

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

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

Permit No. MO-0108430

Owner: Magellan Midstream Partners, L.P.
Address: One Williams Center, Tulsa, OK 74172

Continuing Authority: Magellan Midstream Partners, L.P.
Address: 13424 West 98th Street, Lenexa, KS 66215

Facility Name: Magellan Pipeline Company – Palmyra Terminal
Facility Address: 6789 County Road 312, Palmyra, MO 63461

Legal Description: SEE PAGE TWO
UTM Coordinates: SEE PAGE TWO

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

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

FACILITY DESCRIPTION

SEE PAGE TWO

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.

December 9, 2011
Effective Date

Sara Parker Pauley, Director, Department of Natural Resources

December 8, 2016
Expiration Date

Irene Crawford, Regional Director, Northeast Regional Office

FACILITY DESCRIPTION (continued)

Outfall #001 – Oil Pipeline Terminal – SIC #4613

Truck Loading Rack Stormwater and Wash water / AST Tank Bottom Water / Oil – water separator / Carbon Absorption / Air Stripping

Design flow is 11,000 gallons per day.

Legal Description: NE ¼, SE ¼, SE ¼, Sec. 26, T59N, R6W, Marion County
UTM Coordinates: X=626052.384, Y=4415106.389

Receiving Stream: Unnamed tributary to South Fabius River (U)
First Classified Stream and ID: South Fabius River (P) (00071) 303(d) List
USGS Basin & Sub-watershed No.: (07110003-0402)

Outfall #002 – Oil Pipeline Terminal - SIC #4613

Earthen containment structure

Stormwater runoff

Actual flow is dependent upon precipitation.

Legal Description: NE ¼, SE ¼, SE ¼, Sec. 26, T59N, R6W, Marion County
UTM Coordinates: X=625950.281, Y=4415073.554

Receiving Stream: Unnamed tributary to South Fabius River (U)
First Classified Stream and ID: South Fabius River (P) (00071) 303(d) List
USGS Basin & Sub-watershed No.: (07110003-0402)

Outfall #003 – Oil Pipeline Terminal - SIC #4613

Hydrostatic test discharge water – Carbon Absorption

Design and Actual flows are dependent upon test.

Legal Description: NE ¼, SE ¼, SE ¼, Sec. 26, T59N, R6W, Marion County
UTM Coordinates: X=626052.384, Y=4415106.389

Receiving Stream: Unnamed tributary to South Fabius River (U)
First Classified Stream and ID: South Fabius River (P) (00071) 303(d) List
USGS Basin & Sub-watershed No.: (07110003-0402)

					PAGE NUMBER 3 of 12	
A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PERMIT NUMBER MO-0108430	
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>Outfall #001</u>						
Flow	MGD	*		*	once/quarter***	24 hr. estimate
Chemical Oxygen Demand	mg/L	120		90	once/quarter***	grab
Total Suspended Solids	mg/L	100		50	once/quarter***	grab
pH – Units	SU	**		**	once/quarter***	grab
Oil & Grease	mg/L	15		10	once/quarter***	grab
Total Petroleum Hydrocarbons	mg/L	10		10	once/quarter***	grab
Ethanol	mg/L	*		*	once/quarter***	grab
Benzene	mg/L	0.071		0.071	once/quarter***	grab
Ethylbenzene	mg/L	0.32		0.32	once/quarter***	grab
Toluene	mg/L	200		200	once/quarter***	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>APRIL 28, 2012</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>PART I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** 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.
- *** See table below for quarterly sampling

Sample discharge at least once for the months of:	Report is due:
January, February, March (1st Quarter)	April 28
April, May, June (2nd Quarter)	July 28
July, August, September (3rd Quarter)	October 28
October, November, December (4th Quarter)	January 28

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>Outfall #002</u> – Note 1						
Flow	MGD	*		*	once/quarter***	24 hr. estimate
Chemical Oxygen Demand	mg/L	*		*	once/quarter***	grab
Settleable Solids	mL/L/hr	*		*	once/quarter***	grab
Total Suspended Solids	mg/L	*		*	once/quarter***	grab
pH – Units	SU	*		*	once/quarter***	grab
Oil & Grease	mg/L	*		*	once/quarter***	grab
Total Petroleum Hydrocarbons	mg/L	*		*	once/quarter***	grab
Ethanol	mg/L	*		*	once/quarter***	grab
Benzene	mg/L	*		*	once/quarter***	grab
Ethylbenzene	mg/L	*		*	once/quarter***	grab
Toluene	mg/L	*		*	once/quarter***	grab
Precipitation	inches	*		*	daily	measured

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE APRIL 28, 2012. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

Whole Effluent Toxicity (WET) test	% Survival	See Special Conditions #16	once/ permit cycle	grab
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MONITORING REPORTS SHALL BE SUBMITTED ONCE PER PERMIT CYCLE; THE FIRST REPORT IS DUE APRIL 28, 2017.

B. STANDARD CONDITIONS

IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED Parts I & III STANDARD CONDITIONS DATED October 1, 1980 and August 15, 1994, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.

- * Monitoring requirement only.
- *** See table below for quarterly sampling

Sample discharge at least once for the months of:	Report is due:
January, February, March (1st Quarter)	April 28
April, May, June (2nd Quarter)	July 28
July, August, September (3rd Quarter)	October 28
October, November, December (4th Quarter)	January 28

Note 1 - The parameters for Outfall #002 have benchmark limitations. See Section C – Sampling Requirements, Benchmarks, and Reporting of Benchmark Exceedances for further information.

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>Outfall #003</u>						
Flow	MGD	*		*	once/discharge****	24 hr. estimate
Chemical Oxygen Demand	mg/L	120		90	once/discharge****	grab
Total Suspended Solids	mg/L	100		50	once/discharge****	grab
pH – Units	SU	**		**	once/discharge****	grab
Oil & Grease	mg/L	15		10	once/discharge****	grab
Total Petroleum Hydrocarbons	mg/L	10		10	once/discharge****	grab
Benzene	mg/L	0.071		0.071	once/discharge****	grab
Ethylbenzene	mg/L	0.32		0.32	once/discharge****	grab
Toluene	mg/L	200		200	once/discharge****	grab

MONITORING REPORTS SHALL BE SUBMITTED QUARTERLY; THE FIRST REPORT IS DUE APRIL 28, 2012. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

B. STANDARD CONDITIONS

IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED PART I STANDARD CONDITIONS DATED October 1, 1980, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** 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.
- **** One sample per discharge event taken during the first sixty (60) minutes of event.

C. SAMPLING REQUIREMENTS, BENCHMARKS, AND REPORTING OF BENCHMARK EXCEEDANCES

1. The Department may require additional sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or evidence of off site impacts from activities at the facility. If such an action is needed, the Department will specify in writing the sampling requirements, including such information as location and extent. It is a violation of this permit to fail to comply with said written notification.
2. This permit stipulates pollutant benchmarks applicable to the facility’s discharge from Outfall #002. The benchmarks do not constitute direct numeric effluent limitations. A benchmark exceedance alone, therefore, is not a permit violation. If a sample exceeds an effluent limitation or a benchmark concentration, the permittee must review the facility’s Stormwater Pollution Prevention Plan (SWPPP) and associated Best Management Practices (BMPs) to determine whether any improvements and/or additional controls are needed to reduce that pollutant in the facility’s stormwater discharge(s). Failure to review the SWPPP and determine whether BMPs need to be improved and implement the necessary changes at the facility in order to achieve compliance with Effluent and/or Benchmark limits is a permit violation.

C. SAMPLING REQUIREMENTS, BENCHMARKS, AND REPORTING OF BENCHMARK (continued)

3. The following Benchmarks are considered necessary to protect existing water quality. These shall be sampled as specified in "Table A" above. The BMPs at the facility shall be designed to meet these Benchmark limitations.

Parameter	Benchmark Limits
Chemical Oxygen Demand	90 mg/L
Settleable Solids	1.0 mg/L
Total Suspended Solids	50 mg/L
Oil & Grease	10 mg/L
pH	The benchmark limit shall be a range of 6.5 to 9.0 standard units as an instantaneous grab sample. The resulting pH is not to be averaged. An exceedance would be outside this range.
Ethanol	4.1 mg/L
Total Petroleum Hydrocarbons	10 mg/L
Benzene	0.71 mg/L
Ethylbenzene	0.32 mg/L
Toluene	200 mg/L

4. If any of the sampling results from Outfall #002 show any exceedance of a numeric benchmark limitation listed within this permit, written notification shall be made to the Missouri Department of Natural Resources and submitted with the next Discharge Monitoring Report. Notification shall indicate the date(s) of sample collection, the analytical results, and permit number, and shall include a detailed statement concerning the revisions or modifications in BMPs that are being implemented to address the exceedance that occurred. Please also refer to Special Condition #15 for additional reporting concerning any event that may endanger health or the environment.

D. SPECIAL CONDITIONS

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

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

- All outfalls must be clearly marked in the field.
- Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - One hundred micrograms per liter (100 µg/L);
 - Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - Five (5) times the maximum concentration value reported for the pollutant in the permit application;
 - The level established in Part A of the permit by the Director.
- That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
- That the effluent limit established in part A of the permit will be exceeded.

D. SPECIAL CONDITIONS (continued)

4. Report as no-discharge when a discharge does not occur during the report period.
5. Water Quality Standards
 - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
 - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
 - (5) There shall be no significant human health hazard from incidental contact with the water;
 - (6) There shall be no acute toxicity to livestock or wildlife watering;
 - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
6. The permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be prepared within 60 days and implemented within 90 days of the permit issuance. The SWPPP must be kept on-site and should not be sent to DNR unless specifically requested. 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:

Storm Water Management For Industrial Activities, Developing Pollution Prevention Plans and Best Management Activities, (Document number EPA 832-R-92-006) published by the United States Environmental Protection Agency (USEPA) in September 1992.

The SWPPP must include the following:

- (a) An assessment of all stormwater discharges associated with the facility. This must include a list of potential contaminants and an annual estimate of amounts that will be used in the described activities.
- (b) A listing of Best Management Practices and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter stormwater.
- (c) A schedule for implementing the BMPs.
- (d) An assessment of all chemical handling and storage procedures are required to be addressed under the conditions of this section.
- (e) Provisions for preventing the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehousing activities and prevent the contamination of stormwater from these substances.
- (f) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of areas having materials exposed to stormwater. Proof of training shall be submitted on request of the Department.
- (g) The SWPPP must contain a list of all benchmark testing and modifications to the SWPPP based on exceedances of those benchmarks. Only data within the previous five years is required to be maintained.
- (h) The SWPPP must include a schedule for twice per month site inspections and brief written reports. At least one of the monthly inspections must be conducted after a precipitation event that causes runoff to occur onsite, including snow melt. If runoff does not occur during the month, the facility shall conduct an inspection within the last three business days of the month regardless of precipitation. The inspections must include observations and evaluations of BMP effectiveness, deficiencies, and corrective measures that will be taken. Deficiencies must be corrected within seven days and the actions taken to correct the deficiencies shall be included with the written report. Any corrective measure that necessitates major construction may also need a construction permit.
- (i) A provision for designating an individual to be responsible for environmental matters. The provision shall also include alternates in the event that the primary responsible person is not available.

D. SPECIAL CONDITIONS (continued)

- (j) Inspection reports must be kept on site with the SWPPP and retained in accordance with the Records, Retention, and Recording section listed below. These must be made available to DNR personnel upon request.
 - (k) Provisions that prevent contamination of stormwater runoff from delivery vehicles that carry significant materials (e.g. bulk petroleum, etc) to and from the facility, and how the facility will deal with leakage or spillage from vehicles or containers.
7. Permittee shall adhere to the following minimum Best Management Practices:
- (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of stormwater from these substances.
 - (b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
 - (c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to stormwater or provide other prescribed BMP's such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
 - (d) Provide good housekeeping practices on the site to keep solid waste from entry into waters of the state.
 - (e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property.
8. The purpose of the SWPPP and the BMPs listed therein 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 action means the facility took steps to eliminate the deficiency.
9. Before releasing water that has accumulated in secondary containment areas it must be examined for hydrocarbon odor and presence of a sheen. If the presence of hydrocarbons is indicated it must be treated to meet the effluent limitations for all hydrocarbon parameters listed in Table A for Outfall #001 before it is released or the water shall be removed and properly treated in accordance with applicable regulations.
10. An annual operating report must be submitted to the appropriate Regional Office by JANUARY 28th of each year (notwithstanding any reporting requirements contained in the attached "Standard Conditions"). The report shall detail any unusual occurrences such as spills, tank failures or overflows, ruptured piping, fish kills, fire fighting activities, or other upsets which resulted in any loss of product. Product includes, but is not limited to, ethanol, fuels, oils, and paints. The report shall also detail any remedial work undertaken to recover product or clean up the site. The report must also indicate if nothing unusual has occurred.
11. Effluent shall not elevate or depress the temperature of the first classified receiving stream more than five degrees Fahrenheit.
12. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.
13. Substances, regulated by federal law under the Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERLA), that are transported, stored, or used for maintenance, cleaning or repair, shall be managed according to RCRA and CERLA.
14. Any pesticide discharge from any point source shall comply with the requirements of Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 136 et. seq.) and the use of such pesticides shall be in a manner consistent with its label.
15. In accordance with, and in addition to, Standard Conditions Part I, the permittee is to notify the Department by telephone within 24 hours of becoming aware of any event that may endanger health or the environment. Leaving a message on a Department staff member's voicemail does not satisfy this reporting requirement. During holidays, during the weekends, after normal business hours, or if the permit holder cannot reach regional office staff for any reason, the permit holder is instructed to report the situation to the Department's 24 hour Environmental Emergency Response hotline at (573) 634-2436. In addition, the permittee shall submit to the Department a written report with five (5) days of the time the permittee becomes aware of the circumstances. The written report shall include a description of the discharge or situation and cause of any noncompliance, the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to

D. SPECIAL CONDITIONS (continued)

continue, and steps being taken to reduce, eliminate and prevent recurrence of the non-complying discharge. These events include but are not limited to (a) any spill, of any material, that leaves the property of the facility and (b) any spill, of any material outside of secondary containment and exposed to precipitation, greater than 25 gallons or an equivalent volume of solid material.

Federal Regulations (CERCLA) require reporting spills and releases to soil, water and air in excess of reportable quantities. The toll free number for the US Coast Guard National Response Center is (800) 424-8802.

16. 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. A method is “sufficiently sensitive” when (1) the method quantitation level is at or below the level of the applicable water quality criterion for the pollutant or (2) the method quantitation 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. These methods are even required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established.

17. Whole Effluent Toxicity (WET) tests shall be conducted as follows:

SUMMARY OF ACUTE WET TESTING FOR THIS PERMIT				
OUTFALL	AEC	FREQUENCY	SAMPLE TYPE	MONTH
001	100%	ONCE PER PERMIT CYCLE	GRAB*****	ANY

***** Samples shall be collected within the first 60 minutes of a discharge.

Dilution Series						
100% effluent	50% effluent	25% effluent	12.5% effluent	6.25% effluent	(Control) 100% upstream, if available	(Control) 100% Lab Water, also called synthetic water

(a) Test Schedule and Follow-Up Requirements

- (1) Perform a MULTIPLE-dilution acute WET test in the months and at the frequency specified above. For tests which are successfully passed, submit test results using the Department’s WET test report form #MO-780-1899 along with complete copies of the test reports as received from the laboratory, including copies of chain-of-custody forms within 30 calendar days of availability to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102. If the effluent passes the test, do not repeat the test until the next test period.
 - (a) Chemical and physical analysis of the upstream control and effluent sample shall occur immediately upon being received by the laboratory, prior to any manipulation of the effluent sample beyond preservation methods consistent with federal guidelines for WET testing that are required to stabilize the sample during shipping.
 - (b) Any and all chemical or physical analysis of the effluent sample performed in conjunction with the WET test shall be performed at the 100% Effluent concentration in addition to analysis performed upon any other effluent concentration.
 - (c) All chemical analyses included in the Missouri Department of Natural Resources WET test report form #MO-780-1899 shall be performed and results shall be recorded in the appropriate field of the report form.
- (2) The WET test will be considered a failure if mortality observed in effluent concentrations equal to or less than the AEC is significantly different (at the 95% confidence level; $p = 0.05$) than that observed in the upstream receiving-water control sample. Where upstream receiving water is not available, synthetic laboratory control water may be used.
- (3) All failing test results along with complete copies of the test reports as received from the laboratory, INCLUDING THOSE TESTS CONDUCTED UNDER CONDITION (3) BELOW, shall be reported to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102 within 14 calendar days of the availability of the results.
- (4) If the effluent fails the test for BOTH test species, a multiple dilution test shall be performed for BOTH test species within 30 calendar days and biweekly thereafter (for storm water, tests shall be performed on the next and subsequent storm water discharges as they occur, but not less than 7 days apart) until one of the following conditions are met: Note: Written request regarding single species multiple dilution accelerated testing will be address by THE WATER PROTECTION PROGRAM on a case by case basis.

C. SPECIAL CONDITIONS (continued)

- (i) THREE CONSECUTIVE MULTIPLE-DILUTION TESTS PASS. No further tests need to be performed until next regularly scheduled test period.
 - (ii) A TOTAL OF THREE MULTIPLE-DILUTION TESTS FAIL.
- (5) Failure of a WET test is a violation of this permit. Follow-up tests do not negate an initial failed test. In addition, the failure of a follow-up test will constitute a separate permit violation.
 - (6) The permittee shall submit a summary of all test results for the test series along with complete copies of the test reports as received from the laboratory to the WATER PROTECTION PROGRAM, P.O. Box 176, Jefferson City, MO 65102 within 14 calendar days of the third failed test.
 - (7) Additionally, the following shall apply upon failure of the third follow up MULTIPLE DILUTION test. The permittee should contact THE WATER PROTECTION PROGRAM within 14 calendar days from availability of the test results to ascertain as to whether a TIE or TRE is appropriate. If the permittee does not contact THE WATER PROTECTION PROGRAM upon the third follow up test failure, a toxicity identification evaluation (TIE) or toxicity reduction evaluation (TRE) is automatically triggered. The permittee shall submit a plan for conducting a TIE or TRE to the WATER PROTECTION PROGRAM within 60 calendar days of the date of the automatic trigger or DNR's direction to perform either a TIE or TRE. This plan must be approved by DNR before the TIE or TRE is begun. A schedule for completing the TIE or TRE shall be established in the plan approval.
 - (8) Upon DNR's approval, the TIE/TRE schedule may be modified if toxicity is intermittent during the TIE/TRE investigations. A revised WET test schedule may be established by DNR for this period.
 - (9) If a previously completed TIE has clearly identified the cause of toxicity, additional TIEs will not be required as long as effluent characteristics remain essentially unchanged and the permittee is proceeding according to a DNR approved schedule to complete a TRE and reduce toxicity. Regularly scheduled WET testing as required in the permit, without the follow-up requirements, will be required during this period.
 - (10) When WET test sampling is required to run over one DMR period, each DMR report shall contain a copy of the Department's WET test report form that was generated during the reporting period.
 - (11) Submit a concise summary in tabular format of all WET test results with the annual report.
- (b) Test Conditions
- (1) Test Type: Acute Static non-renewal
 - (2) All tests, including repeat tests for previous failures, shall include both test species listed below unless approved by the department on a case by case basis.
 - (3) Test species: Ceriodaphnia dubia and Pimephales promelas (fathead minnow). Organisms used in WET testing shall come from cultures reared for the purpose of conducting toxicity tests and cultured in a manner consistent with the most current USEPA guidelines. All test animals shall be cultured as described in the most current edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms.
 - (4) Test period: 48 hours at the "Allowable Effluent Concentration" (AEC) specified above.
 - (5) Upstream receiving stream water shall be used as dilution water. If upstream water is unavailable or if mortality in the upstream water exceeds 10%, "reconstituted" water will be used as dilution water. Procedures for generating reconstituted water will be supplied by the MDNR upon request.
 - (6) Tests will be run with 100% receiving-stream water (if available), collected upstream of the outfall at a point beyond any influence of the effluent, and reconstituted water.
 - (7) If reconstituted-water control mortality for a test species exceeds 10%, the entire test will be rerun.
 - (8) If upstream control mortality exceeds 10%, the entire test will be rerun using reconstituted water as the dilutant.
 - (9) Whole-effluent-toxicity test shall be consistent with the most current edition of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms

REPORTING OF EFFLUENT VIOLATIONS

If any of the sampling results from any of the outfalls show any violation of the permit discharge limitations, written notification shall be made to the Department of Natural Resources within five (5) days of notification of analytical results. Notification shall indicate the date(s) of sample collection, the analytical results, and 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.

After a violation has been reported, a sample of storm water runoff resulting from the next discharge event shall be collected at outfall(s) for which the violation occurred. Analytical results of this sample shall be submitted in writing to the Department of Natural Resources (this section supersedes Standard Conditions Part I, Section B: Noncompliance Notification).

RECORDS, RETENTION AND RECORDING

Monitoring reports shall be submitted within 28 days after the end of each quarter. All sampling data shall be maintained by the permittee for a period of five (5) years and shall be supplied to the Department of Natural Resources upon request (supersedes Standard Conditions Part I, Section A, #7 - Records Retention). A copy of all of the sampling data must be submitted with an application for reissuance of this permit.

PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than six (6) months 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.

TERMINATION

In order to terminate this permit, the permittee shall notify the department by submitting Form J, included with the State Operating Permit. The permittee shall complete Form J and mail it to the department at the address noted in the cover letter of this permit. Proper closure of any storage structure is required prior to permit termination. A closure plan shall be submitted to the department and approved prior to initiating closure activities.

DUTY OF COMPLIANCE

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

**MISSOURI DEPARTMENT OF NATURAL RESOURCES
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0108430
MAGELLAN PIPELINE COMPANY – PALMYRA TERMINAL**

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 storm water 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.

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)2.] a Factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (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: IND
Facility SIC Code(s): 4613

Facility Description:

Oil Pipeline Terminal - Truck Loading Rack Stormwater and Wash water / AST Tank Bottom Water / Oil – water separator / Carbon Absorption / Air Stripping/ Hydrostatic test discharge water – Carbon Absorption

Have any changes occurred at this facility or in the receiving water body that effects effluent limit derivation?

- No.

Application Date: 05/13/2011
Expiration Date: 11/06/2011
Last Inspection: 02/10/2009 In Compliance

OUTFALL(S) TABLE:

OUTFALL	DESIGN FLOW (GPD)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
#001	9,500	BMPs *	Industrial Process	~ 2.35
#002	varies	BMPs *	Industrial Stormwater	~ 2.27
#003	varies	BMPs *	Industrial Process	~ 2.35

Outfall #001

Legal Description: NE ¼, SE ¼, SE ¼, Sec. 26, T59N, R6W, Marion County
UTM Coordinates: X=626052.384, Y=4415106.389
Receiving Stream: Unnamed tributary to South Fabius River (U)
First Classified Stream and ID: South Fabius River (P) (00071) 303(d) List
USGS Basin & Sub-watershed No.: (07110003-0402)

Outfall #002

Legal Description: NE ¼, SE ¼, SE ¼, Sec. 26, T59N, R6W, Marion County
UTM Coordinates: X=625950.281, Y=4415073.554
Receiving Stream: Unnamed tributary to South Fabius River (U)
First Classified Stream and ID: South Fabius River (P) (00071) 303(d) List
USGS Basin & Sub-watershed No.: (07110003-0402)

Outfall #003

Legal Description: NE ¼, SE ¼, SE ¼, Sec. 26, T59N, R6W, Marion County
UTM Coordinates: X=626052.384, Y=4415106.389
Receiving Stream: Unnamed tributary to South Fabius River (U)
First Classified Stream and ID: South Fabius River (P) (00071) 303(d) List
USGS Basin & Sub-watershed No.: (07110003-0402)

Receiving Water Body's Water Quality & Facility Performance History:

Comments: The previous permit contained numeric limits for Outfall #002, however, numeric limitations for stormwater are difficult to justify. Even so, when converting to non-numeric limitations (and associated benchmarks), it is still necessary to ensure the facility is meeting both the water-quality-based effluent limits and required technology-based effluent limits. In the State of Missouri, Water Quality Standards can be obtained from Missouri Clean Water Commission regulation 10 CSR 20-7.031. In the case of stormwater, the outfall only flows due to stormwater events, therefore it is reasonable to rely on the acute standard. In regards to Technology-based limits, normally a permit writer would refer to 10 CSR 20-7.015 (the effluent regulations regarding discharges from domestic sources and from Publically Owned Treatment Works (POTWs)), however this regulation does not adequately address stormwater discharges, Regulation 10 CSR 20-6.200 (regulations regarding stormwater permitting) does not address technology-based limits either, though section (6)(B)2. B. and C. respectively state that effluent limitations shall be based in part on “effluent guidelines promulgated by the department or Environmental Protection Agency” and “best professional judgment of the permit writer.”

Numeric effluent limitations are not always feasible for industrial stormwater discharges as such discharges pose challenges not presented by the vast majority of NPDES-regulated discharges. Stormwater discharges can be highly intermittent, are usually characterized by very high flows occurring over relatively short time intervals, and carry a variety of pollutants whose source, nature and extent varies. The variability of effluent and efficacy of appropriate control measures makes setting uniform effluent limits for stormwater extremely difficult. Because it is often not reasonable to use traditional wastewater treatment technologies to control industrial stormwater discharges due to the absence of a steady flow of wastewater, control measures for such discharges tend to focus on pollution prevention and BMPs. EPA therefore determined that it is not feasible for the Agency to calculate numeric, technology-based limits for many of the discharges covered under the EPA 2008 Multi-Sector General Permit (MSGP) permit and, based on the authority of 40 CFR 122.44(k), chose to adopt non-numeric effluent limits. The BAT/BPT/BCT effluent limits in the MSGP are therefore expressed as specific pollution prevention requirements for minimizing the pollutant levels in the discharge. In the context of the MSGP, these requirements represent the best technologically available and economically practicable and achievable controls. According to the fact sheet of the MSGP, EPA has long maintained that the combination of pollution prevention approaches and structural management practices required by the narrative limits are the most environmentally sound way to control the discharge of pollutants in stormwater runoff from industrial facilities to meet the effluent limits.

According to the MSGP, EPA generally does not mandate the specific control measures operators must select, design, install and implement. It is up to the operator to determine what must be done to meet the applicable effluent limits. For example, Part 2.1.2.1 of the MSGP requires operators to minimize the exposure of raw, final, and waste materials to stormwater and runoff. How this is achieved will vary by facility. If feasible, some or all activities may be moved indoors. Even if activities or products cannot be moved indoors, they may be “covered” by roofing and/or tarps. In addition, some activities may be limited to times when exposure to precipitation is not likely. Each of these control measures is acceptable and appropriate in some circumstances. In this respect, the non-numeric effluent limits in the MSGP are analogous to more traditional numeric effluent limits, which also do not require specific control technologies as long as the limits are met. Moreover, the MSGP requires permittees to comply with non-numeric technology-based effluent limits by implementing control measures. Control measures can be actions (including processes, procedures, schedules of activities, prohibitions on practices and other management practices), or structural or installed devices to prevent or reduce water pollution. The achievement of these non-numeric limits will result in the reduction or elimination of pollutants from the operator's stormwater discharge. Such limits constitute this permit's technology-based limits, expressed narratively per 40 CFR 122.44(k), and are developed using best professional judgment (BPJ).

Outfall #002 was also relocated to the outfall pipe from the earthen secondary containment structure instead of being located on the discharge from the pond downgradient of the new location of Outfall #002. The previous location of Outfall #002 allowed offsite stormwater and potential non-stormwater to enter the pond. This allowed for the potential to either increase or dilute the pollutant loading from the facility.

In addition, the previous permit writer incorrectly used 40 CFR 442 to establish limits for Biochemical Oxygen Demand for Outfall #001 and Total Suspended Solids for Outfall #002. 40 CFR 442 applies to tank cleaning activities, which does not apply to the facility. Any tank cleanings that occur are collected and treated offsite.

Part II – Operator Certification Requirements

Not Applicable ; This facility is not required to have a certified operator.

Part III – Receiving Stream Information

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:

As 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.

All Other Waters [10 CSR 20-7.015(8)]:

10 CSR 20-7.031 Missouri Water Quality Standards, the Department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1st classified receiving stream's beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)].

RECEIVING STREAM(S) TABLE:

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	8-DIGIT HUC	EDU**
Unnamed tributary to South Fabius River	U	NA	General Criteria	07110003	Central Plains/Cuivre/Salt
South Fabius River	P	00071	IRR, LWW, AQL, WBC-B***		

* - Irrigation (IRR), Livestock & Wildlife Watering (LWW), Protection of Warm Water Aquatic Life and Human Health-Fish Consumption (AQL), Cool Water Fishery (CLF), Cold Water Fishery (CDF), Whole Body Contact Recreation (WBC), Secondary Contact Recreation (SCR), Drinking Water Supply (DWS), Industrial (IND), Groundwater (GRW).

** - Ecological Drainage Unit

*** - UAA has not been conducted.

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

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:

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

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

ANTI-BACKSLIDING:

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

- The modifications in this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR 122.44. Please see the individual justifications contained within the Derivation and Discussion of Limits/Monitoring sections.

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.

AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:

As per [10 CSR 20-6.010(3)(B)], ... An applicant may utilize a lower preference continuing authority by submitting, as part of the application, a statement waiving preferential status from each existing higher preference authority, providing the waiver does not conflict with any area-wide management plan approved under section 208 of the Federal Clean Water Act or any other regional sewage service and treatment plan approved for higher preference authority by the Department.

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.

PRETREATMENT PROGRAM:

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

Not Applicable ; The permittee, at this time, is not required to have a Pretreatment Program or does not have an approved pretreatment program.

REASONABLE POTENTIAL ANALYSIS (RPA):

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

In accordance with [40 CFR Part 122.44(d)(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(k) *Best Management Practices (BMPs)* 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 storm water 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 Storm Water 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.

Applicable ; A SWPPP shall be developed and implemented for each site 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.

VARIANCE:

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

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

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:

As 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.

Not Applicable ; Wasteload allocations were not calculated.

WLA MODELING:

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

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

WATER QUALITY STANDARDS:

Per [10 CSR 20-7.031(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 establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:

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

Applicable ; Under the federal Clean Water Act (CWA) §101(a)(3), requiring WET testing is reasonably appropriate for site-specific Missouri State Operating Permits for discharges to waters of the state issued under the National Pollutant Discharge Elimination System (NPDES). WET testing is also required by 40 CFR 122.44(d)(1). WET testing ensures that the provisions in the 10 CSR 20-6.010(8)(A)7. and the Water Quality Standards 10 CSR 20-7.031(3)(D),(F),(G),(I)2.A & B are being met. Under [10 CSR 20-6.010(8)(A)4], the Department may require other terms and conditions that it deems necessary to assure compliance with the Clean Water Act and related regulations of the Missouri Clean Water Commission. In addition the following MCWL apply: §§644.051.3 requires the Department to set permit conditions that comply with the MCWL and CWA; 644.051.4 specifically references toxicity as an item we must consider in writing permits (along with water quality-based effluent limits, pretreatment, etc...); and 644.051.5 is the basic authority to require testing conditions. WET test will be required by all facilities meeting the following criteria:

- Facility handles large quantities of toxic substances, or substances that are toxic in large amounts.
- Facility has Water Quality-based Effluent Limitations for toxic substances (other than NH₃)

303(d) LIST & TOTAL MAXIMUM DAILY LOAD (TMDL):

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

Applicable ; South Fabius River is listed on the 2008 Missouri 303(d) List for bacteria.

– This facility is not considered to be a source of the above listed pollutant(s) or considered to contribute to the impairment of South Fabius River.

Part V – Effluent Limits Determination

Outfall #001

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 supercedes 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	MGD	1	*		*	NO	S
Chemical Oxygen Demand	mg/L	1	120		90	YES	**
Total Suspended Solids	mg/L	1	100		50	YES	**
pH	SU	1	6.5 – 9		6.5 – 9	YES	6.0 – 9.0
Oil & Grease (mg/L)	mg/L	1/3	15		10	NO	S
Total Petroleum Hydrocarbons	mg/L	9	10		10	YES	Combined TPH volatile and non-volatile
Ethanol	mg/L	9	*		*	YES	**
Benzene	mg/L	1/3	0.071		0.071	YES	**
Ethylbenzene	mg/L	1/3	0.32		0.32	YES	**
Toluene	mg/L	1/3	200		200	YES	**
MONITORING FREQUENCY	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.						

* - Monitoring requirement only.

** - Parameter not previously established in previous state operating permit.

S – Same as previous operating permit

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. Dissolved Oxygen Policy | 12. 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.
- **Chemical Oxygen Demand (COD).** Based on best professional judgment, effluent limitations for COD have been applied consistent with limits applied to other industrial storm water facilities, and are believed to be protective of General Criteria Water Quality Standards.
- **Total Suspended Solids (TSS).** Based on professional judgment, the TSS effluent limit is established at 100 mg/L as a Daily Average and a 50 mg/L as a Monthly Average for industrial stormwater effluent limits. Effluent limitations consistent with limits applied to other industrial storm water facilities, and are believed to be protective of General Criteria Water Quality Standards.
- **pH.** Effluent limitation range is 6.5 to 9.0 Standard pH Units (SU), as per the applicable section of 10 CSR 20-7.015. pH is not to be averaged.

- **Oil & Grease**. Conventional pollutant, effluent limitation for protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum.
- **Ethanol**. Monitoring only. This is deemed required, since the facility handles ethanol and has the potential to have spillage or leakage.
- **Benzene**, Protection of aquatic life, 0.071 mg/L 10 CSR 20-7.031 Table A
- **Ethylbenzene** Protection of aquatic life; 0.320 mg/L 10 CSR 20-7.031 Table A
- **Toluene** Protection of aquatic life, 200 mg/L 10 CSR 20-7.031 Table A
- **Minimum Sampling and Reporting Frequency Requirements.**

PARAMETER	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow	ONCE/QUARTER	ONCE/QUARTER
Chemical Oxygen Demand	ONCE/QUARTER	ONCE/QUARTER
Total Suspended Solids	ONCE/QUARTER	ONCE/QUARTER
pH	ONCE/QUARTER	ONCE/QUARTER
Oil & Grease	ONCE/QUARTER	ONCE/QUARTER
Total Petroleum Hydrocarbons	ONCE/QUARTER	ONCE/QUARTER
Ethanol	ONCE/QUARTER	ONCE/QUARTER
Benzene	ONCE/QUARTER	ONCE/QUARTER
Ethylbenzene	ONCE/QUARTER	ONCE/QUARTER
Toluene	ONCE/QUARTER	ONCE/QUARTER

Outfall #002

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 supercedes 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	MGD	1	*		*	NO	S
Chemical Oxygen Demand	mg/L	9	*		*	YES	**
Settleable Solids	mL/L/hr	9	*		*	YES	**
Total Suspended Solids	mg/L	9	*		*	YES	58/26
pH	SU	1	*		*	YES	6.0 – 9.0
Oil & Grease	mg/L	1	*		*	YES	15/10
Total Petroleum Hydrocarbons	mg/L	9	*		*	YES	**
Ethanol	mg/L	9	*		*	YES	**
Benzene	mg/L	1	*		*	YES	**
Ethylbenzene	mg/L	1	*		*	YES	**
Toluene	mg/L	1	*		*	YES	**
Precipitation	Inches	9	*		*	YES	**
MONITORING FREQUENCY	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.						

* - Monitoring requirement only.

** - Parameter not previously established in previous state operating permit.

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. Dissolved Oxygen Policy | 12. Antidegradation Review |

OUTFALL #002 – DERIVATION AND DISCUSSION OF LIMITS:Discussion of Benchmarking as used for this outfall

The inclusion of benchmarking was taken from the MO-R23A general permit template for facilities engaged in chemical manufacturing. The benchmark limitations were set to the water quality standard, because this outfall discharges only stormwater, which may be contaminated with the listed pollutants. In this case, the establishing of non-numeric, technology-based effluent limits and other BMPs via a SWPPP are the primary treatment technology used for controlling stormwater discharges. The permitting authority is then required to consider whether TBEL are sufficient to maintain WQS. The inclusion of benchmark limits in this permit will require the facility to review their SWPPP and associated BMPs to see if a change is necessary when an exceedance occurs. The benchmarks were set, when possible, at the acute water quality standard.

The goal of the permittee should be to keep pollutants (potentially generated from any onsite operations/activities/handling or as a result of the storage of any material) from getting into the stormwater in the first place rather than treating stormwater after it has been contaminated (prior to discharge). This permit includes narrative non-numeric effluent limitations that are intended to serve this purpose. Numeric effluent limitations contained in the previous permit are being removed, since the imposed technology based, non numeric effluent limits contained within this permit are considered sufficient.

- **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.
- **Chemical Oxygen Demand (COD)**. Monitoring only (benchmark limitation). Monitoring this parameter will ensure that the facility monitors its discharge for oxygen-reducing pollutants. In addition, this parameter is listed as a benchmark in the MO-R23A general permit. The fact sheet for the MO-R23A permit stated the following: “Effluent limits consistent with other industrial stormwater facilities. These effluent limits have been demonstrated to be attainable with SWPPPs & existing technology, and are deemed protective of instream water quality.” The benchmark was set at the same benchmark in the MO-R23A permit, which is 90 mg/L.
- **Settleable Solids**. Monitoring only (benchmark limitation). This parameter is being required, since these are stormwater discharges that will likely pick up particulates as the water flows along the ground to the outfalls. Monitoring for this parameter with a benchmark limit will require the permittee to review and improve their BMPs in order to protect general water quality in the receiving stream. Monitoring is being required as a basis for monitoring BMP effectiveness. The BMPs should be designed so that they remove the majority of the solids prior to discharge. The benchmark limitation is set to 1.0 mg/L, which is based on the benchmark set in the MO-R23A general permit. The facility has not reported a discharge from the outfall since 2006. Backsliding is not an issue, since there is no reasonable potential (40 CFR 122.44(l)(2)(i)(B)(2)). In addition, there is no water quality standard for Total Suspended Solids except for General Criteria. This parameter should be re-evaluated at renewal.
- **Total Suspended Solids (TSS)**. Monitoring only (benchmark limitation). This parameter is being required, since these are stormwater discharges that will likely pick up particulates as the water flows along the ground to the outfalls. Monitoring for this parameter with a benchmark limit will require the permittee to review and improve their BMPs in order to protect general water quality in the receiving stream. Monitoring is being required as a basis for monitoring BMP effectiveness. The BMPs should be designed so that they remove the majority of the solids prior to discharge. The benchmark limitation is set to 50 mg/L, which is based on the benchmark set in the MO-R23A general permit. The facility has not reported a discharge from the outfall since 2006. Backsliding is not an issue, since there is no reasonable potential (40 CFR 122.44(l)(2)(i)(B)(2)). In addition, there is no water quality standard for Total Suspended Solids except for General Criteria. This parameter should be re-evaluated at renewal. The previous effluent limitations were also incorrectly applied to the outfall. The previous permit writer used 40 CFR 442 to establish limits for Total Suspended Solids, however 40 CFR 442 applies to tank cleaning activities, which does not apply to the facility. Any tank cleanings that occur are collected and treated offsite.
- **Oil & Grease**. Monitoring only (benchmark limitation). The facility is being required to monitor for this pollutant with benchmark limits set for protection of aquatic life. Benchmark is set to 10 mg/L. The numeric limitation was removed from this permit, as there is no reasonable potential for this discharge to violate water quality. The facility has not reported a discharge from the outfall since 2006. Backsliding is not an issue, since there is no reasonable potential (40 CFR 122.44(l)(2)(i)(B)(2)).
- **pH**. Monitoring only (benchmark limitation). This is deemed required, since pH is a common pollutant in almost every Missouri State Operating Permit and is a water quality standard. Benchmark range is from 6.5 to 9.0 standard pH units (SU) as per regulation [10 CSR 20 7.031(E), which is based on the benchmark set in the MO-R23A general permit. The facility has not reported a discharge from the outfall since 2006.
- **Ethanol**. Monitoring only (benchmark limitation). This is deemed required, since the facility produces ethanol and has the potential to have spillage or leakage. The benchmark limitation is set to 4.1 mg/L, which is based on the daily maximum technology based effluent limitation set in 40 CFR 439.15 which is for pharmaceutical companies that discharge process wastewaters that contain ethanol by the use of a fermentation process.
- **Total Petroleum Hydrocarbons**. Monitoring only (benchmark limitation). The facility is being required to monitor for this pollutant with benchmark limit set to 10 mg/L which is based on effluent limitations established in MO-G35 general permit.
- **Benzene**. Monitoring only (benchmark limitation). The facility is being required to monitor for this pollutant with benchmark limits set for protection of aquatic life. Benchmark is set to 0.71 mg/L.
- **Ethylbenzene**. Monitoring only (benchmark limitation). The facility is being required to monitor for this pollutant with benchmark limits set for protection of aquatic life. Benchmark is set to 0.32 mg/L.
- **Toluene**. Monitoring only (benchmark limitation). The facility is being required to monitor for this pollutant with benchmark limits set for protection of aquatic life. Benchmark is set to 200 mg/L.

- **WET Test.** WET Testing schedules and intervals are established in accordance with the Department’s Permit Manual; Section 5.2 *Effluent Limits / WET Testing for Compliance Bio-monitoring*. It is recommended that WET testing be conducted during the period of lowest stream flow.
 - Acute
 - No less than ONCE/PERMIT CYCLE:**
 - Other: Facility has Water Quality-based effluent limitations for toxic substances but do not discharge on a frequent basis.

Acute and/or Chronic Allowable Effluent Concentrations (AECs) for facilities that discharge to unclassified, Class C, Class P (with default Mixing Considerations), or Lakes [10 CSR 20-7.031(4)(A)4.B.(IV)(b)] are 100%, 50%, 25%, 12.5%, & 6.25%.

- **Minimum Sampling and Reporting Frequency Requirements.**

PARAMETER	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow	ONCE/QUARTER	ONCE/QUARTER
Chemical Oxygen Demand	ONCE/QUARTER	ONCE/QUARTER
Settleable Solids	ONCE/QUARTER	ONCE/QUARTER
Total Suspended Solids	ONCE/QUARTER	ONCE/QUARTER
pH	ONCE/QUARTER	ONCE/QUARTER
Oil & Grease	ONCE/QUARTER	ONCE/QUARTER
Total Petroleum Hydrocarbons	ONCE/QUARTER	ONCE/QUARTER
Ethanol	ONCE/QUARTER	ONCE/QUARTER
Benzene	ONCE/QUARTER	ONCE/QUARTER
Ethylbenzene	ONCE/QUARTER	ONCE/QUARTER
Toluene	ONCE/QUARTER	ONCE/QUARTER
Precipitation	ONCE/QUARTER	ONCE/QUARTER
WET Test	ONCE/PERMIT CYCLE	ONCE/PERMIT CYCLE

Outfall #003

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	MGD	1	*		*	YES	**
Chemical Oxygen Demand	mg/L	1	120		90	YES	**
Total Suspended Solids	mg/L	1	100		50	YES	**
pH	SU	1	6.5 – 9		6.5 – 9	YES	**
Oil & Grease (mg/L)	mg/L	1/3	15		10	YES	**
Total Petroleum Hydrocarbons	mg/L	9	10		10	YES	**
Benzene	mg/L	1/3	0.071		0.071	YES	**
Ethylbenzene	mg/L	1/3	0.32		0.32	YES	**
Toluene	mg/L	1/3	200		200	YES	**
MONITORING FREQUENCY	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.						

* - Monitoring requirement only.

** - Parameter not previously established in previous state operating permit.

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. Dissolved Oxygen Policy | 12. Antidegradation Review |

OUTFALL #003 – 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.
- **Chemical Oxygen Demand (COD).** Based on best professional judgment, effluent limitations for COD have been applied consistent with limits applied to other industrial storm water facilities, and are believed to be protective of General Criteria Water Quality Standards.
- **Total Suspended Solids (TSS).** Based on professional judgment, the TSS effluent limit is established at 100 mg/L as a Daily Average and a 50 mg/L as a Monthly Average for industrial stormwater effluent limits. Effluent limitations consistent with limits applied to other industrial storm water facilities, and are believed to be protective of General Criteria Water Quality Standards.
- **pH.** Effluent limitation range is 6.5 to 9.0 Standard pH Units (SU), as per the applicable section of 10 CSR 20-7.015. pH is not to be averaged.
- **Oil & Grease.** Conventional pollutant, effluent limitation for protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum.
- **Benzene.** Protection of aquatic life, 0.071 mg/L 10 CSR 20-7.031 Table A
- **Ethylbenzene** Protection of aquatic life; 0.320 mg/L 10 CSR 20-7.031 Table A

- **Toluene** Protection of aquatic life, 200 mg/L 10 CSR 20-7.031 Table A

- **Minimum Sampling and Reporting Frequency Requirements.**

PARAMETER	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow	ONCE/DISCHARGE	ONCE/QUARTER
Chemical Oxygen Demand	ONCE/DISCHARGE	ONCE/QUARTER
Total Suspended Solids	ONCE/DISCHARGE	ONCE/QUARTER
pH	ONCE/DISCHARGE	ONCE/QUARTER
Oil & Grease	ONCE/DISCHARGE	ONCE/QUARTER
Total Petroleum Hydrocarbons	ONCE/DISCHARGE	ONCE/QUARTER
Ethanol	ONCE/DISCHARGE	ONCE/QUARTER
Benzene	ONCE/DISCHARGE	ONCE/QUARTER
Ethylbenzene	ONCE/DISCHARGE	ONCE/QUARTER
Toluene	ONCE/DISCHARGE	ONCE/QUARTER

Part VI – Administrative Requirements

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

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 operating permit is tentatively schedule to begin on November 4, 2011 or is in process.

- The Public Notice period for this operating permit was from (DATE) to (DATE). Responses to the Public Notice of this operating permit warrant the modification of effluent limits and/or the terms and conditions of this permit. (Please explain). (Also if applicable – Due to the major modifications of this permit, this operating permit is to be placed on Public Notice again, which is tentatively scheduled to begin on (DATE) or is in process.

- The Public Notice period for this operating permit was from (DATE) to (DATE). No responses received or responses to the Public Notice of this operating permit do not warrant the modification of effluent limits and/or the terms and conditions of this permit.

DATE OF FACT SHEET: OCTOBER 3, 2011

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