

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**  
MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**  
GENERAL PERMIT

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

Permit No. MO-R130000

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: ¼, ¼, ¼, Sec. xx, TxxN, RxxW, < county > County  
Latitude/Longitude: +xxxxxxxx/-Oxxxxxxxx

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 HUC12 #) >

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** –

Multiple Industry General Stormwater Permit: SIC 20xx, 22xx, 23xx, 26xx, 27xx, 5093

This permit authorizes only stormwater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with R.S.Mo. Sections 644.051.6 and 621.250, 10 CSR 20-6.020, and 10 CSR 20-1.020.

September 7, 2018  
Effective Date

  
Edward B. Galbraith, Director, Division of Environmental Quality

September 6, 2023  
Expiration Date

  
Chris Wieberg, Director, Water Protection Program

APPLICABILITY

1. This permit authorizes the discharge of only stormwater runoff from multiple industries including, but not limited to:

<u>SIC Code</u>	<u>Activity</u>
20xx	Food and kindred products manufacturing
-	meat products
-	dairy products
-	canned, frozen, and preserved fruits, vegetables, and food specialties
-	grain mill products (including animal feed)
-	bakery products
-	sugar and confectionery products
-	fats and oils
-	beverages
22xx	Textile manufacturing
23xx	Apparel manufacturing
26xx	Paper and allied products manufacturing
27xx	Printing/publishing and allied
5093	Paper-only recycling

Coverage under this permit may also be issued to facilities that the Department determines are substantially similar to the facilities listed above.

2. This permit does **not** apply to facilities with the following SIC code:

- (a) 2011 meat packing
- (b) 2015 poultry slaughtering and processing
- (c) 2611 pulp mills
- (d) 2621 paper mills
- (e) 2631 paper board mills
- (f) 2796 plate making & related services
- (g) 311x leather tanning & finishing
- (h) 5093 when recycling includes materials other than paper and textiles

Facilities with these SIC codes or integrated operations should contact the Department for permitting.

3. This permit applies to facilities with significant activities and materials exposed to stormwater. These materials and activities are defined as:
- (b) Discharges from industrial plant yards,
  - (c) Material handling sites,
  - (d) Sites where stormwater comes into direct contact with materials during manufacturing or processing, or comes into direct contact with the production or use of any raw material, by-product or waste product,
  - (e) Sites used for the storage and maintenance of materials, handling equipment, shipping and receiving areas, manufacturing buildings, bulk storage (including tank farms) for raw materials, intermediate products, and finished products that could be mobilized by stormwater, and/or
  - (f) Areas where industrial activity has taken place in the past if significant materials remain and are exposed to stormwater.
4. For the purpose of this permit, the term *significant activities and materials* means activities or materials of sufficient size or quantity to constitute a reasonable potential in the opinion of the Department to adversely affect water quality if discharged or mobilized to waters of the state by stormwater.
5. Discharges to a Metropolitan No-Discharge Stream 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).
6. 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).
7. 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).

8. This general permit does not authorize stormwater discharges within 100 feet upstream of any water with the designated use of drinking water supply as defined in 10 CSR 20-7.031.
9. For facilities discharging directly to Outstanding State Resource Waters or within the watershed of Outstanding National Resource Water (ONRW), which includes the Ozark National Riverways and the National Wild and Scenic Rivers System, as noted in 10 CSR 20-7.031 Tables D and E, this permit:
  - (a) Authorizes no-discharge facilities [as defined in 10 CSR 20-6.015(1)(B)7.] to operate. 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)] 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).
  - (b) Authorizes stormwater discharge facilities to operate and continue to discharge stormwater so long as no degradation of water quality occurs. Should a facility's stormwater discharge be considered to cause degradation in the water quality of an ONRW, the facility must take corrective action by installing corrective Best Management Practices (BMPs) and make tangible progress toward achieving compliance. Failure to take corrective action and make tangible progress towards achieving compliance is a permit violation. If 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.
10. 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.
11. Holders of current individual, site-specific permits who desire to apply for inclusion under this general permit should contact the Department for application requirements and procedures. If a general permit covered facility should desire to apply for an individual site-specific permit, the permittee may do so.
12. The Director may require any permittee authorized by a general permit to apply for and obtain an individual site-specific operating permit. Any interested person may petition the Department to take action under this subsection. Cases where an site-specific operating 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 operating permit;
  - (c) A Water Quality Management Plan (or Total Maximum Daily Load) containing requirements applicable to these point sources is approved.
13. 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 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:
  - (d) 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);
  - (e) Adequately maintained vehicles are used in material handling; and
  - (f) All industrial materials consist of final products other than products that would be mobilized by stormwater [10 CSR 20-6.200(1)(B)16].
14. 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.

15. The following are allowable non-stormwater 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 facility operations or materials;
  - (c) Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials, or process materials have occurred (unless all spilled material has been removed); and
  - (d) Routine external building wash down that does not use detergents.

#### EXEMPTIONS

Facilities that discharge stormwater runoff directly to a combined sewer system with a Long Term Control Plan that has agreed to take such discharge are exempt from stormwater permit requirements.

#### PERMIT REQUIREMENTS

1. 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.
2. There shall be no discharge of waters with a visible sheen.
3. The discharge shall not contain floating solids or visible foam in other than trace amounts. Facilities shall manage materials in such a way as to prevent materials from being transported off-site during precipitation events.
4. All outfalls must be clearly marked in the field. On classified waters of the state, outfalls should be marked so that they are visible from both land and water perspectives.
5. Compliance with all conditions in this permit is required and does not supersede nor remove liability for compliance with city, county or other local ordinance. It is the responsibility of the permit holder to know whether or not there are local requirements applying to their operation.
6. 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.
7. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
8. 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.
9. 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.
10. 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.

BENCHMARKS FOR STORMWATER DISCHARGES

TABLE A	BENCHMARKS FOR ALL FACILITIES		
The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The benchmarks shall become effective upon issuance of the permit and remain in effect until the expiration of the permit. Such discharges shall be controlled, and limited, by the facility as specified below:			
DISCHARGE PARAMETER(S)	UNITS	BENCHMARK	SAMPLE TYPE
<b>Stormwater Discharges for All Facilities</b>			
Chemical Oxygen Demand	mg/L	120	grab
Oil and Grease	mg/L	10	grab
pH	SU	6.5 - 9.0	grab
Total Suspended Solids	mg/L	100	grab

REPORTING REQUIREMENTS

There are no regular sampling requirements in this permit. Benchmarks listed in Table A are to assist in the evaluation of BMPs. An annual operating report must be prepared by **January 28<sup>th</sup> of each year** for the previous calendar year, but submittal of that report is not required. The report shall detail any unusual occurrences such as spills, tank failures or overflows, ruptured piping, fish kills, firefighting activities, or other upsets, which resulted in any loss of product. Product includes, but is not limited to, raw materials, fuels, oils, glues, solvents, varnishes and paints. The report shall also detail any remedial work undertaken to recover product or clean up the site. If nothing unusual has occurred during the previous 12 months, it shall be so noted in the report. The Annual Report shall be maintained with the SWPPP and made available to the Department

STORMWATER REQUIREMENTS

1. This permit stipulates pollutant benchmarks applicable to the facility’s discharge. The benchmarks do not constitute direct numeric effluent limitations. Not meeting a benchmark is not a permit violation. Failure to improve BMPs or take corrective action to address a benchmark exceedance and failure to make tangible progress towards achieving a benchmark is a permit violation.
2. Benchmark evaluation is primarily for the facility’s use to determine the overall effectiveness of the SWPPP and to assist the facility in knowing when additional corrective action may be necessary to protect water quality. If a sample does not meet a benchmark, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce that pollutant in the stormwater discharge(s).
3. Exceedances believed to be the result of legacy chemical use at the facility are not exempted from this requirement. Facilities are encouraged to contact the Department to formulate a plan for investigation and clean-up if legacy chemical use is suspected to be the cause of exceedances.
4. 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. This structured analysis of BMPs serves as the Antidegradation review, fulfilling the requirements of 10 CSR 20-7.031(2).

The permittee 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*, (Document 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>.

**New Facilities:** The new SWPPP for the facility must be prepared within 60 days and implemented within 180 days of permit issuance.

**Existing Facilities:** The existing SWPPP for your facility must be reviewed and revised as necessary within 30 days of reissuance of coverage.

**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.

**All Facilities:** The SWPPP must be kept on-site (either electronically or paper copy) and should not be sent to the Department unless specifically requested. The SWPPP must be reviewed and updated as site conditions change.

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 within seven (7) days and must be documented in the inspection report. The facility may submit a written notice 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 per 10 CSR 20-2.010(56) to waters of the state. A deficiency of a BMP means it was not effective in preventing pollution of waters of the state or meeting benchmarks of this permit. Corrective action means the facility took steps to eliminate the deficiency. Inspection reports must be kept with the SWPPP for a period of five (5) years 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 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.
- (f) 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.

5. The following minimum BMPs must be implemented at all facilities:

- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, hydraulic fluids, 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, and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged 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.
- (e) Provide good housekeeping practices on-site to keep solid waste from entering waters of the state.

- (f) Minimize potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures such as the following where determined to be feasible (list is not exclusive): using drip pans under vehicles/equipment, storing vehicles and equipment indoors, installing berms or dikes, using absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and grease.
6. All fueling facilities present on-site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.
  7. When evaluating flow-through BMPs, stormwater samples should be collected within the first 60 minutes of discharge occurring as a result of precipitation events of 0.1 inches or greater within a 24-hour period. Samples should be collected from an active discharge and should not be taken from standing pools. Precipitation events include rainfall as well as run-off from the melting of frozen precipitation. Local weather stations and on-site gauges are two methods for obtaining local precipitation amounts.
  8. When sampling retention BMPs, stormwater samples should be collected if a discharge occurs.
  9. Stormwater samples should be collected prior to leaving or at the property boundary or before the discharge enters waters of the state on the property.
  10. If data becomes available that indicates existing water quality will be protected by alternative benchmarks specific to this industry, the Department will propose to incorporate those benchmarks into this permit as part of a permit modification. Such data must be approved by the Department as appropriate and representative before it can be considered.
  11. The Department may collect a sample of stormwater discharge during site inspection.
  12. The results of all samples from a stormwater discharge that are collected and analyzed must be retained for a period of five (5) years and made available to the Department upon request.
  13. This permit stipulates pollutant benchmarks applicable to the facility's discharge. Benchmarks are considered necessary to protect existing water quality and every effort should be made to meet benchmarks during discharges resulting from a precipitation event up to and including the 10-year, 24-hour rain event. The 10-year, 24-hour rain event information may be found at: [http://www.nws.noaa.gov/oh/hdsc/PF\\_documents/TechnicalPaper\\_No40.pdf](http://www.nws.noaa.gov/oh/hdsc/PF_documents/TechnicalPaper_No40.pdf) or [http://www.nws.noaa.gov/oh/hdsc/PF\\_documents/Atlas14\\_Volume8.pdf](http://www.nws.noaa.gov/oh/hdsc/PF_documents/Atlas14_Volume8.pdf).
  14. If the efforts taken by the facility are not sufficient and a benchmark cannot be met, the facility may demonstrate to the Department that a benchmark value is not achievable. The demonstration must include rationale and supporting documentation and must show that a benchmark value cannot be achieved through the application of BMPs that represent available technology. Additionally, the demonstration must show that the benchmark is not feasible because no further pollutant reductions are technologically available or economically practicable in light of best industry practices. This demonstration must be presented to the Department for review and approval.

#### STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Standard Conditions Part I dated August 1, 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. Changes in Discharges of Toxic Substances. The permittee shall notify the Director as soon as it knows or has reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the general operating permit, if that discharge will exceed the highest of the following "notification levels:"
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the general operating permit application;
  - (b) That the permittee has begun or expects to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the general operating permit application.

#### PERMIT RENEWAL

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. 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, 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.

#### PERMIT TRANSFER

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. 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 TERMINATION

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. 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>. Inspection of the premises by the regional office may be required as a part of the permit termination approval process.

**Missouri Department of Natural Resources**  
**FACT SHEET**  
**FOR THE PURPOSE OF RENEWAL**  
**OF**  
**MO-R130000**

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 (permits) 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 a Missouri State Operating Permit.

This Fact Sheet is for a:

Master General Permit

**Part I – Facility Information**

**Facility Type:** Industrial Stormwater

**Facility Standard Industrial Classification (SIC) Code(s) and Activity:**

<u>SIC Code</u>	<u>Activity</u>
20xx	Food and kindred products manufacturing
-	meat products
-	dairy products
-	canned, frozen, and preserved fruits, vegetables, and food specialties
-	grain mill products (including animal feed)
-	bakery products
-	sugar and confectionery products
-	fats and oils
-	beverages
22xx	Textile manufacturing
23xx	Apparel manufacturing
26xx	Paper and allied products manufacturing
27xx	Printing/publishing and allied
5093	Paper-only recycling

**Facility Description:** This permit authorizes stormwater runoff from multiple industries listed above. Stormwater discharges from industrial plant yards; material handling sites; shipping and receiving areas; and exposed storage areas are covered under this permit. Areas where industrial activity has taken place in the past may be required to have this permit if significant materials remain and are exposed to stormwater. This permit does not authorize the discharge of process wastewater or domestic wastewater.

**Changes:**

This updated Master General Permit template contains changes from the previous version of the permit. This permit renewal includes updated SWPPP language and facilities should familiarize themselves with new requirements, which provide permittees with more detail on Best Management Practice (BMP) evaluation.

This permit also includes benchmarks for the evaluation of stormwater BMPs. Benchmarks provide a yardstick to measure BMP performance. Benchmark exceedance is not a permit violation; however, the failure to address a benchmark exceedance with improved BMPs is a permit violation. Benchmarks are not reported to the Department, but any analysis must be retained on site and made available to the Department upon request.

A setback of 100 feet has been added for waters with a drinking water supply designated use based on language in 10 CSR 20-8 as of June 2018. Additional language has been added to address discharges to aquifers, losing streams, metropolitan no discharge streams, and outstanding state and national resource waters based on language in 10 CSR 20-7.015 and 7.031 as of June 2018. Additional reference to other federal acts has been called out separately as the responsibility of the permittee to ensure compliance.

Language throughout the permit has been updated to reflect the most current permit language found in Master General Permit templates.

Water quality general criteria have been removed from the body of the permit. The general criteria requirement was not consistent with 40 CFR 122.44(d)(1). Please see the Reasonable Potential Analysis section below for more information regarding the reasonable potential determinations for each general criterion related to the general permit covered facilities under this permit.

This permit no longer contains a requirement to send in an Annual Report to the Department. Instead, the annual report shall be included with the facility's SWPPP and made available to the Department upon request.

## **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. 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)]
- Lake or Reservoir [10 CSR 20-7.015(3)]
- Losing Streams [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 1<sup>st</sup> classified receiving stream's beneficial water uses shall be maintained in accordance with 10 CSR 20-7.031(4). The effluent limitations established by this permit are intended to be protective of all streams that fall within the categories of receiving water bodies indicated above. 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: There are no receiving water monitoring requirements recommended at this time.

## **Part III – Rationale and Derivation of Limitations and Permit Conditions**

### **ADDITIONAL FEDERAL ACTS**

In accordance with 40 CFR 122.49(b) and (c) the operating permit cites the Endangered Species Act (ESA) and the National Historic Preservation Act (NHPA) and places the permittee on notice that the operating permit does not affect, remove or replace the requirements or compliance determination for NPDES operating permits. It is the responsibility of the permittee to determine if industrial stormwater discharging from their facility is in compliance with the ESA and NHPA.

Assistance in determining applicability to ESA conditions and requirements can be found in the U.S. Fish and Wildlife Service (FWS) Endangered Species webpage, which is located at: <http://www.fws.gov/endangered/>. Additionally, the FWS Information for Planning and Conservation (IPaC) web-based project planning tool that streamlines the environmental review process is highly recommended and is located at: <http://ecos.fws.gov/ipac/>.

Assistance in determining applicability to NHPA conditions and requirements can be found in the Department's State Historic Preservation Office Section 106 Review, which is located at: <http://dnr.mo.gov/shpo/sectionrev.htm>. Additionally, the Advisory Council on Historic Preservation Citizen Guide to Section 106 Review, which explains the process, is located at: <http://www.achp.gov/citizensguide.html>.

In addition to the ESA and NHPA, this operating permit does not affect, replace or remove the requirements and compliance determinations with respect to substances not otherwise covered under a NPDES permit and regulated by federal law under the Resource Conservation and Recovery Act or the Comprehensive Environmental Response, Compensation, and Liability Act.

**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.

A setback of 100 feet has been added for waters with a drinking water supply designated use based on language in 10 CSR 20-8 as of June 2018. Additional language has been added to address discharges to aquifers, losing streams, metropolitan no discharge streams, and outstanding state and national resource waters based on language in 10 CSR 20-7.015 and 7.031 as of June 2018.

**305(b) INTEGRATED REPORT, 303(D) LIST, & TOTAL MAXIMUM DAILY LOAD (TMDL):**

Section 303(d) 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: 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.

**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: The Department determines that technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
  - **General Criteria.** The previous permit contained a special condition which described a specific set of prohibitions related to general criteria found in 10 CSR 20-7.031(4). In order to comply with 40 CFR 122.44(d)(1), the permit writer has conducted reasonable potential determinations for each general criterion and established permit requirements where reasonable potential exists. While the removal of the previous permit special condition creates the appearance of backsliding, this permit establishes requirements for Best Management Practices (BMPs) and benchmarks where reasonable potential to cause or contribute to an excursion of the general criteria exists. The permit maintains sufficient requirements in order to protect water quality and is equally protective as compared to the previous permit. Therefore, given this new information, and the fact that the previous permit special condition was not consistent with 40 CFR 122.44(d)(1), an error occurred in the establishment of the general criteria as a special condition of the previous permit. Please see Reasonable Potential Analysis section below for more information regarding the reasonable potential determinations for each general criterion related to this facility.
  - All requirements 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 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 the 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 Rule and Implementation Procedure at 10 CSR 20-7.031(3) and 10 CSR 20-7.015(9)(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 includes this analysis and documentation of appropriate BMPs. Renewal of coverage for a facility requires a review of the SWPPP to assure that the selected BMPs continue to be appropriate.

- Applicable: Compliance with the requirements established in this permit for the protection of General Criteria, along with the evaluation and implementation of BMPs as documented in the SWPPP, meets the requirements of Missouri's Antidegradation Review [10 CSR 20-7.031(3), 10 CSR 20-7.031 Table A, and 10 CSR 20-7.015(9)(A)5].

#### **BENCHMARKS:**

When a permitted feature or outfall consists of only stormwater, a benchmark may be implemented at the discretion of the permit writer. Benchmarks give the facility a means to measure the efficacy of BMPs and to replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark exceedance, therefore, is not a permit violation; however, failure to address a benchmark violation with improved BMPs is a permit violation. The 10-year, 24-hour rain event information may be found at: [http://www.nws.noaa.gov/oh/hdsc/PF\\_documents/Atlas14\\_Volume8.pdf](http://www.nws.noaa.gov/oh/hdsc/PF_documents/Atlas14_Volume8.pdf).

Benchmark data is used to determine the overall effectiveness of control measures and to assist the permittee in knowing when additional corrective actions may be necessary to comply with the limitations of the permit. This assures that water quality is protected without placing undue restriction on small businesses.

If data becomes available that indicates existing water quality will be protected by alternative benchmarks or by adding sampling frequency specific to this industry, the Department will propose to incorporate those benchmarks into this general operating permit as part of a general operating permit modification. Such data must be approved by the Department as appropriate and representative before it can be considered.

- Applicable: This facility has stormwater-only outfalls with benchmark constraints. The benchmarks listed are consistently achieved in stormwater discharges by a variety of other industries with SWPPPs and is deemed protective of instream water quality and aquatic life.

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

Biosolids are solid materials resulting from domestic wastewater treatment that meet federal and state criteria for beneficial uses (i.e., fertilizer). Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works, including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works. Additional information regarding biosolids and sludge is located at the following web address: <https://extension2.missouri.edu/publications>, items WQ422 through WQ449.

- Not applicable: This permit is not applicable to biosolids handling facilities.

#### **PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY**

The need for an individual public notification process shall be determined and identified in the general permit. [10 CSR 20-6.020(1)(C)5.] Public Notice of **reissuance** of coverage is not required unless the facility has been found to be currently in significant noncompliance [10 CSR 20-6.020(1)(C)4.].

- Not Applicable: Public Notice is not required for issuance of coverage under this Master General Permit to individual facilities for the first time. Significant noncompliance consists of
  - Violations that must be corrected voluntarily and timely by the entity and determined on a case-by-case basis,
  - Failure to submit DMRs, and
  - Violations with most serious and significant impacts or threats to human health or the environmental (such as discharges resulting in fish kill, causing interference at a public owned treatment work, intentional acts, etc.).

#### **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. While some potential to violate water quality standards is assumed due to the nature of the activities carried out under this permit, the development of a SWPPP and implementation of BMPs is deemed sufficient to protect water quality narrative criteria.

**General Criteria Considerations:**

- (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:
  - (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.

The Department has determined that there is a reasonable potential for activities carried out under this permit to contribute to the formation of putrescent, unsightly, or harmful bottom deposits or prevent full maintenance of beneficial uses. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs to meet benchmarks are sufficient to protect this water quality standards general criterion.
  - (2) 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 a reasonable potential for activities carried out under this permit to contribute to oil, scum, and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses. For this reason the Department has added benchmarks for Oil and Grease and Total Suspended Solids to the permit. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs in order to meet these benchmarks are sufficient to protect this water quality standards general criterion.
  - (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.

The Department has determined that there is a reasonable potential for activities carried out under this permit to cause unsightly color, offensive odor, or prevent full maintenance of beneficial uses. For this reason, the Department has added benchmarks for Chemical Oxygen Demand, pH, and Total Suspended Solids. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs to meet these benchmarks are sufficient to protect this water quality standards general criterion.
  - (4) 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. For this reason, the Department had added benchmarks for pH and Chemical Oxygen Demand. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs in order to meet the benchmarks are sufficient to protect this water quality standards general criterion.
  - (5) There shall be no significant human health hazard from incidental contact with the water.

The Department has determined that there is no reasonable potential for activities covered under this general permit to contribute contaminants that could cause significant human health hazard from incidental contact with the water. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs are sufficient to protect this water quality standards general criterion.
  - (6) There shall be no acute toxicity to livestock or wildlife watering.

The Department has determined that there is reasonable potential for activities covered under this general permit to contribute contaminants that could cause acute toxicity to livestock and wildlife watering. For this reason, a benchmark for Chemical Oxygen Demand has been put into the permit as an indicator of chemical pollution. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs in order to meet this benchmark are sufficient to protect this water quality standards general criterion.
  - (7) Waters shall be free from physical, chemical, or hydrologic changes that would impair the natural biological community.

The Department believes there is a reasonable potential for activities covered by this permit to create physical, chemical or hydrologic conditions that could impair the natural biological community. For this reason, the Department has assigned benchmarks for pH and Chemical Oxygen Demand. The Department has determined that the development of a SWPPP and implementation of appropriate BMPs in order to meet these benchmarks are sufficient to protect this water quality standards general criterion.
  - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment, and solid waste as defined in Missouri's Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200-260.247, 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):**

Per §644.051 RSMo, a permit may be issued with a Schedule of Compliance (SOC) to provide time for a facility to come into compliance with new state or federal effluent regulations, water quality standards, or other requirements. Such a schedule is not allowed if the facility is already in compliance with the new requirement, or if prohibited by other statute or regulation. An SOC includes 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. *See also* Section 502(17) of the Clean Water Act, and 40 CFR 122.2. For new effluent limitations, the permit includes interim monitoring for the specific parameter to demonstrate the facility is not already in compliance with the new requirement. Per 40 CFR 122.47(a)(1) and 10 CSR 20-7.031(11), compliance must occur as soon as possible.

Not Applicable: This permit does not contain an SOC.

**SPILL REPORTING:**

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

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

In accordance with 40 CFR 122.44(k), Best Management Practices (BMPs) must be used to control or abate the discharge of pollutants when:

- (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities;
- (2) Authorized under section 402(p) of the CWA for the control of stormwater discharges;
- (3) Numeric effluent limitations are infeasible; or
- (4) Practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in June 2015], BMPs are measures or practices used to reduce the amount of pollution entering waters of the state from a permitted facility. BMPs may take the form of a process, activity, or physical structure.

Additionally, in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to

- (1) Identify sources of pollution or contamination, and
- (2) Select and carry out actions which prevent or control the pollution of stormwater discharges.

A SWPPP must be prepared by the permittee if the SIC code is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2). A SWPPP may be required of other facilities where stormwater has been identified as needing better management. The purpose of a SWPPP is to comply with all applicable stormwater regulations by creating an adaptive management plan to control and mitigate pollution of stormwater runoff. Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged during storm events.

The following paragraphs outline the general steps the permittee should take to determine which BMPs will work to achieve the requirements of the permit. This section is not intended to be all encompassing or restrict the use of any physical BMP or operational and maintenance procedure that will assist in pollution control. Additional steps or revisions to the SWPPP may be required to meet the requirements of the permit.

Areas which should be included in the SWPPP are identified in 40 CFR 122.26(b)(14). Once the potential sources of stormwater pollution have been identified, a plan should be formulated to best control the amount of pollutant being released and discharged by each activity or source. This should include, but is not limited to, minimizing exposure to stormwater, good housekeeping measures, proper facility and equipment maintenance, spill prevention and response, vehicle traffic control, and proper materials handling. Once a plan has been developed, the facility will employ the control measures that have been determined to be adequate to protect water quality. The facility will conduct inspections of the BMPs to ensure they are working properly and re-evaluate any BMP not achieving compliance with permitting requirements. For example, if inspection of an outfall shows evidence of water quality impairment, the BMP being employed is deficient in controlling stormwater pollution. Corrective action should be taken to repair, improve, or replace the failing BMP. This internal evaluation should take place at least once per month but should be continued more frequently if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established.

If failures continue to occur and the permittee feels there are no practicable or cost-effective BMPs that will sufficiently reduce a pollutant concentration in the discharge to meet requirements established in the permit, the permittee can submit a request to re-evaluate the permit requirements. This request needs to include:

- (1) A detailed explanation of why the facility is unable to comply with the permit conditions and unable to establish adequate BMPs to achieve the permit requirements;
- (2) Financial data of the company and documentation of cost associated with BMPs for review, and
- (3) The SWPPP, which should contain adequate documentation of BMPs employed, failed BMPs, corrective actions, and all other required information.

This will allow the Department to conduct a cost analysis on control measures and actions taken by the facility to determine cost-effectiveness of BMPs. The request shall be submitted in the form of an operating permit modification; the application is found at: <http://dnr.mo.gov/forms/index.html>.

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

**WASTELOAD ALLOCATIONS (WLA) FOR EFFLUENT LIMITATIONS:**

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

**WHOLE EFFLUENT TOXICITY (WET) TEST:**

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 permittee is not required to conduct WET test.

**Part IV - Benchmark Determination**

Benchmarks derived and established in the table below 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.

**BENCHMARKS FOR TABLE A**

PARAMETER	UNIT	BASIS FOR BENCHMARK	BENCHMARK	MODIFIED	PREVIOUS PERMIT BENCHMARK
Chemical Oxygen Demand	mg/L	3, 9	120	YES	NEW BENCHMARK
Oil & Grease	mg/L	2, 9	10	YES	NEW BENCHMARK
pH	SU	2	6.5 - 9.0	YES	NEW BENCHMARK
Total Suspended Solids	mg/L	2, 9	100	YES	NEW BENCHMARK

**Basis for Limitation Codes:**

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

**DERIVATION AND DISCUSSION OF BENCHMARKS**

The federal CWA requires that all NPDES discharges to Waters of the U.S. contain technology-based or water-quality based effluent limitations, whichever is more stringent. When the EPA has not established industry specific technology based Effluent Limitation Guidelines, Missouri uses EPA's *Technical Support Document for Water Quality Based Toxics Control* (TSD) method for calculating site-specific water-quality based effluent limitations. The TSD method is based on assumptions and statistics that apply to continuous discharges, not intermittent stormwater discharges and do not apply to this permit. Thus, it is the Department's policy to consult the EPA's *Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity* (MSGP) or other applicable documents or guidance.

- **Chemical Oxygen Demand:** This permit has a benchmark of 120 mg/L, which has been determined to be feasible, affordable, and protective of water quality. This value is consistently achieved in stormwater discharges by a variety of other industries with SWPPPs and is deemed protective of instream water quality. The Department's best professional judgement is that this value is protective of state general criteria cited above and technologically achievable.
- **Oil and Grease:** The benchmark for oil and grease was established using the water quality criteria as the target. 10 CSR 20-7.031 Table A: Criteria for Designated Uses, establishes a water quality criterion of 10 mg/L for oil and grease, which is applicable to all waters of the state at all times. Oil and grease is a conventional pollutant; therefore, calculations for limit derivations such as those used for toxics are not applicable. Additionally, a benchmark set at the level of 10 mg/L is expected to be protective of general criteria [10 CSR 20-7.031(4)], which are applicable to all water of the state at all times. When oil and grease levels are above 10 mg/L, a visible sheen is expected to form on a waterbody and thus general criteria violations are anticipated to occur. As a result, a benchmark of 10 mg/L ensures that BMPs are functioning at a level where discharges are protective of general criteria.
- **pH:** The range is 6.5 – 9.0 Standard pH Units (SU) per 10 CSR 20-7.031(5)(E). pH is not to be averaged.
- **Total Suspended Solids:** This permit has a benchmark of 100 mg/L, which has been determined to be feasible, affordable, and protective of water quality. This value is consistently achieved in stormwater discharges by a variety of other industries with SWPPPs and is deemed protective of instream water quality. The Department's best professional judgement is that this value is protective of state general criteria cited above and technologically achievable.

## **Part V – 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 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 permit was from June 8 through July 9, 2018. No comments were received.

**DATE OF FACT SHEET:** June 5, 2018

### **COMPLETED BY:**

**STACIA BAX**  
**ENVIRONMENTAL SUPERVISOR**  
**MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**WATER PROTECTION PROGRAM**  
**OPERATING PERMITS SECTION**  
**573-526-4586**  
[stacia.bax@dnr.mo.gov](mailto:stacia.bax@dnr.mo.gov)