



PUBLIC NOTICE

DRAFT MISSOURI STATE OPERATING PERMIT

DATE: June 24, 2016

In accordance with the state Clean Water Law, Chapter 644, RSMo, Missouri Clean Water Commission regulation 10 CSR 20-6.010, and the Federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state, or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years unless noted otherwise in the Public Notice for that discharge.

On the basis of preliminary staff review and the application of applicable standards and regulations, the Missouri Department of Natural Resources (MDNR), as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions. The proposed determinations are tentative pending public comment.

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to: Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: NPDES Operating Permits /Permit Comments. **Please include the permit number in all comment letters.**

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The MDNR may not consider as relevant comments or objections to a permit based on issues outside the authority of the Missouri Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be received or postmarked by 5:00 p.m. on July 25, 2016. MDNR will consider all written comments, including e-mails, faxes and letters, in the formulation of all final determinations regarding the applications. E-mail comments will be accepted at the following address: publicnoticenpdes@dnr.mo.gov. If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at MDNR's Website: <http://www.dnr.mo.gov/env/wpp/permits/permit-pn.htm>, or at the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-0110876
Owner: City of Lee's Summit
Address: 220 SE Green Street, Lee's Summit, MO 64063
Continuing Authority: Same as above
Address: Same as above
Facility Name: Lee's Summit Resource Recovery Park
Facility Address: 2101 SE Hamblen Road, Lee's Summit, MO 64082
Legal Description: See page 2
UTM Coordinates: See page 2
Receiving Stream: See page 2
First Classified Stream and ID: See page 2
USGS Basin & Sub-watershed No.: See page 2

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

FACILITY DESCRIPTION

See page 2

Leachate cannot be discharged. Stormwater which has come into contact with leachate is considered leachate and cannot be discharged. Leachate, and stormwater which has come into contact with leachate, must be managed in accordance with the provisions contained in the Missouri Solid Waste Management Laws, regulations, and Sanitary Landfill Operating Permit; and Hazardous Waste Program (if applicable).

This permit authorizes only stormwater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Sections 640.013, 621.250, and 644.051.6 of the Law.

Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

Expiration Date

John Madras, Director, Water Protection Program

FACILITY DESCRIPTION (CONTINUED)

OUTFALL #001 - Open sanitary landfill SIC #4953

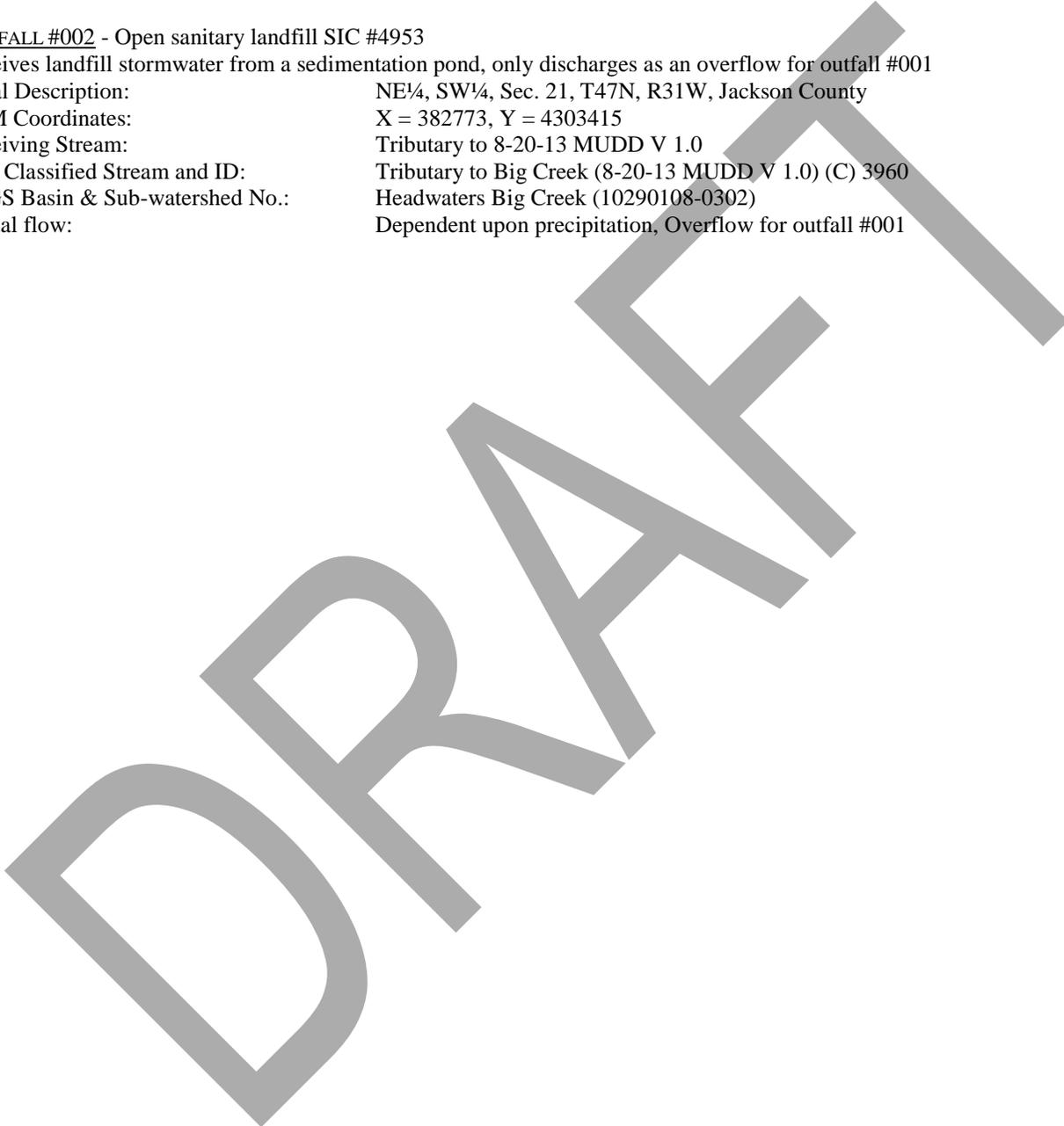
Receives landfill stormwater from a sedimentation pond

Legal Description: NE¹/₄, SW¹/₄, Sec. 21, T47N, R31W, Jackson County
UTM Coordinates: X=382687 , Y=4303419
Receiving Stream: Tributary to 8-20-13 MUDD V 1.0
First Classified Stream and ID: Tributary to Big Creek (8-20-13 MUDD V 1.0) (C) 3960
USGS Basin & Sub-watershed No.: Headwaters Big Creek (10290108-0302)
Est. flow in a 10yr 24hr storm event: 8.0 MGD
Actual Flow: Dependent upon Precipitation

OUTFALL #002 - Open sanitary landfill SIC #4953

Receives landfill stormwater from a sedimentation pond, only discharges as an overflow for outfall #001

Legal Description: NE¹/₄, SW¹/₄, Sec. 21, T47N, R31W, Jackson County
UTM Coordinates: X = 382773, Y = 4303415
Receiving Stream: Tributary to 8-20-13 MUDD V 1.0
First Classified Stream and ID: Tributary to Big Creek (8-20-13 MUDD V 1.0) (C) 3960
USGS Basin & Sub-watershed No.: Headwaters Big Creek (10290108-0302)
Actual flow: Dependent upon precipitation, Overflow for outfall #001



A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

| OUTFALL #001- #002 <i>Stormwater Only</i> | | TABLE A-1 FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS | | | |
|---|---------|---|------------|---------------------------------------|-----------------|
| The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective on Effective Date and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below: | | | | | |
| EFFLUENT PARAMETERS | UNITS | DAILY MAXIMUM LIMIT | BENCHMARKS | MONITORING REQUIREMENTS ^o | |
| | | | | MEASUREMENT FREQUENCY ^o | SAMPLE TYPE |
| PHYSICAL | | | | | |
| Flow | MGD | * | - | once/quarter | 24 hr. estimate |
| Precipitation | inches | * | - | once/quarter | measured |
| CONVENTIONAL | | | | | |
| Biochemical Oxygen Demand (BOD ₅) | mg/L | ** | 45 | once/quarter | grab |
| Chemical Oxygen Demand | mg/L | 90 | - | once/quarter | grab |
| Oil & Grease | mg/L | 10 | - | once/quarter | grab |
| pH ^Ω | SU | 6.5 to 9.0 | - | once/quarter | grab |
| Settleable Solids | mL/L/hr | 1.5 | - | once/quarter | grab |
| Total Suspended Solids | mg/L | 60 | - | once/quarter | grab |
| METALS | | | | | |
| Total Hardness, as CaCO ₃ | mg/L | * | - | once/quarter | grab |
| Aluminum, Total Recoverable | µg/L | * | - | once/quarter | grab |
| Cadmium, Total Recoverable | µg/L | 9.8 | - | once/quarter | grab |
| Copper, Total Recoverable | µg/L | * | - | once/quarter | grab |
| Iron, Total Recoverable | µg/L | 4000 | - | once/quarter | grab |
| Selenium, Total Recoverable | µg/L | * | - | once/quarter | grab |
| Silver, Total Recoverable | µg/L | * | - | once/quarter | grab |
| INORGANICS | | | | | |
| Chloride + Sulfate | mg/L | * | - | once/quarter | grab |
| Fluoride | mg/L | * | - | once/quarter | grab |
| AROMATIC HYDROCARBONS | | | | | |
| Benzene | µg/L | * | - | once/quarter | grab |
| OTHER | | | | | |
| Ammonia as N | mg/L | * | - | once/quarter | grab |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE MONTH 28, 20xx . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS. | | | | | |
| EFFLUENT PARAMETERS | UNITS | DAILY MAXIMUM LIMIT | BENCHMARKS | MONITORING REQUIREMENTS ^o | |
| | | | | MEASUREMENT FREQUENCY | SAMPLE TYPE |
| METALS | | | | | |
| Antimony, Total Recoverable | µg/L | * | - | once/year | grab |
| Arsenic, Total Recoverable | µg/L | * | - | once/year | grab |
| Barium, Total Recoverable | µg/L | * | - | once/year | grab |
| Beryllium, Total Recoverable | µg/L | * | - | once/year | grab |
| Boron, Total Recoverable | µg/L | * | - | once/year | grab |
| Chromium (III), Total Recoverable | µg/L | * | - | once/year | grab |
| Lead, Total Recoverable | µg/L | * | - | once/year | grab |
| Manganese, Total Recoverable | µg/L | * | - | once/year | grab |
| Mercury, Total Recoverable | µg/L | * | - | once/year | grab |
| Nickel, Total Recoverable | µg/L | * | - | once/year | grab |
| Thallium, Total Recoverable | µg/L | * | - | once/year | grab |
| Zinc, Total Recoverable | µg/L | * | - | once/year | grab |
| MONITORING REPORTS SHALL BE SUBMITTED <u>ONCE PER YEAR</u> ; THE REPORT IS DUE MONTH 28, 20xx . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS. | | | | | |

See notes on page 5

Notes:

- * Monitoring requirement only.
- ** Monitoring requirement with associated benchmark. See Special Conditions #9 through #12
- ∞ All samples shall be collected from a discharge resulting from a precipitation event greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable precipitation event. If a discharge does not occur within the reporting period, report as no discharge. The total amount of precipitation should be noted from the event from which the samples were collected.
- Ω The facility will report the minimum and maximum values. pH is not to be averaged.
- ◇ Quarterly sampling.

| MINIMUM QUARTERLY SAMPLING REQUIREMENTS | | | |
|---|-----------------------------|--|--------------------------|
| QUARTER | MONTHS | EFFLUENT PARAMETERS | REPORT IS DUE |
| First | January, February, March | Sample at least once during any month of the quarter | April 28 th |
| Second | April, May, June | Sample at least once during any month of the quarter | July 28 th |
| Third | July, August, September | Sample at least once during any month of the quarter | October 28 th |
| Fourth | October, November, December | Sample at least once during any month of the quarter | January 28 th |

B. STANDARD CONDITIONS

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

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:
 - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (2) controls any pollutant not limited in the permit.
 - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri’s Water Quality Standards.
 - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri’s list of waters of the state not fully achieving the state’s water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.
2. All outfalls must be clearly marked in the field.
3. Water Quality Standards
 - (a) To the extent required by law, discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;

- (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

C. SPECIAL CONDITIONS, CONTINUED

4. Changes in Discharges of Toxic Pollutant

In addition to the reporting requirements under §122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- (a) That an activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
- (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;
 - (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
 - (4) One milligram per liter (1 mg/L) for antimony;
 - (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (6) The notification level established by the department in accordance with 40 CFR 122.44(f).
- (b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with §122.21(g)(7).
 - (4) The level established by the Director in accordance with §122.44(f).

5. Report as no-discharge when a discharge does not occur during the report period.

6. Reporting of Non-Detects

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

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

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

9. The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency.

10. Facility SIC codes found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2) shall implement a SWPPP and must be prepared and implemented upon permit issuance. The SWPPP must be kept on-site and should not be sent to the department unless specifically requested. The SWPPP must be reviewed and updated every five (5) years or as site conditions change (see Rationale and Derivation: antidegradation analysis and SWPPP in the fact sheet). The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in: *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (EPA 833-B-09-002) published by the EPA in February 2009 (www.epa.gov/npdes/pubs/industrial_swppp_guide.pdf). The SWPPP must include:
- (a) A listing of specific contaminants and their control measures (or BMPs) and a narrative explaining how BMPs are implemented to control and minimize the amount of contaminants potentially entering stormwater. The BMPs should be designed to treat the stormwater up to the 10 year, 24 hour rain event.
- (b) For new, altered, or expanded stormwater discharges, the SWPPP shall identify reasonable and effective BMPs while accounting for environmental impacts of varying control methods. The antidegradation analysis must document why no discharge or no exposure options are not feasible. The selection and documentation of appropriate control measures shall serve as an alternative analysis of technology and fulfill the requirements of antidegradation [10 CSR 20-7.031(3)]. Failure to implement and maintain the chosen BMP is a permit violation. For further guidance, consult the antidegradation implementation procedure at <http://dnr.mo.gov/env/wpp/docs/AIP050212.pdf>.

C. SPECIAL CONDITIONS, CONTINUED

- (c) The SWPPP must include a schedule for once per month site inspections and brief written reports. The inspection report must include precipitation information for the entire period since last inspection, as well as observations and evaluations of BMP effectiveness. Throughout coverage under this permit, the facility must perform ongoing SWPPP review and revision to incorporate any site condition changes.
- i. Operational deficiencies must be corrected within seven (7) calendar days.
 - ii. Minor structural deficiencies must be corrected within fourteen (14) calendar days.
 - iii. Major structural deficiencies must be reported to the regional office within seven (7) days of discovery. The initial report shall consist of the deficiency noted, the proposed remedies, the interim or temporary remedies (including the general timing of the placement of the interim measures), and an estimate of the timeframe needed to wholly complete the repairs or construction. The permittee will work with the regional office to determine the best course of action, including but not limited to temporary structures to control stormwater runoff. The facility shall correct the major structural deficiency as soon as reasonably achievable.
 - iv. All actions taken to correct the deficiencies shall be included with the written report, including photographs.
 - v. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to department and EPA personnel 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 and storage, and housekeeping of maintenance and cleaning areas. Proof of training shall be submitted on request of the department.
11. This permit stipulates pollutant benchmarks applicable to your discharge. The benchmarks do not constitute direct numeric effluent limitations; therefore, a benchmark exceedance alone is not a permit violation. Benchmark monitoring and visual inspections shall be used to determine the overall effectiveness of SWPPP and to assist you in knowing when additional corrective action may be necessary to protect water quality. If a sample exceeds a benchmark concentration you must review your SWPPP and your BMPs to determine what improvements or additional controls are needed to reduce that pollutant in your stormwater discharge(s).
- Any time a benchmark exceedance occurs a Corrective Action Report (CAR) must be completed. A CAR is a document that records the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. CARs must be retained with the SWPPP and available to the department upon request. If the efforts taken by the facility are not sufficient and subsequent exceedances of a benchmark occur, the facility must contact the department if a benchmark value cannot be achieved. Failure to take corrective action to address a benchmark exceedance and failure to make measureable progress towards achieving the benchmarks is a permit violation.
12. Permittee shall adhere to the following minimum Best Management Practices (BMPs):
- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of stormwater from these substances.
 - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
 - (d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
 - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits or benchmarks.
 - (f) Ensure that adequate provisions are provided to prevent surface water intrusion into the storage basin, to divert stormwater runoff around the storage basin, and to protect embankments from erosion.
13. To protect the general criteria found at 10 CSR 20-7.031(4), before releasing water accumulated in secondary containment areas, it must be examined for hydrocarbon odor and presence of sheen. If the presence of odor or sheen is indicated, the water shall be treated using an appropriate method or disposed of in accordance with legally approved methods, such as being sent to a wastewater treatment facility. Following treatment, the water shall be tested for oil and grease, benzene, toluene, ethylbenzene, and xylene using 40 CFR part 136 methods. All pollutant levels must be below the most protective, applicable standards for the receiving stream, found in 10 CSR 20-7.031 Table A. Records of all testing and treatment of water accumulated in secondary containment shall be stored in the SWPPP to be available on demand to MDNR and EPA personnel.
14. Release of a hazardous substance must be reported to the department in accordance with 10 CSR 24-3.010. A record of each reportable spill shall be retained with the SWPPP and made available to the department upon request.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF RENEWAL OF
MO-0110876
LEE'S SUMMIT RESOURCE RECOVERY PARK

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

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

Part I. FACILITY INFORMATION

| | |
|-----------------------|--------------------------|
| Facility Type: | Categorical Industrial |
| Facility SIC Code(s): | 4953 |
| Facility NAICS Code: | 562212 |
| Application Date: | 08/07/2013 |
| Expiration Date: | 02/05/2014 |
| Last Inspection: | 01/05/2012 In Compliance |

Landfills are to obtain a MSOP in accordance the MCWL, documented above, and its implementing regulations 10 CSR 20-6.010(1)(A); 10 CSR 20-6.010(5)(A); and 10 CSR 20-6.200(1)(A). Stormwater runoff from landfills are considered Industrial activities in accordance with 10 CSR 20-6.200(2)(B)3.B. Closed landfills may also be required to maintain a MSOP in accordance with 10 CSR 20-6.200(1)(B)10.

Leachate must be handled in a manner where discharge is not allowed and in accordance with Hazardous Waste Program (if applicable) and Solid Waste Management Program requirements.

EFFLUENT LIMITATION GUIDELINE 40 CFR PART 445 LANDFILL POINT SOURCE CATEGORY

The EPA has developed effluent limitation guidelines for wastewater discharges associated with the operation and maintenance of landfills regulated under RCRA Subtitle D, non-hazardous waste landfills. The wastewater flows which are covered by the rule include leachate, gas collection condensate, drained free liquids, laboratory-derived wastewater, contaminated stormwater and contact wash water from truck exteriors and surface areas which have come into direct contact with solid waste at the landfill facility. Drained free liquids are aqueous wastes drained from waste containers or wastewater resulting from waste stabilization prior to landfilling. Contaminated groundwater that is treated and discharged is excluded from this guideline. This permit does not authorize the discharge of any waters covered under this ELG to waters of the State of Missouri or waters of the United States.

FACILITY DESCRIPTION:

Lee's Summit Resource Recovery Park is an open sanitary landfill. They accept only non-hazardous municipal solid waste and special waste as approved by their solid waste permit. The landfill uses a single sedimentation pond with two outfalls; however, outfall #002 is considered an overflow outfall only, and discharges only when outfall #001 is above capacity. Outfall #002 did not discharge in the last permit cycle. Per the inspection dated 01/05/2012, conducted by Patrick Peltz of MDNR, the site receives solid waste, recyclables, and yard waste. The landfill processes the yard waste into compost and wood chip mulch, and the recyclables are trucked offsite to processing centers. The inspection report notes the Resource Recovery Park recovers landfill water and discharges it to Lee's Summit POTW. The report also states stormwater from the composting area does not enter settling ponds, but is collected and discharged to the Little Blue Valley Sewer District Big Creek Interceptor. Patrick describes the landfill as well managed and well vegetated, with the stormwater basin being free from excess vegetation and animal damage. Lee's Summit no longer uses a leachate collection basin, but now directs leachate back into the landfill, where it is connected to an underground gravity sewer system that flows directly into the Little Blue Valley Wastewater collection system. No recyclable materials are exposed to rainfall. BMPs include benching on slopes, check dams in drainage channels, and concrete baffles at the entrance to the sedimentation pond. Outfall #002 has additional concrete baffles to reduce effluent velocity during overflow discharge.

PERMITTED FEATURES TABLE:

| OUTFALL | AVERAGE FLOW (MGD) | FLOW IN A 10 YR 24 HR RAIN EVENT* (MGD) | TREATMENT LEVEL | EFFLUENT TYPE |
|---------|----------------------------|---|-----------------------------------|-----------------------|
| #001 | dependent on precipitation | 8.0 | BMPs, primary, sedimentation pond | Industrial stormwater |
| #002 | dependent on precipitation | overflow only | BMPs, primary, sedimentation pond | industrial stormwater |

*Calculated using Rational Method, runoff coefficient of 0.6, area drained 90 acres, 5.5 inches/day rainfall intensity

FACILITY PERFORMANCE HISTORY & COMMENTS:

The electronic discharge monitoring reports were reviewed for the last five years. Several exceedances for COD and TSS were noted on outfall #001, outfall #002 did not discharge in the last permit cycle. Facility was found to be in compliance at last inspection on 01/05/2012.

WATER FLOW DIAGRAM:



FACILITY MAP:



-- Indicates Water Flow

Part II. RECEIVING STREAM INFORMATION

RECEIVING WATER BODY'S WATER QUALITY:

The receiving stream Tributary to Big Creek (8-20-13 MUDD V 1.0)(C)(3960) has no concurrent water quality data available. The Tributary to Big Creek (C) (3960) is now classified whereas it was not classified in the previous permit, as EPA has approved the Department's new stream classifications. This stream is not on the 303d list, nor does it have an associated TMDL. Big Creek is also not on the 303d list, but has a 2006 TMDL for the watershed that specifically mentions Lee's Summit Landfill. The TMDL is applicable to the Total Suspended Solids parameter. The TMDL does not assign a specific WLA to this facility, but rather emphasizes the landfill must follow a "well-conceived sediment control plan" and specifies that BMPs should be implemented as part of the permit conditions.

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

- ✓ As per Missouri's Effluent Regulations [10 CSR 20-7.015(1)(B)], the waters of the state are divided into the following seven categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.

- Missouri or Mississippi River:
- Lake or Reservoir:
- Losing:
- Metropolitan No-Discharge:
- Special Stream:
- Subsurface Water:
- All Other Waters:

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

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

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

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

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

10 CSR 20-7.031(1)(C)1.: Protection and propagation of fish, shellfish, and wildlife (formerly AQL; this permit uses AQL effluent limitations in 10 CSR 20-7.031 Table A for all habitat temperature designations unless otherwise specified)
 WWH = Warm Water Habitat; CLH = Cool Water Habitat; CDH = Cold Water Habitat; EAH = Ephemeral Aquatic Habitat; MAH = Modified Aquatic Habitat; LAH = Limited Aquatic Habitat

10 CSR 20-7.031(1)(C)2.: Recreation in and on the water
 WBC = Whole Body Contact; WBC-A = public swimming; WBC-B = swimming
 SCR = Secondary Contact Recreation (like fishing, wading, and boating)

10 CSR 20-7.031(1)(C)3. to 7.: HHP (formerly HHP) = Human Health Protection (fish consumption); IRR = irrigation;
 LWP (formerly LWL) = Livestock And Wildlife Protection; DWS = Drinking Water Supply;
 IND = industrial water supply

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

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

RECEIVING STREAMS TABLE:

| OUTFALL | WATERBODY NAME | CLASS | WBID | DESIGNATED USES | DISTANCE TO CLASSIFIED SEGMENT | 12-DIGIT HUC |
|---------|--|-------|------|-----------------------------------|--------------------------------|--|
| #001 | Tributary to 8-20-13 MUDD V 1.0 | n/a | n/a | GEN | 0.17 mi | 10290108-0302 Headwaters Big Creek |
| | Tributary to Big Creek 8-20-13 MUDD V 1.0 | C | 3960 | AQL, IRR, LWW, SCR, WBC-B, HHP | | |
| #002 | Tributary to 8-20-13 MUDD V 1.0 | n/a | n/a | GEN | 0.14 mi | |
| | Tributary to Big Creek 8-20-13 MUDD V 1.0 | C | 3960 | AQL, IRR, LWW, SCR, WBC-B, HHP | | |

n/a = not applicable

WBID = Waterbody ID: Missouri Use Designation Dataset 8-20-13 MUDD V1.0 data can be found as an ArcGIS shapefile on MSDIS at http://msdis.missouri.edu/pub/Inland_Water_Resources/MO_2014_WQS_Stream_Classifications_and_Use_shp.zip

MIXING CONSIDERATIONS:

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

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

RECEIVING STREAM MONITORING REQUIREMENTS:

No receiving water monitoring requirements are recommended at this time.

Part III. RATIONALE AND DERIVATION OF EFFLUENT LIMITATIONS & PERMIT CONDITIONS

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:

As per [10 CSR 20-7.015(4)(A)], discharges to losing streams shall be permitted only after other alternatives including land application, discharges to a gaining stream and connection to a regional wastewater treatment facility have been evaluated and determined to be unacceptable for environmental and/or economic reasons.

- ✓ Not applicable; the facility does not discharge to a losing stream as defined by [10 CSR 20-2.010(36)] & [10 CSR 20-7.031(1)(N)], or is an existing facility.

ANTI-BACKSLIDING:

A provision in the Federal Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(I)] requires a reissued permit to be as stringent as the previous permit with some exceptions.

- ✓ Limitations in this operating permit for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
- ✓ Information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance. Five years of DMR data justified the removal of the following pollutants from this permit: boron, total recoverable; chlorides; nitrate as N; toluene; and total xylene.
- ✓ The previous permit limits for outfalls #001 & 002 were established in error, based on limits for process wastewater; however, this is a stormwater outfall. This renewal establishes limits and benchmarks appropriate for stormwater discharges. There will be no changes to industrial activities onsite or the composition of the stormwater discharge as a result of this renewal. The benchmark concentrations and required corrective actions are protective of the receiving stream's uses to be maintained.

ANTIDEGRADATION REVIEW:

For process water discharge with new, altered, or expanding discharges, the department is to document, by means of antidegradation review, if the use of a water body's available assimilative capacity is justified. In accordance with Missouri's water quality regulations for antidegradation [10 CSR 20-7.031(3)], degradation may be justified by documenting the socio-economic importance of a discharge after determining the necessity of the discharge. Facilities must submit the antidegradation review request to the department prior to establishing, altering, or expanding discharges. See <http://dnr.mo.gov/env/wpp/permits/antideg-implementation.htm>

- ✓ Not applicable; the facility has not submitted information proposing expanded or altered process water discharge; no further degradation proposed therefore no further review necessary.

For stormwater discharges with new, altered, or expanding discharges, the stormwater BMP chosen for the facility, through the antidegradation analysis performed by the facility, must be implemented and maintained at the facility. Failure to implement and maintain the chosen BMP alternative is a permit violation; see SWPPP.

- ✓ Applicable; the facility must review and maintain stormwater BMPs as appropriate.

BENCHMARKS:

When a permitted feature or outfall consists of only stormwater, a benchmark may be implemented at the discretion of the permit writer. Benchmarks require the facility to monitor, and if necessary, replace and update stormwater control measures. Benchmark concentrations are not effluent limitations. A benchmark is a technology-based threshold. A benchmark exceedance, therefore, is not a permit violation; however, failure to take corrective action is a violation of the permit. Benchmark monitoring 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 technology based effluent limitations (TBEL).

Because of the fleeting nature of stormwater discharges, the department, under the direction of EPA guidance, has determined monthly averages are capricious measures of stormwater discharges. The *Technical Support Document for Water Quality Based Toxics Control* (EPA/505/2-90-001; 1991) Section 3.1 indicates most procedures within the document apply only to water quality based approaches, not end-of-pipe technology-based controls. Hence, stormwater outfalls will only contain a maximum daily limit (MDL), benchmark, or monitoring requirement determined by the site specific conditions including the receiving water's current quality. While inspection of the stormwater BMPs occur monthly, facilities with no compliance issues are usually expected to sample stormwater quarterly.

Numeric benchmark values are based on other stormwater permits including the Environmental Protection Agency's (EPA's) *Multi-Sector General Permit For Stormwater Discharges Associated With Industrial Activity* (MSGP) or water quality standards. Because precipitation events are sudden and momentary, benchmarks based on state or federal standards or recommendations use the Criteria Maximum Concentration (CMC) value, or acute standard. The CMC is the estimate of the highest concentration of a material in surface water to which an aquatic community can be exposed briefly without resulting in an unacceptable effect. The CMC for aquatic life is intended to be protective of the vast majority of the aquatic communities in the United States.

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

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

COMPLIANCE AND ENFORCEMENT:

Enforcement is the action taken by the Water Protection Program (WPP) to bring an entity into compliance with the Missouri Clean Water Law, its implementing regulations, and/or any terms and conditions of an operating permit. The primary purpose of the enforcement activity in the WPP is to resolve violations and return the entity to compliance.

- ✓ Not applicable; the permittee/facility is not currently under Water Protection Program enforcement action.

GROUNDWATER MONITORING:

Groundwater is a water of the state according to 10 CSR 20-7.015(7) and 10 CSR 20-7.031(6) and must be protected accordingly.

- ✓ This facility is monitoring the groundwater at the site. The Department's Solid Waste Management Program is overseeing groundwater remediation at this site. At this time, the Water Protection Program is not requiring reporting of the data to this branch.

INDUSTRIAL SLUDGE:

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

- ✓ Permittee is not authorized to land apply industrial sludge. Leachate and contaminated stormwater are currently removed by contract hauler to Little Blue Valley Wastewater Collection System.

REASONABLE POTENTIAL ANALYSIS (RPA):

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

- ✓ Not applicable; an RPA was not conducted for this facility.

SCHEDULE OF COMPLIANCE (SOC):

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, effluent limits, 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. SOC's are allowed under 40 CFR 122.47 providing certain conditions are met.

- ✓ Not applicable; this permit does not contain a 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) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA. In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering 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 storm water 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 necessitating 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 stream pollution from stormwater runoff. Developing a SWPPP provides opportunities to employ appropriate BMPs to minimize the risk of pollutants being discharged during storm events. The following paragraph outlines the general steps the permittee should take to determine which BMPs will work to achieve the benchmark values or limits in the permit. This section is not intended to be all encompassing or restrict the use of any physical BMP or operational and maintenance procedure assisting 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 determined to be adequate to achieve the benchmark values discussed above. The facility will conduct monitoring and inspections of the BMPs to ensure they are working properly and re-evaluate any BMP not achieving compliance with permitting requirements. For example, if sample results from an outfall show values of TSS above the benchmark value, the BMP being employed is deficient in controlling stormwater pollution. Corrective action should be taken to repair, improve, or replace the failing BMP. This internal evaluation is required at least once per month but should be continued more frequently if BMPs continue to fail. If failures do occur, continue this trial and error process until appropriate BMPs have been established.

For new, altered, or expanded stormwater discharges, the SWPPP shall identify reasonable and effective BMPs while accounting for environmental impacts of varying control methods. The antidegradation analysis must document why no discharge or no exposure options are not feasible. The selection and documentation of appropriate control measures shall serve as an alternative analysis of technology and fulfill the requirements of antidegradation [10 CSR 20-7.031(3)]. Failure to implement and maintain the chosen BMP is a permit violation. For further guidance, consult the antidegradation implementation procedure (<http://dnr.mo.gov/env/wpp/docs/AIP050212.pdf>).

Alternative Analysis (AA) evaluation of the BMPs is a structured evaluation of BMPs that are reasonable and cost effective. The AA evaluation should include practices that are designed to be: 1) non-degrading; 2) less degrading; or 3) degrading water quality. The glossary of AIP defines these three terms. The chosen BMP will be the most reasonable and effective management strategy while ensuring the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The AA evaluation must demonstrate why "no discharge" or "no exposure" is not a feasible alternative at the facility. This structured analysis of BMPs serves as the antidegradation review, fulfilling the requirements of 10 CSR 20-7.031(3) Water Quality Standards and *Antidegradation Implementation Procedure* (AIP), Section II.B.

If parameter-specific numeric exceedances continue to occur and the permittee feels there are no practicable or cost-effective BMPs which will sufficiently reduce a pollutant concentration in the discharge to the benchmark values established in the permit, the permittee can submit a request to re-evaluate the benchmark values. This request needs to include 1) a detailed explanation of why the facility is unable to comply with the permit conditions and unable to establish BMPs to achieve the benchmark values; 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 this facility.

303(d) LIST:

Section 303(d) of the federal Clean Water Act requires that each state identify waters that are not meeting water quality standards and for which adequate water pollution controls have not been required. Water quality standards protect such beneficial uses of water as whole body contact (such as swimming), maintaining fish and other aquatic life, and providing drinking water for people, livestock and wildlife. The 303(d) list helps state and federal agencies keep track of waters that are impaired but not addressed by normal water pollution control programs. <http://dnr.mo.gov/env/wpp/waterquality/303d/303d.htm>

- ✓ Not applicable; Big Creek was listed on the 2002 Missouri 303(d) List for sediment. It was removed from the 303(d) List when a TMDL was approved in 2006. This facility is specifically mentioned in the 2006 TMDL, although the primary source of sediment in the TMDL is listed as "Agricultural Non-Point Sources". The 2006 TMDL is still in place for Big Creek.

TOTAL MAXIMUM DAILY LOAD (TMDL):

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected; hence, the purpose of a TMDL is to determine the pollutant loading a specific waterbody can assimilate without exceeding water quality standards. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation. <http://dnr.mo.gov/env/wpp/tmdl/>

- ✓ Applicable; the Big Creek Watershed is associated with the 2006 EPA Approved TMDL for sediment.
- ✓ This facility is considered to be a source of or has the potential to contribute to the above listed pollutant; however, a wasteload allocation will not be implemented for Total Suspended solids, as the TMDL requires BMPs to be in place at this facility rather than assigning a specific WLA. The TSS and settleable solids limits from the previous permit are continued.

VARIANCE:

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

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

COST ANALYSIS FOR COMPLIANCE:

The City of Lee's Summit declined having a Cost Analysis for Compliance done for their community. The changes in this permit are believed to be affordable by the municipality.

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

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

- ✓ Not applicable; wasteload allocations were not calculated.

WLA MODELING:

There are two general types of effluent limitations, technology-based effluent limits (TBELs) and water quality based effluent limits (WQBELs). If TBELs do not provide adequate protection for the receiving waters, then WQBEL must be used.

- ✓ Not applicable; a WLA study was either not submitted or determined not applicable by Department staff.

WATER QUALITY STANDARDS:

Per [10 CSR 20-7.031(4)], general criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, [40 CFR 122.44(d)(1)] directs the Department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

A WET test is a quantifiable method of determining if a discharge from a facility may be causing toxicity to aquatic life by itself, in combination with or through synergistic responses when mixed with receiving stream water.

- ✓ Not applicable; at this time, the permittee is not required to conduct WET test for this facility.

Part IV. EFFLUENT LIMITS DETERMINATION

OUTFALL #001-002 – STORMWATER OUTFALLS

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

| PARAMETERS OUTFALLS #001-002 | UNIT | BASIS | DAILY MAXIMUM LIMIT | BENCH- MARK | PREVIOUS PERMIT LIMITS | MINIMUM SAMPLING FREQUENCY | MINIMUM REPORTING FREQUENCY | SAMPLE TYPE |
|--------------------------------------|--------|-------|---------------------------|----------------|------------------------------|----------------------------------|-----------------------------------|----------------|
| PHYSICAL | | | | | | | | |
| FLOW | MGD | 1 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | 24 HR. EST |
| PRECIPITATION | INCHES | 6 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | 24 HR. TOT |
| CONVENTIONAL | | | | | | | | |
| BOD ₅ | MG/L | 6 | ** | 45 | 45/30 | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| COD | MG/L | 6 | 90 | - | 90/60 | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| OIL & GREASE | MG/L | 1, 3 | 10 | - | 15/10 | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| pH ‡ | SU | 1, 3 | 6.5 TO 9.0 | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| SETTLABLE SOLIDS | M/L/HR | 6 | 1.5 | - | 1.5/1.0 | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| TSS | MG/L | 6 | 60 | - | 60/45 | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| METALS | | | | | | | | |
| TOTAL HARDNESS, AS CaCO ₃ | mg/L | 6 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| ALUMINUM, TOTAL RECOVERABLE | µg/L | 6 | * | - | NEW | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| CADMIUM, TOTAL RECOVERABLE | µg/L | 6, 9 | 9.8 | - | * | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| COPPER, TOTAL RECOVERABLE | µg/L | 6, 9 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| IRON, TOTAL RECOVERABLE | µg/L | 6 | 4000 | - | * | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| SELENIUM, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| SILVER, TOTAL RECOVERABLE | µg/L | 6, 9 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| INORGANICS | | | | | | | | |
| CHLORIDE + SULFATE | mg/L | 6 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| FLUORIDE | mg/L | 6 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| AROMATIC HYDROCARBONS | | | | | | | | |
| BENZENE | µg/L | 6 | * | - | SAME | ONCE/QUARTER | ONCE/QUARTER | GRAB |
| ANNUAL SAMPLING PARAMETERS | | | | | | | | |
| NUTRIENTS | | | | | | | | |
| AMMONIA, AS N | mg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| METALS | | | | | | | | |
| ANTIMONY, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| ARSENIC, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| BARIIUM, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| BERYLLIUM, TOTAL RECOVER. | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| CHROMIUM (III), TOTAL RECOV. | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| LEAD, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| MANGANESE, TOTAL RECOVER. | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| MERCURY, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| NICKEL, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| THALLIUM, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |
| ZINC, TOTAL RECOVERABLE | µg/L | 6 | * | - | SAME | ONCE/YEAR | ONCE/YEAR | GRAB |

Notes:

* - Monitoring requirement only ** - Monitoring with associated benchmark NEW = Parameter not established in previous operating permit
‡ The facility will report the minimum and maximum pH values; pH is not to be averaged

Basis for Limitations Codes:

- | | | |
|--|-----------------------------------|--|
| 1. State or Federal Regulation/Law | 5. Water Quality Model | 9. Benchmark based on Missouri Water Quality Standards |
| 2. Water Quality Standard (includes RPA) | 6. Best Professional Judgment | |
| 3. Water Quality Based Effluent Limits | 7. TMDL or Permit in lieu of TMDL | |
| 4. Antidegradation Review/Policy | 8. Benchmark based on MSGP | |

DERIVATION AND DISCUSSION OF LIMITS OUTFALLS #001 & #002:

PHYSICAL:

Flow

In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the department, which may require the submittal of an operating permit modification. The facility will report the total flow in millions of gallons per day (MGD).

Precipitation

Monitoring only requirement; measuring the amount of precipitation [(10 CSR 20-6.200(2)(C)1.E(VI)] during an event is necessary to ensure adequate stormwater management exists at the site. Knowing the amount of potential stormwater runoff can provide the permittee a better understanding of specific control measure that should be employed to ensure protection of water quality. The facility will provide the 24 hour accumulation value of precipitation from the day of sampling the other parameters. It is not necessary to report all days of precipitation during the quarter because of the readily available on-line data.

CONVENTIONAL:

Biochemical Oxygen Demand (BOD₅)

Daily maximum benchmark of 45 mg/L. Previous permit had a daily maximum limit of 45 mg/L and a monthly average limit of 30mg/L. There were no exceedances of this parameter in the previous permit cycle, and consistently low measured value, the limit will be replaced with a benchmark in this permit to assess BMP effectiveness. BOD is a pollutant of concern associated with landfills identified in both the Landfill Effluent Limitation Guideline and EPA's MSGP.

Chemical Oxygen Demand (COD)

Daily Maximum limit of 90 mg/L. Effluent limitations have been retained from previous state operating permit; however, only daily maximum limits will be applied in this permit due to it being for stormwater. This facility had several exceedances of this parameter in the previous permit cycle, but it is in the permit writer's best professional judgment these limits are achievable by this facility. This limit is consistent with other landfill operating permits, and is met at other landfill sites. There is no water quality standard for COD; however, increased oxygen demand may impact instream water quality. COD is also a valuable indicator parameter. COD monitoring allows the permittee to identify increases in COD that may indicate materials/chemicals coming into contact with stormwater that cause an increase in oxygen demand. Increases in COD may indicate a need for maintenance or improvement of BMPs.

Oil & Grease

Daily maximum limit of 10 mg/L. Previous permit required a daily maximum limit of 15 mg/L and a monthly average of 10 mg/L. Oil and grease is a conventional pollutant. Oil and grease is a comprehensive test which measures for gasoline, diesel, crude oil, creosote, kerosene, heating oils, heavy fuel oils, lubricating oils, waxes, and some asphalt and pitch. The test can also detect some volatile organics such as benzene, toluene, ethylbenzene, or toluene, but these constituents are often lost during testing due to their boiling points. It is recommended to perform separate testing for these constituents if they are a known pollutant of concern at the site, i.e. aquatic life toxicity or human health is a concern. Results do not allow for separation of specific pollutants within the test, they are reported, totaled, as "Oil and grease". Per 10 CSR 20-7.031 Table A: *Criteria for Designated Uses*; 10 mg/L is the monthly average (chronic standard) for this parameter. 10 mg/L is the level at which sheen is expected to form on receiving waters. Oils and greases of different densities will possibly form sheen or unsightly bottom deposits at levels which vary from 10 mg/L. To protect the general criteria, it is the responsibility of the permittee to visually observe the discharge and receiving waters for sheen or bottom deposits. It is in the professional judgment of the permit writer that the permittee can meet this limit as stated, and therefore a schedule of compliance will not be offered to the facility.

pH

6.5 to 9.0 SU. The Water Quality Standard at 10 CSR 20-7.031(5)(E) states water contaminants shall not cause pH to be outside the range of 6.5 to 9.0 standard pH units.

Settleable Solids (SS)

Daily maximum limit of 1.5 mL/L/hr. Previous permit required a daily maximum limit of 1.5 mg/L/hr, and a monthly average of 1.0 mg/L/hr. There is no water quality standard for SS; however, sediment discharges can negatively impact aquatic life habitat. Settleable solids are a valuable indicator parameter. Solids monitoring allows the permittee to identify increases in sediment and solids that may indicate uncontrolled materials leaving the site. Permit limits of 1.5 mL/L/hour daily maximum are typical and achievable by this facility. The DMRs show low levels of settleable solids at this facility; however, due to the TMDL associated with this watershed, the limits from the previous permit will be retained to protect the stream.

Total Suspended Solids (TSS)

60 mg/L as a Daily Maximum limit. Previous permit limits were 60 mg/L daily maximum and 45 mg/L monthly average. There were three exceedances of the permit limits in the last permit cycle; however, it is in the permit writer's best professional judgment that this limit is largely achievable by this facility, and there is no justification under backsliding to raise these limits, especially considering the TMDL on the Big Creek watershed. There is no water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. TSS is also a valuable indicator parameter. TSS monitoring allows the permittee to identify increases in TSS that may indicate uncontrolled materials leaving the site.

INORGANICS:

Fluoride

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, fluoride is a pollutant of concern with landfills, therefore monitoring will continue.

Chlorides

This parameter will be removed from this permit. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. Monitoring for this parameter will continue under the chloride + sulfate parameter.

Chloride +sulfate

Monitoring only. The previous permit had a maximum daily limit of 1000 mg/L. The facility has shown low levels of this pollutant over the last permit cycle compared to their limit; however, chloride + sulfate is a pollutant of concern with landfills. Monitoring will continue to assure compliance with this parameter.

BTEX

Benzene

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. This parameter will remain in the permit to monitor for possible discharge of aromatic hydrocarbons. It is considered a good indicator pollutant for this group of pollutants, and low benzene levels will indicate low levels of other BTEX type pollutants.

Ethylbenzene

This parameter will be removed from this permit. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. Benzene will be considered an indicator pollutant for this parameter.

Toluene

This parameter will be removed from this permit. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. Benzene will be considered an indicator pollutant for this parameter.

Total Xylene

This parameter will be removed from this permit. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. Benzene will be considered an indicator pollutant for this parameter.

METALS:

Metals

Effluent limitations for total recoverable metals were developed using methods and procedures outlined in the *Technical Support Document For Water Quality-based Toxic Controls* (EPA/505/2-90-001) and *The Metals Translator: Guidance For Calculating a Total Recoverable Permit Limit From a Dissolved Criterion* (EPA 823-B-96-007). General warm-water habitat criteria apply (WWH) designated as AQL in 10 CSR 20-7.031 Table A. Additional use criterion (HHP, DWS, GRW, IRR, or LWW) may also be used as applicable to determine the most protective effluent limit for the stream class and uses. A water hardness of 193 for stormwater is used in the conversion below. Due to the absence of contemporaneous effluent and instream data for total recoverable metals, dissolved metals, hardness, and total suspended solids with which to calculate metals translators, partitioning between the dissolved and absorbed phases was assumed to be minimal (Section 5.7.3, EPA/505/2-90-001). Freshwater criteria conversion factors for dissolved metals were used as the metals translator as recommended in guidance (Section 1.3, 1.5.3, and Table 1, EPA 823-B-96-007). If concurrent site-specific data for total recoverable metals, dissolved metals, hardness, and total

suspended solids are provided to the department, partitioning evaluations may be considered and site-specific translators developed.

| METAL | CONVERSION FACTORS | |
|-------------|--------------------|---------|
| | ACUTE | CHRONIC |
| Cadmium | 0.916 | 0.881 |
| Chromium VI | N/A | N/A |
| Copper | 0.960 | 0.960 |
| Iron | N/A | N/A |
| Silver | 0.850 | N/A |

Conversion factors for Cd and Pb are hardness dependent. N/A = not applicable.
Values calculated using equation found in Section 1.3 of EPA 823-B-96-007 and hardness = 193 mg/L.

Total Hardness as CaCO₃

Monitoring only. This parameter is required to calculate limits for hardness dependent metals.

Antimony, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, antimony is a pollutant of concern at landfills, and will be sampled for once per year.

Aluminum, Total Recoverable

Monitoring requirement only. Aluminum is a pollutant of concern at landfills. Other landfill operating permits monitor and limit this parameter. It is in the best professional judgement of the permit writer to include this parameter for monitoring.

Arsenic, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, arsenic is a pollutant of concern at landfills, and will be sampled for once per year.

Barium, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. There are also no applicable Water Quality standards for this pollutant to the receiving waters; however, DMR data shows that a source of barium is at this site. The source is not apparent, as is in the nature of landfills. Monitoring for this parameter will continue on a yearly basis.

Beryllium, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, beryllium is a pollutant of concern at landfills, and will be sampled for per year.

Boron, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, boron is a pollutant of concern at landfills, and will be sampled for once per year.

Cadmium, Total Recoverable

Daily maximum limit of 9.8 µg/L. This parameter was monitoring only in the previous permit. DMR data for the last five years shows the potential to exceed water quality standards found in 10 CSR 20-7.031 Table A. A single value of 10 µg/L was reported 6/30/2015. A limit will be set to protect aquatic life in the receiving stream. It is in the professional judgement of the permit writer that the facility will be able to meet these limits as stated without a schedule of compliance. Other than the exceedance, all reported data for this pollutant was well below the required limit.

$$\begin{aligned} \text{Acute AQL WQS: } & e^{(1.0166 * \ln 193 - 3.062490)} * (1.136672 - \ln 193 * 0.041838) = 9.012 && \text{[at Hardness 193]} \\ \text{Acute TR WQS: } & 9.012 \div 0.9165 = 9.8332 && \text{[Total Recoverable Conversion]} \\ \text{Acute WLA: } & C_e = 9.8332 && \text{[WLA=WQS when no mixing]} \\ \text{LTA}_a: & 9.8332(0.321) = 3.1564572 \\ \text{MDL} & = 3.1564572 * 3.11 = \mathbf{9.8 \mu\text{g/L}} \end{aligned}$$

Chromium III, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, Chromium (III) is a pollutant of concern at landfills, and will be sampled for once per year.

Cobalt, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, cobalt is a pollutant of concern at landfills, and will be sampled for once per year.

Copper, Total Recoverable

Monitoring only. This parameter was monitoring only in the previous permit. DMR data for the last five years did not exceed water quality standards found in 10 CSR 20-7.031 Table A. Monitoring will continue to evaluate reasonable potential at renewal.

Iron, Total Recoverable

Daily maximum limit of 4000 µg/L. Previous permit had monitoring only for this parameter. The chronic water quality standard for iron is 1000 µg/L. Due to the sporadic nature of stormwater discharges, the department, under the direction of EPA guidance, has determined chronic standards are capricious measures of stormwater discharges. Chronic effluent limitations are based on the organism's ability to survive within the designated concentration for four days. Stormwater is rarely discharged continuously for four days. Conversely, acute water quality standards are applicable, but are non-existent for iron. After reviewing other sources of data, it is in the permit writer's best professional judgment to acknowledge Kentucky's iron surface water quality standard for warm water aquatic habitat as a limit for this facility. This numerical basis was determined through research on freshwater organisms by Birge et al. and published in 1985. In accordance with the department's current stormwater permitting guidance, under the direction of EPA guidance, it is the permit writer's best professional judgment that an iron limit of 4000 µg/L is both feasible for the facility and protective of in-stream water quality. This limit is accompanied by a TSS limit of 60 mg/L. It is the permit writer's best professional judgment this combination of parameters is protective of all numeric and general criteria within the receiving stream. A schedule of compliance will not be offered for this parameter, as five years of DMR data show the limit is largely achievable by the facility.

Lead, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, lead is a pollutant of concern at landfills, and will be sampled for once per year.

Manganese, Total Recoverable

Monitoring only. There are no water quality protections for the use designations of this outfall. Manganese is a pollutant of concern for drinking water based on EPA drinking water standards for color and smell, and the fact that it is known to cause staining. Drinking water is not a use designation of the receiving stream for this outfall. Manganese can be toxic to aquatic organisms in large amounts; however, levels of 800-3800 µg/L have been shown to be non-toxic to sensitive organisms in a water hardness of 25-300 mg/L, with non-toxic levels increasing as hardness increases. Although this pollutant is not a water quality concern at this site, it is clearly present in the effluent. It is in the professional judgment of the permit writer to continue monitoring this parameter to collect further data.

Sources and further information:

<http://www.env.gov.bc.ca/wat/wq/BCguidelines/manganese/manganese.html>

World Health Organization. "Manganese in Drinking Water". http://www.who.int/water_sanitation_health/dwq/chemicals/manganese.pdf

Mercury, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, mercury is a pollutant of concern at landfills, and will be sampled for once per year.

Nickel, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, nickel is a pollutant of concern at landfills, and will be sampled for once per year.

Selenium, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. Selenium is a pollutant of concern with landfills, and was found in detectable levels in the stormwater; therefore, it is in the best professional judgment of the permit writer to continue monitoring for this pollutant to assure continued CWA compliance.

Silver, Total Recoverable

Monitoring only, continued from the previous permit. DMR data for the last five years has no exceedances of water quality standards found in 10 CSR 20-7.031 Table A. It is in the professional judgment of the permit writer to continue monitoring for this parameter.

Thallium, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, thallium is a pollutant of concern at landfills, and will be sampled for once per year.

Zinc, Total Recoverable

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, zinc is a pollutant of concern at landfills, and will be sampled for once per year.

NUTRIENTS:

Ammonia, Total as Nitrogen

Monitoring only. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. However, ammonia is a pollutant of concern at landfills, therefore monitoring will continue. Monitoring will remain quarterly, as Missouri has two seasons applicable to ammonia limits. Quarterly monitoring is necessary to get a data for both seasons.

Nitrate plus Nitrite as Nitrogen

This parameter will be removed from this permit. DMR data from the previous permit cycle shows low levels of this pollutant, and it is in the best professional judgment of the permit writer that there is no potential to exceed water quality standards. Nitrate plus nitrite is a parameter of concern for facilities that discharge to a drinking water source. That is not the case at this facility.

Part V. SAMPLING AND REPORTING REQUIREMENTS:

ELECTRONIC DISCHARGE MONITORING REPORTING:

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

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:

Please review Standard Conditions Part 1, Section A, number 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 unless alternates are approved by the department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure that the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations that are low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is "sufficiently sensitive" when; 1) the method minimum level is at or below the level of the applicable water quality criterion for the pollutant or, 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility's discharge is high enough that the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015. These methods are also required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established. A permittee is responsible for working with their contractors to ensure that the analysis performed is sufficiently sensitive. 40 CFR 136 lists the approved methods accepted by the department.

SAMPLING FREQUENCY JUSTIFICATION:

Sampling and reporting frequency was generally retained from previous permit. Sampling frequency for stormwater-only outfalls is typically quarterly even though BMP inspection occurs monthly. The facility may sample more frequently if they need additional data to determine if their best management technology is performing as expected.

SAMPLING TYPE JUSTIFICATION:

Sampling type was continued from the previous permit. The sampling types are representative of the discharges, and are protective of water quality.

Part VI. ADMINISTRATIVE REQUIREMENTS

On the basis of preliminary staff review and the application of applicable standards and regulations, the Department, as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions contained herein and within the operating permit. The proposed determinations are tentative pending public comment.

PERMIT SYNCHRONIZATION:

The Department of Natural Resources is currently undergoing a synchronization process for operating permits. Permits are normally issued on a five-year term, but to achieve synchronization many permits will need to be issued for less than the full five years allowed by regulation. The intent is that all permits within a watershed will move through the Watershed Based Management (WBM) cycle together will all expire in the same fiscal year. <http://dnr.mo.gov/env/wpp/cpp/docs/watershed-based-management.pdf>. This will allow further streamlining by placing multiple permits within a smaller geographic area on public notice simultaneously, thereby reducing repeated administrative efforts. This will also allow the department to explore a watershed based permitting effort at some point in the future. Renewal applications must continue to be submitted within 180 days of expiration, however, in instances where effluent data from the previous renewal is less than three years old, that data may be re-submitted to meet the requirements of the renewal application. If the permit provides a schedule of compliance for meeting new water quality based effluent limits beyond the expiration date of the permit, the time remaining in the schedule of compliance will be allotted in the renewed permit. *This permit will become synchronized by expiring end of 3rd quarter, 2020.*

PUBLIC NOTICE:

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

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

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

- The Public Notice period for this operating permit is tentatively scheduled to begin on (DATE) or is in process.

DATE OF FACT SHEET: 05/11/2016

COMPLETED BY:

AMBERLY SCHULZ, ENVIRONMENTAL SPECIALIST
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - INDUSTRIAL UNIT
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STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

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

Part I – General Conditions

Section A – Sampling, Monitoring, and Recording

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

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

Section B – Reporting Requirements

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



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

Section C – Bypass/Upset Requirements

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

Section D – Administrative Requirements

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



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

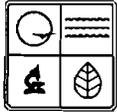
- imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation,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



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

AP 16/64 C 11900



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

| FOR AGENCY USE ONLY | |
|---------------------|---------------|
| CHECK NUMBER | |
| DATE RECEIVED | FEE SUBMITTED |

Note ▶ PLEASE READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS PERMIT

1. This application is for:

- An operating permit and antidegradation review public notice
- A construction permit following an appropriate operating permit and antidegradation review public notice
- A construction permit and concurrent operating permit and antidegradation review public notice
- A construction permit (submitted before Aug. 30, 2008 or antidegradation review is not required)
- An operating permit for a new or unpermitted facility
- An operating permit renewal: permit # MO- 0110876
- An operating permit modification: permit # MO- _____

Construction Permit # _____
Expiration Date 2/5/2014
Reason: _____

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

2. FACILITY

| | | | |
|---|----------------------|--|-------------------|
| NAME Lee's Summit Resource Recovery Park | | TELEPHONE WITH AREA CODE (816) 969-1800 | |
| | | FAX (816) 969-1985 | |
| ADDRESS (PHYSICAL) 2101 SE Hamblen Road | CITY Lee's Summit | STATE MO | ZIP CODE 64082 |

3. OWNER

| | | | | |
|---------------------------------------|----------------------|---|--|--|
| NAME City of Lee's Summit | | E-MAIL ADDRESS chris.bussen@cityofls.net | TELEPHONE WITH AREA CODE (816) 969-1800 | |
| | | | FAX (816) 969-1985 | |
| ADDRESS (MAILING) 220 SE Green St. | CITY Lee's Summit | STATE MO | ZIP CODE 64063 | |

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

4. CONTINUING AUTHORITY

| | | | |
|---------------------------------------|----------------------|--|-------------------|
| NAME City of Lee's Summit | | TELEPHONE WITH AREA CODE (816) 969-1800 | |
| | | FAX (816) 969-1985 | |
| ADDRESS (MAILING) 220 SE Green St. | CITY Lee's Summit | STATE MO | ZIP CODE 64063 |

5. OPERATOR

| | | | | |
|---------------------------------------|----------------------|--------------------|--|--|
| NAME City of Lee's Summit | | CERTIFICATE NUMBER | TELEPHONE WITH AREA CODE (816) 969-1800 | |
| | | | FAX (816) 969-1985 | |
| ADDRESS (MAILING) 220 SE Green St. | CITY Lee's Summit | STATE MO | ZIP CODE 64063 | |

6. FACILITY CONTACT

| | | | | |
|----------------------|--|--|--|--|
| NAME Chris Bussen | | TITLE Superintendent of Solid Waste | TELEPHONE WITH AREA CODE (816) 969-1800 | |
| | | | FAX (816) 969-6814 | |

7. ADDITIONAL FACILITY INFORMATION

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

001 NE 1/4 SW 1/4 Sec 21 T 47N R 31W Jackson County
UTM Coordinates Easting (X): 382687.279 Northing (Y): 4303419.200
For Universal Transverse Mercator (UTM), Zone 15 North referenced to North American Datum 1983 (NAD83)

002 NE 1/4 SE 1/4 Sec 21 T 47N R 31W Jackson County
UTM Coordinates Easting (X): 382772.998 Northing (Y): 4303414.692

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

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

7.2 Primary Standard Industrial Classification (SIC) and Facility North American Industrial Classification System (NAICS) Codes.

001 - SIC 4953 and NAICS 562212 002 - SIC 4953 and NAICS 562212
003 - SIC _____ and NAICS _____ 004 - SIC _____ and NAICS _____

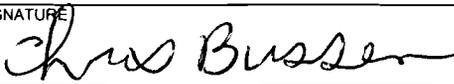
8. ADDITIONAL FORMS AND MAPS NECESSARY TO COMPLETE THIS APPLICATION
(Complete all forms that are applicable.)

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

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

| | | | |
|--------------------------------|----------------------|-------------|-------------------|
| NAME Vivian Constable | | | |
| ADDRESS 2620 SE Ranson Road | CITY Lee's Summit | STATE MO | ZIP CODE 64082 |

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

| | |
|--|--|
| NAME AND OFFICIAL TITLE (TYPE OR PRINT) Chris Bussen, Superintendent of Solid Waste | TELEPHONE WITH AREA CODE (816) 969-1800 |
| SIGNATURE  | DATE SIGNED 8/2/2013 |

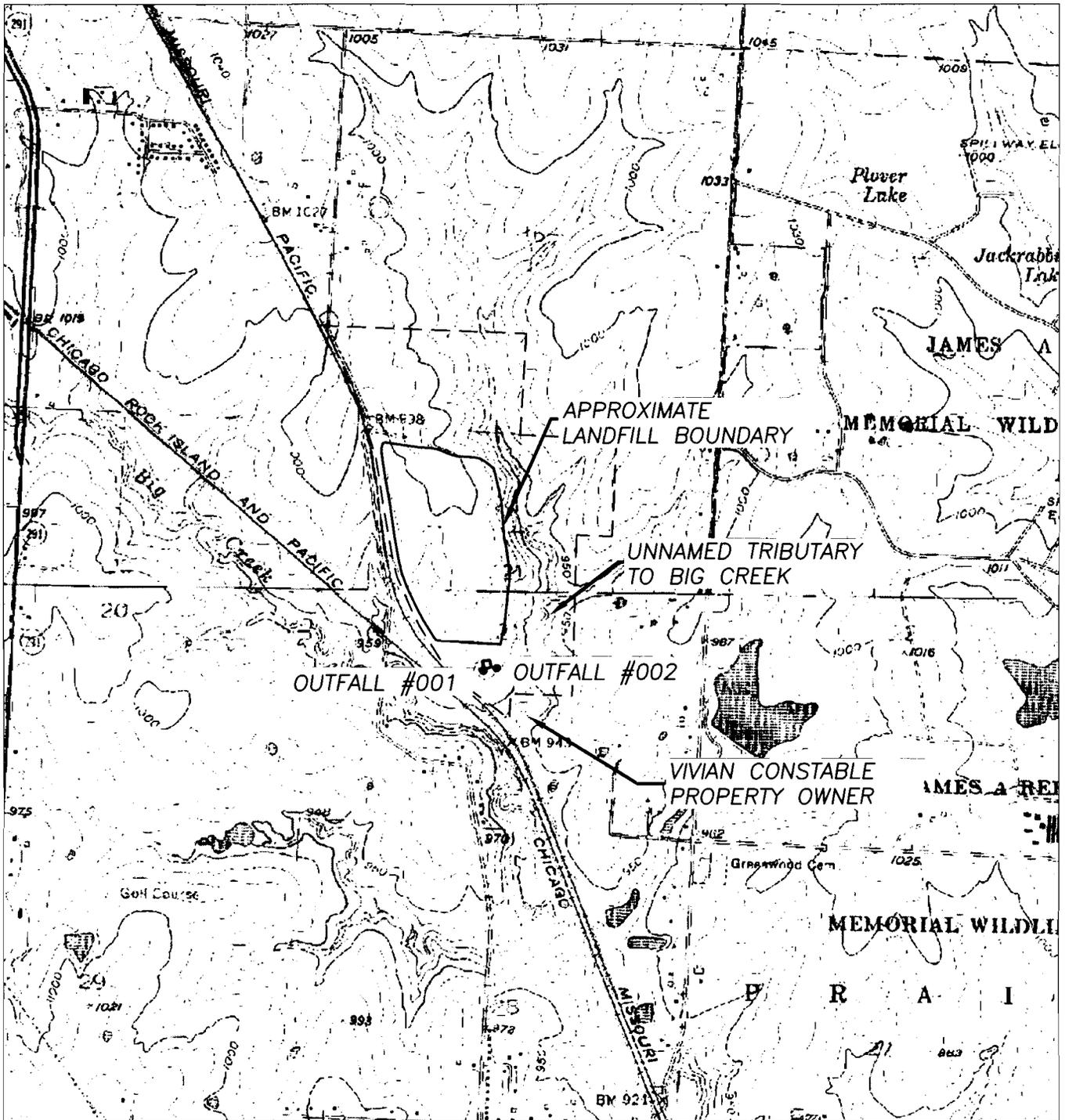
MO 780-1479 (01-09)

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

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

HAVE YOU INCLUDED:

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



SCS AQUATERRA
CONSULTING ENGINEERS, INC.

7311 W. 130th St, Ste. 100
Overland Park, Kansas 66213
PH. (913) 681-0030 FAX. (913) 681-0012

FIGURE 1 - SITE LOCATION MAP
LEE'S SUMMIT RESOURCE RECOVERY PARK
LEE'S SUMMIT, MISSOURI

| | | | |
|----------------|---------------|----------------------------|--------------------------|
| CHK. BY: RDT | DWN. BY: DAE | DSN. BY: DAE | PROJ. NO. 27213990.12 |
| PROJ. MGR: AJW | DATE: 7/26/13 | CADD FILE: SITE MAP.DWG | DRAWING NO. 1 |