

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

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Matt Blunt, Governor • Doyle Childers, Director

October 10, 2006

Mr. John DeLashmit
U.S. Environmental Protection Agency
Region VII
901 North Fifth Street
Kansas City, KS 66101

RE: Permit for Versailles Wastewater Treatment Plant in Lieu of Total Maximum Daily Load for Straight Fork (WBID 959)

Dear Mr. DeLashmit:

Straight Fork near Versailles in Morgan County, Missouri is on the 2002 303(d) list for Volatile Suspended Solids (VSS). The source of this impairment as listed is the Versailles Wastewater Treatment Plant (WWTP), Permit Number MO-0094927. The Missouri Department of Natural Resources (the department) has opted to correct this impairment through permit limits in lieu of a Total Maximum Daily Load (TMDL).

Straight Fork was first listed in 1998 based on department personnel observing violations of narrative standards for Volatile Suspended Solids (VSS) directly downstream and attributable to the Versailles WWTP on June 11, 1997 and May 22, 1998. These violations included green water, odor, foam, filamentous algae and (in 1997 only) the absence of fish and invertebrates. Also, the water quality data from 1997 showed Non-Filterable Residue of 24 mg/L just above the WWTP outfall, 10,700 mg/L just below, 78 mg/L at 0.1 mile below and <5 mg/L at 1.5 miles below the outfall. This data points to the Versailles WWTP as the sole source of VSS. Additionally, the WWTP is in the upper reaches of the watershed with no other facilities upstream of it. In the fall of 2003 and spring of 2004 the department conducted a detailed biological and water chemistry study on Straight Fork to determine whether or not the WWTP was the sole source of the impairment. The results of this study (enclosed) also indicate that the Versailles WWTP was most likely the sole source of the stream's impairment.

The City of Versailles' State Operating Permit expired on August 23, 2006. On September 18, 2006, the department reissued the permit with limits to ensure the stream's water quality standards (WQS) will be met. The VSS standard (as a narrative of no noticeable downstream objectionable deposits) will be achieved by limiting the effluent to 30/15 mg/L Total Suspended Solids (TSS) as weekly and monthly averages (the previous permit had limits for TSS of 45/30 mg/L weekly/monthly average). The Wasteload Allocation and permit limits for TSS were established using the Qual2K model. The Versailles WWTP may need to upgrade to achieve the stricter limits. A compliance schedule is included in the permit that provides time-certain dates for an upgrade, should one be necessary.

Mr. John DeLashmit
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We have enclosed the Missouri State Operating Permit and Water Quality Review Sheet for the City of Versailles WWTP. The new limits will go into effect on October 1, 2009. If these limits are met, the WQS should be achieved in Straight Fork. To determine if the new permit limits have eliminated the impairment, the department will schedule ambient stream monitoring within a year after those limits go into effect. In addition, to ensure WQS will be achieved, the permit includes monthly instream monitoring (effective on issuance) for dissolved oxygen, pH and temperature. A reopener clause is also included in the permit to allow for stricter limits if monitoring shows WQS violations.

With this letter, the department submits the Versailles WWTP permit to the U.S. Environmental Protection Agency for concurrence that the permit will serve in lieu of a TMDL. We appreciate EPA taking prompt action on this. If you have any questions, please contact Ms. Anne Peery by telephone at (573) 526-1426 or by mail at Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102.

Sincerely,

WATER PROTECTION PROGRAM

Edward Galbraith
Director

EG:apl

Enclosures

c: Mr. Daniel R. Schuette, Director, Division of Environmental Quality
Mr. Earl Pabst, Deputy Director, Division of Environmental Quality
Missouri Clean Water Commission



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

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WATER PROTECTION DIVISION

Mr. Edward Galbraith, Director
Water Pollution Control Program
Water Protection and Soil Conservation Division
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Dear Mr. Galbraith:

RE: Permit Limits in Lieu of a TMDL for East Brush Creek (WBID 811) and
Straight Fork (WBID 959)

This letter responds to two submissions from the Missouri Department of Natural Resources (MDNR). The first submission is dated August 21, 2006, and is regarding East Brush Creek. The second submission is dated October 13, 2006, and is regarding Straight Fork. Both submissions were listed as impaired on Missouri's 1998 §303(d) list, for Biochemical Oxygen Demand (BOD) and/or Volatile Suspended Solids (VSS). MDNR proposes to correct the impairments with National Pollutant Discharge Elimination System (NPDES) permit limits in lieu of Total Maximum Daily Loads (TMDLs). The following water body segments are proposed to be corrected through permit limits.

Water Body	WBID	Impairment	Source	Permit #	Year added to list
East Brush Creek	811	Biochemical Oxygen Demand (BOD) Volatile Suspended Solids (VSS)	California Wastewater Treatment Plant (WWTP)	MO-0023281	1998
Straight Fork	959	Volatile Suspended Solids (VSS)	Versailles Wastewater Treatment Plant (WWTP)	MO-0094927	1998

Waters require TMDLs when certain pollution control requirements are not stringent enough to implement water quality standards (WQS) for such waters. To exempt an impaired water from the TMDL process, the pollution control requirements cited in the regulation under 130.7(b)(i), (ii), and (iii) must be established and enforced by federal, state, or local laws or regulations, and be stringent enough that, when applied, the receiving water will meet WQS.

In regards to East Brush Creek and Straight Fork, Federal regulations at 40 CFR 130.7(b)(ii) provide that where [more stringent effluent limitations (including prohibitions) required by either state



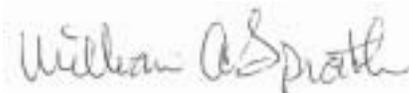
or local authority preserved by section 510 of the Act, or Federal authority (law, regulation, or treaty)] are stringent enough to implement WQS, a TMDL is not required. The Environmental Protection Agency (EPA) has completed its review of these submissions, and other previously submitted information supporting these permits in lieu of TMDLs, and concurs that TMDLs are not required for these impaired water bodies because the impairments are being addressed through more stringent NPDES permit limits as per 40 CFR 130.7(b)(ii).

The California WWTP has been identified as the sole source for the VSS and BOD impairments on East Brush Creek as a result of surface water monitoring directly above and below the WWTP. The NPDES permit was issued on February 4, 2005, and revised August 4, 2006, for the California WWTP and includes a compliance schedule to commence by April 1, 2007. Final limits, which will achieve WQS for VSS and BOD, will be imposed through the August 4, 2006, permit with the conclusion of the compliance schedule by August 4, 2009. In review of the permit, the existing effluent limits have been reduced from 65/145 weekly/monthly average BOD to 26/13. The permit also includes the addition of permit limits for ammonia, total nitrogen, total phosphorus, oil & grease, fecal coliform, and total residual chlorine. The lagoon discharge to East Brush Creek will be eliminated and wastewater will be pumped to the existing south plant. Additionally, the permit requests instream monitoring of dissolved oxygen, temperature, pH, and ammonia, ensuring limits are appropriate. The permit also includes a reopener clause to allow for stricter limits if monitoring shows WQS violations.

The Versailles WWTP has been identified as the sole source of the VSS impairment, on Straight Fork, as a result of surface water monitoring directly above and below the WWTP. The NPDES permit issued on September 18, 2006, for the Versailles WWTP includes a compliance schedule to commence by April 30, 2007. Final limits, which will achieve WQS for VSS, will be imposed through the September 18, 2006, permit with the conclusion of the compliance schedule by August 1, 2011. In review of the permit, the existing effluent limits have been reduced from 45/30 weekly/monthly average TSS to 30/15. The permit also includes the addition of permit limits for ammonia, total recoverable zinc, total recoverable chromium III, total recoverable chromium VI, oil & grease, fecal coliform, and chloride. Additionally, the permit requests instream monitoring of dissolved oxygen, temperature, and pH, ensuring limits are appropriate. The permit also includes a reopener clause to allow for stricter limits if monitoring shows WQS violations.

If you have any questions or concerns in regards to this matter, please do not hesitate to contact Jack Generaux, TMDL Team Leader, at (913)551-7690, or Tabatha Adkins, TMDL Team, at (913)551-7128.

Sincerely,



William A. Spratlin

Director

Water, Wetlands and Pesticides Division

cc: John Hoke
Missouri Department of Natural Resources

Phil Schroeder
Missouri Department of Natural Resources