UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

June 16, 2005

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

Dear Mr. Galbraith:

RE: Permit Limits in Lieu of a TMDL for Stockton Branch

This letter responds to the submission from the Missouri Department of Natural Resources (MDNR), dated May 11, 2005, regarding Stockton Branch, which was listed as impaired on Missouri's 1998 §303(d) list. In this submission, MDNR proposed to correct the impairment with National Pollutant Discharge Elimination System (NPDES) permit limits in lieu of a Total Maximum Daily Load (TMDL). The following water body segment was proposed to be corrected through permit limits:

Water Body	WBID	Impairment	Source	Permit #	Year added to list
Stockton Branch	1361	Volatile Suspended Solids (VSS)	Stockton Wastewater Treatment Plant (WWTP)	MO-0055280	1998

Waters require TMDLs when certain pollution control requirements are not stringent enough to implement water quality standards for such waters. To exempt an impaired water from the TMDL process, the pollution control requirements cited in the regulation under 130.7(b)(i), (ii), and (iii) must be established and enforced by federal, state, or local laws or regulations, and be stringent enough that, when applied, the receiving water will meet water quality standards. Furthermore, it may be concluded that where federal regulations at 40 CFR 130.7(b)(ii) provide that "[m]ore stringent effluent limitations (including prohibitions) required by either state or local authority preserved by section 510 of the Act, or federal authority (law, regulation, or treaty)" are stringent enough to implement water quality standards, a TMDL is not required.

RECYCLE
PAPER CONTAINS RECYCLED FIBERS

In regard to Stockton Branch, the Environmental Protection Agency (EPA) has completed its review of this submission, and other previously submitted information supporting this permit in lieu of a TMDL, and concurs that a TMDL is not required for this impaired water body because the impairment is being addressed through more stringent NPDES permit limits as per 40 CFR 130.7(b)(ii).

The Stockton WWTP has been identified as the sole source for the VSS as a result of surface water monitoring directly above and below the WWTP. The NPDES permit issued on March 10, 2005 for the Stockton WWTP includes a compliance schedule to commence by June 1, 2005; final limits which will achieve water quality standards for VSS as identified in Attachment A will be imposed through a re-issued permit, with the conclusion of the compliance schedule, June 1, 2008.

If you have any questions or concerns in regards to this concurrence, please do not hesitate to contact Jack Generaux, TMDL Team Leader, at 913-551-7690, or Ann Lavaty, TMDL Team, at 913-551-7370.

Sincerely,

Leo J. Alderman
Director
Water, Wetlands, and Pesticides Division

cc: Ann Crawford, TMDL Chief, Missouri Department of Natural Resources, Jefferson City, MO
Scott B. Totten, Director, WPSCD, Missouri Department of Natural Resources, Jefferson City, MO

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-0055280
Owner:	City of Stockton
Address:	P.O. Box 590, Stockton, MO 65785
Continuing Authority:	Same as above
Address:	Same as above
Facility Name:	Stockton WWTF
Facility Address:	Leo Hopkins Drive, Stockton, MO 65785
Legal Description:	S½, NW¼, Sec. 09, T34N, R26W, Cedar County
Receiving Stream:	Stockton Branch (C) 303(d)
First Classified Stream and ID:	Stockton Branch (C) (01361) 303(d)
USGS Basin & Sub-watershed No.:	(10290106-130002)

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

FACILITY DESCRIPTION
Outfall #001 - POTW - SIC #4952

Two cell lagoon with post aeration / sludge retained in the lagoon.
Design population equivalent is 2,600.
Design flow is 260,000 gallons per day.
Design sludge production is 39 dry tons/year.

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.

March 22, 2002 — March 10, 2005
Effective Date — (Revised)

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

March 21, 2007
Expiration Date

R. Bruce Martin, Director, Southwest Regional Office

MO 780-0041 (10-93)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The interim 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	INTERIM EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Outfall #001						
Flow	MGD	*		*	once/month***	24 hr. estimate
Biochemical Oxygen Demand$_5$**	mg/L		45	30	once/month***	grab
Total Suspended Solids**	mg/L		80	60	once/month***	grab
pH – Units	SU	****		****	once/month***	grab
Total Phosphorus as P	mg/L	*		*	once/month***	grab

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE _____. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

* Monitoring requirement only.

** This facility is required to provide a 30-day average percent removal of at least 65%.

*** Reports shall be submitted by the 28th day of the month following the reporting period, e.g. Reporting period is the month of March (samples collected monthly or weekly), report due by April 28th.

**** pH is measured in pH units and is not to be averaged. The pH is to be maintained at or above 6.0 pH units.

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:

   (a) Comply with any applicable effluent standard or limitation issued or approved under 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:

      (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

      (2) controls any pollutant not limited in the permit.

   (b) 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.

   (c) 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.

2. All outfalls must be clearly marked in the field.

3. Permittee will cease discharge by connection to areawide wastewater treatment system within 90 days of notice of its availability.

C. SPECIAL CONDITIONS (continued)

4. Changes in Discharges of Toxic Substances

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

(a) 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:"

(1) One hundred micrograms per liter (100 µg/L);

(2) 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;

(3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;

(4) The level established in Part A of the permit by the Director.

(b) 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.

5. Report as no-discharge when a discharge does not occur during the report period.

6. 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.

C. SPECIAL CONDITIONS (continued)

7. Sludge and Biosolids Use For Domestic Wastewater Treatment Facilities

   (a) Permittee shall comply with the pollutant limitations, monitoring, reporting, and other requirements in accordance with the attached permit Standard Conditions.

   (b) If sludge is not removed by a contract hauler, permittee is authorized to land apply biosolids. Permit Standard Conditions, Part III shall apply to the land application of biosolids. Permittee shall notify the department at least 180 days prior to the planned removal of biosolids. The department may require submittal of a biosolids management plan for department review and approval as determined appropriate on a case-by-case basis.

8. The permittee shall submit a report semi-annually with the Discharge Monitoring Reports (on January 28 and July 28) which addresses measures taken to locate and eliminate sources of inflow and infiltration into the City's collection system.

D. SCHEDULE OF COMPLIANCE

1. By June 1, 2005 – ≈90 days from modified permit issuance submit an engineering report to the department comply with the final effluent limitations as list in Part A of this permit to the Missouri Department of Natural Resources, 2040 West Woodland, Springfield, Missouri, 65807.

2. Within nine (9) months of modified permit issuance submit an update report, focusing on progress related to financing

3. Within fourteen (14) months of modified permit issuance submit a completed application for construction permit, application fee, one copy each of an engineering report, plans and specifications prepared by a professional engineer registered in the State of Missouri, and lagoon closure plans to the Missouri Department of Natural Resources, 2040 West Woodland, Springfield, Missouri, 65807, for providing wastewater treatment facility improvements to comply with the final effluent limitations as listed in Part A of this permit, designed in accordance with Missouri Clean Water Law Regulation 10 CSR 20 Chapter 8.

4. Within fifteen (15) calendar days of receipt of any request for additional information or changes in the engineering report, plans or specifications, respond and if necessary submit engineering modifications to the department.

5. Within 23 months of the modified permit issuance the city will begin construction of the wastewater treatment facility improvements.

6. Within 35 months or the modified permit issuance, the city will complete construction and close the lagoons.

7. Within 36 months of the modified permit issuance, submit a Statement of Work Completed form, signed, sealed, and dated by a professional engineer registered in the State of Missouri certifying that the project has been completed substantially in accordance with the approved plans and specifications. In addition to the Statement of Work Completed, submit an application for a Missouri State Operating Permit modification complete with the appropriate modification fee and documentation that the lagoons have been properly closed to the Missouri Department of Natural Resources, 2040 West Woodland, Springfield, Missouri, 65807.

8. The limits that will be imposed on **June 1, 2008** are included in Attachment A on page 5 of 7.

If you have questions you may contact the Missouri Department of Natural Resources, Southwest Regional Office by calling 417-891-4300 or by mail at 2040 West Woodland, Springfield, Missouri, 65807.

Attachment A. The limits that will go into effect on **June 1, 2008.**

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)	PAGE NUMBER x of x PERMIT NUMBER MO-

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 **June 1, 2008** 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
Outfall #001						
Flow	MGD	*		*	once/week***	24 hr. total
Biochemical Oxygen Demand$_5$**	mg/L	41		21	once/week***	24 hr. comp
Total Suspended Solids**	mg/L	41		21	once/week***	24 hr. comp
pH – Units	SU	****		****	once/week***	grab
Fecal Coliform (Note 1)	#/100 ml	1000		400	once/week***	grab
Total Residual Chlorine as Cl_2)	mg/L	0.016 **(Note 2)** (0.13 ML)		0.0082 **(Note 2)** (0.13 ML)	once/week***	grab
Total Phosphorus as P	mg/L	*		*	once/week***	grab
Ammonia as N (May 1 – October 31) (November 1 – April 30)	mg/L	 1.6 2.7		 0.77 1.4	once/week***	grab
Aluminum	mg/L	0.75		0.37	once/week***	grab
Iron	mg/L	1.6		0.82	once/week***	grab
Dissolved Oxygen (Note 3)	mg/L	*		*	once/week***	grab

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE JULY 28, 2008. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

Attachment A (con't).

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)	PAGE NUMBER x of x PERMIT NUMBER MO-0055280

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 **June 1, 2008** date 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
Outfall #002 - Stormwater						
Flow	MGD	*		*	once/month***	24 hr. estimate
Biochemical Oxygen Demand$_5$	mg/L		45	45	once/month***	grab
Total Suspended Solids	mg/L		45	45	once/month***	grab
pH – Units	SU	****		****	once/month***	grab
Rainfall*****	inches	*		*	once/month***	grab

MONITORING REPORTS SHALL BE SUBMITTED MONTHLY; THE FIRST REPORT IS DUE JULY 28, 2008. 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 Parts I, II & III STANDARD CONDITIONS DATED October 1, 1980 and August 15, 1994, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

* Monitoring requirement only.

** This facility is required to provide a 30-day average percent removal of at least 85%.

*** Reports shall be submitted by the 28th day of the month following the reporting period, e.g. Reporting period is the month of March (samples collected monthly or weekly), report due by April 28th.

**** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.

***** The total precipitation for the event sampled shall be reported.

Note 1 - Final limitations and monitoring requirements for Fecal Coliform are applicable only during the recreational season from April 1 through October 31.

Note 2 - This permit contains a Total Residual Chlorine (TRC) limit.

(a) This effluent limit is below the minimum quantification level (ML) of the most common and practical EPA approved CLTRC methods. The department has determined the current acceptable ML for total residual chlorine to be 0.13 mg/L when using the DPD Colorimetric Method #4500 – CL G. from Standard Methods for the Examination of Waters and Wastewater. The permittee will conduct analyses in accordance with this method, or equivalent, and report actual analytical values. Measured values greater than or equal to the minimum quantification level of 0.13 mg/L will be considered violations of the permit and values less than the minimum quantification level of 0.13 mg/L will be considered to be in compliance with the permit limitation. The minimum quantification level does not authorize the discharge of chlorine in excess of the effluent limits stated in the permit.

Attachment A (con't).

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

Note 2 - Total Residual Chlorine (TRC) (continued)

(b) Disinfection is required year-round unless the permit specifically states that "Final limitations and monitoring requirements for Fecal Coliform are applicable only during the recreational season from April 1 through October 31." If your permit does not require disinfection during the non-recreational months, do not chlorinate in those months.

(c) Do not chemically dechlorinate **if it is not needed to meet the limits in your permit.**

(d) If no chlorine was used in a given sampling period, an actual analysis is not necessary. Simply report as "0 mg/L" TRC.

Note 3 The Dissolved Oxygen for Outfall #001 shall be 5.1 mg/L or higher.