St. Peters Small MS4 Small MS4
MO-R040044, St. Charles County

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BY:

STATE OF MISSOURI
Matt Blunt, Governor • Doyle Childers, Director
DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

June 20, 2008

City of St. Peters
PO Box 9
One St. Peters Blvd.

Dear Permittee

Pursuant to the Federal Water Pollution Control Act, under the authority granted to the State of Missouri and in compliance with the Missouri Clean Water Law, we have issued and are enclosing a general state operating permit for your Small Municipal Separate Storm Sewer System (MS4).

Please review the requirements of your permit and attached Standard Conditions. This general permit is both your federal National Pollutant Discharge Elimination System permit and your new Missouri state operating permit, and replaces all previous state operating permits and letters of approval for the discharges described within. This permit also requires your MS4 authority to continue to implement and enforce the six (6) minimum control measures described in the permit via a storm water management program (SWMP) plan. Please note, the city's compliance depends on progress in meeting all conditions of the permit as well as committed tasks in the city's SWMP plan.

If you are adversely affected by this decision, you may be entitled to an appeal before the administrative hearing commission pursuant to 10 CSR 20-1.020 and Section 621.250, RSMo. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission. Contact information for the AHC is as follows: Administrative Hearing Commission, Truman State Office Building, Room 640, 301 W. Hight Street, P.O. Box 1557, Jefferson City, Missouri 65102, phone: 573-751-2422, fax: 573-751-5018, website: www.oa.mo.gov/ahc.

Please be aware that this facility may also be subject to any applicable county or other local ordinances or restrictions.

If you have any questions concerning this permit, please do not hesitate to contact the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176. You may also visit our Missouri Storm Water Clearinghouse website at www.dnr.mo.gov/env/wpp/stormwater.

Sincerely,
WATER PROTECTION PROGRAM

Refaat Mefrakis

Refaat Mefrakis, P.E.
Chief, NPDES Permits and Engineering Section:

RM:rw

Enclosure

c: Mr. Mark Mathews, USEPA Region

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STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION

MISSOURI STATE OPERATING PERMIT
WATER POLLUTION CONTROL PROGRAM

General Operating Permit

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

Permit No.:	MO-R040044
Owner:	City of St. Peters
Address:	PO Box 9 One St. Peters Blvd. St. Peters, MO 63376
Continuing Authority:	Same
Facility Name:	St. Peters Small MS4
Facility Address:	PO Box 9, One St. Peters Blvd. St. Peters, MO 63376
Legal Description:	See Page 2
Latitude Longitude	See Page 2
Receiving Stream	See Page 2
First Classified Stream- ID#:	See Page 2
USGS # and Sub Watershed #	See Page 2

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 9511

Discharges from Regulated Small Municipal Separate Storm Sewer Systems

This permit authorizes only wastewater, including storm waters, 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

June 13, 2008
Effective date

June 20, 2008
Issue date

Doyle Childers, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

June 12, 2013
Expiration date

Edward Galbraith
Director of Staff, Clean Water Commission

MO 780-1481 (7-94)

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7. Definitions

1. **Coverage Under this Permit**

1.1 Permit Area

This permit covers all areas served by a municipal separate storm sewer system (MS4) for which the applicant is identified as the continuing authority.

1.2 Eligibility

1.2.1 This permit authorizes discharges of storm water from regulated small MS4s, as defined in 10 CSR 20-6.200. The permittee, or co-permittee, is authorized to discharge under the terms and conditions of this general permit if the permittee:

1.2.1.1 Owns or operates a regulated small MS4 as defined in 10 CSR 20-6.200; located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census or designated for permit authorization by the department pursuant to 10 CSR 20-6.200; and

1.2.1.2 Submits a general permit application in accordance with Section 2 of this permit; and

1.2.1.3 Complies with the terms of this general permit.

1.2.2 The following are types of discharges authorized by this permit:

1.2.2.1 *Storm water discharges.* This permit authorizes storm water discharges to waters of the state from the regulated small MS4s identified in Section 1.2.1, except as excluded in Section 1.3.

1.2.2.2 *Non-storm water discharges.* The permittee is authorized to discharge the following non-storm water sources provided that the permitting authority has not determined these sources to be substantial contributors of pollutants to the permittee's MS4 that require a separate permit:

- Landscape irrigation
- Rising ground waters
- Uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)
- Uncontaminated pumped ground water
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensate
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Flows from riparian habitats and wetlands
- Street wash water
- Discharges or flows from emergency fire fighting activities
- Individual residential car washing
- Dechlorinated residential swimming pool discharges

1.3 Limitations on Coverage

This permit does not authorize:

1.3.1 Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:

1.3.1.1 In compliance with a separate NPDES permit; or

1.3.1.2 Determined not to be a substantial contributor of pollutants to waters of the state.

1.3.2 Storm water discharges associated with industrial activities requiring separate NPDES permits as defined in 10 CSR 20-6.200.

1.3.3 Storm water discharges associated with construction activities requiring separate NPDES permits as defined in 10 CSR 20-6.200.

1.3.4 Storm water discharges currently covered under another permit.

1.3.5 Discharges that are likely to jeopardize the continued existence of any species that are listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA.

1.3.6 Discharges that violate the National Historic Preservation Act.

1.3.7 Discharges that cause or contribute to a violation of instream water quality standards. The permittee's storm water management program and plan (SWMP) document must include a description of the best management practices (BMPs) that the permittee will use to ensure that violations will not occur. The department may require corrective action or an application for a site-specific permit or alternative general permit if an MS4 is determined to cause or create a significant potential for causing an instream exceedance of water quality standards.

1.3.8 Discharges of any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been either established or approved by the EPA unless the permittee's discharge is consistent with that TMDL. This eligibility condition applies at the time the permittee submits an application for coverage. If conditions change after the permittee has permit coverage, the permittee may remain covered by the permit provided the permittee complies with the applicable requirements of Section 3. The permittee shall incorporate any limitations, conditions and requirements required by the TMDL, including monitoring frequency and reporting required, into the SWMP document in order to be eligible for permit coverage. For discharges for which the permittee is responsible but are not eligible for coverage under this permit, the permittee shall apply for and receive a site-specific or other applicable general NPDES permit prior to discharging.

1.4 Obtaining Authorization

1.4.1 To be authorized to discharge storm water from regulated small MS4s, the applicant/permittee shall submit an application and a written description of the permittee's SWMP in accordance with the deadlines presented in Section 2 of this permit.

1.4.2 The permittee shall submit the information required in Section 2 on the latest version of the application form (or photocopy thereof). The permittee's application shall be signed and dated by an authorized signatory.

1.4.3 Where the operator changes, or where a new operator is added after submittal of an application under Section 2, a new application shall be submitted in accordance with Section 2 prior to the change or addition.

2. Application Requirements

2.1 Deadlines for Application

If the MS4 is regulated pursuant to 10 CSR 20-6.200 then the operator is required to seek coverage under the Small MS4 General Permit or a site-specific MS4 permit as follows:

2.1.1 Existing small MS4 permittees shall submit renewal applications 180 days prior to permit expiration unless an extended due date has been granted by the department. If the MS4 permittee is submitting a renewal application for a revised general permit, they may submit the updated SWMP document separately from the application up to 90 days following public notice of the revised permit. If the MS4 is applying for a site-specific permit, the SWMP plan must be included with the application; and

2.1.2 MS4 operators that become subject to 10 CSR 20-6.200 following the 2010 census shall submit permit applications within 180 days following census publication.

2.2 Additional designations after the date of permit issuance

If the small MS4 is specially designated by the department after the date of permit issuance, then the small MS4 is required to:

2.2.1 Submit application for a site-specific MS4 permit or a small general MS4 permit (whichever applies) and a written description of the permittee's SWMP to the department within 180 days of notice.

2.3 Submitting a Late application

The permittee is not prohibited from submitting an application after the dates provided in Section 2.1. The department reserves the right to take appropriate enforcement actions for any unpermitted discharges.

3. **Special Conditions**

3.1 Discharges to Water Quality Impaired Waters

3.1.1 If discharges from the MS4 are upstream from a 303(d) listed (impaired) waterbody, the permittee shall, in consultation with the department:

3.1.1.1 Determine whether storm water discharges from any part of the MS4 significantly contribute pollutants directly or indirectly to a 303(d) listed (i.e., impaired) waterbody. If the permittee has discharges meeting this criteria, the permittee shall comply with Section 3.1.2. If the permittee does not, Section 3.1 does not apply to the permittee.

3.1.1.2 Determine whether a Total Maximum Daily Load (TMDL) has been developed and approved by EPA for the listed waterbody. If there is such a TMDL, the permittee shall comply with both Sections 3.1.2 and 3.1.3. If no TMDL has been finalized, Section 3.1.3 will apply when the TMDL is finalized and approved by EPA.

3.1.2 *Water Quality Controls for Discharges to Impaired Waterbodies.* The permittee's SWMP document required under Section 4 shall include a description of how the permittee's program will control the discharge of measurable pollutants of concern and ensure the permittee's discharges will not cause or contribute to instream exceedances of the water quality standards. This discussion shall specifically identify measures and BMPs that will collectively control the discharge of the pollutants of concern.

3.1.3 *Consistency with TMDL Allocations.* If a TMDL has been finalized and approved by EPA for any waterbody into which the permittee discharges, the permittee, shall:

3.1.3.1 Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from the permittee's MS4;

3.1.3.2 Determine whether the TMDL includes a pollutant wasteload allocation (WLA) or other performance requirements specifically for storm water discharge from the permittee's MS4;

3.1.3.3 Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge;

3.1.3.4 After the determinations above have been made and if it is found that the permittee's MS4 shall implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary;

3.1.3.5 Document all control measures currently being implemented or planned to be implemented. The permittee shall also include a schedule of implementation for all planned controls and shall document the calculations or other evidence that shows that the WLA will be met;

3.1.3.6 Describe a monitoring program to determine whether the storm water controls are adequate to meet the WLA; and

3.1.3.7 If the evaluation shows that additional or modified controls are necessary, describe the measures to be taken and the schedule for their implementation. The permittee shall continue meeting the requirements of 3.1.3.4 through 3.1.3.7 for this permit duration until the department determines WLAs are being met or that water quality standards are being met.

3.2 Duty to Comply

3.2.1 The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Missouri Clean Water Law and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or for denial of a permit renewal.

3.2.2 This permit authorizes only the activities described in this permit. Compliance with this permit may not be considered a shield from compliance with any local ordinance, State Regulation or State Law.

3.3 Continuation of the Expired General Permit

3.3.1 If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with 10 CSR 20-6.010 (10)(E) and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

3.3.1.1 Reissuance or replacement of this permit, at which time the permittee shall comply with the application conditions of the new permit to maintain authorization to discharge; or

3.3.1.2 Notice of Termination; or

3.3.1.3 Issuance of a site-specific permit for your discharges; or

3.3.1.4 A permit decision by the Director not to reissue this general permit, at which time the permittee shall seek coverage under an alternative general permit or a site-specific permit.

3.4 Need to Halt or Reduce Activity Not an Excuse

Actions by the permittee in an enforcement action to halt or reduce the permitted activity does not excuse compliance with this permit or any provision of the Missouri Clean Water Law.

3.5 Permit Transfers

This permit is not transferable to any other legal entity except after notice to the department. The department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

3.6 Procedures for Modification or Revocation

3.6.1 If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site-specific permit, the department may require any person to obtain a site-specific operating permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(5)].

3.6.2 The department may require the permittee to apply for and obtain a site-specific or different general permit if:

3.6.2.1 The permittee is not in compliance with the conditions of this general permit; or

3.6.2.2. The discharge no longer qualifies for this general permit due to changed site conditions and regulations; or

3.6.2.3 Information becomes available that indicates water quality standards have been or may be violated.

3.6.3 The permittee will be notified in writing of the need to apply for a site-specific permit or an alternative general permit. When a site-specific permit or alternative general permit is issued to the authorized permittee, the applicability of this general permit to the permittee will be terminated upon the effective date of the site-specific or alternative general permit, whichever the case may be. The permittee shall submit the appropriate forms to the department to terminate the permit that has been replaced.

3.7 Requiring a Site-Specific Permit or an Alternative General Permit

3.7.1 *Decision by the department.* The department may require any person authorized by this permit to apply for and/or obtain either a site-specific NPDES permit or an alternative NPDES general permit [10 CSR 20-6.200(6)]. Any interested person may petition the department to require a site-specific permit. Where the department requires the permittee to apply for a site-specific NPDES permit, the department will notify the permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form(s), a statement setting a deadline for the permittee to file the application, and a statement that on the effective date of issuance or denial of the site-specific NPDES permit or the alternative general permit, coverage under this general permit shall automatically terminate in accordance with Section 3.6. The department may grant additional time to submit the application upon request of the applicant. If the permittee fails to submit a site-specific NPDES permit application in a timely manner as required by the department under this paragraph, then the applicability of this permit to the permittee is automatically terminated on the day specified by the department for application submittal.

3.7.2 *Request by permittee.* The permittee may apply for a site-specific permit in lieu of coverage under this general permit. In such cases, the permittee shall submit an application for the alternate permit in accordance with the requirements of 10 CSR 20-6.200, with reasons supporting the request. The request may be granted by issuance of any site-specific permit or an alternative general permit.

4. **Storm Water Management Programs and Plans**

4.1 Requirements

The permittee shall develop, implement, and enforce a storm water management program and plan (SWMP) designed to reduce the discharge of pollutants from the permittee's regulated small MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Missouri Clean Water Law. The SWMP should include best management practices; control techniques and system, design, and engineering methods; and such other provisions as the permitting authority determines appropriate for the control of such pollutants. The permittee's SWMP document shall include the following information for each of the six minimum control measures described in Section 4.2 of this permit:

4.1.1 A description of the best management practices (BMPs) that the permittee will implement for each of the storm water minimum control measures;

4.1.2 The measurable goals for each of the BMPs including, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action;

4.1.3 The person primarily responsible for the SWMP, and the person(s) responsible for each minimum control measure if different from the primary responsible person; and

4.1.4 The permittee shall implement a program designed to protect water quality in potentially affected waters and ensure that the permitted activities do not cause a violation of the Water Quality Standards:

4.1.4.1 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; and

4.1.4.2 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:

4.1.4.2.1 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;

4.1.4.2.2 Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;

4.1.4.2.3 Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;

4.1.4.2.4 Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;

4.1.4.2.5 There shall be no significant human health hazard from incidental contact with the water;

4.1.4.2.6 There shall be no acute toxicity to livestock or wildlife watering;

4.1.4.2.7 Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community; and

4.1.4.2.8 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.

4.1.5 For facilities under the control of the permittee good housekeeping practices shall be maintained to keep solid waste from entry into waters of the state to the maximum extent practicable;

4.1.6 All fueling facilities under the control of the permittee shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures;

4.1.7 Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair by the permittee shall be managed according to the provisions of RCRA and CERCLA;

4.1.8 All paint, solvents, petroleum products and petroleum waste products (except fuels) under the control of the permittee shall be stored so that these materials are not exposed to storm water. Sufficient practices of spill prevention, control, and/or management shall be provided to prevent any spills of these pollutants from entering a water 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;

4.1.9 In addition to the requirements listed above, the permittee shall document the decision process for each minimum control measure and include rationale statements for each BMP and measurable goal defined;

4.1.10 The permittee shall inspect any structures that function to prevent pollution of storm water or to remove pollutants from storm water and the facility in general to ensure that all BMPs are continually implemented and effective, and a monitoring schedule shall be specified in the SWMP document;

4.1.11 The SWMP document shall include interim milestones, measurable goals, an implementation schedule and measures for success; and

4.1.12 The permittee shall develop and fully implement each minimum control measure within five (5) years of receipt of its first MS4 permit. At each reissuance of this MS4 permit, the permittee shall comply with new or revised standards as soon as practicable, but no later than 5 years from the date of reissuance.

4.2 <u>Minimum Control Measures</u>

The six (6) minimum control measures that shall be included in the permittee's SWMP document are:

4.2.1 **Public Education and Outreach on Storm Water Impacts**

4.2.1.1 *Permit requirement.* The permittee shall implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and steps the public can take to reduce pollutants in storm water runoff. As part of the SWMP, the public education and outreach program shall include the following information, at a minimum:

4.2.1.1.1 The target pollutant sources the permittee's public education program is designed to address;

4.2.1.1.2 Identification of target audiences for the permittee's education program who are likely to have significant storm water impacts (including commercial, industrial and institutional entities);

4.2.1.1.3 A plan to inform individuals and households about steps they can take to reduce storm water pollution;

4.2.1.1.4 A plan to inform individuals and groups on how to become involved in the SWMP (with activities such as local stream and lake restoration activities);

4.2.1.1.5 The permittee's outreach strategy, including the mechanisms (e.g., printed brochures, newspapers, media, workshops, etc.) to reach target audiences, and how many people expected to be reached over the permit term; and

4.2.1.1.6 A plan to evaluate the success of this minimum control measure.

4.2.2 **Public Involvement/Participation**

4.2.2.1 *Permit requirement.* The permittee shall implement a public involvement/participation program that complies with State and local public notice requirements, and involve the public in the development and oversight of the SWMP , policies and procedures. As part of the SWMP document, the public involvement/participation program shall include the following information, at a minimum:

4.2.2.1.1 How the permittee has involved the public in the development and submittal of the application and SWMP document;

4.2.2.1.2 The target audiences for the permittee's public involvement program, including a description of the types of ethnic and economic groups engaged. The permittee is encouraged to actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and educational organizations, among others; and

4.2.2.1.3 The types of public involvement activities included in the permittee's program. Where appropriate, the permittee must consider the following types of public involvement activities:

4.2.2.1.3.1 Citizen representatives on a storm water management panel;

4.2.2.1.3.2 Public hearings;

4.2.2.1.3.3 Working with citizen volunteers willing to educate others about the program; and

4.2.2.1.3.4 Volunteer monitoring or stream/lake clean-up activities.

4.2.2.1.4 The permittee's plan to actively involve the public in the development and implementation of their program; and

4.2.2.1.5 The method for evaluating success of this minimum control measure.

4.2.3 **Illicit Discharge Detection and Elimination**

4.2.3.1 *Permit requirement. The permittee* shall develop, implement and enforce a program to detect and eliminate illicit discharges (as defined in 10 CSR 20-6.200) into the permittee's regulated small MS4. As part of the SWMP document, the permittee's illicit discharge detection and elimination program shall include the development and implementation of, at a minimum;

4.2.3.1.1 A storm sewer map showing the location of all outfalls and the names and location of all receiving waters of the state that receive discharges from those outfalls. The permittee shall describe the sources of information used for the map(s), and how the permittee plans to verify the outfall locations with field surveys. If already completed, the permittee shall describe how the map was developed and how the map will be regularly updated. The permittee shall make the map information available to the department upon request;

4.2.3.1.2 To the extent allowable under State, or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions. The permittee shall identify the mechanism (ordinance or other regulatory mechanism) the permittee will use to effectively prohibit illicit discharges into the MS4. If the permittee needs to develop this mechanism, describe the permittee's plan and implementation schedule. If the permittee's ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with the permittee's program; and

4.2.3.1.3 A plan and implementation schedule to detect and address non-storm water discharges, including discharges from illegal dumping and spills, to the permittee's system. The permittee's plan shall include dry weather field screening for non-storm water flows and field tests of selected chemical parameters as indicators of discharge sources. The plan shall also address on-site sewage disposal systems that flow into the permittee's storm drainage system. The permittee's description shall address the following, at a minimum:

4.2.3.1.3.1 Procedures for locating priority areas which include areas with higher likelihood of illicit connections (e.g., areas with older sanitary sewer lines, for example) or ambient sampling to locate impacted reaches;

4.4.3.1.3.2 Procedures for tracing the source of an illicit discharge, including the specific techniques the permittee will use to detect the location of the source;

4.2.3.1.3.3 Procedures for removing the source of the illicit discharge;

4.2.3.1.3.4 A plan to ensure through appropriate enforcement procedures, including fines, and actions that the permittee's illicit discharge ordinance (or other regulatory mechanism) is implemented;

4.2.3.1.3.5 A plan to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. The permittee shall describe how this plan will coordinate with their public education minimum measure and the pollution prevention/good housekeeping minimum measure programs; and

4.2.3.1.3.6 Procedures for program evaluation and assessment of this minimum control measure.

4.2.3.1.4 Address the following categories of non-storm water discharges or flows (i.e., illicit discharges) only if the permittee identifies them as significant contributors of pollutants to the permittee's regulated small MS4: landscape irrigation, rising ground waters, uncontaminated ground water infiltration (as defined in 10 CSR 20-6.200), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, springs, water from crawl space pumps, footing drains, lawn watering, flows from riparian habitats and wetlands, and street wash water (discharges or flows from emergency fire fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are significant sources of pollutants to waters of the state).

4.2.3.1.5 The permittee may also develop a list of other similar occasional incidental non-storm water discharges (e.g. non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-storm water discharges shall not be reasonably expected (based on information available to the permittees) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the permittee has established for allowing these discharges to the permittee's MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, BMPs on the wash water, etc.). The permittee shall document in their SWMP any local controls or conditions placed on the discharges. The permittee shall include a provision prohibiting any individual non-storm water discharge that is determined to be contributing significant amounts of pollutants to the permittee's MS4.

4.2.3.1.6 The permittee should inventory, inspect and have enforcement authority for industries and commercial enterprises within their boundary that may contribute pollutants via storm water to the MS4.

4.2.4 **Construction Site Storm Water Runoff Control**

4.2.4.1 *Permit requirement.* The permittee shall develop, implement, and enforce a program to reduce pollutants in any storm water runoff to their regulated small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre shall be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. As part of the SWMP, the permittee's construction site storm water runoff control program shall include the development and implementation of, at a minimum:

4.2.4.1.1 An ordinance or other regulatory mechanism:

4.2.4.1.1.1 To require operators to implement erosion and sediment control BMPs at construction sites;

4.2.4.1.1.2 To include sanctions to ensure compliance, to the extent allowable under State or local law; and

4.2.4.1.1.3 If the permittee needs to develop this mechanism, the permittee shall describe the plan and scheduled implementation. If the permittee's ordinance or regulatory mechanism is already developed, the permittee shall include a copy of the relevant sections with the permittee's SWMP.

4.2.4.1.2 Requirements for construction site operators to control construction-site waste that may cause adverse impacts to water quality, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste;

4.2.4.1.3 Procedures for the permittee to consider and review all pre-construction site plans for potential water quality impacts.

4.2.4.1.4 Procedures for the permittee to receive and consider information submitted by the public, including coordination with the permittee's public education program;

4.2.4.1.5 Procedures for the permittee to inspect sites and enforce control measures, including prioritization of site inspections;

4.2.4.1.6 A plan to ensure compliance with the permittee's erosion and sediment control regulatory mechanism, including the sanctions and enforcement mechanisms the permittee will use to ensure compliance and procedures for when certain sanctions will be used. Possible sanctions include non-monetary penalties (such a stop work orders), fines, bonding requirements, and/or permit denials for non-compliance; and

4.2.4.1.7 A description of how the permittee will evaluate the success of this minimum control measure.

4.2.5 **Post-Construction Storm Water Management in New Development and Redevelopment**

4.2.5.1 *Permit requirement.* The permittee shall develop, implement, and enforce a program to address the quality of long-term storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the permittee's regulated small MS4. The permittee's program shall ensure that controls are in place that have been designed and implemented to prevent or minimize water quality impacts by reasonably mimicking pre-construction runoff conditions on all affected new development projects and by effectively utilizing water quality strategies and technologies on all affected redevelopment projects, to the maximum extent practicable. The permittee shall assess site characteristics at the beginning of the construction design phase to ensure adequate planning for storm water program compliance. The purpose for this approach is to arrive at designs and practices that provide for most effective water quality treatment through infiltration, flow rates and similar site-design opportunities. As part of the SWMP document, the post-construction runoff control program shall include the following information, at a minimum:

4.2.5.1.1 A strategy to minimize water quality impacts, by reasonably mimicking pre-construction runoff conditions in affected new development and incorporating water quality protection in affected redevelopment projects to the maximum extent practicable, and include a combination of structural and/or non-structural BMPs appropriate for the permittee's community;

4.2.5.1.2 An ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State, or local law. If the permittee needs to develop a mechanism, the permittee shall describe the plan and a schedule for implementation. If the permittee's ordinance or regulatory mechanism is already developed, the permittee shall include a copy of the relevant sections with the SWMP document;

4.2.5.1.3 A plan to ensure adequate long-term operation and maintenance of selected BMPs, including types of agreements between the permittee and other parties such as the post-development landowners or regional authorities;

4.2.5.1.4 Specific priority areas for this program; and

4.2.5.1.5 Any non-structural BMPs in the permittee's program, including, as appropriate:

4.2.5.1.5.1 Policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation;

4.2.5.1.5.2 Policies or ordinances that encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure, and redevelopment of Brownfield sites or grayfields which may include abandoned malls or similar properties;

4.2.5.1.5.3 Education programs for developers and the public about project designs that minimize water quality impacts; and

4.2.5.1.5.4 Other measures such as minimization of the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, site designs that provide for integration of a variety of infiltration practices and source control measures often thought of as good housekeeping, preventive maintenance and spill prevention.

4.2.5.1.6 Any structural BMPs in the permittee's program, including, as appropriate:

4.2.5.1.6.1 Practices that provide infiltration, evapotranspiration or re-use such as grassed swales, bioretention cells, cisterns and green roofs; and

4.2.5.1.6.2 Redevelopment practices such as planter boxes, street retrofits, parking-lot infiltration and green roofs.

4.2.5.1.7 How the permittee will evaluate the success of this minimum measure.

4.2.6 **Pollution Prevention/Good Housekeeping for Municipal Operations**

4.2.6.1 *Permit requirement.* The permittee shall develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. As part of the SWMP, the pollution prevention/good housekeeping program shall include the following information, at a minimum:

4.2.6.1.1 A list of all municipal operations that are impacted by this operation and maintenance program. The permittee shall also include a list of industrial facilities the permittee owns or operates that are subject to NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge to the permittee's MS4. The permittee shall include the permit number or a copy of the industrial application form for each facility;

4.2.6.1.2 Maintenance BMPs, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the permittee's regulated small MS4;

4.2.6.1.3 Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand storage locations and snow disposal areas the permittee operates;

4.2.6.1.4 Controls described in Sections 4.1.5 through 4.1.8 of this permit;

4.2.6.1.5 Procedures for the proper disposal of waste removed from the permittee's MS4 and area of jurisdiction, including dredged material, accumulated sediments, floatables, and other debris;

4.2.6.1.6 Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices;

4.2.6.1.7 A government employee training program to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance. The permittee shall describe any existing, available materials the permittee plans to use such as those available from EPA, State or other organizations. The permittee shall describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum measure; and

4.2.6.1.8 How the permittee will evaluate the success of this minimum control measure.

4.3 Sharing Responsibility

Implementation of one or more of the minimum measures may be shared with another entity, or another entity assume responsibility for the measure if:

4.3.1 The other entity, in fact, implements the control measure;

4.3.2 The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; and

4.3.3 The other entity agrees to implement the control measure on permittee's behalf. Written acceptance of this obligation is required. This obligation shall be maintained as part of the documented description of the permittee's storm water management program. If the other entity agrees to report on the minimum measure, the permittee shall supply the other entity with the reporting requirements contained in Section 5.3 of this permit. If the other entity fails to implement the control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement.

4.4 Reviewing and Updating Storm Water Management Programs and Plans

4.4.1 *Storm Water Management Program and Written Plan (SWMP) Review:* The permittee shall do an annual review of the permittee's SWMP in conjunction with preparation of the annual report required under Section 5.3; and

4.4.2 *SWMP Update:* The permittee may change the SWMP during the life of the permit in accordance with the following procedures:

4.4.2.1 Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to the department; and

4.4.2.2 Changes replacing an ineffective or unfeasible BMP specifically identified in the SWMP with an alternate BMP may be requested at any time. Unless denied by the department, changes proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If request is denied, the department will send the permittee a written response giving a reason for the decision. The permittee's modification requests shall include the following:

4.4.2.2.1 An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);

4.4.2.2.2 Expectations on the effectiveness of the replacement BMP; and

4.4.2.2.3 An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

4.4.2.3 Change requests or notifications must be made in writing and signed in accordance with Section 6.

4.4.3 *SWMP Updates Required by the Department*: Changes requested by the department must be made in writing, set forth the time schedule for the permittee to develop the changes, and offer the permittee the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by the department will be made in accordance with 10 CSR 20-6.200. The department may require changes to the SWMP as needed to:

4.4.3.1 Address impacts on receiving water quality caused or affected by discharges from the Municipal Separate Storm Sewer System;

4.4.3.2 Include more stringent requirements necessary to comply with new federal or state statutory or regulatory requirements; or

4.4.3.3 Include such other conditions deemed necessary by the department to comply with the goals and requirements of the Missouri Clean Water Law.

4.4.4 *Transfer of Ownership, Continuing Authority, or Responsibility for SWMP Implementation:* The permittee shall implement the SWMP on all new areas added to the permittee's portion of the municipal separate storm sewer system (or for which the permittee becomes responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

4.4.4.1 Within 90 days of a transfer of ownership, continuing authority, or responsibility for SWMP implementation, the permittee shall submit a revised plan, if necessary, for implementing the revised SWMP on all affected areas. The plan shall include revised schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP shall be included in the annual report.

4.4.4.2 Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of 10 CSR 20-6.200. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.

5. Monitoring, Recordkeeping, and Reporting

5.1 Monitoring

5.1.1 The permittee shall evaluate program compliance, the appropriateness of identified best management practices, and progress toward achieving identified measurable goals. If the permittee discharges to a water for which a TMDL has been approved, the permittee will likely have additional monitoring requirements under Section 3.1.3.6.

5.1.2 When the permittee conducts monitoring at the permittee's regulated small MS4, the permittee is required to comply with the following:

5.1.2.1 *Representative monitoring.* Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity;

5.1.2.2 *Test Procedures.* Monitoring shall be conducted according to test procedures approved under 10 CSR 20-7.015(9)(A).

5.1.3 Records of monitoring information shall include:

5.1.3.1 The date, exact place, and time of sampling or measurements;

5.1.3.2 The names(s) of the individual(s) who performed the sampling or measurements;

5.1.3.3 The date(s) analyses were performed;

5.1.3.4 The names of the individuals who performed the analyses;

5.1.3.5 The analytical techniques or methods used; and

5.1.3.6 The results of such analyses.

5.1.4 *Discharge Monitoring Report.* TMDL monitoring results shall be reported to the department on a Discharge Monitoring Report form (DMR). Monitoring results collected as part of the routine illicit discharge detection and elimination program shall be documented, retained on site and made available upon request by EPA, DNR and the public.

5.2 Recordkeeping

5.2.1 The permittee shall retain records of all activities requiring recordkeeping by the SWMP and monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of Discharge Monitoring Reports (DMRs), a copy of the NPDES permit, a copy of all ordinances, policies and formal procedures for all six minimum control measures and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer; and

5.2.2 The permittee shall submit the permittee's records to the department only when specifically asked to do so. The permittee shall retain a written description of the SWMP required by this permit (including a copy of the permit language) at a location accessible to the department. The permittee shall make the permittee's records, including the application and the description of the SWMP, available to the public if requested to do so in writing.

5.3 Reporting

The permittee shall submit annual reports, using the annual report form provided by the department, to the Director by July 28 of each year of the permit term. The report shall include:

5.3.1 The status of the permittee's compliance with permit conditions, an assessment of the appropriateness of the identified best management practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and the measurable goals for each of the minimum control measures;

5.3.2 Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;

5.3.3 A summary of the storm water activities the permittee plans to undertake during the next reporting cycle (including an implementation schedule);

5.3.4 Proposed changes to the permittee's SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements; and

5.3.5 Notice that the permittee is relying on another government entity to satisfy some of the permittee's permit obligations (if applicable).

6. Standard Permit Conditions

This permit includes Standard Permit Conditions attached as Part 1 to this permit.

7. Definitions

All definitions contained in 10 CSR 20-6.200 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the regulation takes precedence.

Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

Director refers to the Director of Staff, Water Protection Program, Department of Natural Resources.

Discharge when used without a qualifier, refers to "discharge of a pollutant" as defined at 40 CFR 122.2.

Illicit Connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from emergency fire fighting activities.

Maximum Extent Practicable refers to the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA §402(p). A discussion of how it applies to regulated small MS4s is found at 40 CFR 122.34.

MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to either a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Springfield MS4").

Permittee, as used in this permit refers to the holder of this general permit.

Site-specific permit, also means individual permit.

Storm Water, means storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Management Program and Plan (SWMP) refers to a comprehensive documented program and plan to manage the quality of storm water discharged from the municipal separate storm sewer system.

Missouri Department of Natural Resources
Fact Sheet – Master General Permit Renewal for Small MS4s

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. Permits in Missouri 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). NPDES operating permits are issued for a period of five (5) years unless otherwise specified.

A Fact Sheet gives pertinent information regarding the applicable regulations, rational for the development of the NPDES Missouri State Operating Permit (operating permit), and the public participation process for operating permit listed below.

A Fact Sheet is not an enforceable part of an operating permit.

This Fact Sheet is for a Major ☐, Minor ☐, Industrial Facility ☐; Variance ☐;
Master General Permit ☒; and/or permit with widespread public interest ☐.

Part I - Facility Information

The following Facility Information shall appear on the coverage document issued to a General Permit Covered Facility.

NPDES #:
Facility Name:
Facility Address:
Owner's Name:
Owner's Address:

Facility Region:
Facility County:

Facility Type:
Facility SIC Code: 9511
Facility NAICS Code: 924110

Facility Description: Discharges from Regulated Small Municipal Separate Storm Sewer Systems

Comments:

Part II - Outfalls

It is adequate to submit a representative subset of outfall information with the application. Specifically, outfalls needed for the application should be representative of discharges nearest the MS4's jurisdictional boundaries or nearest the receiving classified waters running through the MS4's jurisdiction. The more comprehensive outfall information and maps required for the MS4's illicit discharge program shall be retained on site and made available to EPA, DNR and the public upon request.

A full description of the representative outfalls in the application shall appear on the coverage document issued to a General Permit Covered Facility. The following information is required for each outfall.

Outfall #001
Legal Description: ¼, ¼, Section, Township, Range, Direction
Latitude/Longitude: +0000000/-0000000 (Degrees, Minutes, Seconds)
Receiving Stream: Name & Classification
First Classified Stream and ID: Name, Class, Water Body ID – currently provided by the Department
USGS Basin & Sub-watershed No.: (# - #) [14 digit USGS Hydrologic Unit Code (HUC)]

This permit allows regulated MS4s to discharge storm water to the following waters, depending on location of the regulated MS4.

Missouri or Mississippi River, lakes or reservoirs, losing streams, metropolitan no-discharge waters, special streams, subsurface waters and other waters of the state.

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."

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

INTRODUCTION:
This is a municipal storm water discharge permit which authorizes the discharge of storm water from regulated small municipal separate storm sewer systems (MS4s). The permit also authorizes the discharges or flows from emergency fire fighting activities. The permit does **not** authorize any additional non-storm water discharges, such as: process wastewater, storm water discharges that are mixed with process wastewater, or storm water associated with industrial activity, as defined in 10 CSR 20-6.200 or other discharges identified in Section 1.3 of the permit.

The permit is intended to authorize discharge of storm water even as jurisdictional boundaries change through the life of the permit. This rationale will explain which entities are covered under this permit, how to apply for coverage, and what the basic permit requirements are, including the general requirement of a storm water management program and written plan (SWMP.)

This permit authorizes only the activities described in this permit. Compliance with this permit may not be considered a shield from compliance with any local ordinance, State Regulation or State Law.

TYPES OF ENTITIES COVERED UNDER THIS PERMIT:
This permit is intended to cover new or existing discharges composed entirely of storm water from small MS4s required by State regulation to obtain a permit. This permit is not intended to cover the discharge of storm water from MS4s that have been designated by the department as requiring coverage under an alternative general permit or a site-specific permit.

The criteria for permit coverage are contained in the Missouri Storm Water Regulations 10 CSR 20-6.200. In general, this includes any municipality, and federal or state facility/organization that owns or operates a regulated small MS4 as defined in 10 CSR 20-6.200 (i.e. serving a population of 1,000 or greater and located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or having a population of 10,000 or greater if outside an urbanized area.) MS4s discharging entirely to combined sewer systems are exempt based on their coverage under NPDES wastewater permits.

APPLICATION REQUIREMENTS:
The regulated small MS4 is required to seek coverage under the Small MS4 General Permit or a site-specific permit by submitting completed application forms (Forms M & K if an individual applicant or Forms M & L if applying as a co-permittee), a jurisdictional boundary map showing perimeter outfall locations and a written description of the operator's SWMP. Note: If the small MS4 is seeking renewal of the revised general permit, they may submit the updated SWMP document separately up to 90 days following public notice of the general permit. Note: Form M is currently being revised to include additional information for site-specific small MS4s. (The regulated medium or large MS4 must submit new or renewal applications according to requirements identified in 10 CSR 20-6.200.) MS4 operators that become subject to 10 CSR 20-6.200 following the 2010 census shall submit permit applications within 180 days following census publication. MS4 operators specially designated by the department shall submit permit applications within 180 days following notice by the department.

STORM WATER MANAGEMENT PROGRAM (SWMP):
A docuemented and implementable plan to schedule activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state.

This permit in accordance with 10 CSR 20-6.200 and 40 CFR Parts 9, 122, 123, and 124, requires the permittee to develop and implement a SWMP. The SWMP shall address the six minimum control measures - public education and outreach, public involvement/participation process, illicit discharge detection and elimination, construction site storm water runoff control, post-construction storm water management and pollution prevention/good housekeeping for municipal operations. The SWMP shall include, but not limited to, best management practices, pertinent local regulations, interim milestones, measurable goals, measures of success and responsible persons for each of the measurable goals.

ORDINANCES:
To the extent allowable under State or local law, ordinances (or other regulatory mechanisms) are required to be developed, implemented and enforced within five years of initial permit issuance under the following sections:

1. Illicit discharge detection and elimination – to prohibit non-storm water discharges into the storm sewer system, and implement appropriate enforcement procedures and actions
2. Construction site storm water runoff control – to require erosion and sediment controls at construction sites, as well as sanctions to ensure compliance

3. Post-construction – to address post-construction runoff from new development and redevelopment projects, and sanctions to ensure compliance

SWMP UPDATES REQUIRED BY THE DEPARTMENT:
Changes requested by the department must be made in writing, set forth the time schedule for the permittee to develop the changes, and offer the permittee the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by the department will be made in accordance with 10 CSR 20-6.200. The department may require changes to the SWMP as needed to: include components deemed necessary by the department to comply with the goals and requirements of the permit and Missouri Clean Water Law; address impacts on receiving water quality caused or affected by discharges from the MS4; or include more stringent requirements necessary to comply with new federal or state statutory or regulatory requirements.

The permittee may also change the SWMP during the life of the permit in accordance with procedures described in Section 4.4 of the permit.

ANNUAL REPORTING:
The permittee is expected to annually review and provide a written report on their SWMP in accordance with Sections 4.4 and 5.3 of the permit. The permittee shall submit the report by July 28 of each year utilizing the department's annual report form MO 78-1846 or latest version.

MONITORING:
Sampling and testing of storm water for specific parameters is not required on a routine basis under this permit. However, the department reserves the right to require sampling and testing, on a case-by-case basis. As per [10 CSR 20-2.010(78)], a wasteload allocation is the amount of pollutants each discharger is allowed by the department to release into a given stream after the department has determined to total amount of pollutant that may be discharged into that stream without endangering its water quality.

Usually wasteload allocations are not calculated. All permittees are subject to the Maximum Extent Practicable per [10 CSR 20-6.200] & [40 CFR 122]. However, if a storm water-based TMDL and WLA have been put into place for any waterbody into which the permittee discharges, monitoring may be required for discharges affecting that waterbed. Regulated MS4s must have procedures in place to investigate findings of illicit discharges further, also potentially resulting in monitoring. In such cases, the permittee shall follow regulations in 10 CSR 20 Chapter 6 and monitoring requirements set forth in the permit.

303(d) LIST, TOTAL MAXIMUM DAILY LOAD (TMDL) AND WASTELOAD ALLOCATIONS
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.

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation

PERMIT REQUIREMENTS:
The permit includes additional requirements that apply if a Total Maximum Daily Load (TMDL) has been approved for any waterbody into which the permittee discharges (Section 3.1. of the permit). In general, these requirements do not, in themselves, dictate additional measures that must be taken by the permittee. Instead, the permit requires the permittee to comply with any requirements included in a TMDL that address storm water discharges covered in the permit. New requirements affecting the permittee's discharges could be in the form of additional narrative requirements for implementation of BMPs, or in the form of a Waste Load Allocation (WLA) that prescribes a specific quantitative limit for pollution from a specific source.

The permittee may maintain coverage under the general permit provided they comply with the applicable requirements outlined above. The Department reserves the right to require site-specific or alternate general permit coverage.

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

All limits, requirements, and/or conditions in this Fact Sheet are at least as protective as those previously established; therefore, backsliding does not apply.

ANTIDEGRADATION:
Policies which ensure protection of water quality for a particular water body where the water quality exceeds levels necessary to protect fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as outstanding natural resource waters. Antidegradation plans are adopted by each State to minimize adverse effects on water.

As per [10 CSR 20-7.031(2)(D)], the three (3) levels of protection provided by the antidegradation policy in subsections (A), (B), and (C) of this section shall be implemented according to procedures developed by the department. On April 20, 2007, the Missouri Clean Water Commission approved *Missouri Antidegradation Rule and Implementation Procedure* (Antidegradation Rule), which is applicable to new or upgraded/expanded facilities. The implementation of the Antidegradation Rule will be implemented upon promulgation, which is tentatively scheduled for August 2008.

COMPLIANCE AND ENFORCEMENT:
Action taken by the department to resolve violations of the Missouri Clean Water Law, its implementing regulations, and/or any terms and condition of an operating permit.

Dischargers of storm water from regulated small MS4s, as defined in the Missouri Storm Water Regulations (10 CSR 20-6.200) who do not obtain coverage under this or other Missouri general permits, or under a site-specific NPDES permit, will be in violation of the Missouri Clean Water Law and its implementing regulations and subject to civil penalties of up to $10,000 per violation per day. For entities covered under a NPDES permit, failure to comply with any NPDES permit requirement also constitutes a violation of the Missouri Clean Water Law and its implementing regulations.

Part IV - Administrative Requirements

PUBLIC NOTICE AND COVERAGE FOR AN INDIVIDUAL ENTITY:
As per the Missouri Clean Water Law, the Missouri Clean Water Commission, and the federal Clean Water Act, persons wishing to comment on Missouri State Operating Permits are directed to do so by a department-approved Public Notice coversheet. This Public Notice coversheet is attached to a Missouri State Operating Permit during the Public Notice period.

The need for an individual public notification process shall be determined and identified in the general permit. [10 CSR 20-6.020(1)(C)5.]

Applicable ☒;
Issuance of coverage to an individual facility under this Master General Permit shall be placed on Public Notice for 30 days in accordance with 10 CSR 20-6.020(1)(B) & (C).

Not Applicable ☐;
Public Notice is not required for issuance of coverage under this Master General Permit to individual facilities for the first time.

The Public Notice period for this operating permit is tentatively schedule to begin on January 11, 2008.

Date of Fact Sheet: March 20, 2008

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