining fish and other aquatic life, and providing drinking water for people, livestock, and wildlife. The 303(d) list helps state and federal agencies keep track of waters that are impaired but not addressed by normal water pollution control programs.

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

- Applicable: At renewal, facilities affecting waters listed as impaired in the 305(b) report will be evaluated on a case-by-case basis as to the continuing applicability of the facility to this permit. Facilities discharging pollutants for which the stream is impaired may be required to obtain a site-specific permit.

**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 operating permit are at least as protective as those previously established; therefore, backsliding does not apply.

**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 an Outstanding National Resource Water or Outstanding State Resource Water [10 CSR 20-7.031(3)(C)]. Antidegradation policies are adopted to minimize adverse effects on water.

The Department has determined that the best avenue forward for implementing Antidegradation requirements into general permits is by requiring the appropriate development and maintenance of a SWPPP. The SWPPP must identify all Best Management Practices (BMPs) that are reasonable and effective, taking into account environmental impacts and costs. This analysis must document why no discharge or no exposure options are not feasible at the facility. This selection and documentation of appropriate control measures will then serve as the analysis of alternatives and fulfill the requirements of the Antidegradation Implementation Procedure 10 CSR 20-7.031(3) and 10 CSR 20-7.015(A)(5).

Any facility seeking coverage under this permit, which undergoes expansion or discharges a new pollutant of concern, must update their SWPPP and select new BMPs that are reasonable and cost effective. New facilities seeking coverage under this permit are required to develop a SWPPP that include this analysis and documentation of appropriate BMPs. Renewal of coverage for a facility requires a review of the SWPPP to ensure that the selected BMPs continue to be appropriate.

- Applicable. The pollutants of concern for this permit are Biochemical Oxygen Demand and Total Suspended Solids.

**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.

**REASONABLE POTENTIAL ANALYSIS (RPA):**

Federal regulation 40 CFR Part 122.44(d)(1)(i) requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standard. In accordance with 40 CFR Part 122.44(d)(iii) if the permit writer determines that any given 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.

- Conservative assumption: A Reasonable Potential Analysis was not conducted for this master general permit; however, staff did conduct a reasonable potential determination. A reasonable potential to violate water quality standards is assumed for the pollutants of concern due to the nature of the activities carried out under this permit, resulting in the effluent limits contained in the permit.
- (a) **Water Quality Standards.** 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:

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.

The Department has determined that there is reasonable potential for activities covered under this general permit to contribute to putrescent, unsightly, or harmful bottom deposits that may prevent full maintenance of beneficial uses in receiving streams. For this reason, the Department has assigned effluent limits for Total Suspended Solids for facilities under this general permit. The Department has determined that the effluent limits for this pollutant are sufficient to protect water quality standards general criteria.

- (1) Waters shall be free from oil, scum, and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.

The Department has determined that there is reasonable potential for activities covered under this general permit to cause oil, scum or floating debris in waters of the state. This has been addressed by requiring the development of a SWPPP and installation of preventive BMPs to address the possibility of oil, scum and floating debris entering the waters of the state.

- (2) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor, or prevent full maintenance of beneficial uses.

The Department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause unsightly color, offensive odor or prevent full maintenance of beneficial uses. This has been addressed by assigning effluent limits for Total Suspended Solids and pH. The Department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.

- (3) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal, or aquatic life.

The Department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause toxicity to human, animal or aquatic life. This has been addressed by assigning effluent limits for pH and Biochemical Oxygen Demand<sub>5</sub>. The Department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.

- (4) There shall be no significant human health hazard from incidental contact with the water.

The Department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause toxicity to human, animal or aquatic life. This has been addressed by assigning effluent limits for pH and Biochemical Oxygen Demand<sub>5</sub>. The Department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.

- (5) There shall be no acute toxicity to livestock or wildlife watering.

The Department has determined that there is no reasonable potential for activities covered under this general permit to cause acute toxicity to livestock or wildlife watering.

- (6) Waters shall be free from physical, chemical, or hydrologic changes that would impair the natural biological community.

The Department has determined that there is a reasonable potential for activities covered under this general permit to contribute contaminants that could cause physical, chemical or hydrologic changes that would impair the natural biological community. This has been addressed by assigning effluent limits for pH and Biochemical Oxygen Demand<sub>5</sub>. The Department has determined that the effluent limits for these pollutants are sufficient to protect water quality standards general criteria.

- (7) 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, RSMo.

Based on the activities carried out by the facilities under this general permit, the Department has determined there is no reasonable potential for the deposition of used tires, car bodies, appliances, demolition debris, used vehicles or equipment or solid waste into waters of the state.

**SCHEDULE OF COMPLIANCE (SOC):**

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

Not Applicable: This permit does not contain a Schedule of Compliance.

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

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. This general permit requires all facilities to develop 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 to total amount of pollutant that may be discharged into that stream without endangering its water quality.

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.

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

**EFFLUENT LIMITATIONS TABLE:**

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	mgd	1	*		*	NO	*
BOD <sub>5</sub>	mg/L	8	45		30	NO	45/30
TSS	mg/L	8	100		50	NO	100/50
pH (S.U.)	SU	2/3	6.5 – 9.0		6.5 – 9.0	NO	6.5-9.0
PRECIPITATION	inches	8	*		*	NO	*

\* Monitoring requirement only

Basis for Limitations Codes:

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

**DERIVATION AND DISCUSSION OF LIMITATIONS:**

- **Flow:** In accordance with 40 CFR Part 122.44(i)(1)(ii), the volume of effluent from each outfall is needed to assure the 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.
- **Biochemical Oxygen Demand (BOD<sub>5</sub>):** Listed as a conventional pollutant in the Clean Water Act, effluent limitations have been established consistent with other industrial facilities. These limits are considered protective of water quality standards. Monitoring data from existing facilities indicates these limits have been attained already.
- **Total Suspended Solids (TSS):** Effluent limitations have been established consistent with other industrial facilities. These limits are considered protective of water quality standards. Monitoring data from existing facilities indicates these limits have been attained already.
- **pH:** Water contaminants shall not cause pH to be outside the range of 6.5-9.0 standard pH units. [10 CSR 20-7.031(4)(E)].

- **Precipitation:** Monitoring requirement only.

#### **Part IV – Administrative Requirements**

On the basis of preliminary staff review and 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 thirty (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 operating permit began June 22, 2018, and ended July 23, 2018. No comments were received.

**Date of Factsheet:** June 13, 2018

##### **COMPLETED BY:**

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