



PUBLIC NOTICE

DRAFT MISSOURI STATE OPERATING PERMIT

DATE: July 24, 2020

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, 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: Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176, 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 Department 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 p.m. on August 24, 2020. The Department will consider all written comments including emails, faxes, and letters in the formulation of all final determinations regarding the applications. Email 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 the Department's website at <http://www.dnr.mo.gov/env/wpp/permits/permit-pn.htm>, or at Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176, between the hours of 8 a.m. and 5 p.m. on 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 RSMo as amended, hereinafter, the Law) and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No.: MO-R22Bxxx
Owner: < name >
Address: < address >
Continuing Authority: < name, or Same as above >
Address: < address, or Same as above >
Facility Name: < name >
Facility Address: < physical address >
Legal Description: 1/4, 1/4, 1/4, Sec. xx, TxxN, RxxW, < county > County
UTM Coordinates: X = , Y =
Receiving Stream: < receiving stream > < (U, C, P, L1, L2, L3) >
First Classified Stream and ID: < 1st classified stream > <(U, C, P, etc.)> <(ID number)> 303(d) List
USGS Basin and Sub-watershed No.: < (USGS HUC12 #) >

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

FACILITY DESCRIPTION

All Outfalls – SIC Code 2491 & 2861 (match-light charcoal only)
Stormwater discharges from facilities engaged in wood preserving/treating operations. This permit authorizes discharges of stormwater which have not been impacted by wood preservation chemicals or products.

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.

Effective Date

Edward B. Galbraith, Director, Division of Environmental Quality

Expiration Date

Chris Wieberg, Director, Water Protection Program

APPLICABILITY

1. This Missouri State Operating Permit (permit) authorizes the discharge of stormwater to waters of the State of Missouri from the wood treatment industry, including but not limited to permittees (facilities) with the primary Standard Industrial Classification (SIC) Code of 2491 and 2861 (match-light charcoal only) or facilities the Missouri Department of Natural Resources (Department) determines are fundamentally similar to facilities that are under these SIC codes.

This permit is applicable to facilities (associated with the above industries) with materials exposed to stormwater, which the Department determines must obtain a permit. This permit covers wood preserving/treating operations, including “match-light type” charcoal operations. This includes operations which preserve/treat wood with acid copper chromate (ACC), ammoniacal copper arsenate (ACA), ammoniacal copper quat (ACQ), ammoniacal copper zinc arsenate (ACZA), borates, borax, chromated copper arsenate (CCA), copper azole (CA), copper naphthenate, creosote, micronized/dissolved copper (MCA or MCQ), oxine copper, and pentachlorophenol (PCP, Penta). Facilities seeking to preserve/treat wood with chemicals other than those listed above must obtain approval from the Department to operate under this permit, or may be required to obtain a site-specific permit. Evaluation of such requests will be based on the nature of the chemical, the treatment process and location on-site, and whether the conditions of this permit are deemed protective of waters of the state while the chemical of question is in use.

Facilities that produce wood product (SIC codes 2421-2452, 2493, 2499, 2511, 2512, 2517, 2521, 2541, 2861 [untreated/natural charcoal only]) or facilities that produce wood furniture (SIC codes 2519, 2531, 2591, and 2599), and do not treat wood using chemicals may apply for the MO-R22Axxx or a site-specific permit.

2. This permit does not cover land disturbance activities or construction of earthen basins.
 - (a) Land disturbance activities disturbing one or more acres of total area for the entire project or less than one acre for sites that are part of a common promotional plan of development may require a land disturbance permit. Instructions on how to apply for and receive the online land disturbance permit are located at www.dnr.mo.gov/env/wpp/epermit/help.htm. Questions regarding permit requirements may be directed to the Department’s Land Disturbance phone line at [573-526-2082](tel:573-526-2082) or toll free at [855-789-3889](tel:855-789-3889).
 - (b) Construction of an earthen basin or holding structure may require a construction permit. Instructions on how to apply for and receive a construction permit are located at <https://dnr.mo.gov/env/wpp/permits/ww-construction-permitting.htm>. Questions regarding permit requirements may be directed to Department’s Water Protection Program phone line at [573-751-1300](tel:573-751-1300), or toll free at [800-361-4827](tel:800-361-4827).
3. Discharge to the watersheds of a Metropolitan No-Discharge Stream (10 CSR 20-7.031 Table F) is authorized by this permit, if the discharges are in compliance with 10 CSR 20-7.015(5) and 10 CSR 20-7.031(7). Only (a), (f), (g), and (h) from “allowable non-stormwater discharges” found in Special Condition #15 below are authorized for discharge to Metropolitan No-Discharge Streams. The other types of non-stormwater discharges are not authorized for discharge to Metropolitan No-Discharge watersheds.
4. This permit does not authorize discharges which are located in a way to allow water to be released into sinkholes, caves, fissures, or other openings in the ground which could drain into aquifers (except losing streams) per 10 CSR 20-7.015(7).
5. This permit authorizes stormwater discharge in Outstanding State Resource Waters (OSRW) so long as no degradation of water quality occurs in the OSRW due to discharges from the permitted facility per 10 CSR 20-7.015(6)(B) and 10 CSR 20-7.031(3)(C).
6. For facilities operating within the watershed of Outstanding National Resource Water, which includes the Ozark National Riverways and the National Wild and Scenic Rivers System:
 - (a) This permit authorizes only no-discharge facilities [as defined in 10 CSR 20-6.015(1)(B)7.] to operate.
 - (b) Any discharge from a no-discharge facility, including stormwater, will be considered a violation of this permit unless a catastrophic or chronic storm event [as defined in 10 CSR 20-6.015(1)(B)2.-3.] occurs. In the event of a catastrophic or chronic storm event, the no-discharge facility is authorized to release only the amount of stormwater required to prevent damage to the facility or established BMPs.
 - (c) Facilities already discharging stormwater to these watersheds under authorization of the Department may receive interim authorization from the Department to continue these discharges until a non-discharging solution is determined and implemented.
7. Facilities located within the watershed of an impaired water as designated in the 305(b) Report must be evaluated on a case-by-case basis for inclusion under this permit. If the waterbody the facility intends to discharge to is impaired for any pollutants of concern (those with benchmarks or those disclosed by the facility in application), they may be required to obtain a site-specific permit.

8. This permit does not authorize stream channel alterations under section 404 of the federal Clean Water Act (CWA). Facilities shall take precautions to ensure activities do not cause or contribute to an alteration of the stream channel. Stream channel alterations require review by the U.S. Army Corps of Engineers under Section 404 of the federal CWA.
9. The Department may require any facility authorized by a general permit to apply for a site-specific permit [10 CSR 20-6.010(13)(C)]. Cases where a site-specific permit may be required include, but are not limited to, the following:
 - (a) The discharge(s) is a significant contributor of a pollutant(s) which impairs the beneficial uses of the receiving stream;
 - (b) The discharger is not in compliance with the conditions of the general permit;
 - (c) A Total Maximum Daily Load (TMDL) containing requirements applicable to the discharge(s) is approved.
10. If a facility covered under a current general permit desires to apply for a site-specific permit, the facility may do so by contacting the Department for application requirements and procedures.
11. Facilities covered under a current site-specific permit who desire to apply for inclusion under this general permit may contact the Department for application requirements and procedures.
12. This permit does not authorize discharge from stockpiles of sawdust, ash, or biochar generation from the incineration of wood waste (wood or wood product), or any other similar waste materials. Stormwater which has come into contact with these materials is not authorized for discharge by this permit.
13. This permit authorizes the operation of oil water separators solely for the treatment of stormwater, which are appropriately operated and sized per manufacturer's or engineering specifications. Oil water separators used to treat wastewater (drips, spills, shop floor drains, pavement washing, etc.) must be authorized under permit MO-G14 for oil water separator discharges or a site-specific permit authorizing all industrial activities at the site. This permit authorizes only the discharge of stormwater treated by an oil water separator (precipitation that has fallen on the site and is discharged through the oil water separator). The facility must maintain oil water separator sludge removal records for a period of at least 5 years and provide them to the Department if requested. Sludge from the oil water separator is considered used oil and must be disposed of accordingly.
14. This permit does not authorize the discharge of wastewater, treated or otherwise, including contact and non-contact cooling waters; boiler blowdown; water used for steam or other method of wood preserving; water used for wet storage of logs or roundwood including water used for "wet decking"; water used for log or lumber washing; water used for dipping or staining; or water used to wash machinery, equipment, buildings, or pavement.
15. The following are allowable non-stormwater discharges authorized under this permit for most facilities (see Special Condition #4 for more information):
 - (a) Discharges from fire-fighting activities;
 - (b) Fire hydrant flushing (testing);
 - (c) Potable water for water line testing;
 - (d) Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - (e) Landscape watering, provided all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer's instructions;
 - (f) Uncontaminated ground water or spring water which has not contacted industrial materials or processes;
 - (g) Foundation or footing drains where flows are not contaminated with process materials; and
 - (h) Incidental windblown mist from cooling towers which collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

EXEMPTIONS AND EXCLUSIONS

1. Facilities discharging all wastewater and stormwater directly to a combined sewer system (as defined in 40 CFR 122.26 and 40 CFR 35.2005) connecting to a publicly owned treatment works which has consented to receive such a discharge are exempt from stormwater permitting requirements.
2. In accordance with 40 CFR 122.26(g) and 10 CSR 20-6.200(1)(C), if a facility has no materials exposed to stormwater (all materials and activities are protected by a storm resistant shelter that is enclosed on all sides to prevent exposure to rain, snow, snowmelt and/or runoff), the facility may apply for No Exposure Certification in lieu of stormwater permit coverage. If applicable, the facility must submit a No Exposure Certification form (<https://dnr.mo.gov/forms/780-2828-f.pdf>) with the application for permit coverage. No Exposure Certification Guidance may be found at <https://dnr.mo.gov/pubs/pub2729.htm>.

PERMIT REQUIREMENTS

1. Electronic Discharge Monitoring Report (eDMR) Submission System. Per 40 CFR Part 127 National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule, reporting of effluent limits and monitoring shall be submitted by the permittee via an electronic system to ensure timely, complete, accurate, and nationally consistent set of data about the NPDES program. All general permit covered facilities under this master general permit shall comply with the Department's requirements for electronic reporting.
 - (a) Other actions. The following shall be submitted electronically after such a system has been made available by the Department:
 - (1) General Permit Applications/Notices of Intent to discharge (NOIs);
 - (2) Notices of Termination (NOTs);
 - (3) No Exposure Certifications (NOEs); and
 - (4) Low Erosivity Waivers and Other Waivers from Stormwater Controls (LEWs).
 - (b) Electronic Submissions. To access the eDMR system, use the following link in your web browser: <https://edmr.dnr.mo.gov/edmr/E2/Shared/Pages/Main/Login.aspx>. If you experience difficulties with using the eDMR system you may contact edmr@dnr.mo.gov or call 855-789-3889 or 573-526-2082 for assistance.
 - (c) Waivers from Electronic Reporting.
 - (1) The permittee may obtain a temporary or permanent electronic reporting waiver by first submitting an eDMR Waiver Request Form (Form 780-2692): <http://dnr.mo.gov/forms/780-2692-f.pdf>, by contacting the appropriate permitting office or emailing edmr@dnr.mo.gov. The Department will either approve or deny this electronic reporting waiver request within 120 calendar days of receipt.
 - (2) Only permittees with an approved waiver request may submit monitoring data and reports on paper to the Department for the period the approved electronic reporting waiver is effective.
2. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with all applicable federal and state statutes and regulations in accordance with §644.051.16, RSMo, and the CWA section 402(k); however, this permit may be reopened and modified, or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), §304(b)(2), and §307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or controls any pollutant not limited in the permit.
3. Changes in Discharges of Toxic Substances. In addition to the reporting requirements under §122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Department as soon as they know or have reason to believe:
 - (a) 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 the 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) An 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 the 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 the 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. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (Section 644.055, RSMo). The fee structure can be found at 10 CSR 20-6.011.
6. Compliance with all requirements in this permit does not supersede nor remove liability for compliance with county and other local ordinances.
7. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, termination or notice of planned changes or anticipated non-compliance does not stay any permit condition.

8. The permittee shall furnish to the Department upon request copies of records required to be kept according to the terms and conditions of this permit.
9. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
 - (a) The alteration or addition could significantly change the nature or increase the quantity of pollutants in the discharge. This notification applies to pollutants subject to the benchmarks of this permit as well as new pollutants different from pollutants listed in this permit; or
 - (b) The alteration or addition results in a significant change in disposal practices and may justify the application of permit conditions different from or absent in the current permit.
10. Before releasing water accumulated in petroleum secondary containment areas, it must be examined for hydrocarbon odor and presence of sheen to protect the general criteria found at 10 CSR 20-7.031(4). If odor or sheen is found, the water shall not be discharged without treatment and shall be disposed of in accordance with legally approved methods, such as being sent to a wastewater treatment facility. The facility should ensure the receiving wastewater treatment facility has agreed to receive the discharge.

If the facility wishes to discharge the accumulated stormwater with odor or presence of sheen, the water shall be treated using an appropriate method. Following treatment and before release, the water shall be tested for all applicable pollutants (those pollutants which were stored in the tank) using 40 CFR part 136 methods; for petroleum tanks, this would include oil and grease, benzene, toluene, ethylbenzene, and xylene. All pollutant levels must be below the most protective, applicable standards for the receiving stream, found in 10 CSR 20-7.031 Table A before discharge is authorized. Records of all testing and treatment of water accumulated in secondary containment shall be stored in the SWPPP and be available on demand to the Department.

11. Spills, Overflows, and Other Unauthorized Discharges.
 - (a) Any spill, overflow, or other discharge(s) not specifically authorized in this permit are unauthorized discharges.
 - (b) Should an unauthorized discharge cause or permit any contaminants to discharge or enter waters of the state, the unauthorized discharge must be reported to the regional office as soon as practicable but no more than 24 hours after the discovery of the discharge. If the spill or overflow needs to be reported after normal business hours or on the weekend, the facility must call the Department's 24 hour spill line at 573-634-2436.

STORMWATER REQUIREMENTS

TABLE A	BENCHMARKS FOR ALL FACILITIES	
The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The benchmarks shall become effective upon issuance of the permit and remain in effect until the expiration of the permit. Such discharges shall be controlled and limited by the facility as specified below:		
DISCHARGE PARAMETER(S)	UNITS	BENCHMARK
Ammonia as N	mg/L	12.1
Chemical Oxygen Demand (COD)	mg/L	90
Oil and grease	mg/L	10
pH	SU	6.5-9.0
Total Suspended Solids	mg/L	50
Arsenic, Total Recoverable	µg/L	20
Chromium III, Total Recoverable	µg/L	100
Chromium VI, Dissolved	µg/L	15
Copper, Total Recoverable	µg/L	22
Zinc, Total Recoverable	µg/L	180
Acenaphthene	µg/L	1,200
Benzo(a)anthracene	µg/L	ND
Benzo(k)fluoranthene	µg/L	ND
Benzo(a)pyrene	µg/L	ND
Chrysene	µg/L	ND
Dibenzo(a,h)anthracene	µg/L	ND
Fluoranthene	µg/L	300
Fluorene	µg/L	1,300
Ideno(1,2,3-CD)Pyrene	µg/L	ND
Naphthalene	µg/L	20
Pentachlorophenol	µg/L	5
2-Chlorophenol	µg/L	ND
2,4-Dimethylphenol	µg/L	540
2,4-Dinitrophenol	µg/L	70
2,4,5-Trichlorophenol	µg/L	2,600
2,4,6-Trichlorophenol	µg/L	2

ND These pollutants are benchmarked at the laboratory non-detect/reporting limit using a sufficiently sensitive analysis method as defined in 40 CFR Part 136.

STORMWATER REQUIREMENTS, CONTINUED

1. The permittee is not required to sample stormwater under this permit. However, if samples are collected, they are to be compared to the benchmarks listed in Table A to assist in the evaluation of BMPs. The BMPs at the facility should be designed to meet these benchmarks during rainfall events up to the 10-year, 24-hour precipitation event. The Department may require sampling and reporting as a result of illegal discharges, compliance issues related to water quality concerns or BMP effectiveness, or evidence of off-site impacts from activities at the facility. If such an action is needed, the Department will specify in writing the sampling requirements, including such information as location and extent. If the permittee refuses to perform sampling when required, the Department may terminate the general permit and require the facility to obtain a site-specific permit with sampling requirements.
2. If a sample of stormwater is collected:
 - (a) The laboratory results of all samples from a discharge collected and analyzed must be retained on site with monitoring records and made available to the Department upon request, and shall be submitted with renewal application materials.
 - (b) Precipitation events include rainfall as well as run-off from the melting of frozen precipitation.
 - (c) For flow-through BMPs, stormwater samples shall be collected within the first 60 minutes of discharge occurring as a result of precipitation events exceeding 0.1 inches during a 24-hour period, if possible.
 - (d) For retention BMPs, stormwater samples shall be collected only when a discharge occurs, and if possible, shall be taken from the outfalls. Dip sampling of effluent in retention structures should not be performed.
 - (e) Stormwater samples shall be collected prior to leaving or at the property boundary or before the discharge enters waters of the state on the property.

More information on stormwater sampling may be found in the following document: Industrial Stormwater Monitoring and Sampling Guide (Document number: EPA 832-B-09-003) published by the Environmental Protection Agency (EPA) in March 2009, https://www3.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf.

3. This permit specifies pollutant benchmarks applicable to the facility's discharge. The benchmarks do not constitute direct numeric effluent limitations. Benchmark exceedances alone, therefore, are not a permit violation. The facility shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) as explained in more detail later in this section. Benchmark monitoring data are primarily to determine the overall effectiveness of the SWPPP and to assist the facility in knowing when additional corrective action may be necessary.

If a sample exceeds a benchmark, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant in the stormwater discharge(s). Additionally, when a benchmark exceedance occurs a Corrective Action Report (CAR) must be completed and documented in the SWPPP. A CAR is a document that records the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. Failure to improve BMPs or take corrective action to address a benchmark exceedance and failure to make tangible progress toward achieving a benchmark is a permit violation. If the efforts taken by the facility are not sufficient and subsequent exceedances of a benchmark occur, the facility may demonstrate to the Department a benchmark value cannot be achieved. The demonstration must include rationale and supporting documentation (which may include multiple CARs) and must show a benchmark value is not feasible because no further pollutant reductions are technologically available and economically practicable in light of best industry practices. This demonstration must be presented to the Department for review and approval. A new technology-based benchmark may be determined for the site based on the information demonstrated to the Department. Benchmark exceedances believed to be the result of legacy chemical use at the facility are not exempted from this requirement. Facilities are encouraged to contact the Department to develop a plan for investigation and clean-up if legacy chemical use is suspected to be the cause of the exceedances.

4. This permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). When applying for coverage under this permit, a SWPPP including an Alternative Analysis of the BMPs must be developed, implemented, and maintained at the facility. Failure to implement and maintain the chosen alternative, which can be revised and updated, is a permit violation. The Alternative Analysis is a structured evaluation of BMPs to determine which are reasonable and cost effective. The analysis should include practices designed to be 1) non-degrading 2) less degrading, or 3) degrading water quality. The chosen BMP will be the most reasonable and cost effective while ensuring the highest quality water attainable for the facility is discharged. The analysis must demonstrate why "no discharge" or "no exposure" are not feasible alternatives at the facility. Existing facilities with established SWPPPs and BMPs need not conduct an additional alternatives analysis unless new BMPs are established to address BMP failures. This structured analysis of BMPs serves as the Antidegradation review, fulfilling the requirements of 10 CSR 20-7.015(9)(A)5 and 7.031(3).
5. The permittee shall select, install, use, operate, and maintain the BMPs prescribed in the SWPPP in accordance with the concepts and methods described in the following document: *Developing Your Stormwater Pollution Prevention Plan, a Guide for Industrial Operators*, (Document number EPA 833-B-09-002) published by the United States Environmental Protection Agency (EPA) in June 2015. https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf. (General information may also be found at <https://www.epa.gov/npdes/industrial-stormwater-guidance>.)
 - (a) **New Facilities:** The new SWPPP for the facility must be prepared within 60 days and implemented within 120 days of

permit issuance.

- (b) **Existing Facilities:** The existing SWPPP for your facility must be reviewed, revised as necessary, and implemented within 30 days of reissuance of coverage.
 - (c) **Expanding Facilities:** The existing SWPPP for the facility, including the Alternative Analysis, must be reviewed and revised as necessary. Once expansion occurs the revised SWPPP must be implemented within 30 days of permit modification.
6. The SWPPP must be kept on-site (either electronically or paper copy), readily available upon request, and should not be sent to the Department unless specifically requested. Throughout coverage under this permit, the facility must perform SWPPP review and revision to incorporate any significant site condition changes which impact the nature and condition of stormwater discharges.
7. For all facilities the SWPPP must include the following:
- (a) An assessment of all stormwater discharges associated with the facility, facility activities, and facility materials. This assessment must include a list of potential contaminants and an annual estimate of amounts used and/or produced in the described activities.
 - (b) A listing of BMPs and a narrative explaining how the BMPs will be implemented to control and minimize the amount of potential contaminants entering stormwater.
 - (c) A map of the location of all permitted features, outfalls, and structural BMPs. This map shall be updated as needed to reflect current BMPs in use. Outfalls do not need to be marked in the field. The map does not need to be printed on paper. Electronic or other accessible maps will be considered adequate compliance with this condition.
 - (d) A schedule for monthly site inspections and a brief written report, which includes the name of the inspector, the signature of the inspector, and the date. The inspections must include observation and analysis of BMP effectiveness, deficiencies, and corrective action to be taken. Deficiencies must be corrected within seven (7) days and must be documented in the inspection report. The facility may submit a written request to the Department justifying additional time, if necessary, to complete corrective action. The purpose of the SWPPP and the BMPs listed therein is to prevent pollution per 10 CSR 20-2.010(56) to waters of the state. A deficiency of a BMP means it was not effective in preventing pollution of waters of the state or meeting benchmarks of this permit. Corrective action means the facility took steps to eliminate the deficiency. Inspection reports must be kept with the SWPPP and must be made available to the Department upon request.
 - (e) A provision for designating an individual to be responsible for environmental matters.
 - (f) A provision for providing training to all personnel involved in material handling, material storage, and housekeeping of areas having materials exposed to stormwater. Proof of training must be made available to the Department upon request.
 - (g) A provision for evaluating benchmarks/effluent limitations established in this permit.
8. The following minimum BMPs must be implemented at all facilities:
- (a) Collection facilities shall be provided on-site, and arrangements made for proper disposal of waste products, including but not limited to petroleum waste products, solid waste, de-icing products, and solvents, which may be exposed to stormwater.
 - (b) 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.
 - (c) Store all paints, solvents, petroleum products, petroleum waste products and storage containers (such as drums, cans, or cartons) so they 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 countermeasures to prevent any spill of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall prevent the contamination of groundwater.
 - (d) Provide sediment and erosion control sufficient to minimize sediment loss off of the property, pollution of waters of the state, and to comply with the conditions of this permit, Missouri Clean Water Law, and the CWA. This may require the use of straw bales, silt fences, sediment basins, or other treatment structures. This may require the construction of properly designed sediment basins or other treatment structures.
 - (e) Provide good housekeeping practices on-site to keep solid waste from entering waters of the state. For example, direct stormwater away from areas where storage, loading and unloading, and material handling occur; perform good housekeeping to prevent the discharge of wood debris, sawdust, and discolored or otherwise impacted stormwater; and minimize the generation of dust.
 - (f) Facilities shall manage materials (products, stockpiles, waste piles, etc.) to ensure these materials are not discharged off-site or into a water of the state during a high water event.

STANDARD CONDITIONS

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

PERMIT RENEWAL

1. Unless terminated, the permittee shall submit an application for the renewal of this permit by submitting *Form E-Application for General Permit* <http://dnr.mo.gov/forms/780-0795-f.pdf> no later than thirty (30) days prior to the permit's expiration date.
2. When a facility submits a timely and complete application in accordance with 10 CSR 20-6.010(10)(C)1, and if the Department is unable through no fault of the permittee to issue a renewal prior to expiration of the previous permit, the terms and conditions of the expired permit are administratively continued and will remain fully effective and enforceable until such time when a permit action is taken. Failure to submit a renewal application is a violation of the Missouri Clean Water Law. Failure to apply for renewal of a permit may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.

PERMIT TRANSFER

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

PERMIT TERMINATION

1. The permittee shall apply for permit termination when activities covered by this permit have ceased and no significant materials as defined by 10 CSR 20-6.200(1)(C)27 remain on the property or if on the property are stored in such a way as to have no potential for pollution. Whenever a release or a potential for release from a permitted facility is permanently eliminated, the existing permit may be terminated.
2. Permits do not terminate automatically upon expiration. In order to terminate this permit, the permittee shall notify the Department's appropriate regional office by completing and submitting *Request for Termination of Operating Permit* <http://dnr.mo.gov/forms/780-1409-f.pdf>. The Department may require inspection of the premises prior to granting termination of a permit.

PERMIT APPEAL

If you were adversely affected by this decision, you may be entitled to pursue an appeal before the administrative hearing commission (AHC) pursuant to Sections 621.250 and 644.051.6 RSMo. To appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Any appeal should be directed to:

Administrative Hearing Commission
U.S. Post Office Building, Third Floor
131 West High Street, P.O. Box 1557
Jefferson City, MO 65102-1557
Phone: 573-751-2422
Fax: 573-751-5018
Website: <https://ahc.mo.gov>

MISSOURI DEPARTMENT OF NATURAL RESOURCES FACT SHEET FOR MASTER GENERAL PERMIT MO-R22BXXX

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

Per 40 CFR 124.56, 40 CFR 124.8, and 10 CSR 20-6.020(1)(A)2., a Fact Sheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the permit. A Fact Sheet is not an enforceable part of an MSOP.

Part I – Facility Information

Facility Type:	Wood Preserving and Match-light Charcoal
Facility SIC Code(s):	2491 & 2861
Facility Description:	Stormwater discharges from facilities engaged in wood preserving/treating operations. This permit authorizes discharges of stormwater which have not been impacted by contact with wood preservation chemicals or products.

This permit establishes a SWPPP requirement for all facilities covered under this permit. 10 CSR 20-6.200(7) specifies “general permits shall contain BMP requirements and/or monitoring and reporting requirements to keep the stormwater from becoming contaminated”. Local conditions are not considered when developing conditions for a general permit. A facility may apply for a site-specific permit if they desire a review of site-specific conditions.

CLARIFICATION:

Changes to this permit include:

- Updated language throughout the permit to current permit language used by the Department.
- Removed certain setbacks (see Part III, **Setbacks** section below)
- Removes authorization for discharge of washwater from buildings and pavement. These are expected to be collected and not discharged. These flows are not considered uncontaminated stormwater.
- Updates benchmark values to include those parameters which will be “non-detect” as opposed to a numerical value. These were changed as the detection limit or reporting limit of the tests for these parameters was higher than the benchmark, not allowing the facilities to show compliance. The non-detect requirement is based on using the most sensitive method available at the laboratory.
- Outfalls are not required to be marked in the field. A map will instead be included with the SWPPP marking the locations of outfalls.
- Benchmark for BOD₅ at 45 mg/L changed to COD at 90 mg/L.
- Facilities issued this permit are exempted from having to obtain a construction permit or separate operating permit for installing oil water separators or similar devices, and can operate them for the treatment and discharge of stormwater through permitted outfalls without obtaining a separate permit.

Part II – Receiving Stream Information

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

Per Missouri Effluent Regulations (10 CSR 20-7.015), the waters of the state are divided into seven (7) categories. This permit applies to facilities discharging to the following water body categories:

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

Missouri Water Quality Standards (10 CSR 20-7.031) defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1st classified receiving stream's beneficial water uses shall be maintained in accordance with 10 CSR 20-7.031(4). A general permit does not take into consideration site-specific conditions.

MIXING CONSIDERATIONS:

This permit applies to receiving streams of varying low flow conditions. Therefore, the effluent limitations must be based on the smallest low flow streams considered, which includes waters without designated uses. As such, no mixing is allowed [10 CSR 20-7.031(5)(A)4.B.(I)(a)]. No Zone of Initial Dilution is allowed. [10 CSR 20-7.031(5)(A)4.B.(I)(b)].

RECEIVING STREAM MONITORING REQUIREMENTS:

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

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

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

Section 305(b) of the Federal CWA requires each state identify waters not meeting Water Quality Standards and for which adequate water pollution controls have not been required. Water Quality Standards protect such beneficial uses of water as whole body contact, maintaining fish and other aquatic life, and providing drinking water for people, livestock, and wildlife. The 303(d) list helps state and federal agencies keep track of waters which are impaired but not addressed by normal water pollution control programs.

A TMDL is a calculation of the maximum amount of a given pollutant a body of water can absorb before its water quality is affected. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed which shall include the TMDL calculation. For facilities with an existing general permit before a TMDL is written on their receiving stream, the Department will evaluate the permit and may require any facility authorized by this general permit to apply for and obtain a site-specific operating permit. Requests for coverage of a new facility under this general permit will be evaluated on a case-by-case basis for facilities located within the watershed of an impaired water as designated on the 305(b) Report.

- ✓ Conditional: The Department will review all discharges to impaired waters on a case-by-case basis.

ANTI-BACKSLIDING:

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

- ✓ Applicable: Limitations in this operating permit for the reissuance conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.
 - ✓ The Department determined technical mistakes or mistaken interpretations of law were made in issuing the permit under section 402(a)(1)(b).
 - The previous permit special conditions contained a specific set of prohibitions related to general criteria (GC) found in 10 CSR 20-7.031(4); however, there was no determination as to whether the discharges have reasonable potential to cause or contribute to excursion of those general water quality criteria in the previous permit. This permit assesses each general criteria as listed in the previous permit's special conditions. Federal regulations 40 CFR 122.44(d)(1)(iii) requires instances where reasonable potential (RP) to cause or contribute to an exceedance of a water quality standard exists, a numeric limitation must be included in the permit. Rather than conducting the appropriate RP determination, the previous permit simply placed the prohibitions in the permit. These conditions were removed from the permit.

Appropriate reasonable potential determinations were conducted for each general criterion listed in 10 CSR 20-7.031(4)(A) through (I) and effluent limitations were placed in the permit for those general criteria where it was determined the discharge had reasonable potential to cause or contribute to excursions of the general criteria. Specific effluent limitations were not included for those general criteria where it was determined the discharges will not cause or contribute to excursions of general criteria. Removal of the prohibitions does not reduce the protections of the permit or allow for impairment of the receiving stream. The permit maintains sufficient effluent limitations, monitoring requirements and best management practices to protect water quality while maintaining permit conditions applicable to permittee disclosures and in accordance with 10 CSR 20-7.031(4) where no water contaminant by itself or in combination with other substances shall prevent the water of the state from meeting the following conditions:

- (A) 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.
- For all outfalls, there is no RP for putrescent bottom deposits preventing full maintenance of beneficial uses because after reviewing the industry's regulated activities and taking into consideration the types of discharges covered under the permit, the permit writer determined stormwater from the site does not have reasonable potential to cause the formation of putrescent, unsightly, or harmful bottom deposits. The conditions required in this permit are protective of the receiving stream, and compliance with the permit prevents contact of stormwater with industrial products which would cause reasonable potential for excursions from this criterion to exist.
- (B) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses.
- For all outfalls, there is no RP for oil, scum, or floating debris in sufficient amounts to be unsightly preventing full maintenance of beneficial uses because after reviewing the industry's regulated activities and practices, and taking into consideration the types of discharges covered under this permit, the permit writer determined stormwater from the site does not have reasonable potential to cause oil, scum, or floating debris to be present in the discharges. The conditions required in this permit are protective of the receiving stream, and compliance with the permit prevents contact of stormwater with industrial products which would cause reasonable potential for excursions from this criterion to exist.
- (C) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses.
- For all outfalls, there is no RP for unsightly color, turbidity, or odor in sufficient amounts preventing full maintenance of beneficial uses because after reviewing the industry's regulated activities and practices, and taking into consideration the types of discharges covered under this permit, the permit writer determined stormwater from the site does not have reasonable potential to cause unsightly color, turbidity, or odor to be present in the discharges. The conditions required in this permit are protective of the receiving stream, and compliance with the permit prevents contact of stormwater with industrial products which would cause reasonable potential for excursions from this criterion to exist.
- (D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life.
- The permit writer considered specific toxic pollutants when writing this permit. Numeric effluent limitations are included for those pollutants could be discharged in toxic amounts. These effluent limitations are protective of human health, animals, and aquatic life.
- (E) Waters shall maintain a level of water quality at their confluences to downstream waters that provides for the attainment and maintenance of the water quality standards of those downstream waters, including waters of another state.
- This criteria was not assessed for antibacksliding as this is a new requirement, approved by the EPA on July 30, 2019.
- (F) There shall be no significant human health hazard from incidental contact with the water.
- This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.
- (G) There shall be no acute toxicity to livestock or wildlife watering.
- This criterion is very similar to (D) above. See Part IV, Effluent Limits Derivation below.
- (H) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community.
- For all outfalls, there is no RP for physical, chemical, or hydrologic changes impairing the natural biological community because after reviewing the industry's regulated activities and practices, and taking into consideration the types of discharges covered under this permit, the permit writer determined stormwater from the site does not have reasonable potential to cause physical, chemical, or hydrologic changes to be present in the discharges. The conditions required in this permit are protective of the receiving stream, and compliance with the permit prevents contact of stormwater with industrial products which would cause reasonable potential for excursions from this criterion to exist.

- (I) 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.
- There are no solid waste disposal activities or any operation which has reasonable potential to cause or contribute to the materials listed above being discharged through any outfall.
 - The previous permit contained a special condition which stated: "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." The permit writer has determined this special condition was outside the scope of NPDES permitting and was removed.
 - Language in the previous permit prohibited stormwater discharges within 100 feet of a Class W or mitigated wetland; within 1,000 feet upstream of losing streams; 1,000 feet upstream of designated drinking water supplies, 1,000 feet upstream of critical habitats for endangered species; and within 2 miles upstream of a biocriteria reference location. The permit writer determined many of these requirements are not supported by regulation for stormwater. This permit includes changed setbacks which are appropriate to the discharges covered by this permit. See "Setbacks" below for further information.
 - The previous permit had numeric benchmarks for certain pollutants lower than the detection of available laboratory methods for that pollutant. The permit writer has changed the language to indicate the requirement is for the facility to use the most sensitive available method and achieve a non-detect per the laboratory detection limit and/or reporting limit. The permit writer believes this is not backsliding, as the facility was only able to report these values in practice in the previous permit cycle. The change merely acknowledges laboratory challenges of compliance with a numeric value below the detection limit of the methods available.
 - The previous permit required all outfalls to be marked in the field; however, the permit writer determined if they were marked on a map and are available to inspectors, it is sufficient as the outfalls are stormwater only.
 - The previous permit had a special condition which referred to disposal of hazardous substances. The permit writer has determined this condition is outside the scope of an NPDES permit and it therefore has been removed.
 - The previous permit had a special condition which prohibited the open burning of containers, cartons, and trade wastes on site. The permit writer has determined this is outside the scope of an NPDES permit and has therefore been removed.
 - The previous permit had a condition requiring compliance with Standard Conditions Part I and the Water Quality Standards found in 10 CSR 20-7.031. The permit writer has determined this condition is unnecessary, as Standard Conditions Part I are attached to the permit and are incorporated by reference and therefore require compliance regardless of the special condition. Specific water quality standards are enforceable regardless of coverage under a permit and are therefore not required to be incorporated in entirety in a permit. Additionally, the permit contains conditions which are believed to protect relevant water quality standards, and compliance with permit conditions is therefore expected to mean compliance with water quality standards.
 - BOD₅ benchmark was removed from the permit and replaced with COD. The permit writer believes COD is a more appropriate requirement for monitoring in stormwater. The permit writer believes this does not loosen the requirements of this permit, as the pollutant is more likely to be a pollutant of concern in the stormwater, and monitoring for BOD₅ is unnecessary when oxygen demand is monitored through COD,

ANTIDegradation:

Antidegradation policies ensure protection of water quality for a particular water body on a pollutant by pollutant basis to ensure Water Quality Standards are maintained to support beneficial uses such as fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as an Outstanding National Resource Water or Outstanding State Resource Water [10 CSR 20-7.031(3)(C)]. Antidegradation policies are adopted to minimize adverse effects on water. The Department has determined the best avenue forward for implementing the Antidegradation requirements into general permits is by requiring the appropriate development and maintenance of a SWPPP. The SWPPP must identify all reasonable and effective Best Management Practices (BMPs), taking into account environmental impacts and costs. This analysis must document why no discharge or no exposure options are not feasible at the facility. This selection and documentation of appropriate control measures will then serve as the analysis of alternatives and fulfill the requirements of the Antidegradation Rule and Implementation Procedure 10 CSR 20-7.031(3) and 10 CSR 20-7.015(9)(A)5.

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

- ✓ 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 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 limitations of the permit.

Because of the fleeting nature of stormwater discharges, the Department, under the direction of EPA guidance, 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 only outfalls will generally only contain a maximum daily limit (MDL) or benchmark, determined by the site-specific conditions including the receiving water's current quality.

Numeric benchmark values are based on water quality standards or other stormwater permits including the Environmental Protection Agency's (EPA's) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP). 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 permit contains benchmark requirements.

MINIMUM SITE-WIDE BEST MANAGEMENT PRACTICES:

Minimum site-wide best management practices are established in this permit to ensure all permittees are managing their sites equally to protect waters of the state from certain activities which could cause negative effects in receiving water bodies. These practices are minimum requirements for all industrial sites to protect waters of the state. If the minimum best management practices are not followed, the facility may violate general criteria [10 CSR 20-7.031(4)]. Statutes are applicable to all permitted facilities in the state, therefore pollutants cannot be released unless in accordance with RSMo 644.011 and 644.016 (17).

CHANGES IN DISCHARGES OF TOXIC POLLUTANT:

This special condition reiterates the federal rules found in 40 CFR 122.44(f) and 122.42(a)(1). In these rules, the facility is required to report changes in amounts of toxic substances discharged. Toxic substances are defined in 40 CFR 122.2 as "...any pollutant listed as toxic under section 307(a)(1) or, in the case of "sludge use or disposal practices," any pollutant identified in regulations implementing section 405(d) of the CWA." Section 307 of the clean water act then refers to those parameters found in 40 CFR 401.15. The permittee should also consider any other toxic pollutant in the discharge as reportable under this condition.

EFFLUENT LIMITATION GUIDELINE:

Effluent Limitation Guidelines, or ELGs, are found at 40 CFR 400-499. These are limitations established by the EPA based on the SIC code and the type of work a facility is conducting. Most ELGs are for process wastewater and some address stormwater. All are technology based limitations which must be met by the applicable facility at all times.

- ✓ The industries covered under this permit have an associated ELG (40 CFR 429) but are not authorized to discharge wastewater to waters of the state; stormwater discharges are not addressed by the ELG. This industry is subject to pre-treatment ELGs which vary by wood treatment process. If the facility discharges to a publically owned treatment works (POTW), the facility should work with the POTW to ensure the ELG requirements are met prior to discharge to the POTW.

GENERAL CRITERIA CONSIDERATIONS:

In accordance with 40 CFR 122.44(d)(1), effluent limitations shall be placed into permits for pollutants determined to cause, have reasonable potential to cause, or to contribute to, an excursion above any water quality standard, including narrative water quality criteria. In order to comply with this regulation, the permit writer has completed a reasonable potential determination on whether discharges have reasonable potential to cause, or contribute to an excursion of the general criteria listed in 10 CSR 20-7.031(4). In instances where reasonable potential exists, the permit includes limitations within the permit to address the reasonable potential. In discharges where reasonable potential does not exist, the permit may include monitoring to later determine the discharge's potential to impact the narrative criteria. Additionally, RSMo 644.076.1, as well as Section D – Administrative Requirements of Standard Conditions Part I of this permit state it shall be unlawful for any person to cause or allow 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. See Part IV for specific determinations.

PRETREATMENT PROGRAM:

A Pretreatment Program is the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a Publicly Owned Treatment Works [40 CFR Part 403.3(q)].

Pretreatment programs are required at any POTW (or combination of POTW operated by the same authority) and/or municipality with a total design flow greater than 5.0 MGD and receiving industrial wastes which interfere with or pass through the treatment works or

are otherwise subject to the pretreatment standards. Pretreatment programs can also be required at POTWs/municipals with a design flow less than 5.0 MGD if needed to prevent interference with operations or pass through.

- ✓ Applicable; this industry is subject to the pretreatment guidelines found at 40 CFR 429

PUBLIC NOTICE OF COVERAGE FOR AN INDIVIDUAL FACILITY:

Public Notice of reissuance of coverage is not required unless the facility is a specific type of facility as defined in 10 CSR 20-6.200(1). The need for an individual public notification process shall be determined and identified in the permit [10 CSR 20-6.020(1)(C)5.].

- ✓ Applicable: Issuance of coverage to an individual **wood treater** under this permit for the first time shall be placed on Public Notice for thirty (30) days in accordance with 10 CSR 20-6.020(1)(B) & (C)2.

REASONABLE POTENTIAL ANALYSIS (RPA):

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

- ✓ Conservative assumption: A traditional statistical Reasonable Potential Analysis has not been conducted for this master general permit; but instead the Department has made a reasonable potential determination based on sources of pollutants, water quality standards, and all potential applicable receiving waterbodies. Activities performed by facilities covered under this master general permit were evaluated as to whether discharges have reasonable potential to cause or contribute to excursions of general criteria listed in 10 CSR 20-7.031(4).
- ✓ Permit writers use the Department's permit writer's manual (<http://dnr.mo.gov/env/wpp/permits/manual/permit-manual.htm>), the EPA's permit writer's manual (<https://www.epa.gov/npdes/npdes-permit-writers-manual>), program policies, and best professional judgment. For each parameter in each permit, the permit writer carefully considers all applicable information regarding technology based effluent limitations, effluent limitation guidelines, and water quality standards. Best professional judgment is based on the experience of the permit writer, cohorts in the Department and resources at the EPA, research, and maintaining continuity of permits if necessary. For stormwater permits, the permit writer is required per 10 CSR 6.200(6)(B)2 to consider: A. application and other information supplied by the permittee; B. effluent guidelines; C. best professional judgment of the permit writer; D. water quality; and E. BMPs. Part V provides specific decisions related to this permit.
- ✓ The permit writer reviewed industry materials, available DMR data, past inspections, and other available documents and research to evaluate general and narrative water quality reasonable potential for this permit. Per the permit writer's best professional judgment, based on available data and full and accurate disclosure on application materials, this industry does not demonstrate reasonable potential for excursions from the general or narrative water quality criteria if the provisions of this permit are followed.

SCHEDULE OF COMPLIANCE (SOC):

Per § 644.051, RSMo, a permit may be issued with a Schedule of Compliance (SOC) to provide time for a facility to come into compliance with new state or federal effluent regulations, water quality standards, or other requirements. Such a schedule is not allowed if the facility is already in compliance with the new requirement, or if prohibited by other statute or regulation. An SOC includes an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit. *See also* Section 502(17) of the Clean Water Act, and 40 CFR 122.2. For new effluent limitations, the permit may include interim monitoring for the specific parameter to demonstrate the facility is not already in compliance with the new requirement. Per 40 CFR 122.47(a)(1) and 10 CSR 20-7.031(11), compliance must occur as soon as possible. If the permit provides a schedule for meeting new water quality based effluent limits, an SOC must include an enforceable, final effluent limitation in the permit even if the SOC extends beyond the life of the permit.

- ✓ Not Applicable: This permit does not contain a SOC.

SETBACKS:

Setbacks are common elements of permits and are established to provide a margin of safety in order to protect the receiving water from accidents, spills, unusual events, etc.

- Discharge to the watersheds of a Metropolitan No-Discharge Stream (10 CSR 20-7.031 Table F) is authorized by this permit, if the discharges are in compliance with 10 CSR 20-7.015(5) and 10 CSR 20-7.031(7). Discharges to these watersheds are authorized for uncontaminated stormwater discharges only. Certain non-stormwater discharges are authorized under this permit, many are not allowed to discharge to these watersheds; see Special Conditions #4 and #16 in the permit for more information.
- This permit does not authorize discharges which are located in a way to allow water to be released into sinkholes, caves, fissures, or other openings in the ground which could drain into aquifers (except losing streams) per 10 CSR 20-7.015(7). The previous permit did not authorize discharges to losing streams; however, this was reassessed by the permit writer and found to have no support in regulation. It is the best professional judgment of the permit writer to allow discharges to losing streams as the effluent

is stormwater only. This permit continues to prohibit the discharge of effluent to sinkholes or other ground openings which empty directly to groundwater. The issuing authority will assess whether a discharge from a facility is eligible for this permit based on the distance from a sinkhole and the likelihood of effluent having reasonable potential to enter and affect groundwater.

- This permit authorizes stormwater discharge in Outstanding state Resource Waters (OSRW) so long as no degradation of water quality occurs in the OSRW due to discharges from the permitted facility per 10 CSR 20-7.015(6)(B) and 10 CSR 20-7.031(3)(C). The previous permit did not authorize these discharges; however, the permit writer has determined these discharges are acceptable as long as they do not cause degradation to the receiving stream. The Antidegradation Analysis performed by the facility for the SWPPP should include the determination of no degradation. Additionally, if the facility is found to be causing degradation during an inspection or through complaint investigations, they will be required to become a no discharge facility or obtain a site specific permit with more stringent monitoring and SWPPP requirements.
- For facilities operating within the watershed of Outstanding National Resource Water, which includes the Ozark National Riverways and the National Wild and Scenic Rivers System, no discharge facilities are authorized. This includes no-discharge of stormwater. The previous permit included a clause where the Department may authorize the facility to release stormwater under this permit in these watersheds; however, the permit writer has determined no discharge was protective of the sensitive nature of these receiving streams. Facilities already discharging to these watersheds under this permit may receive interim authorization from the Department to continue these discharges until a non-discharging solution is determined and implemented.
- Facilities located within the watershed of an impaired water as designated in the 305(b) Report must be evaluated on a case-by-case basis for inclusion under this permit. Facilities found to be discharging the listed pollutant(s) of concern for any impaired water may be required to obtain a site-specific permit. Missouri's impaired waters can be found at <https://dnr.mo.gov/env/wpp/waterquality/index.html>. The pollutants of concern at the facilities covered under this permit are found in benchmark Table A. The Department will assess the pollutants of concern for impaired waters on the 305(b) report and evaluate the reasonable potential for the facility to cause further impairment to the receiving stream. If the facility is not expected to cause further impairment to the receiving stream, this general permit may be issued to the facility.

SLUDGE – DOMESTIC BIOSOLIDS:

Biosolids are solid materials resulting from domestic wastewater treatment meeting federal and state criteria for beneficial use (i.e. fertilizer). Sewage sludge is solid, semi-solid, 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 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: <http://extension.missouri.edu/main/DisplayCategory.aspx?C=74> (WQ422 through WQ449).

- ✓ Not applicable; this permit does not authorize discharge or land application of domestic sludge or biosolids.

SLUDGE – INDUSTRIAL:

Industrial sludge is solid, semi-solid, 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.

- ✓ Not applicable; this permit does not authorize discharge or land application of industrial sludge.

SPILL REPORTING:

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 when 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>.

Underground and above ground storage devices for petroleum products, vegetable oils and animal fats are subject to control under SPCC and are expected to be managed under those provisions. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) which are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.

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*, (EPA 833-B-09-002) published by the EPA in 2015 https://www.epa.gov/sites/production/files/2015-11/documents/swppp_guide_industrial_2015.pdf, 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. Additional information can be found in *Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* (EPA 832-R-92-006; September 1992).

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.

The EPA has developed factsheets on the pollutants of concern for specific industries along with the BMPs to control and minimize stormwater (<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>). Along with EPA's factsheets, the International Stormwater BMP database (www.bmpdatabase.org/index.htm) may provide guidance on BMPs appropriate for specific industries.

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)]. 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 which are reasonable and cost effective. The AA evaluation should include practices 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 benchmark 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, which includes an appropriate fee; the application is found at: <https://dnr.mo.gov/forms/#WaterPollution>

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITATIONS:

Per 10 CSR 20-2.010(78), the amount of pollutant each discharger is allowed by the Department to release into a given stream after the Department has determined total amount of pollutant which may be discharged into the stream without endangering its water quality.

Water quality based maximum daily and average monthly effluent limitations were calculated using methods and procedures outlined in USEPA's Technical Support Document For Water Quality-based Toxics Control (TSD) (EPA/505/2-90-001).

- ✓ Not applicable; mixing calculations are not utilized under general permits. Additionally, this permit is for stormwater only and numeric effluent limitations are not calculated or required.

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 include in each NPDES permit conditions to achieve water quality established under Section 303 of the CWA, including state narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

Per 10 CSR 20-7.031(1)(FF), a toxicity test conducted under specified laboratory conditions on specific indicator organism; and per 40 CFR 122.2, the aggregate toxic effect of an effluent measured directly by a toxicity test. A WET test is a quantifiable method of determining if a discharge from a facility may be causing toxicity to aquatic life by itself, in combination with, or through synergistic responses when mixed with receiving water.

- ✓ Not Applicable: At this time, permittees are not required to conduct a WET test. This permit is for stormwater only.

Part IV – Benchmark Determinations

Benchmarks derived and established for this permit are based on current operations of the industry as researched by the permit writer. Any flow through the outfall is considered a discharge and must be sampled and reported as provided below. Future permit action due to new knowledge of the industry may contain new operating permit terms and conditions which supersede the terms and conditions, including effluent limitations, of this operating permit.

BENCHMARKS TABLE:

TABLE A	BENCHMARKS FOR ALL FACILITIES	
DISCHARGE PARAMETER(S)	UNITS	BENCHMARK
Ammonia as N	mg/L	12.1
Chemical Oxygen Demand	mg/L	90
Oil and grease	mg/L	10
pH	SU	6.5-9.0
Total Suspended Solids	mg/L	50
Arsenic, Total Recoverable	µg/L	20
Chromium III, Total Recoverable	µg/L	100
Chromium VI, Dissolved	µg/L	15
Copper, Total Recoverable	µg/L	22
Zinc, Total Recoverable	µg/L	180
Acenaphthene	µg/L	1,200
Benzo(A)Anthracene	µg/L	ND
Benzo(K)Fluoranthene	µg/L	ND
Benzo(A)Pyrene	µg/L	ND
Chrysene	µg/L	ND
Dibenzo(A,H)Anthracene	µg/L	ND
Fluoranthene	µg/L	300
Fluorene	µg/L	1,300
Ideno(1,2,3-CD)Pyrene	µg/L	ND
Naphthalene	µg/L	20
Pentachlorophenol	µg/L	5
2-Chlorophenol	µg/L	ND
2,4-Dimethylphenol	µg/L	540
2,4-Dinitrophenol	µg/L	70
2,4,5-Trichlorophenol	µg/L	2,600
2,4,6-Trichlorophenol	µg/L	2

ND These pollutants are benchmarked at the laboratory non-detect/reporting limit using a sufficiently sensitive analysis method as defined in 40 CFR Part 136.

DERIVATION AND DISCUSSION OF BENCHMARKS:

Ammonia as N

Benchmark of 12.1 mg/L, continued from the previous permit. Ammonia is a pollutant of concern at certain wood treatment facilities, which may use ammonia to darken wood. Because this is a general permit, it must be protective of possible pollutants across the industry, therefore a benchmark will ensure proper maintenance of the pollutant with BMPs.

Biochemical Oxygen Demands (BOD₅)

Removed from this permit and replaced with COD. BOD₅ is not the preferred parameter for oxygen demand in stormwater as it is designed to measure the oxygen demand of decaying organic matter. COD, in contrast, measures the amount of oxygen required for the chemical oxidation of total organic matter in water, not just that for decaying organic matter consumed by bacteria.

Chemical Oxygen Demand (COD)

Monitoring with 90 mg/L daily maximum benchmark is included using the permit writer's best professional judgment. COD is a pollutant of concern in stormwater and is measured and benchmarked across industries in both Missouri State Operating Permits and the Federal MSGP. There is no numeric 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 may indicate materials/chemicals coming into contact with stormwater causing an increase in oxygen demand. Increases in COD may indicate a need for maintenance or improvement of BMPs. The benchmark value falls within the range of values implemented in other permits having similar industrial activities and is achievable through proper BMP controls.

Oil & Grease

Benchmark of 10 mg/L. Oil and grease is considered a conventional pollutant, and can be found in many of the products used by wood treating facilities, in creosote and other products used to treat wood. Additionally, it is a typical pollutant of concern in stormwater due to vehicle traffic for transportation and deliveries. Oil and grease is a comprehensive, quantitative laboratory 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. 10 mg/L is the level at which sheen is estimated 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. The benchmark is achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other permits having similar industrial activities.

pH

Benchmark of 6.5 to 9.0 SU. pH is a typical monitoring parameter and is used as a general indicator of water quality. Knowing the pH can help evaluate the general effectiveness of BMPs and can indicate when BMPs are not effective at preventing pollution.

Total Suspended Solids (TSS)

Benchmark of 50 mg/L, continued from the previous permit. TSS is a typical pollutant of concern in stormwater, and can be found in permits across multiple industries, including the federal MSGP. There is no numeric 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 indicating uncontrolled materials leaving the site. Increased suspended solids in runoff can lead to decreased available oxygen for aquatic life and an increase of surface water temperatures in a receiving stream. Suspended solids can also be carriers of toxins, which can adsorb to the suspended particles; therefore, total suspended solids are a valuable indicator parameter for other pollution. The benchmark is achievable through proper operational and maintenance of BMPs and falls within the range of values implemented in other permits having similar industrial activities.

Arsenic, Total Recoverable

Benchmark of 20 µg/L, continued from the previous permit. Arsenic is a pollutant of concern at wood treating facilities, although many are phasing the use of arsenic out. Even though it is being phased out for use in residential wood products, it is still present in many wood treatment products which are used to treat wood for non-residential sites, and can be found as a legacy pollutant at many sites in soils. Precipitation can cause soil and sediment to become loose and can transport arsenic. The benchmark ensures BMPs are sufficient to prevent the transport arsenic in sediment.

Chromium III, Total Recoverable, Chromium VI, Dissolved

Chromium is a common pollutant of concern in wood treatment, and is found in many of the products used to treat wood although many are phasing the use of chromium out. Even though it is being phased out for use in residential wood products, it is still present in many wood treatment products which are used to treat wood for non-residential sites, and can be found as a legacy pollutant at many

sites in soils. Precipitation can cause soil and sediment to become loose and can transport chromium. The benchmark ensures BMPs are sufficient to prevent the transport arsenic in sediment.

Chromium III: Benchmark of 100 µg/L. This benchmark is lower than the previous permit's benchmark of 2676.9 µg/L. The value was decreased as the previous permit used the protection of aquatic life standard to calculate the benchmark for chromium. However, 10 CSR 20-7.031 also includes a standard for irrigation for this pollutant. The permit writer has chosen this standard as a benchmark, as it is more indicative of levels of the pollutant the BMPs should be protective to. If BMPs are insufficient for treatment to this level, they may need to be upgraded.

Chromium VI: Benchmark of 15 µg/L, continued from the previous permit.

Copper, Total Recoverable

Benchmark of 22 µg/L, continued from the previous permit. Copper is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued from the previous permit.

Zinc, Total Recoverable

Benchmark of 180 µg/L, continued from the previous permit. Zinc is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued. Zinc is also a pollutant of concern in stormwater at industrial sites.

Acenaphthene

Benchmark of 1,200 µg/L, continued from the previous permit. Acenaphthene is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

Benzo(A)Anthracene; Benzo(K)Fluoranthene; Benzo(A)Pyrene; Chrysene; Dibenzo(A,H)Anthracene; Ideno(1,2,3-CD)Pyrene; 2-Chlorophenol

Benchmark of non-detect. This is changed from the previous permit, due to the benchmarks being established below the detection limits of the laboratory methods for these pollutants. The permit writer has used best professional judgment to require a non-detect at the most sensitive 40 CFR Part 136 compliant method available.

Fluoranthene

Benchmark of 300 µg/L, continued from the previous permit. Fluoranthene is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

Fluorene

Benchmark of 1,300 µg/L, continued from the previous permit. Fluorene is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

Naphthalene

Benchmark of 20 µg/L, continued from the previous permit. Naphthalene is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

Pentachlorophenol

Benchmark of 5 µg/L, continued from the previous permit. Pentachlorophenol is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued. It is phased out for use in wood used for residential purposes, but the product may be applied to non-residential wood such as utility poles and railroad ties.

2,4-Dimethylphenol

Benchmark of 540 µg/L, continued from the previous permit. 2,4-Dimethylphenol is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

2,4-Dinitrophenol

Benchmark of 70 µg/L, continued from the previous permit. 2,4-Dinitrophenol is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

2,4,5-Trichlorophenol

Benchmark of 2,600 µg/L, continued from the previous permit. 2,4,5-Trichlorophenol is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

2,4,6-Trichlorophenol

Benchmark of 2 µg/L, continued from the previous permit. 2,4,6-Trichlorophenol is a pollutant of concern in the products used in wood treatment, therefore this benchmark is continued.

Part V – Sampling and Reporting Requirements

SAMPLING FREQUENCY AND TYPE:

Sampling is not required under this permit; however, if samples are obtained, records of the analysis and results shall be retained with the permit documents and submitted at the time of renewal to the Department.

Sampling type was continued from the previous permit. The sampling types are representative of the discharges, and are protective of water quality. Discharges with altering effluent should have composite sampling; discharges with uniform effluent can have grab samples. Grab samples are usually appropriate for stormwater. Parameters which must have grab sampling are: pH, ammonia, *E. coli*, total residual chlorine, free available chlorine, hexavalent chromium, dissolved oxygen, total phosphorus, volatile organic compounds, and others.

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 and/or 40 CFR 136 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 the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations 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 quantifies the pollutant below the level of the applicable water quality criterion 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 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 and or 40 CFR 136. These methods are also required for parameters listed as monitoring only, as the data collected may be used to determine if numeric limitations need to be established. A permittee is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive. 40 CFR 136 lists the approved methods accepted by the Department. Tables A1-B3 at 10 CSR 20-7.031 shows water quality standards.

Part VI – Administrative Requirements

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

PUBLIC MEETING:

A public meeting is not required for general permits with fewer than 50 General Permit Covered Facilities (GPCFs). MOR22B0000 covers nine (9) GPCFs.

PUBLIC NOTICE:

The Department shall give public notice when a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest or because of water quality concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and facility must be notified of the denial in writing.

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

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

- ✓ **The Public Notice period for this permit is tentatively scheduled to begin in June 2019.**

DATE OF FACT SHEET: 05/19/2020

COMPLETED BY:

AMBERLY SCHULZ, ENVIRONMENTAL SPECIALIST III
MISSOURI DEPARTMENT OF NATURAL RESOURCES - WATER PROTECTION PROGRAM
OPERATING PERMITS SECTION - STORMWATER AND CERTIFICATION UNIT
Amberly.Schulz@dnr.mo.gov