



PUBLIC NOTICE

DRAFT MISSOURI STATE OPERATING PERMIT

DATE: October 9, 2026

In accordance with the state Clean Water Law, Chapter 644, RSMo, 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).

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 the Missouri Department of Natural Resources, St. Louis Regional Office, 1390 Timberlake Manor Parkway, Suite 210, Chesterfield, MO 63017, ATTN: Permitting and Assistance. E-mail comments will be accepted at the following address: SLRO@dnr.mo.gov. **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 Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be received or postmarked by 5:00 pm on **November 9, 2026**. The Department will consider all written comments, including emails, faxes, and letters, in the formulation of all final determinations regarding the applications. 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, <https://dnr.mo.gov/water/what-were-doing/public-notices>, or at the Missouri Department of Natural Resources, St. Louis Regional Office, 1390 Timberlake Manor Parkway, Suite 210, Chesterfield, MO 63017, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for observed holidays.



**PERMIT GUIDE - MOR23A STORMWATER DISCHARGES FROM CHEMICAL
MANUFACTURERS**

This guidance does not substitute reading the entire permit. Use this guide to find and understand some key portions of the permit that may be overlooked and cause noncompliance. This guide is not an enforceable part of the operating permit.

PART I. APPLICABILITY (PAGE 2)

I.1-2, 6, 7 (Page 2) These conditions explain who is required to obtain this permit, and applicable SIC codes.

I.4 (Page 2) This explains allowable non-stormwater discharges. Any other non-stormwater discharges are not authorized under this permit.

I.5 (Page 2) This permit authorizes the operation of oil water separators solely for the treatment of stormwater. The oil water separators must be appropriately operated and sized. The facility must maintain oil water separator sludge removal records for a period of at least five years and provide them to the department if requested.

PART II. EXEMPTIONS (PAGE 3)

Facilities discharging all stormwater to a wastewater treatment plant, as well as facilities with a No Exposure Certification are exempt from this stormwater permit.

PART III. STORMWATER REQUIREMENTS (PAGE 4)

III.2 (Page 4) Quarterly Visual Assessments of stormwater discharges are required for this permit and must be done during a period of measurable discharge from rainfall or snowmelt. A visual inspection should look for the following characteristics, which may be evidence of stormwater pollution: floating, settled, or suspended solids, odor, foam or hydrocarbon sheen, and changes in color. If evidence of stormwater pollution is found, the facility must review and alter their SWPPP and BMPs as needed.

III.3 (Page 4) Quarterly benchmark sampling is not required 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. All laboratory reports from stormwater sampling must be retained on site. All results may be submitted to the department, once the facility has received 8 quarters that meet the applicable benchmarks, to exempt the facility from QVA requirements for the remainder of the permit cycle.

III.6-7 (Pages 5-6) This permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). For all facilities the SWPPP must include the following:

1. An assessment of all stormwater discharges associated with the facility.
2. A listing of BMPs and a narrative explaining how the BMPs will be implemented.
3. A site map, or multiple maps, if necessary, of all permitted features (e.g., outfalls) and structural BMPs.
4. A schedule for monthly site inspections and a brief written report, which includes the inspector's name, signature, 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.
5. A provision for designating an individual to be responsible for environmental matters.

PART IV. PERMIT REQUIREMENTS (PAGES 6-7)

IV.1 (Pages 6-7) This section explains the minimum BMPs that must be implemented at all facilities.

IV.3 (Page 7) Any spill, overflow, or other discharge(s) not allowed in this permit is an unauthorized discharge and must be reported to the regional office no more than 24 hours from discovery. If the spill or overflow needs to be reported out of normal business hours the facility must call the department's 24-hour spill line at 573-634-2436.

Any questions should be directed to the Department of Natural Resources' Water Protection Program, Operating Permits Section, at 573-522-4502, or dnr.GeneralPermits@dnr.mo.gov.

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

General Operating Permit

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

Permit No MOR23A160
Responsible Authority: PLZ Corp.
Address: 2651 Warrenville Rd.
Ste. 300
Downers Grove, IL 60515

Facility Name: PLZ Corp
Facility Address: 113 Bolte Lane
St. Clair, MO 63077

Legal Description: Sec. 23, T42N, R01W, Franklin County
UTM Coordinates: 675520.063/4248215.191
Receiving Stream: Tributary to Happy Sock Creek
First Classified Stream - ID#: Happy Sock Creek (C) 303(d) 4055.00
USGS# and Sub Watershed#: 07140103 - 0404

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 #2899

All Outfalls - Stormwater discharges from facilities engaged in chemical manufacturing, excluding biodiesel manufacturers.

This permit authorizes activities pursuant to the terms and conditions of this permit in the Missouri Clean Water Law and/or the National Pollutant Discharge Elimination System; it does not apply to other regulated activities.

Issue Date

Heather S Peters, Director
Water Protection Program

November 17, 2030

Expiration Date

Dorothy Franklin, Regional Director
St. Louis Regional Office

Outfall Number: 001
Legal Description: Sec. 23, T42N, R01W, Franklin County
UTM Coordinates: 675520.063/4248215.191
Receiving Stream: Tributary to Happy Sock Creek
First Classified Stream - ID#: Happy Sock Creek (C) 303(d) 4055.00
USGS# and Sub Watershed#: 07140103 - 0404

Outfall Number: 002
Legal Description: Sec. 23, T42N, R01W, Franklin County
UTM Coordinates: 675542.110/4248219.164
Receiving Stream: Tributary to Happy Sock Creek
First Classified Stream - ID#: Happy Sock Creek (C) 303(d) 4055.00
USGS# and Sub Watershed#: 07140103 - 0404

Outfall Number: 003
Legal Description: Sec. 23, T42N, R01W, Franklin County
UTM Coordinates: 675601.185/4248217.098
Receiving Stream: Tributary to Happy Sock Creek
First Classified Stream - ID#: Happy Sock Creek (C) 303(d) 4055.00
USGS# and Sub Watershed#: 07140103 - 0404

Outfall Number: 004
Legal Description: Sec. 23, T42N, R01W, Franklin County
UTM Coordinates: 675506.037/4248061.100
Receiving Stream: Tributary to Happy Sock Creek
First Classified Stream - ID#: Happy Sock Creek (C) 303(d) 4055.00
USGS# and Sub Watershed#: 07140103 - 0404

Outfall Number: 005
Legal Description: Sec. 23, T42N, R01W, Franklin County
UTM Coordinates: 675633.229/4248076.078
Receiving Stream: Tributary to Happy Sock Creek
First Classified Stream - ID#: Happy Sock Creek (C) 303(d) 4055.00
USGS# and Sub Watershed#: 07140103 - 0404

DRAFT

PART I. APPLICABILITY

1. This Missouri State Operating Permit (permit) authorizes the discharge of stormwater to waters of the state of Missouri from multiple industries, including, but not limited to, facilities with the primary Standard Industrial Classification (SIC) Codes or facilities the Missouri Department of Natural Resources (department) determines are fundamentally similar:
 - SIC Code, 28xx for Chemicals and Allied Products (see exclusions below.)
 - SIC Code, 2992 for Lubricating Oils and Greases.The following are excluded from this permit, however a different general or site specific permit may be required:
 - (a) SIC codes 282x, Plastics Materials and Synthetic Resins.
 - (b) SIC codes 287x Agricultural Chemicals.
 - (c) SIC code 2869, Biodiesel manufacturers (Industrial Organic Chemicals, Not Elsewhere Classified).
 - (d) Facilities which manufacture radioactive products or use radioactive materials to produce their final product (such as, radioactive diagnostic substances, uranium slugs, or strontium nitrate) may be excluded from this permit per review by the department on an individual basis.
2. This permit is applicable to facilities associated with the above industries or pollutants with materials exposed to stormwater, which the department determines must obtain a permit under 10 CSR 20-6.200(2)(B) or pursuant to federal stormwater regulations under 40 CFR 122.26(b)(14).
3. This permit does not authorize the discharge of process wastewaters, treated or otherwise, including contact and non-contact cooling waters; boiler blowdown; or water used to wash machinery, equipment, buildings, or pavement including post fire clean-up activities.
4. The following are allowable non-stormwater discharges authorized under this permit provided there are no water quality impacts:
 - (a) Discharges from emergency fire-fighting activities.
 - (b) Fire hydrant or potable water line flushing (testing).
 - (c) Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids.
 - (d) Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer's instructions.
 - (e) Uncontaminated groundwater or spring water which has not contacted industrial materials or processes.
 - (f) Foundation or footing drains where flows are not contaminated with process materials.
 - (g) 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).
5. This permit authorizes the operation of oil water separator (OWS) tanks for the treatment of wastewater or stormwater and falls under 10 CSR 26-2.010(2)(B) if treating water with petroleum oils. OWS, serving this facility are hereby authorized and shall be operated per manufacturer's specifications. The specifications and operating records must be made accessible to department staff upon request. Petroleum oil water separator sludge is considered used oil; sludge must be disposed of in accordance with 10 CSR 25-11.279. OWS treating animal, vegetable, or food grade oils are not required to be authorized under these regulations. All applicable best management practices for all OWS systems must be adhered.
6. This permit authorizes stormwater discharge to Outstanding State Resource Waters (OSRW) so long as no degradation of water quality occurs in the OSRW due to discharges from the permitted facility.
7. For facilities operating within the watersheds of Outstanding National Resource Waters (ONRW), which includes the Ozark National Riverways and the National Wild and Scenic Rivers System:
 - (a) This permit authorizes only no-discharge facilities [as per 10 CSR 20-6.015(1)(B)7 and 10 CSR 20-7.015(6)(A)3] to operate.
 - (b) This permit does not authorize discharges to groundwater.
 - (c) Any discharge from a no-discharge facility, including stormwater, will be considered a violation of this permit unless a catastrophic storm or chronic storm event [as defined in 10 CSR 20-6.015(1)(B)2-3] occurs.
8. Any discharges not expressly authorized in this permit and not clearly disclosed in the permit application cannot become authorized or shielded from liability under Clean Water Act (CWA) Section 402(k) or Section 644.051.19, RSMo, by disclosure to the United States Environmental Protection Agency (EPA), state, or local authorities after issuance of this permit via any means, including any other permit applications, funding applications, the Stormwater Pollution Prevention Plan (SWPPP), discharge monitoring reporting, or during an inspection. Discharges at the facility not expressly authorized by this permit must be covered by another permit, be exempt from permitting, or be authorized through some other method.

PART II. EXEMPTIONS

1. Facilities discharging all stormwater directly to a permitted wastewater 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 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/document-search/no-exposure-certification-exclusion-npdes-stormwater-permitting-under-missouri-clean-water-law-mo-780-2828>) with the application for permit coverage.

PART III STORMWATER REQUIREMENTS

1. This permit stipulates pollutant benchmarks applicable to the facility's stormwater discharges.
 - (a) Benchmarks do not constitute direct numeric effluent limitations; therefore, a benchmark exceedance alone is not a permit violation. Stormwater monitoring, numeric benchmark compliance, and visual inspections shall be used to determine the overall effectiveness of the Best Management Practices (BMPs) identified in the SWPPP.
 - (b) If a sample exceeds a benchmark concentration or an inspection exceeds a narrative requirement, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant concentrations in the facility's future stormwater discharges. Deficiencies, exceedances, and BMP improvement efforts must be documented in the SWPPP and be made available to the department upon request.
 - (c) Failure to take corrective action to address any narrative or numeric benchmark exceedance, and failure to make measurable progress towards achieving the numeric benchmark(s) is a permit violation.
 - (d) Stormwater benchmarks and required minimum BMPs as described in this permit are enforceable permit conditions. Any requested change(s) to numeric benchmark values or deviation from minimum BMP requirements must be established through the permitting process, which may include a transfer to a site-specific permit to incorporate site specific conditions. Assessment, evaluation, and implementation of specific BMPs to meet numeric benchmarks or minimum BMP requirements, must be addressed in the SWPPP.

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	mg/L	90
Oil and grease	mg/L	10
pH	SU	6.5-9.0
Total Suspended Solids	mg/L	50
Chemicals listed in 40 CFR 122 Appendix D: Tables II through V *	µg/L	ND
Other Soluble Bulk Materials **	µg/L	ND

* All chemicals listed in 40 CFR 122 Appendix D Tables II-V are benchmarked at a non-detect value using a sufficiently sensitive methods found in 40 CFR part 136. See APPENDIX D TO PART 122 at end of permit for pollutant list.

** All other soluble bulk materials not listed in 40 CFR 122 Appendix D but have been loaded, unloaded, stored, or disposed of in an area reasonably expected to come into contact with stormwater are benchmarked at a non-detect value, using sufficiently sensitive methods found in 40 CFR part 136.

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.

PART III STORMWATER REQUIREMENTS (CONTINUED)

2. Quarterly Visual Assessments (QVA)

Quarterly assessments of stormwater discharges are required for this permit. Collection of stormwater discharge for QVAs must be taken during periods of measurable discharge from rainfall or snowmelt. The following must be assessed.

- (a) A visual inspection/observation for the following water quality characteristics, which may be evidence of stormwater pollution:
 - i. Floating, settled, or suspended solids.
 - ii. Odor.
 - iii. Foam or hydrocarbon sheen.
 - iv. Changes in color.
- (b) A visual inspection/observation of the outfall location for signs of pollution which may include staining, algal blooms, wildlife death, or dead or dying vegetation.
- (c) If evidence of stormwater pollution is found, the facility must review and alter their SWPPP and BMPs to address pollution sources and limit future pollution. Whenever the QVAs show evidence of stormwater pollution in the discharge, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant concentrations in the facility's future stormwater discharges.
 - i. This assessment is not required to be conducted consistent with 40 CFR Part 136 procedures but must be conducted in such a manner that the samples are representative of the facility's stormwater discharge.
 - ii. The results of the QVAs shall be maintained with the SWPPP and be made available to the department upon request.
 - iii. If no measurable discharges occur during operational hours during a given quarter, this should be noted and maintained with the SWPPP, facilities are not required to collect stormwater for this assessment outside of normal operational hours.
- (d) In lieu of quarterly visual assessments, the facility may conduct quarterly benchmark sampling as detailed in Table A and described herein.

3. Quarterly Benchmark Sampling

- (a) Quarterly benchmark sampling is not a requirement of this permit but can be used to substitute the QVA requirements. Facilities may use a combination of QVAs and quarterly benchmark sampling throughout the permit cycle to fulfill the permit requirement.
- (b) Quarterly benchmark samples shall follow the procedures in condition 4 below, whether such sample is collected to replace a QVA, or to be used in concurrence with a QVA, or for another purpose.
- (c) If benchmark exceedances occur, the facility must review and alter their SWPPP and BMPs to address pollution sources and limit future pollution.
- (d) If no measurable discharges occur during operational hours during a given quarter, this should be noted and maintained with the SWPPP, facilities are not required to collect stormwater for this evaluation outside of normal operational hours.
- (e) Once a facility has obtained eight (8) quarterly benchmark samples with all parameters at or below the designated benchmarks, the facility may cease all QVAs and/or quarterly benchmark sampling for the remainder of the permit cycle so long as the following conditions are met;
 - i. The results of all stormwater benchmark sampling from the permit cycle shall be submitted to the department by email at dnr.generalpermits@dnr.mo.gov or by mail to Water Protection Program, Operation Permits Section, P.O. Box 176 Jefferson City, MO 65102-0176. The department will respond with an approval that the permittee may cease all QVAs and/or sampling for the permit cycle.
 - (1) All quarterly benchmark sample results from the permit cycle must be attached to the request, including those that contained exceedance(s). A quarterly benchmark sample with an exceedance will not disqualify a facility from receiving department approval to cease quarterly assessments, however, quarters with exceedances will not count towards the eight (8) quarterly samples required.
 - (2) The email or letter to the department includes a written request to cease QVAs and/or quarterly benchmark sampling for the remainder of the permit cycle.
 - ii. The facility is compliant with Missouri Clean Water Law and not currently under a department enforcement agreement.
 - iii. The letter of approval from the department shall be maintained in the SWPPP.
 - iv. If issues are found, such as during an inspection, the department may request the facility begin QVAs and/or benchmark sampling even after an approval to cease is granted.

4. Stormwater Sampling

- (a) The laboratory results of all samples from a discharge collected and analyzed must be retained with monitoring records and made available to the department upon request.
- (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 in retention structures should not be performed.

PART III STORMWATER REQUIREMENTS (CONTINUED)

- (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 April of 2021. https://www.epa.gov/sites/default/files/2015-11/documents/msgp_monitoring_guide.pdf.

5. 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 unauthorized discharges, compliance issues related to water quality concerns, compliance issues related to BMP effectiveness, or evidence of impacted discharges caused by 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.
6. When applying for coverage under this permit, the development and implementation of a SWPPP is required. The SWPPP must be reviewed at least annually, but more frequently if site conditions impacting stormwater or the nature and condition of stormwater discharges change. The SWPPP must be updated as necessary to reflect the most current and accurate conditions on site. The SWPPP must be kept on site (either electronically or paper copy) and be made readily available to the department upon request.
- (a) **New Facilities:** The new SWPPP for the facility must be prepared and implemented upon permit effective date.
- (b) **Existing Facilities:** The existing SWPPP for the facility must be reviewed, revised as necessary, and implemented upon reissuance of permit 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 upon effective date of facility expansion.
7. Stormwater Pollution Prevention Plan:
The purpose of the SWPPP and the BMPs listed therein is to prevent pollution 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. 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.
- (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 site map, or multiple maps, if necessary. This map shall be updated as needed to reflect current BMPs in use. This may be maintained electronically.
The map shall show the following:
- i. Boundaries of the property and the size of the property in acres.
 - ii. Location and extent of significant structures and impervious surfaces.
 - iii. Direction of stormwater flow.
 - iv. Location of all permitted features, outfalls, structural BMPs, and other stormwater control measures.
 - v. Location of all surface waters of the state in or adjacent to the facility.
 - vi. Location of all stormwater conveyances such as ditches, pipes, and swales.
 - vii. Locations of the following activities which are exposed to precipitation:
 - (1) Locations used for the treatment, storage, or disposal of wastes and trash.
 - (2) Processing and storage areas. Including areas where products are transferred.
 - (3) Location of equipment used for processing which is permanently stored outside (such as balers and cranes).
 - (4) Equipment and/or vehicle maintenance areas including fueling.
 - viii. Locations and sources of run-on to the site from adjacent property that may contain significant quantities of pollutants.
 - ix. If applicable, municipal separate storm sewer systems and where stormwater from the facility discharges to them.
- (d) A schedule for and implementation of 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.
- i. At a minimum, the following areas must be inspected:
 - (1) Structural BMPs and pollution prevention measures.
 - (2) Containment structure(s) including but not limited to above ground tanks, and secondary containment of fluids and other materials.

PART III STORMWATER REQUIREMENTS (CONTINUED)

- (3) The drainage area around containments and the interior of secondary containment.
- (4) Perimeter of the site.
- (5) Material, waste, products, or equipment storage and maintenance areas.
- (6) Areas exposed to stormwater where hazardous materials and general automotive fluids are stored.
- (7) Areas where stormwater flows.
- (8) Points of discharge from the site.
- ii. During inspections, at the minimum, the following must be checked:
 - (1) Whether all structural BMPs and pollution prevention measures are installed, operational, and working as intended.
 - (2) The area surrounding fluid containers, including secondary containment, must be free of signs of vegetative stress, severe staining of the ground, or other indications of leaks or spills.
 - (3) Whether any new or modified controls are needed.
 - (4) Fluid and material storage examined for conditions that could lead to a spill or leak.
 - (5) Site examined for visual signs of pollutants or excessive erosion at outfalls. Such items may be due to BMP failure or insufficiency. Response to finding excessive erosion or pollutants shall be addressed in the inspection report.
- iii. Operational deficiencies must be corrected within seven (7) days and must be documented in the inspection report.
- iv. Minor structural deficiencies must be corrected within fourteen (14) calendar days and must be documented in the SWPPP records.
- v. For major structural deficiencies which are projected to take longer than fourteen (14) calendar days to correct, the facility may submit a written request to the department justifying additional time, if necessary, to complete corrective action. If required by the department, the permittee shall work with the regional office to determine the best course of action. The permittee shall use temporary structures to control stormwater runoff. The facility shall correct the major structural deficiency as soon as reasonably achievable.
- vi. BMP failure causing discharge through an unregistered outfall is considered an unpermitted discharge and must be reported in accordance with Standard Conditions Part I.
- vii. Inspection reports must be kept with the SWPPP and must be made available to the department upon request and within 24 hours unless explicitly granted more time in writing.
- (e) A provision for designating an individual to be responsible for environmental matters.
 - i. A provision for providing training to supervisory personnel who oversee team with 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.
 - ii. A provision for evaluating benchmarks established in this permit.
8. When applying for new or expanding coverage under this permit, an alternative analysis of the BMPs must be developed, implemented, and maintained with the SWPPP. 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. Failure to implement and maintain the chosen alternative, which can be revised and updated, is a permit violation. 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 20-7.031(3).

PART IV. PERMIT REQUIREMENTS

1. 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. Keep storage bins for waste products covered to minimize contact with precipitation, where possible. Discharges or spills from collection facilities must be appropriately cleaned up before a precipitation event occurs.
 - (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.

PART IV. PERMIT REQUIREMENTS CONTINUED

- (d) Provide BMPs, as stormwater pollution control, sufficient to minimize pollutant 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, inlet protection, perimeter controls, sediment traps, or other treatment structures. This may also require the construction of properly designed sediment basins or other treatment structures.
 - i. Ensure that all BMPs remain in effective operating condition.
 - ii. A BMP needs maintenance to continue operating effectively. Wherever a problem is discovered, initiate efforts to fix it immediately. Complete such work by the end of the next work day when possible.
 - iii. When a stormwater control must be completely replaced or significantly repaired, complete the work within seven (7) days unless infeasible. If seven days is infeasible, replacement or repair must be completed as soon as practicable with notification to the appropriate department regional office.
 - (e) Provide good housekeeping practices on site to keep solid waste from entering waters of the state.
 - (f) Facilities shall manage materials (products, stockpiles, waste piles, etc.) to:
 - i. Minimize material migration from stormwater that runs off materials by using controls or covers where possible;
 - ii. Prevent stormwater flows from causing loss of materials, for example, by diverting flows around them;
 - iii. Ensure these materials or equipment are not discharged off-site or into a water of the state during a high water event.
 - (g) Storage piles of salt, sand, or piles containing salt or sand shall be stored in a manner that minimizes mobilization in stormwater.
 - (h) Minimize the accumulation of metals or aging equipment with visible rust in outdoor locations exposed to stormwater. Ensure metal equipment and scrap are stored indoors, under cover, or in a covered container when possible.
 - (i) Solids, sludge, and soluble debris shall not be allowed to accumulate in the secondary containment structures.
 2. Secondary containment for petroleum and other substances.

The drainage area around the secondary containment area and the interior of the containment area shall be inspected monthly. Solids, sludge, and soluble debris shall not be allowed to accumulate in the secondary containment.

 - (a) The interior of the secondary containment area(s) shall be checked at least monthly for signs of leaks, spills, or releases of product held within secondary containment(s).
 - (b) All non-stormwater captured in the secondary containment area shall be expeditiously removed and the source of the leak or spill determined. Leaks or otherwise compromised equipment or appurtenances shall be promptly addressed and repaired.
 - (c) Before releasing water accumulated in secondary containment areas, the water and area must be examined for odor, presence of sheen, color, or foam to protect the general criteria found at 10 CSR 20-7.031(4).
 - (d) Unimpacted stormwater (i.e. free from presence of released product) or other leaks and spills, must be drained from the secondary containment as soon as reasonably possible after a precipitation event.
 - (e) If subparts (a) and (b) above were not followed, impacted stormwater shall not be discharged from the secondary containment and shall instead be managed in accordance with legally approved methods for disposal of process wastewater, such as being piped or transported to an accepting wastewater treatment facility.
 - (f) If subparts (a) and (b) were followed, petroleum impacted stormwater can only be drained from the secondary containment after removal of all odor or sheen utilizing appropriate methods.
 - (g) The area surrounding the secondary containment must be free of signs of vegetative stress or other evidence of a discharge.
 - (h) The area below the outlet of the secondary containment area must be maintained to minimize soil washout, such as with stabilized vegetation, rip rap, or by releasing accumulated water slowly.
 - (i) Records of all inspections, testing, and/or treatment of water accumulated in secondary containment shall be available upon request to the department.
 3. Spills, Overflows, and Unauthorized Discharges.
 - (a) Any spills or overflows that leave the permitted facility, or discharge(s) not specifically authorized in the permit above are unauthorized discharges. There shall be no discharge, nor release crossing property boundaries, of wastewater or stormwater unless authorized and in compliance with the requirements contained herein.
 - (b) If 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.
 4. Changes in Discharges of Toxic Substances. In addition to the reporting requirements under 40 CFR 122.41(1), all existing manufacturing, commercial, and mining, 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:
 - i. One hundred micrograms per liter (100 µg/L);
 - ii. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;

PART V. STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached Standard Conditions Part I, dated August 01, 2014, and hereby incorporated as though fully set forth herein, <https://dnr.mo.gov/document-search/standard-conditions-npdes-permits-aug-1-2014-part-i>

PART VI. ADMINISTRATIVE/OTHER REQUIREMENTS

1. 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)].
2. Unless terminated, the permittee shall submit an application for the renewal of this permit by submitting Form E-Application for General Permit <https://dnr.mo.gov/document-search/form-e-application-general-permit-under-missouri-clean-water-law-mo-780-0795> no later than thirty (30) days prior to the permit's expiration date.
3. This permit may only be transferred to a new owner by submitting an *Application for Transfer of Operating Permit* <https://dnr.mo.gov/sites/dnr/files/vfc/2018/10/main/780-1517-f.pdf> signed by the seller and the 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.
4. 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)(D)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.
5. Compliance with all requirements in this permit does not supersede nor remove liability for compliance with county or other local ordinances.
6. The full implementation of this operating permit, which includes implementation of any applicable schedules of compliance, shall constitute compliance with Sections 301, 302, 306, 307, and 403 of the federal Clean Water Act, except for standards imposed under Section 307 for toxic pollutants injurious to human health, and with equivalent provisions of the Missouri Clean Water Law, in accordance with Section 644.051.22 RSMo and CWA §402(k). 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 CWA §§301(b)(2)(C) and (D), §304(b)(2), and §307(a)(2), 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 already limited in the permit. This permit may be modified, revoked and reissued, or terminated for cause, including determination new pollutants found in the discharge not identified in the application for the new or revised permit. The filing of a request by the facility for a permit modification, termination, notice of planned changes, or anticipated non-compliance does not stay any permit condition.

PART VII. NOTICE OF RIGHT TO 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 644.051.9 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>

APPENDIX D TO PART 122**Table II - Organic Toxic Pollutants in Each of Four Fractions in Analysis by Gas Chromatography/Mass Spectroscopy (GS/MS)***Volatiles*

1V	acrolein	12V	dichlorobromomethane	22V	methylene chloride
2V	acrylonitrile	14V	1,1 dichloroethane	23V	1,1,2,2 tetrachloroethane
3V	benzene	15V	1,2 dichloroethane	24V	tetrachloroethylene
5V	bromoform	16V	1,1 dichloroethylene	25V	toluene
6V	carbon tetrachloride	17V	1,2 dichloropropane	26V	1,2 trans dichloroethylene
7V	chlorobenzene	18V	1,3 dichloropropylene	27V	1,1,1 trichloroethane
8V	chlorodibromomethane	19V	ethylbenzene	28V	1,1,2 trichloroethane
9V	chloroethane	20V	methyl bromide	29V	trichloroethylene
10V	2 chloroethylvinyl ether	21V	methyl chloride	31V	vinyl chloride
11V	chloroform	22V	methylene chloride		

Acid Compounds

1A	2 chlorophenol	5A	2,4-dinitrophenol	9A	pentachlorophenol
2A	2,4 dichlorophenol	6A	2 nitrophenol	10A	phenol
3A	2,4 dimethylphenol	7A	4 nitrophenol	11A	2,4,6 trichlorophenol
4A	4,6 dinitro o cresol	8A	p chloro m cresol		

Base/Neutral

1B	acenaphthene	17B	4 chlorophenyl phenyl ether	32B	fluorine
2B	acenaphthylene	18B	chrysene	33B	hexachlorobenzene
3B	anthracene	19B	dibenzo(a,h)anthracene	34B	hexachlorobutadiene
4B	benzidine	20B	1,2 dichlorobenzene	35B	hexachlorocyclopentadiene
5B	benzo(a)anthracene	21B	1,3 dichlorobenzene	36B	hexachloroethane
6B	benzo(a)pyrene	22B	1,4 dichlorobenzene	37B	indeno(1,2,3 cd)pyrene
7B	3,4 benzofluoranthene	23B	3,3' dichlorobenzidine	38B	isophorone
8B	benzo(ghi)perylene	24B	diethyl phthalate	39B	naphthalene
9B	benzo(k)fluoranthene	25B	dimethyl phthalate	40B	nitrobenzene
10B	bis(2 chloroethoxy)methane	26B	di n butyl phthalate	41B	N nitrosodimethylamine
11B	bis(2 chloroethyl)ether	27B	2,4 dinitrotoluene	42B	N nitrosodi n propylamine
12B	bis(2 chloroisopropyl)ether	28B	2,6 dinitrotoluene	43B	N nitrosodiphenylamine
13B	bis(2 ethylhexyl)phthalate	29B	di n octyl phthalate	44B	phenanthrene
14B	4 bromophenyl phenyl ether	30B	1,2 diphenylhydrazine (as azobenzene)	45B	pyrene
15B	butylbenzyl phthalate	31B	fluoranthene	46B	1,2,4 trichlorobenzene
16B	2 chloronaphthalene				

Pesticides

1P	aldrin	10P	dieldrin	19P	PCB 1254
2P	alpha BHC	11P	alpha endosulfan	20P	PCB 1221
3P	beta BHC	12P	beta endosulfan	21P	PCB 1232
4P	gamma BHC	13P	endosulfan sulfate	22P	PCB 1248
5P	delta BHC	14P	endrin	23P	PCB 1260
6P	chlordan	15P	endrin aldehyde	24P	PCB 1016
7P	4,4' DDT	16P	heptachlor	25P	toxaphene
8P	4,4' DDE	17P	heptachlor epoxide		
9P	4,4' DDD	18P	PCB 1242		

Table III – Other Toxic Pollutants (Metals and Cyanide) and Total Phenols

Antimony, Total	Copper, Total	Silver, Total
Arsenic, Total	Lead, Total	Thallium, Total
Beryllium, Total	Mercury, Total	Zinc, Total
Cadmium, Total	Nickel, Total	Cyanide, Total
Chromium, Total	Selenium, Total	Phenols, Total

Table IV – Conventional and Nonconventional Pollutants

Bromide
Chlorine, Total Residual
Color
Fecal Coliform
Fluoride
Nitrate Nitrite
Nitrogen, Total Organic

Phosphorus, Total
Radioactivity
Sulfate
Sulfide
Sulfite
Surfactants
Aluminum, Total
Barium, Total

Boron, Total
Cobalt, Total
Iron, Total
Magnesium, Total
Molybdenum, Total
Manganese, Total
Tin, Total
Titanium, Total

Table V – Toxic Pollutants and Hazardous Substances

Toxic Pollutants

Asbestos

Hazardous Substances

Acetaldehyde	Diuron	Phosgene
Allyl alcohol	Epichlorohydrin	Propargite
Allyl chloride	Ethion	Propylene oxide
Amyl acetate	Ethylene diamine	Pyrethrins
Aniline	Ethylene dibromide	Quinoline
Benzonitrile	Formaldehyde	Resorcinol
Benzyl chloride	Furfural	Strontium
Butyl acetate	Guthion	Strychnine
Butylamine	Isoprene	Styrene
Captan		
Carbaryl	Isopropanolamine	2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)
Carbofuran	Dodecylbenzenesulfonate	
Carbon disulfide		
Chlorpyrifos	Kelthane	TDE (Tetrachlorodiphenylethane)
Coumaphos	Kepone	
Cresol	Malathion	2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]
Crotonaldehyde	Mercaptodimethur	
Cyclohexane	Methoxychlor	
2,4-D (2,4-Dichlorophenoxy acetic acid)	Methyl mercaptan	Trichlorofan
Diazinon	Methyl methacrylate	
Dicamba	Methyl parathion	Triethanolamine
Dichlobenil	Mevinphos	dodecylbenzenesulfonate
Dichlone	Mexacarbate	
2,2-Dichloropropionic acid	Monoethyl amine	Triethylamine
Dichlorvos	Monomethyl amine	Uranium
Diethyl amine	Naled	Vanadium
Dimethyl amine	Napthenic acid	Vinyl acetate
Dinitrobenzene	Nitrotoluene	Xylene
Diquat	Parathion	Xylenol
Disulfoton	Phenolsulfonate	Zirconium

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET FOR MASTER GENERAL PERMIT
MO-R23A000

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: Industrial
Facility SIC Code(s): 28XX (except 282X and 287X), and 2992

CHANGES TO THE RENEWAL OF THIS PERMIT INCLUDE:

- Updated language throughout the permit to current permit language used by the department.
- Added quarterly visual assessments
- Added option for quarterly benchmark sampling in lieu of quarterly visual assessments

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)] |
| ☐ | 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 designated 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.

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.

✓ Not Applicable: All requirements in this permit are at least as protective as those previously established.

ANTIDEGRADATION:

Antidegradation policies ensure protection of water quality for a particular water body on a pollutant-by-pollutant basis to ensure Water Quality Standards are maintained to support beneficial uses such as fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as an Outstanding National Resource Water or Outstanding State Resource Water [10 CSR 20-7.031(3)(C)]. Antidegradation policies are adopted to minimize adverse effects on water.

The department has determined the best avenue forward for implementing the Antidegradation requirements into general stormwater 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 generally unpredictable 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 typically 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 technology 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.

BEST MANAGEMENT PRACTICES:

Minimum site-wide best management practices (BMPs) 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. While not all sites require a SWPPP because the SIC codes are specifically exempted in 40 CFR 122.26(b)(14), these BMPs are not specifically included for stormwater purposes. These practices are minimum requirements for all industrial sites to protect waters of the state. If the minimum BMPs 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 CWA 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.

SUFFICIENTLY SENSITIVE ANALYTICAL METHODS:

Please review Standard Conditions Part 1, §A, No. 4. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 or 40 CFR 136 unless alternates are approved by the department and incorporated within this permit. 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 any 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. The reporting limits established by the chosen laboratory must be below the lowest effluent limits established for the specified parameter (including any parameter's future limit after an SOC) in the permit unless the permit provides for an ML or if the facility provides a written rationale to the department. It is the facility's responsibility to ensure the laboratory has adequate equipment and controls in place to quantify the pollutant. Inflated reporting limits will not be accepted by the department if the reporting limit is above the parameter value stipulated in the permit. 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 facility is responsible for working with their contractors to ensure the analysis performed is sufficiently sensitive.

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.

LAND DISTURBANCE:

Land disturbance, sometimes called construction activities, are actions which cause disturbance of the root layer or soil; these include clearing, grading, and excavating of the land. 40 CFR 122.26(b)(14) and 10 CSR 20-6.200(3) requires permit coverage for these activities. Coverage is not required for facilities when only providing maintenance of original line and grade, hydraulic capacity, or to continue the original purpose of the facility.

- ✓ Not applicable; this permit does not provide coverage for land disturbance activities. The facility may obtain a separate land disturbance permit (MORA) online at <https://dnr.mo.gov/water/business-industry-other-entities/permits-certification-engineering-fees/stormwater/construction-land-disturbance>.

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

This permit allows discharge to waters of the state. The discharges this permit allows may flow into and through a city's stormwater collection system. *Per 40 CFR 122.26(a)(4), any facility* discharging stormwater associated with industrial activity to an MS4 shall submit no later than 180 days prior to commencing such discharge, to the MS4 receiving the discharge: the name of the facility; a contact person and phone number; the location of the discharge; a description, including Standard Industrial Classification, which best reflects the principal products or services provided by each facility; and any/all existing NPDES permit number(s).

Regulated MS4s are managed by public entities, cities, municipalities, or counties. Phase I MS4s are Kansas City, Independence, and Springfield. Phase II MS4s are determined by population or location in an urban area. Regulated MS4s are required to develop and

maintain a stormwater management program. These programs have requirements for developing and implementing a plan to detect and eliminate unapproved discharges to the storm sewer system. Phase I MS4s also maintain oversight programs for industrial and high risk runoff. Regulated MS4s may keep a list of all the other regulated dischargers (wastewater and stormwater) flowing through their system. Regulated MS4 operators may request to inspect facilities discharging into their system; a list of regulated MS4s can be viewed at <https://dnr.mo.gov/document-search/missouri-regulated-municipal-separate-storm-sewer-systems-ms4s> or at https://apps5.mo.gov/mocwis_public/permitSearch.do to determine if this facility needs to contact a local stormwater authority.

OIL/WATER SEPARATORS:

Oil water separator (OWS) tank systems are frequently found at industrial sites where process wastewater and stormwater may contain oils and greases, oily process wastewaters, or other immiscible liquids requiring separation. Food industry discharges typically require pretreatment prior to discharge to municipally owned treatment works. Per 10 CSR 26-2.010(2)(B), all oil water separator tanks must be operated according to manufacturer's specifications. OWS which are USTs may be authorized in NPDES permits per 10 CSR 26-2.010(2)(B) or otherwise will be regulated as a underground petroleum storage tank under tank rules. A facility may operate an OWS which is not considered a UST for the wastewater or stormwater at any facility without specific NPDES permit authorization. Alternatively, a facility is not required to cover a UST OWS under the NPDES permit if they desire to obtain alternative regulatory compliance. OWS treating animal, vegetable, or food grade oils are not required to be authorized under 10 CSR 20-26-2.020(2)(B). All best management practices for all OWS systems must be adhered. In 2017, field-poured concrete tanks, previously exempted from the tanks rules, lost their exempt status. Facilities must re-evaluate these concrete structures pursuant to these now relevant rules. Adjacent USTs are not covered by these regulations.

Any and all water treatment systems designed to remove floating immiscible oils are termed oil water separators. If a device is intended to capture oil and separate it from water which is to be discharged, this generally qualifies that oil as used oil (if it is petroleum-based in nature). Used oil and oily sludge must be disposed of in accordance with 10 CSR 25-11.279. Pursuant to 40 CFR 279.20(b)(2)(ii)(B), separating used petroleum-based oil from wastewater generated on-site (to make the wastewater acceptable for discharge or reuse pursuant to Federal or state regulations governing the management or discharge of wastewaters) are considered used oil generators and not processors under self-implementing 40 CFR 279 Standards For The Management Of Used Oil. Oily wastes generated by OWS are also generally subject to Spill Prevention, Control, and Countermeasure (SPCC) regulations.

PERMIT SHIELD:

The permit shield provision of the Clean Water Act (Section 402(k)) and Missouri Clean Water Law (644.051.22 RSMo) provides that when a permit holder is in compliance with its NPDES permit or MSOP, it is effectively in compliance with certain sections of the Clean Water Act, and equivalent sections of the Missouri Clean Water Law. In general, the permit shield is a legal defense against certain enforcement actions but is only available when the facility is in compliance with its permit and satisfies other specific conditions, including having completely disclosed all discharges and all facility processes and activities to the department at time of application. It is the facility's responsibility to ensure that all potential pollutants, waste streams, discharges, and activities, including wastewater land application, storage, and treatment areas, are all fully disclosed to the department at the time of application or during the draft permit review process. Previous permit applications are not necessarily evaluated or considered during permit renewal actions. All relevant disclosures must be provided with each permit application, including renewal applications, even when the same information was previously disclosed in a past permit application. Subsequent requests for authorization to discharge additional pollutants, expanded or newly disclosed flows, or for authorization for previously unpermitted and undisclosed activities or discharges, will likely require an official permit modification, including another public participation process. Additionally, the use of insufficiently sensitive analytical methods to disclose the absence of any pollutant may not provide permit shield coverage.

Any discharges (or qualified activities such as land application) not expressly authorized in this permit, and not clearly disclosed in the permit application, cannot become authorized or shielded from liability under CWA section 402(k) or Section 644.051 RSMo, by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including any other permit applications, funding applications, the SWPPP, discharge monitoring reporting, or during an inspection. Submit a permit modification application, and an antidegradation determination if appropriate, to request authorization of new or expanded discharges, or new activities. Subsequent requests for authorization to discharge additional pollutants or expanded or newly disclosed flows, or for authorization for previously unpermitted and undisclosed activities or discharges, will likely require permit modification or may require the facility be covered under a site-specific permit.

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)4.].

- ✓ Applicable; issuance of coverage to an individual chemical or lubricant manufacturer 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):

Pursuant to 40 CFR 122.44(d)(1)(i) and 10 CSR 20-7.031(9)(A)2, all permits must contain effluent limits for any parameter which is or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state narrative criteria or water quality standard found within 10 CSR 20-7.031. Per 10 CSR 20-7.031(4), general criteria shall be applicable to all waters of the state at all times with few exceptions.

A reasonable potential analysis (RPA) is a numeric RP decision calculated using effluent data provided by the facility for parameters that have a numeric Water Quality Standard (WQS), and reasonable potential determinations (RPD) are made using non-numeric factors. The department must implement WQBELs for parameters with RP.

Technology requirements, or technology based effluent limits (TBELs) are not subject to RP. This section only applies to water quality-based effluent limits (WQBELs). TBELs may have been developed by an antidegradation review, or are nationally required via a federal Effluent Limitation Guideline (ELG). TBEL limits are not subject to RP analysis. TBEL limits apply to the site type, regardless if there is RP. To review historical data for any permit, the department has a publicly facing database search engine, available at https://apps5.mo.gov/mocwis_public/

A traditional statistical Reasonable Potential Analysis has not been conducted for this master general permit; instead the department has made a reasonable potential determination based on sources of pollutants related to water quality standards. 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). No reasonable potential to violate water quality standards was determined for the pollutants of concern in this permit, due to the nature of the discharges, the activities carried out under this permit, and the protections required by this permit (BMPs, etc.).

The permit writer reviewed industry materials, available DMR data, available past inspections, and other documents and research to evaluate general and narrative water quality reasonable potential for this permit. Permit writers also use 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.

SECONDARY CONTAINMENT:

The department has established minimum requirements for secondary containment areas. These conditions are necessary to prevent contamination in stormwater before storm events, and before stormwater has a risk for contamination in these areas. By including inspection requirements, the department can be confident in the site's operational controls. By fixing all leaks and removing debris from the secondary containment areas prior to precipitation events, stormwater collected in the areas are unlikely to yield contamination or elicit sheen thereby allowing immediate removal of stormwater which is in compliance with SPCC plans.

The department permit requirement for visual inspection frequency commiserate with the potential for contamination for secondary containment(s) to protect waters of the state as necessary. These conditions establish permissible allowances for the facility to discharge stormwater either free of sheen or has been cleaned of sheen, but only if the facility has demonstrated, through inspections, the facility has been effectively maintaining tanks and appurtenances in the secondary containment areas. By allowing on-site sheen removal, then discharge, the department is allowing expedited drainage of the secondary containment without delay. When a facility properly maintains tanks and appurtenances via these series of inspections and provides sheen removal prior to release, then the facility can maintain compliance with Missouri's requirements for the safe storage and handling of flammable and combustible liquids (2 CSR 90-30.050), storage tank secondary containment volume requirements (40 CFR 112), and Missouri's general water quality criteria 10 CSR 20-7.031(4)(B). These secondary containment inspection requirements may also be applied to non-petroleum secondary containments.

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, but many are not allowed to discharge to these watersheds;

- ✓ 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). 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 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).
- ✓ 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.
- ✓ 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/water/what-were-doing/water-planning/quality-standards-impaired-waters-total-maximum-daily-loads/impaired-waters>. 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.

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 (or the National Response Center) at the earliest possible moment after discovery pursuant to 260.500-260.550 RSMo. The department may require the submittal of a written report detailing measures taken to clean up a spill. These reporting requirements apply whether or not the spill results in chemicals or materials leaving the permitted property or reaching waters of the state. This requirement is in addition to the noncompliance reporting requirement found in Standard Conditions Part I <https://revisor.mo.gov/main/OneSection.aspx?section=260.500&bid=13989&hl=>. Any other spills, overflows, or unauthorized discharges reaching waters of the state must be reported to the regional office during normal business hours, or after normal business hours, to the department's 24-hour Environmental Emergency Response spill line at 573-634-2436.

Certain industrial facilities are subject to the self-implementing regulations for Oil Pollution Prevention in 40 CFR 112, and are required to initiate and follow Spill Prevention, Control, and Countermeasure (SPCC) Plans. This permit, as issued, is not intended to be a replacement for any SPCC plan, nor can this permit's conditions be automatically relaxed based on the SPCC plan if the permit is more stringent than the plan.

STANDARD CONDITIONS:

The standard conditions Part I attached to this permit incorporate all sections of 40 CFR 122.41(a) through (n) by reference as required by law. These conditions, in addition to the conditions enumerated within the standard conditions should be reviewed by the permittee to ascertain compliance with this permit, state regulations, state statutes, federal regulations, and the Clean Water Act.

STORMWATER

A permit must require appropriate stormwater conditions if the SIC code or facility description type is found in 40 CFR 122.26(b)(14) and/or 10 CSR 20-6.200(2). Also, a SWPPP may be required of other facilities where stormwater has been identified as necessitating better management. The purpose of permit requirements for stormwater discharges is to comply with all applicable stormwater regulations, by creating an adaptive management plan to control and mitigate stream pollution from stormwater runoff under a SWPPP. Stormwater discharge associated with industrial activity, the term includes, but is not limited to: storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; sites used for the application or disposal of process wastewaters; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials and intermediate and finished products unless material is in closed cars or trailers and the loading/unloading operation does not expose material to storm water or otherwise pose risk of storm water contamination and areas where industrial activity has taken place in the past and where significant materials remain and are exposed to storm water.

- ✓ Applicable; this general permit is for SIC codes 28xx, 2922, or fundamentally similar for Chemical and Allied Products.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP):

Pursuant to 40 CFR 122.44(k), Best Management Practices (BMPs) can be used to control or abate the discharge of pollutants when:

- 1) Authorized under §304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities;
- 2) Authorized under §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. A BMP may take the form of a numeric benchmark. 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 and again in 2021 https://www.epa.gov/sites/default/files/2021-03/documents/swppp_guide_industrial_2021_030121.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).

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 facility can take to determine which BMPs will work to achieve the benchmark values or limits in the permit. This section is not all encompassing. Additional steps or revisions to the SWPPP may be necessary to meet the requirements of the permit. At renewal, the facility may attach the SWPPP and/or corrective action reports (CARs) to provide overall knowledge about specific BMPs at the site. The facility can review the precipitation frequency maps for development of appropriate BMPs. The online map https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=mo can be targeted to the facility location and is useful when designing detention structures and planning for any structural BMP component. The stormwater map can also be used to determine if the volume of stormwater caused a disrupted BMP; and if the BMP must be re-designed to incorporate additional stormwater flows.

Areas which must be included in the SWPPP are identified in 10 CSR 20-6.200(2)(A). These areas include but are not limited to: industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; sites used for the storage and maintenance of material handling equipment; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials and intermediate and finished products; and areas where industrial activity has taken place in the past and where significant materials remain and are exposed to storm water.

Once the potential sources of stormwater pollution have been identified, a plan shall be formulated to best control the amount of pollutant being released and discharged by each activity or source. This must 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 must be taken to repair, improve, or replace the failing BMP. This internal evaluation is required at least once per month but may 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.

In addition to the requirements found in the beginning of the Stormwater section, pursuant to 10 CSR 20-6.200(1)(D)27. A. The term "significant materials" includes but is not limited to: storm water discharged from industrial plant yards, immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility. B. Significant materials having the potential to be released with storm water discharge include, but are not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, Liability Act of 1980 (CERCLA); any chemical the facility is required to report pursuant to Section 313 of Title III of Superfund Amendments & Reauthorization Act of 1986 (SARA); fertilizers; pesticides; and waste products such as ashes, slag, or sludge. C. Material received in drums, totes, or other secure containers or packages which prevent contact with storm water, including run in, are exempted from the significant materials classification until the container has been opened for any reason. If the container is moved into a building or other protected area prior to opening, it will not become a significant material.

All of the enumerated locations and items will require stormwater management BMPs. 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 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 per 10 CSR 20-7.031(3). For further guidance, consult the antidegradation implementation procedure (<https://dnr.mo.gov/document-search/antidegradation-implementation-procedure>).

Alternative Analysis (AA) evaluation of the BMPs is a structured evaluation of BMPs which are reasonable and cost effective. The AA evaluation can 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 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), §II.B.

If parameter-specific numeric benchmark exceedances continue to occur and the facility 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 facility 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 must 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; applications are found:

<https://dnr.mo.gov/water/business-industry-other-entities/permits-certification-engineering-fees/wastewater>

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

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.

Part IV – Benchmark Limitations Determination

BENCHMARKS TABLE:

PARAMETERS	UNIT	BENCH-MARK	PREVIOUS PERMIT REQUIREMENT
AMMONIA AS N	mg/L	12.1	SAME
CHEMICAL OXYGEN DEMAND (COD)	mg/L	90	SAME
OIL AND GREASE	SU	10	SAME
pH	mL/L/hr	6.5-9.0	SAME
TOTAL SUSPENDED SOLIDS (TSS)	mg/L	50	SAME
CHEMICALS LISTED IN 40 CFR 122 APPENDIX D: TABLES II THROUGH V *	µg/L	ND	SAME
OTHER SOLUBLE BULK MATERIALS **	µg/L	ND	SAME

* All chemicals listed in 40 CFR 122 Appendix D Tables II-V are benchmarked at a non-detect value using a sufficiently sensitive methods found in 40 CFR part 136. See APPENDIX D TO PART 122 at end of permit for pollutant list.

** All other soluble bulk materials not listed in 40 CFR 122 Appendix D but have been loaded, unloaded, stored, or disposed of in an area reasonably expected to come into contact with stormwater are benchmarked at a non-detect value, using sufficiently sensitive methods found in 40 CFR part 136.

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

DERIVATION AND DISCUSSION OF BENCHMARKS:

The EPA Multi-sector General Permit (MSGP) was used to research and support best professional judgment decisions made in establishing technology- based effluent benchmarks for this general permit which are consistent with national standards. Any flow through the outfall is considered a discharge.

Ammonia, Total as Nitrogen

Ammonia is a pollutant of concern at many industries covered by this permit, and therefore a benchmark is included. Facilities covered under this permit may use ammonia in the manufacture of their products and may store it in outdoor containment structures. The benchmark limits are appropriate based on the industries permitted and are continued pursuant to 10 CSR 20-7.015(9)(I)1 utilizing best professional judgment and are protective of the receiving waterbody's uses. There are no technology limits established for this parameter therefore water quality limits are the most protective.

Chemical Oxygen Demand (COD)

Monitoring with 90 daily maximum benchmark is included using the permit writer's best professional judgment. COD is a typical indicator pollutant in stormwater and is found in permits across multiple industries and is also found as a benchmark in the 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, indicating 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.

Chemicals listed in 40 CFR 122 Appendix D: Tables II through V

A benchmark of “non-detect” is continued from the previous permit. This wide range of pollutant monitoring is added for those pollutants that may be stored on site that are not able to be individually benchmarked in this permit. The industries covered by this permit are varied and extensive. It is beyond the scope of this permit to benchmark all pollutants possibly stored or used at each individual site, and this requirement captures those possible pollutants that are unable to be benchmarked exhaustively.

Oil & Grease

Monitoring with a daily maximum benchmark of 10 mg/L. Oil and grease is considered a conventional pollutant. Oil and grease is a quantitative, comprehensive test which measures for gasoline, diesel, crude oil, creosote, kerosene, heating oils, heavy fuel oils, lubricating oils, waxes, and some asphalt and pitch. The test can also detect some volatile organics such as benzene, toluene, ethylbenzene, or xylene, 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.

Other Soluble Bulk Materials

Benchmark of “non-detect” continued from the previous permit. This requirement captures any additional pollutants not covered by the above benchmarks of the permit and requires each facility to control for those pollutants that may be present outside of those specifically benchmarked in this permit.

pH

of 6.5-9.0 SU, continued from the previous permit. pH is a common indicator pollutant in stormwater, and can indicate general water quality issues. pH is a benchmark or limit in many permits across industries and is found in the MSGP.

Total Suspended Solids (TSS)

Monitoring with a daily maximum benchmark of 50 mg/L. 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 which may indicate 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.

Part V– Sampling and Reporting Requirements

SAMPLING FREQUENCY:

For pollutants expressed in a daily maximum and a monthly average, only quarterly monitoring is required for these pollutants. Results from one quarterly sample may be submitted as both the daily maximum and the monthly average result. If for some reason the facility collects multiple samples during any month, the permit requires the facility to submit a monthly average. Quarterly sampling ensures seasonal variations in stormwater discharges are adequately characterized as it pertains to the ability of BMPs to meet established benchmark values. The permit requires the facility to develop and maintain a SWPPP which identifies BMPs used on the site to control and reduce the discharge of water contaminants via stormwater as a result of the regulated industrial activity. In absence of gathered data, the department is unable to determine if the installed BMPs are being adequately maintained and protecting water quality. Thus the department has increased stormwater sampling to quarterly and asked the facility to compare the sample results from the quarterly sampling to the benchmarks in the permit. This will aid in identifying inadequate BMPs in need of repair. It is common to see the department improve a permit over time as the department deals with compliance issues and water quality impacts. This change is one such instance where the department has identified a lack of sampling as being an issue in determining whether or not a sector of stormwater regulated facilities is truly maintaining their BMPs at a level reasonably acceptable and protective of water quality when dealing with industrial stormwater.

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 and incorporated within this permit. 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 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.

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.

PUBLIC MEETING:

A public meeting is not required for general permits with fewer than 50 General Permit Covered Facilities (GPCFs). MO-R23A000 covers 36 GPCFs. A public meeting was held on April 14, 2025.

PUBLIC NOTICE:

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.

- ✓ The Public Notice period for this permit began on August 8, 2025, and ended on September 8, 2025. No comments were received.

DATE OF FACT SHEET: JUNE 16, 2025

COMPLETED BY:

JULIET TONKIN
ENVIRONMENTAL PROGRAM ASSISTANT
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM
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STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
AUGUST 1, 2014

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

Part I – General Conditions

Section A – Sampling, Monitoring, and Recording

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

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

Section B – Reporting Requirements

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



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

Section C – Bypass/Upset Requirements

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

Section D – Administrative Requirements

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



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



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