

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-R240000

Owner:  
Address:

Continuing Authority:  
Address:

Facility Name:  
Facility Address:

Legal Description:  
UTM Coordinates:

Receiving Stream:  
First Classified Stream and ID:  
USGS Basin & Sub-watershed No.:

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

**FACILITY DESCRIPTION**

All Outfalls

SIC Code 287X

Agrichemical facilities - No-discharge of process wastewater is allowed. In addition, there is no-discharge of stormwater from new or expanded secondary containments constructed after to August 30, 2008. Stormwater discharges of accumulated stormwater in secondary containments constructed prior to August 30, 2008 and stormwater runoff from operational containments are allowed.

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

May 1, 2014                      September 1, 2016  
Effective Date                      Modification Date

Sara Parker Pauley, Director, Department of Natural Resources

April 30, 2019  
Expiration Date

John Madras, Director, Water Protection Program

## APPLICABILITY

1. This permit applies to agrichemical facilities with primary SIC Code of 287X. This permit is also applicable to agrichemical facilities with a primary SIC Code of 5191. These facilities must maintain permit coverage until 10 CSR 20-8.500 is amended to remove the requirement for all agrichemical facilities to have an operating permit. When the amended regulation becomes effective, agrichemical facilities with a primary SIC Code of 5191 may continue voluntarily coverage or request termination of permit coverage. Discharges of process wastewater are not authorized.
2. This permit authorizes the discharge of accumulated stormwater from secondary containments constructed prior to August 30, 2008, to waters of the state from agrichemical facilities as defined in 10 CSR 20-2.010.
3. This permit does not authorize discharges of accumulated stormwater from secondary containments constructed on or after August 30, 2008, or an expansion of secondary containments at existing agrichemical facilities constructed prior to August 30, 2008. Secondary containments designed, constructed, or operated as to discharge, at such facilities, must apply for a site specific permit.
4. A construction permit is required for the construction or modification of an earthen storage structure to hold, convey, contain, store or treat domestic, agricultural, or industrial process wastewater. All other construction related activities are not required to obtain a construction permit as of August 28, 2013. Construction of any point source system designed to hold, convey, contain, store or treat domestic, agricultural, or industrial process wastewater shall be designed by a professional engineer registered in Missouri in accordance with 10 CSR 20-8.500.
5. Facilities that add structures such as new tanks, new buildings, etc., to secondary containment constructed prior to August 30, 2008, but do not increase the secondary containment size, are authorized to discharge stormwater.
6. If an agrichemical facility has no materials exposed to stormwater, the facility may apply for No Exposure Certification in lieu of coverage under this permit. No Exposure means that all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. A storm resistant shelter is not required of drums, barrels tanks and similar containers are tightly sealed provided they are not deteriorated and do not leak. Sealed means banded or otherwise secured without operational taps or valves. 10 CSR 20-6.200(1)(B)16.
7. Agrichemical facilities located in the watershed of an Outstanding National Resource Water as listed in Table D of 10 CSR 20-7.031 and Drainages thereto, shall be operated in a no-discharge manner, in accordance with 10 CSR 7.015(6)(A)3.
8. Facilities that are covered by a site-specific permit that would like to be covered under this general permit should contact the Missouri Department of Natural Resources (Department) for application requirements.
9. The Department may require, subject to applicable laws and regulations, the owner/operator of a permitted site to apply for a site-specific permit at any time the Department determines that the quality of the waters of the state may be better protected by a site-specific permit. All final permit-related decisions are subject to appeal to the Clean Water Commission in accordance with 10 CSR 20-6.020(5).
10. Any owner or operator authorized by a general permit may request to be excluded from coverage under the general permit by applying for a site-specific permit.
11. This permit does not authorize the discharge of waters other than stormwater.
12. This permit does not authorize the discharge of rinsate from pesticide or fertilizer manufacturing or application equipment, or the discharge of spray additives. However, these solutions which may also contain captured stormwater may be directly land applied, or used for dilution of agrichemicals to be land applied, without analysis, provided such applications are otherwise lawful.
13. This permit may not be issued to any agrichemical facility unless all spills of bulk agrichemicals in any secondary containment area or operation containment area are properly removed.
14. This general permit does not apply to land disturbance activities. A separate general permit must be applied for to cover those activities.
15. This permit does not apply to composting operations. These operations must apply for the MOG090000, MOG920000, or the MOG97000 general permit, whichever is appropriate for the material being composted.

EXEMPTIONS

Facilities that discharge stormwater from a secondary or operational containment structure directly to a service connection of a permitted wastewater sewage system are exempt from obtaining a state operating permit [10 CSR 20-6.010(1)].

STORMWATER MONITORING REQUIREMENTS

<b>TABLE A-1. SECONDARY CONTAINMENT EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>						
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>All Outfalls</u> - Discharge from secondary containment.						
Bulk Pesticide Analysis Requirements						
Flow	Gallons per day	*		*	**	24 hr. estimate
Each bulk pesticide stored or handled within the last three years.	µg/L	(Note 1)		(Note 1)	**	grab
Settleable Solids	mL/L/hr	1.5		1.0	**	grab
pH – Units	SU	***		***	**	grab
Bulk Fertilizer Analysis Requirements						
Flow	Gallons per day	*		*	**	24 hr. estimate
Nitrate plus Nitrite as N	mg/L	10.0		10.0	**	grab
Ammonia as N	mg/L	1.5		1.0	**	grab
Total Phosphorus	mg/L	1.0		1.0	**	grab
Settleable Solids	mL/L/hr	1.5		1.0	**	grab
pH – Units	SU	***		***	**	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE <u>OCTOBER 28, 2016</u> .						

\* Monitoring requirement only.  
 \*\* See Special Requirement #13 (page 7).  
 \*\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.  
 Note 1 – See pages 10 & 11 for pesticides listed in 10 CSR 20-7.031.

STORMWATER MONITORING REQUIREMENTS (CONTINUED)

<b>TABLE A-2. BENCHMARKS AND MONITORING REQUIREMENTS FOR OUTFALLS SERVING OPERATIONAL CONTAINMENT AREAS ONLY.</b>					
The facility is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The benchmarks and monitoring requirements shall become effective on <b>September 1, 2018</b> , and remain in effect until expiration of the permit. Such discharges shall be controlled, limited, and monitored by the facility as specified below:					
DISCHARGE PARAMETER(S)	UNITS	DAILY MAXIMUM	SAMPLING FREQUENCY	SAMPLE TYPE	BENCHMARK
Flow	gpd	*	once/quarter****	24 hr. estimate***	*
Total Nitrogen	mg/L	*	once/quarter****	grab***	*
Total Phosphorous	mg/L	*	once/quarter****	grab***	*
Chemical Oxygen Demand <sub>5</sub>	mg/L	*	once/quarter****	grab***	120
Oil and Grease	mg/L	*	once/quarter****	grab***	10
pH**	SU	*	once/quarter****	grab***	6.5 - 9.0
Total Suspended Solids	mg/L	*	once/quarter****	grab***	100
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> TO THE APPROPRIATE REGIONAL OFFICE. THE FIRST REPORT IS DUE <u>OCTOBER 28, 2018</u> . IT IS A VIOLATION OF THIS PERMIT TO FAIL TO SAMPLE.					

- \* Monitoring requirement only.
- \*\* pH is measured in standard units and is not to be averaged.
- \*\*\* All samples shall be collected within the first 60 minutes from a discharge resulting from a precipitation event greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable precipitation event. If a discharge does not occur within the reporting period, report as no discharge. The total amount of precipitation should be noted from the event from which the samples were collected.

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

STANDARD CONDITIONS

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

1. Definitions as set forth in 10 CSR 20-2.
2. Water Quality Standards
  - (a) To the extent required by law, discharges to waters of the state shall not cause a violation of Missouri Water Quality Standards (10 CSR 20-7.031), including both specific and general criteria.
  - (b) General Criteria. The following water quality criteria shall be applicable to all waters of the state at all times, including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
    - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits, or prevent full maintenance of beneficial uses;
    - (2) Waters shall be free from oil, scum, and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
    - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor, or prevent full maintenance of beneficial uses;

STANDARD CONDITIONS (continued)

- (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal, or aquatic life;
  - (5) There shall be no significant human health hazard from incidental contact with the water;
  - (6) There shall be no acute toxicity to livestock or wildlife watering;
  - (7) Waters shall be free from physical, chemical, or hydrologic changes that would impair the natural biological community;
  - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment, and solid waste as defined in Missouri Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200-260.247, RSMo.
3. Changes in Discharges of Toxic Pollutant  
In addition to the reporting requirements under §122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
- (a) That an activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile;
    - (3) Five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol;
    - (4) One milligram per liter (1 mg/L) for antimony;
    - (5) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
    - (6) The notification level established by the department in accordance with 40 CFR 122.44(f).
  - (b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
    - (1) Five hundred micrograms per liter (500 µg/l);
    - (2) One milligram per liter (1 mg/l) for antimony;
    - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with §122.21(g)(7).
    - (4) The level established by the Director in accordance with §122.44(f).
4. This permit may be reopened and modified or alternatively revoked and reissued to:
- (a) Comply with any applicable effluent standard or limitation issued or approved under Section 301(b)(2)(C) and (D), 304(b)(2)(A) and (B), and 307(a)(2) of the CWA, if the effluent standard or limitation issued or approved:
    - (1) Contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
    - (2) Controls any pollutant not limited in this permit.
  - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a wasteload allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards (10 CSR 20-7.031).
  - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, an effluent limitation derived from a TMDL is developed for the receiving waters, which would then be included in a list of waters of the state not fully achieving Missouri Water Quality Standards.
  - (d) The permit, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.
5. Reporting of Non-Detects
- (a) An analysis conducted by the permittee or their contracted laboratory shall be conducted in such a way that the precision and accuracy of the analyzed result can be enumerated.
  - (b) The permittee shall not report a sample result as “Non-Detect” without also reporting the detection limit of the test. Reporting as “Non-Detect” without also including the detection limit will be considered failure to report, which is a violation of this permit.
  - (c) The permittee shall report the “Non-Detect” result using the less than sign and the minimum detection limit (e.g. <10).
  - (d) The permittee shall use one-half (½) of the detection limit for the non-detect result when calculating and reporting monthly averages.
  - (e) See Standard Conditions Part I, Section A, #4 regarding proper detection limits used for sample analysis.
6. All outfalls must be clearly marked in the field.
7. It is a violation of the Missouri Clean Water Law to fail to pay fees associated with this permit (644.055 RSMo).

## SPECIAL REQUIREMENTS

1. The physical components of the facility shall conform to 10 CSR 20-8.500, Secondary containment for Agrichemical Facilities. This includes an air gap separation or reduced pressure principle backflow prevention assembly in the water supply line that serves the agrichemical facility in accordance with 10 CSR 20-8.500(10).
2. There shall be no open burning on-site of containers, cartons, and other trade wastes.
3. All fueling facilities present on-site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers including spill prevention, control, and counter measures.
4. This permit establishes ammonia limitations. On August 22, 2013, the U.S. Environmental Protection Agency (EPA) published a notice in the Federal Register announcing of the final national recommended ambient water quality criteria for protection of aquatic life from the effects of ammonia in freshwater. The EPA's guidance, Final Aquatic Life Ambient Water Quality Criteria for Ammonia – Fresh Water 2013, is not a rule, nor automatically part of a state's water quality standards. States must adopt new ammonia criteria consistent with EPA's published ammonia criteria into their water quality standards that protect the designated uses of the water bodies. The Department of Natural Resources has initiated stakeholder discussions on how to best incorporate these new criteria into the State's rules. A date for when this rule change will occur has not been determined. It is recommended the permittee view the Department's 2013 EPA criteria Factsheet located at <http://dnr.mo.gov/pubs/pub2481.htm>
5. The permittee shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) within eighteen (18) months of permit issuance. The purpose of the SWPPP and the Best Management Practices (BMPs) listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency. The SWPPP must be kept on-site and should not be sent to the department unless specifically requested. The SWPPP must be reviewed and updated if needed, every five (5) years or as site conditions change. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document: *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) published by the United States Environmental Protection Agency (USEPA) in February 2009. The SWPPP must include the following:
  - (a) A listing of specific BMPs and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter stormwater.
  - (b) The SWPPP must designate in individual responsible for environmental matters and include a schedule for once per month site inspections, inspection reports and a log of inspections. Once a month on workdays, staff of the permitted facility shall inspect the facility in general and all structures that function to prevent pollution of stormwater or to remove pollutants from stormwater to ensure that all BMPs are continually implemented and effective. The inspection report must include precipitation information for the entire period since last inspection, as well as observations and evaluations of BMP effectiveness. Deficiencies must be corrected within seven (7) days and the actions taken to correct the deficiencies shall be included with the written report, including photographs. Inspection reports must be kept on site with the SWPPP and maintained for a period of five (5) years. These must be made available to department personnel upon request.
  - (c) A provision for providing training to all personnel involved in in the proper methods of handling, mixing, and storage of agrichemicals, and housekeeping of maintenance and cleaning. Proof of training shall be maintained for a period of five years and submitted on request of the department.
6. The SWPPP must also include and the permittee shall adhere to the following minimum Best Management Practices (BMPs):
  - (a) For uncovered dry fertilizer and dry pesticide operational containment areas:
    - (1) Operational containment areas shall be cleaned daily when loading, unload or mixing occurs,
    - (2) Measures shall be used to contain any spilled product within the operation containment area. This may be satisfied by the use of sediment logs, straw wattles or bales, sandbags, tarps or other permanent or temporary measures around the containment.
  - (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) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
  - (d) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this

SPECIAL REQUIREMENTS (continued)

requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.

- (e) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
  - (f) Provide sediment and erosion control, if needed, to comply with benchmarks. This could include the use of straw bales, silt fences, or sediment basins.
  - (g) Ensure that adequate provisions are provided to prevent surface water intrusion into secondary containments and to protect earthen embankments of secondary containments from erosion.
7. The Department may request additional sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or other such evidence of off-site contamination due to the use of agricultural chemicals. If such an action is needed, the Department will specify in writing any additional sampling requirements, including such information as location, extent, and parameters. (See Applicability paragraphs 5 & 6).
8. If a facility is found to be using or storing a chemical containing a parameter listed in the Tables A-1 or A-2 or storing a chemical listed in Note 1, but falsely reporting "0" on monitoring or annual reports, it shall be a violation of this permit. It is the responsibility of the facility to know chemicals in use and stored at the facility.
9. Captured stormwater may also be land applied or used for dilution of agrichemicals to be land applied without analysis, provided such applications are otherwise lawful.
10. In the event that off-site agrichemicals or other pollutants, not associated with this permitted facility, are believed to contaminate stormwater discharges from the permitted site, then the facility can sample on-coming stormwater to determine if off-site contamination is contributing to levels found at the point of discharge of the permitted facility. If the facility believes this to be the case, this data can be submitted to the Department to be reviewed when determining if an effluent violation has occurred. It is the facilities responsibility to determine if their stormwater discharge is being contaminated by off-site water.
11. Stormwater outfalls that do not receive stormwater from secondary and operational containment areas have no sampling requirements.
12. Sampling data shall be maintained by the permittee for a period of five years.
13. The following is required for all secondary containments for which stormwater discharges are authorized:
- (a) Prior to discharging, the permittee shall collect a sample of the captured stormwater the each secondary containment that is used for bulk agrichemical handling or storage. If the secondary containment area is constructed of concrete, the samples shall be analyzed for the bulk agrichemicals stored or handled in the respective area within the last year. If the containment area is an earthen storage structure constructed of soil, clays, or other permeable materials, the discharge samples shall be analyzed for the bulk agrichemicals stored or handled in the respective area within the last three years. If the stormwater sample results exceed the discharge limitations specified in Table A-1 and Note 1 of this permit, it is considered process wastewater and a discharge is not authorized.
  - (b) If the analysis of three consecutive samples taken at rain events separated by 72 hours of dry weather do not show contamination from a discontinued or no-longer-used product then the permittee is no longer required to test for that chemical if;
    - (1) the secondary containment is concrete and the chemical has not been used at any time in the previous year, or
    - (2) the containment is of soil, clays, or other permeable materials and the chemical has not been used in the previous three years.
  - (c) If use of the product is renewed, then the requirements for sampling are required.
14. The following is required for all uncovered operational containment areas:
- (a) This permit stipulates pollutant benchmarks applicable to the facility's stormwater discharge(s) from operational containment areas. The benchmarks do not constitute direct numeric effluent limitations. Benchmark exceedances alone, therefore, are not a permit violation. The facility shall develop and implement a SWPPP as described in Special Conditions #5 and #6. Benchmark monitoring data are primarily to determine the overall effectiveness of the SWPPP and BMPs during discharges resulting from a precipitation event and to assist the facility in knowing when additional corrective action may be necessary to protect water quality. If a sample exceeds a benchmark, the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce that pollutant in the stormwater discharge(s). Failure to improve BMPs or take corrective action to address a benchmark exceedance and failure to make tangible progress towards achieving a benchmark is a permit violation. Exceedances believed to be the result of legacy

## SPECIAL REQUIREMENTS (continued)

chemical use at the facility are not exempted from this requirement. Facilities are encouraged to contact the department to formulate a plan for investigation and clean-up if legacy chemical use is suspected to be the cause of exceedances.

- (b) Any time a benchmark exceedance occurs; a Corrective Action Report (CAR) must be completed and documented in the SWPPP. A CAR is a document that records the efforts undertaken by the facility to improve BMPs to meet benchmarks in future samples. If the efforts taken by the facility are not sufficient and subsequent exceedances of a benchmark occur, the facility may demonstrate to the department that a benchmark value cannot be achieved. The demonstration must include rationale and supporting documentation (which would include multiple CARs) and must show that a benchmark value cannot be achieved through the application of BMPs representing available technology. Additionally, the demonstration must show that the benchmark is not feasible because no further pollutant reductions are technologically available or economically practicable in light of best industry practices. This demonstration must be presented to the department for review and approval.
- (c) During the off-season periods, operational containment areas that have been properly cleaned, secured, and not in operation, benchmark sampling requirements for discharges from these areas shall not be required. The facility shall keep a written log in the SWPPP of all clean-up activities and the dates when operations start and cease. Report as no-discharge and the log of clean-up activities must be submitted with the report.
- (d) For flow-through BMPs, stormwater samples shall be collected before the discharge enters waters of the state.
- (e) If data becomes available that indicates existing water quality will be protected by alternative benchmarks specific to this industry, the department will propose to incorporate those benchmarks into this permit as part of a permit modification. Such data must be approved by the department as appropriate and representative before it can be considered.
- (f) Operational containments that are not exposed to direct precipitation or stormwater runoff are not subject to stormwater monitoring or reporting requirements.

## REPORTING OF EFFLUENT VIOLATIONS

If any of the sampling results from outfalls as described in the Sampling Requirements show any violation of the permit discharge limitations, written notification shall be made to the Department within five days of notification of sampling results. The letter shall indicate the date(s) sampled, the actual sample results, permit number, and shall include a statement concerning the revisions or modifications in management practices that are being implemented to address the violation of the limitations that occurred. Repeat monitoring of the outfall(s) for which the violation occurred shall occur at the next discharge.

## PERMIT RENEWAL

Unless this permit is terminated, the facility shall submit an application for the renewal of this permit ([www.dnr.mo.gov/forms/780-0795-f.pdf](http://www.dnr.mo.gov/forms/780-0795-f.pdf)) no later than thirty (30) days prior to the permit's expiration date. Failure to apply for renewal may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.

## PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" (<http://dnr.mo.gov/forms/780-1517-f.pdf>) signed by the seller and buyer of the facility along with the appropriate modification fee.

## PERMIT TERMINATION

This permit may be terminated when activities covered by this permit have ceased and no significant materials [as defined by 10 CSR 20-6.200(1)(C)27.] remain on the property or if on the property, are stored in such a way as to have no potential for pollution. Proper closure of any storage structure is required prior to permit termination. In order to terminate this permit, the facility shall notify the department by submitting Form H ([www.dnr.mo.gov/forms/780-1409-f.pdf](http://www.dnr.mo.gov/forms/780-1409-f.pdf)).

## DUTY OF COMPLIANCE

The facility shall comply with all conditions of this permit. Any noncompliance with this permit constitutes a violation of Chapter 644, Missouri Clean Water Law, 10 CSR 20-6, and 10 CSR 20-7. Noncompliance may result in enforcement action, termination of this permit, or denial of the facility's request for renewal.



**NOTE 1 - EFFLUENT LIMITATIONS FOR BULK PESTICIDES**

For individual pesticides listed in the water-quality standards (10 CSR 20-7.031), the concentration at the monitoring point shall not exceed the most stringent of the aquatic-life protection (AQL), human health-fish consumption (HHF), drinking water supply (DWS), or health advisory levels. For pollutants with an effluent limit below Minimum Detection Limit (MDL), of a sufficiently sensitive EPA approved method (40 CFR 136), the permittee will conduct the analysis in accordance with the sufficiently sensitive method and report actual analytical values. A measured value greater than the ML will be considered a violation of the permit. The ML does not authorize the discharge of pollutants in excess of the water-quality standards.

Other potentially toxic substances for which sufficient toxicity data are not available may not be released to classified waters of the state until safe levels are demonstrated through adequate bioassay studies [10 CSR 20-7.031(4)]. Other bulk pesticides not listed below and other potentially toxic substances for which safe levels are demonstrated through adequate bioassay studies may be released to waters of the state, provided that the concentration at the monitoring point shall not exceed the demonstrated safe levels.

<b><u>PESTICIDE</u></b>	<b><u>LIMIT</u></b>	<b><u>SOURCE</u></b>
Demeton	0.10	AQL
Endosulfan	0.11	AQL
Azinphos-methyl (Guthion)	0.029	ML
Malathion	0.10	AQL
Parathion	0.04	AQL
2,4-D	70.00	DWSC
2,4,5-TP	50.00	DWSC
Chlorpyrifos	0.04	AQL
Alachlor	2.00	DWSC
Atrazine	3.00	DWSC
Carbofuran	40.00	DWSC
Dalapon	200.00	DWSC
Dibromochloropropane	0.20	DWSC
Dinoseb	7.00	DWSC
Diquat	20.00	DWSC
Endothall	100.00	DWSC
Ethylene dibromide	0.05	DWSC
Oxamyl (vydate)	200.00	DWSC
Picloram	500.00	DWSC
Simazine	20.00	DWSC
Glyphosate	700.00	DWSC
PCB's	0.50	ML
4-4' dichlorodiphenyltrichloroethane (DDT)	0.038	ML
4-4' dichlorodiphenyldichloroethylene (DDE)	0.013	ML
4-4' dichlorodiphenyldichloroethane (DDD)	0.035	ML
Endrin	0.019	ML
Endrin aldehyde	0.073	ML
Aldrin	0.013	ML
Dieldrin	0.006	ML
Heptachlor	0.010	ML
Heptachlor Epoxide	0.264	ML
Methoxychlor	0.13	ML
Mirex	0.048	ML
Toxaphene	0.76	ML
Lindane	0.006	ML
Alpha,Beta,Delta-BHC	0.029	ML
Chlordane	0.044	ML

<u>PESTICIDE</u>	<u>LIMIT</u>	<u>SOURCE</u>
Benzidine	0.25	ML
2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD or dioxin) (ng/L)*	0.006	ML
Pentachlorophenol	11.4	ML
Ametryn	60.00	DWSC
Baygon	3.00	DWSC
Bentazon	20.00	DWSC
Bis-2-chloroisopropyl ether	300.00	DWSC
Bromacil	90.00	DWSC
Bromochloromethane	90.00	DWSC
Bromomethane	10.00	DWSC
Butylate	350.00	DWSC
Carbaryl	700.00	DWSC
Carboxin	700.00	DWSC
Chloramben	100.00	DWSC
o-chlorotoluene	100.00	DWSC
p-chlorotoluene	100.00	DWSC
DCPA (dacthal)	4000.00	DWSC
Diazinon	0.60	DWSC
Dicamba	200.00	DWSC
Diisopropyl methylphosphonate	600.00	DWSC
Dimethyl methylphosphonate	100.00	DWSC
1,3-dinitrobenzene	1.00	DWSC
Diphenamid	200.00	DWSC
Diphenylamine	200.00	DWSC
Disulfoton	0.30	DWSC
1,4-dithiane	80.00	DWSC
Diuron	10.00	DWSC
Fenamiphos	2.00	DWSC
Fluometron	90.00	DWSC
Fluorotrichloromethane	2000.00	DWSC
Fonofos	10.00	DWSC
Hexazinone	200.00	DWSC
Maleic hydrazide	4000.00	DWSC
MCPA	10.00	DWSC
Methyl parathion	2.00	DWSC
Metolachlor	70.00	DWSC
Metribuzin	100.00	DWSC
Naphthalene	20.00	DWSC
Nitroguanidine	700.00	DWSC
p-nitrophenol	60.00	DWSC
Paraquat	30.00	DWSC
Pronamide	50.00	DWSC
Propachlor	90.00	DWSC
Propazine	10.00	DWSC
Propham	100.00	DWSC
2,4,5-T	70.00	DWSC
Tebuthiuron	500.00	DWSC
Terbacil	90.00	DWSC

<u>PESTICIDE</u>	<u>LIMIT</u>	<u>SOURCE</u>
Terbufos	0.90	DWSC
1,1,1,2-Tetrachloroethane	70.00	DWSC
1,2,3-trichloropropane	40.00	DWSC
Trifluralin	5.00	DWSC
Trinitroglycerol	5.00	DWSC
Trinitrotoluene	2.00	DWSC

AQL= Protection of Aquatic Life

DWS= Drinking Water Supply

ML= Minimum Level

\* 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD or dioxin) shall be measured in nanograms per Liter

# Missouri Department of Natural Resources

## Fact Sheet

### For the Renewal of MO-R240000

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

Per [124.56], [40 CFR Part 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 Missouri State Operating Permit (operating permit) listed below.

A Factsheet is not an enforceable part of an operating permit.

This Factsheet is for an Industrial Facility.

#### **Part I – Facility Information**

Facility Type: Industrial  
Facility SIC Code(s): 287X

#### **Facility Description:**

Agrichemical facilities - No-discharge of process wastewater is allowed. In addition, there is no-discharge of stormwater from new or expanded secondary containments constructed after to August 30, 2008. Stormwater discharges of accumulated stormwater in secondary containments constructed prior to August 30, 2008 and stormwater runoff from operational containments are allowed.

#### **Permitting History**

Since 1998, agrichemical facilities have been covered by the MOR240000 permit. In 2010 the MOR241000 no-discharge permit was developed in response to the 2008 antidegradation regulation. This allowed these facilities that constructed new or expanded existing secondary containments after August 30, 2008, to comply with the antidegradation review process and allowed them to be covered by a general permit. Regulation in 10 CSR 20-8.500 at that time required all agrichemical facilities to obtain operating permit coverage. The term, "agricultural facility" is defined in 10 CSR 20-2.

#### **2015 Modification**

During renewal of the MOR240000 permit in 2013-14, stakeholders expressed interest in combining the two general permits. They also questioned why facilities with SIC Code 5191 – Farm Supplies, were required to be permitted because the 5191 code is not listed in stormwater regulations in 10 CSR 20-6.200. The MOR241000 master general permit template was set to expire in February, 2015, and the department agreed to examine the possibility of combining the permits and evaluate permitting requirements for agrichemical facilities in the interim.

This modification combines the MOR241000 permit with the MOR240000 permit and revises permitting requirements. Language has been added to this permit that will allow facilities that have been covered by the MOR241000 permit to be covered by this permit and maintains the no discharge requirement from new or expanded secondary containments constructed after August 30, 2008. Facilities that are covered by the MOR240000 permit will continue to be allowed to discharge stormwater from secondary containments constructed prior to August 30, 2008.

The regulation for Secondary Containment for Agrichemical Facilities 10 CSR 20-8.500 currently requires agrichemical facilities to have an operating permit. An amendment of this regulation proposes to remove this requirement. If it becomes effective, operating permit requirements for agrichemical facilities will be based on stormwater requirements in 10 CSR 20-6.200 which requires facilities with primary SIC code of 28XX – Chemical and Allied Products, to be permitted. Agrichemical facilities with a primary SIC code of 5191 would no longer be required to have an operating permit and may choose to terminate permit coverage. The primary SIC Code is the activity from which a facility receives its primary source of income.

SIC Code Major Group 287X – Agricultural Chemicals has been added to this permit. This includes SIC Codes 2873 – Nitrogenous Fertilizers, 2874 – Phosphatic Fertilizers, 2875 – Fertilizers, Mixing Only, and 2879 - Pesticides and Agricultural Chemicals, Not Elsewhere Classified. Agrichemical facilities with primary SIC Code 5191 may voluntarily choose to be covered by this permit. Agrichemical facilities wishing to terminate permit coverage must submit a Form H – Request for Termination of a General Permit, with the facilities primary SIC Code identified.

Because the 287X SIC Major Group is a regulated industrial activity for stormwater discharges this modification also includes new requirements for stormwater benchmark sampling from uncovered operational containment areas and requires facilities to develop and implement a Stormwater Pollution Prevention Plan (SWPPP).

## **Part II – Receiving Stream Information**

### **Applicable Designations of Waters of the State:**

Per Missouri's Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into the below listed seven (7) categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.

Missouri or Mississippi River [10 CSR 20-7.015(2)]	<input checked="" type="checkbox"/>
Lake or Reservoir [10 CSR 20-7.015(3)]:	<input checked="" type="checkbox"/>
Losing [10 CSR 20-7.015(4)]:	<input checked="" type="checkbox"/>
Metropolitan No-Discharge [10 CSR 20-7.015(5)]:	<input type="checkbox"/>
Special Stream [10 CSR 20-7.015(6)]:	<input type="checkbox"/>
Subsurface Water [10 CSR 20-7.015(7)]:	<input type="checkbox"/>
All Other Waters [10 CSR 20-7.015(8)]:	<input checked="" type="checkbox"/>

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 1<sup>st</sup> classified receiving stream's beneficial water uses shall be maintained in accordance with [10 CSR 20-7.031(3)].

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

### **Alternative Evaluations for New Facilities:**

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

Not Applicable; The facility does not discharge to a Losing Stream as defined by [10 CSR 20-2.010(36)] & [10 CSR 20-7.031(1)(N)], or is an existing facility.

### **Anti-backsliding:**

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

Not Applicable; All limits in this operating permit are at least as protective as those previously established; therefore, backsliding does not apply.

### **Antidegradation:**

In accordance with Missouri's Water Quality Standard [10 CSR 20-7.031(2)], the Department is to document by means of Antidegradation Review that the use of a water body's available assimilative capacity is justified. Degradation is justified by documenting the socio-economic importance of a discharging activity after determining the necessity of the discharge.

- Renewal no degradation proposed and no further review necessary.

### **Benchmarks:**

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

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

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

Applicable; this facility has stormwater-only outfalls with benchmark constraints. The benchmarks listed in the derivation discussion have been determined to be feasible, affordable, and protective of water quality and aquatic life.

**Biosolids & Sewage Sludge:**

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

Not Applicable; This condition is not applicable to the permittee for this facility.

**Compliance and Enforcement:**

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

Not Applicable; The permittee/facility is not currently under Water Protection Program enforcement action.

**Reasonable Potential Analysis (RPA):**

Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standards.

In accordance with [40 CFR Part 122.44(d)(iii)], if the permit writer determines that any give pollutant has the reasonable potential to cause, or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for that pollutant.

Not Applicable; A RPA was not conducted for this facility.

**Schedule of Compliance (SOC):**

A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit.

Not Applicable; This permit does not contain a SOC.

**Storm Water Pollution Prevention Plan (SWPPP):**

In accordance with 40 CFR 122.44(3)(k) *Best Management Practices (BMPs)*, BMPs are implemented to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; (2) Authorized under section 402(p) of the CWA for the control of stormwater discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Stormwater Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of stormwater discharges.

Applicable; a SWPPP shall be developed and implemented for each area and shall incorporate required practices identified by the Department with jurisdiction, incorporate erosion control practices specific to site conditions, and provide for maintenance and adherence to the plan

**Spill Reporting:**

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

**Variance:**

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

Not Applicable; This operating permit is not drafted under premises of a petition for variance.

**Wasteload Allocations (WLA) for Limits:**

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

Applicable; Wasteload allocations were calculated where applicable using water quality criteria or water quality model results and the dilution equation below:

$$C = \frac{(Cs \times Qs) + (Ce \times Qe)}{(Qe + Qs)} \quad (\text{EPA/505/2-90-001, Section 4.5.5})$$

Where C = downstream concentration

Cs = upstream concentration

Qs = upstream flow

Ce = effluent concentration

Qe = effluent flow

Chronic wasteload allocations were determined using applicable chronic water quality criteria (CCC: criteria continuous concentration) and stream volume of flow at the edge of the mixing zone (MZ). Acute wasteload allocations were determined using applicable water quality criteria (CMC: criteria maximum concentration) and stream volume of flow at the edge of the zone of initial dilution (ZID).

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

Number of Samples "n":

Additionally, in accordance with the TSD for water quality-based permitting, effluent quality is determined by the underlying distribution of daily values, which is determined by the Long Term Average (LTA) associated with a particular Wasteload Allocation (WLA) and by the Coefficient of Variation (CV) of the effluent concentrations. Increasing or decreasing the monitoring frequency does not affect this underlying distribution or treatment performance, which should be, at a minimum, be targeted to comply with the values dictated by the WLA. Therefore, it is recommended that the actual planned frequency of monitoring normally be used to determine the value of "n" for calculating the Average Monthly Limit (AML). However, in situations where monitoring frequency is once per month or less, a higher value for "n" must be assumed for AML derivation purposes. Thus, the statistical procedure being employed must use at a minimum, an assumed number of samples is "n = 4". For Total Ammonia as Nitrogen, "n = 30" is used.

**WLA Modeling:**

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

Not Applicable; A WLA study was either not submitted or determined not applicable by Department staff.

**Water Quality Standards:**

Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, [40 CFR 122.44(d)(1)] directs the Department to include in each NPDES permit conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

**Whole Effluent Toxicity (Wet) Test:**

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

Not Applicable; At this time, the permittee is not required to conduct WET test for this facility.

**Part IV – Effluent Limits Determination**

**Outfall #001 – Main Facility Outfall Secondary Containment**

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

**Effluent Limitations Table:**

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	gpd	1	*		*	NO	
PESTICIDES	µg/L	1	*		*	NO	
SETTLABLE SOLIDS	ml/L/hr	9	1.5		1.0	NO	
pH	SU	1	6.5-9.0		6.5-9.0	NO	
NITRATE PLUS NITRITE AS N	mg/L	1	10.0		10.0	NO	
AMMONIA AS N	mg/L	1	1.5		1.0	NO	
TOTAL PHOSPHORUS	mg/L	1	1.0		1.0	NO	

\* - Monitoring requirement only.

**Basis for Limitations Codes:**

- |  |                                    |
|--|------------------------------------|
| 1. State or Federal Regulation/Law       | 7. Antidegradation Policy          |
| 2. Water Quality Standard (includes RPA) | 8. Water Quality Model             |
| 3. Water Quality Based Effluent Limits   | 9. Best Professional Judgment      |
| 4. Lagoon Policy                         | 10. TMDL or Permit in lieu of TMDL |
| 5. Ammonia Policy                        | 11. WET Test Policy                |
| 6. Antidegradation Review                |                                    |

**Outfall #001 – Derivation and Discussion of Limits:**

**Flow.** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the Department, which may require the submittal of an operating permit modification.

**Pesticides.** Monitoring for pesticides stored at the facility (NOTE 1). Limits were updated in this renewal in accordance with the 2014 water-quality standards (10 CSR 20-7.031), as well as EPA approved methods (40 CFR 136). For pesticides listed in the water-quality standards, the concentration shall not exceed the most stringent of the aquatic-life protection (AQL), human health-fish consumption (HHF), drinking water supply (DWS), or health advisory levels. For pesticides with a effluent limit below the Minimum Level (ML) of the sufficiently sensitive EPA approved method (40 CFR 136), the permittee will conduct the analysis in accordance with the sufficiently sensitive method and report actual analytical values. A measured value greater than the ML will be considered a violation of the permit. The ML does not authorize the discharge of pollutants in excess of the water-quality standards.

Minimum Level is defined as the level at which the entire analytical system gives recognizable mass spectra and acceptable calibration points. This level corresponds to the lowest point at which the calibration curve is determined based on analyses for the pollutant of concern in reagent water. EPA recommends the use of the ML for the compliance level in permits where the permit limit is below detection. When a promulgated ML is not available, EPA recommends the use of an interim ML that is calculated by using a factor of 3.18 times the MDL. Minimum Level were calculated using this methodology in this permit.

**Settleable Solids.** Effluent limit is established to protect against excursions of the general criteria. Effluent limits carried over from previous permit.

**pH.** pH is not to be averaged. Effluent limitation range is 6.5 – 9.0 Standard pH Units (SU) per 10 CSR 20-7.031(5)(E) and is established to protect water quality standards in all receiving streams.

**Nitrate + Nitrite** Effluent limits are deemed protective of water quality standards and are carried over from previous permit.



**Total Ammonia Nitrogen.** Effluent limits are protective of water quality, and have been retained from previous permit. Calculating a wasteload allocation based on current policy would result in an increase in the limits. Federal Antidegradation Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(I)] prohibit renewal of a permit with less stringent limits than the previous permit. Review of records for the previous permit cycle indicates that the existing limits are achievable by the industry. Increasing ammonia limits would not provide any benefit to water quality or the industry. On August 22, 2013 EPA published revised aquatic life protection criteria for ammonia. Water quality standards will be revised to incorporate the new criteria in the future. This new criteria will be incorporated into this permit after adopted by the State.

**Total Phosphorus.** Effluent limits are deemed protective of water quality standards and are carried over from previous permit.

**Outfall #002– Uncovered Operational Containments**

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

**Effluent Limitations Table:**

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
Flow	gpd	1	*				**
Total Nitrogen	mg/L	1	*				**
Total Phosphorous	mg/L	9	*				**
Chemical Oxygen Demand <sub>5</sub>	mg/L	1	120				**
Oil and Grease	mg/L	1	10				**
pH**	SU	1	6.5-9.0				**
Total Suspended Solids	mg/L	1	100				**

\* - Monitoring requirement only.

\*\* - Not included in previous permit

**Basis for Limitations Codes:**

- |  |                                    |
|--|------------------------------------|
| 7. State or Federal Regulation/Law       | 7. Antidegradation Policy          |
| 8. Water Quality Standard (includes RPA) | 8. Water Quality Model             |
| 9. Water Quality Based Effluent Limits   | 9. Best Professional Judgment      |
| 10. Lagoon Policy                        | 10. TMDL or Permit in lieu of TMDL |
| 11. Ammonia Policy                       | 11. WET Test Policy                |
| 12. Antidegradation Review               |                                    |

**Outfall #002 – Derivation and Discussion of Limits:**

**Flow.** In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the Department, which may require the submittal of an operating permit modification.

**Total Nitrogen.** Conventional pollutant, in accordance with 10 CSR 20-7.031 Table A: Criteria for Designated Uses; 10 mg/L monthly average (chronic standard). Monitoring only will be implemented for this parameter.

**Total Phosphorus.** There is no water quality standard for Total Phosphorous (TP); however, phosphorous discharges can negatively impact aquatic life habitat. TP is also a valuable indicator parameter. TP monitoring allows the permittee to identify increases in TP that may indicate uncontrolled materials leaving the site. Monitoring only will be implemented for this parameter.

**Chemical Oxygen Demand<sub>5</sub>.** There is no water quality standard for COD; however, increased oxygen demand may impact instream water quality. COD is also a valuable indicator parameter. COD monitoring allows the permittee to identify increases in COD that may indicate materials/chemicals coming into contact with stormwater that cause an increase in oxygen demand. Increases in COD may indicate a need for maintenance or improvement of BMPs. Additionally, a benchmark value will be implemented for this parameter. The benchmark value will be set at 120 mg/L. This value falls within the range of values implemented in other permits that have similar industrial activities and the EPA’s MSGP.

**Oil and Grease.** Conventional pollutant, in accordance with 10 CSR 20-7.031 Table A: Criteria for Designated Uses; 10 mg/L monthly average (chronic standard). Additionally, a benchmark value will be implemented for this parameter. The benchmark value will be set at 10 mg/L.

**pH.** pH is not to be averaged. Effluent limitation range is 6.5 – 9.0 Standard pH Units (SU) per 10 CSR 20-7.031(5)(E) and is established to protect water quality standards in all receiving streams.

**Total Suspended Solids.** There is no water quality standard for TSS; however, sediment discharges can negatively impact aquatic life habitat. TSS is also a valuable indicator parameter. TSS monitoring allows the permittee to identify increases in TSS that may indicate uncontrolled materials leaving the site. Additionally, a benchmark value will be implemented for this parameter. The benchmark value will be set at 100 mg/L. This value falls within the range of values implemented in other permits that have similar industrial activities and the EPA's MSGP.

## **Part V– Administrative Requirements**

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

### **Public Notice:**

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

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

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

- The Public Notice period for this modification operating permit was April 8, 2016 to May 9, 2016. This modification contains substantial changes from the previous permit which was on public notice January 24, 2014 to February 24, 2014.

**Date of Fact Sheet: March 13, 2014**  
**Fact Sheet Modified: May 9, 2016**  
**Completed By: Greg Caldwell, Environmental Specialist**  
**Missouri Department of Natural Resources**  
**Water Protection Program**  
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