• MEETING MINUTES •

Missouri Department of Natural Resources / ACEC/Missouri Liaison Committee

May 1, 2019 - Jefferson City, MO

On May 1, 2019, ACEC Missouri held their regular Liaison Committee meeting with representatives of the Missouri Department of Natural Resources. The notes below follow the agenda and summarize the key points of discussion from the meeting. In attendance for the meeting:

MDNR:	ACEC/MO:
Michael Abbott	Chris Bergmann
Dave Epema	Chris Burns
Angela Falls	Tom Gredell
Darleen Groner	Steve Hicks
John Jurgensmeyer	Rob Morrison
Kyra Moore	Brian Porter
Chris Nagel	Bruce Wylie
John Rustige	

1. Update on New Organizational Chart – Moore. Division of Energy is moving back from DED with Greg Redmond as Division Director. Will try to find room for the 34 staff at MDNR HQ building. A new Central Region field office will work out of HQ building. Hazardous Waste Program is now called Environmental Remediation Program and includes Waste Management and Environmental Services programs.

2. Future of Corrective Actions? Want to speed up the process and is not just comment letters. Want to communicate steps needed for permittee. Will use lessons learned for other permits. Some of the permits are 20 years old.

3. Clean Water Topics – Falls
    a. Water quality standards – handout. Also, something about PFA's.
    b. Triennial Reviews – handout.
    c. Multi-cell lagoon variances – draft handout not for distribution yet.
    d. Nutrient trading – recent EPA memo encouraging this trading, but not being done in any state currently. Better luck trading Pokemon cards.

4. WOTUS – new draft federal rule. MDNR submitted comments (Abbott). He provided copy after meeting.

5. High Rate Treatment – blending during flooding events. EPA doesn't like blending so working on peak flow rule.

6. Coal Combustion Rules – moving forward on new draft rules as result of SB 917.
    a. Chapter 11 and new Chapter 12.
    b. EPA is being sued in Oklahoma.

c. Industry wants flexibility and use of risk-based approach.
d. EPA is in a 6-month review.
e. Includes utility waste landfills where PE must make sure landfill meets requirements.

7. PSTIF – just added two new Board members – one a small business owner and one an es-sheriff. For LUST seeking reauthorization from EPA. Still have 857 tanks sites to clean up.

8. MDNR having to deal with cleanup of blighted area that will be NGA in St. Louis where will employ 5,000 people. Also, Bannister Federal Complex in KC where demolition phase done.

9. MRBCA – Epema. Trying to deal with vapor intrusion. New rule: will soon start 60-day comment period. Hope to have rulemaking complete in September 2019.

10. FAC-SRF – Groner. Handed out brochure on Water and Wastewater Infrastructure Financing Workshops for June, July, and August. Include CDBG and RD. October will finalize which projects gets loans/grants.

11. Word of the day: TOPOBATHY.

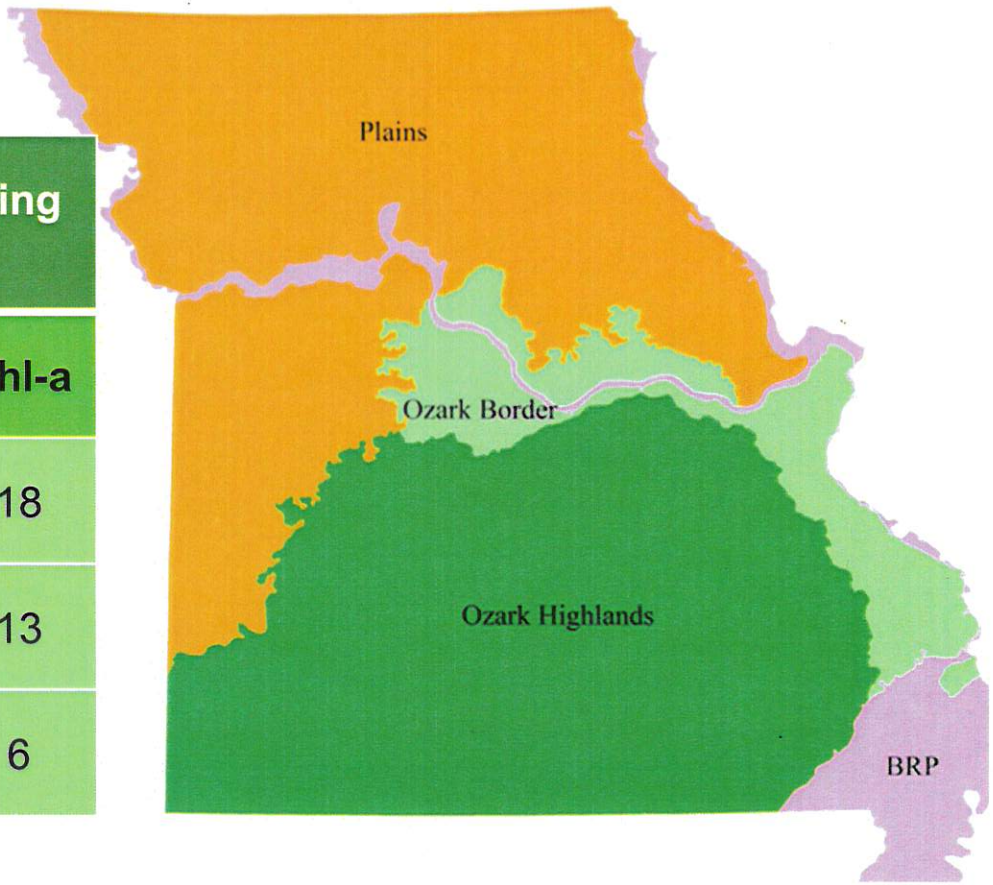
12. The next meeting is scheduled for August 7, 2019 at the ACEC/MO office in Jefferson City.

MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

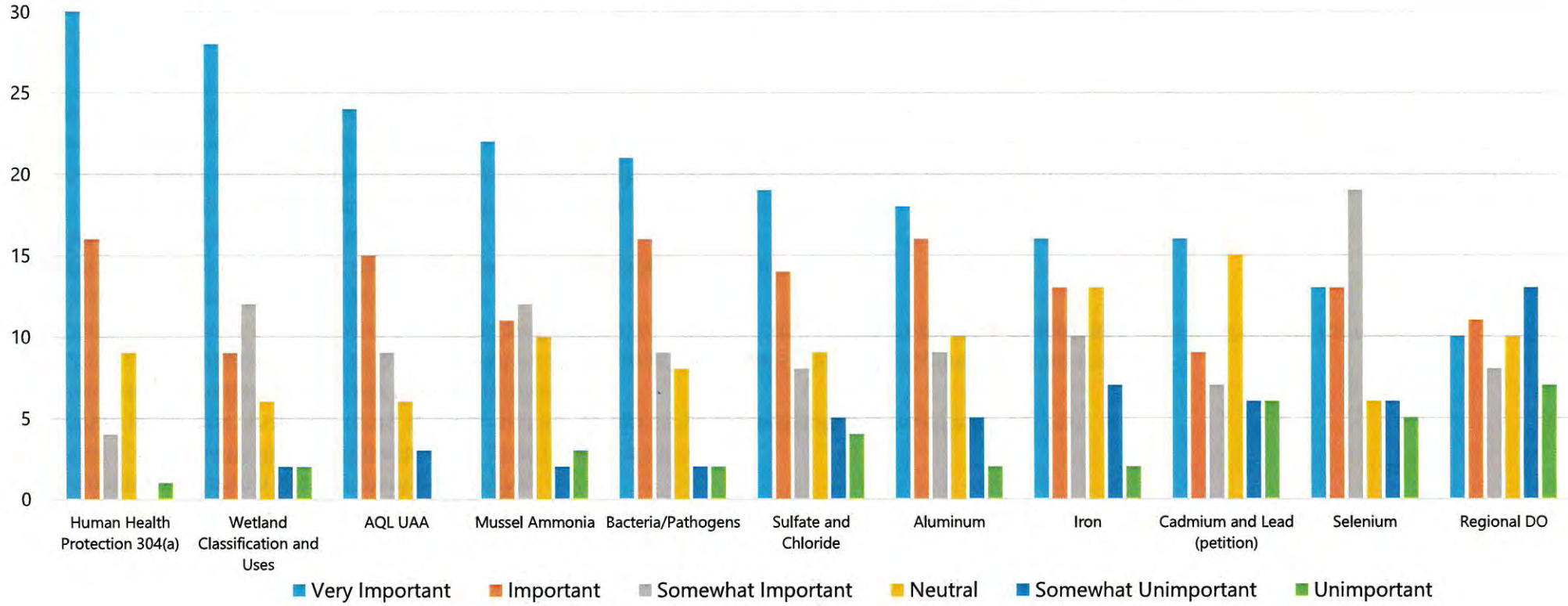
Missouri Numeric Nutrient Criteria for Lakes

Lake Ecoregion Values (µg/L)

Lake Ecoregion	Chl-a Response Impairment Thresholds	Nutrient Screening Thresholds		
		TP	TN	Chl-a
Plains	30	49	843	18
Ozark Border	22	40	733	13
Ozark Highlands	15	16	401	6



Triennial Review Survey Results



Criteria	Very Important	Important	Somewhat Important	Neutral	Somewhat Unimportant	Unimportant	Total #
Human Health Protection 304(a)	32	17	4	9	0	1	63
Wetland Classification and Uses	28	10	12	6	2	2	60
AQL UAA	25	15	9	6	3	0	58
Mussel Ammonia	23	11	12	10	2	3	61
Bacteria/Pathogens	22	16	9	8	2	2	59
Sulfate and Chloride	20	14	8	9	5	4	60
Aluminum	19	16	9	10	5	2	61
Iron	16	14	10	13	7	2	62
Cadmium and Lead (petition)	16	10	7	15	6	6	60
Selenium	13	14	19	6	6	5	63
Regional DO	10	12	8	10	13	7	60

Question 12. Are there additional criteria that you would like to see the department work on?

- Negative impacts of confined animal feeding operations. Protect the residents near these facilities
- CAFOs
- Pollution from septic tank seepage
- Phosphorous, ammonia nutrient standards for waterways near livestock farms/operations
- Large system verses small system criteria
- Regulation streamline. For instance all records kept for a certain period of time instead of 3.5 and 10 years. All levels of certifications the same as opposed to A, B, C and D and I, II and III, etc.
- Revisiting the state dissolved oxygen criterion of 5.0 mg/L. Currently, several bio-criteria reference streams aren't attaining the criterion, indicating the criterion may be inappropriate or inappropriately applied.
- Antibiotic and hormone and bacteria levels are very important to me.
- Implementation of CCC inspections
- Fishable, swimmable, lovable
- Question the science behind the daily max criterion for bacteria in losing streams; strongly prefer monthly and weekly geomeans;
- Need to press EPA to approval pending triennial review (median hardness for metals permitting)
- See Specific Comment #25 (regarding putting the WER into the hardness-dependent metal equations with a default WER of "1") to the Department's response to triennial review comments from December 2017
- As to the potential adoption of human health criteria, we request the opportunity to discuss first with the Department how such criteria will be implemented from a pretreatment perspective
- New contaminants like micro plastics and pharmaceuticals in water.
- What 'quick look' analytical tools, test kits, and litmus test strips are available and reliable for the test
- Release information periodically to keep us informed.
- Stormwater pollutants, such as typical pollutants from pavement sealers, chip seal, roofing, gas stations, etc.
- Conduct review of general permit numbers and distribution, monitor for possible cumulative degradation impacts. Protocol for response.
- Review standards for septic tanks.
- Revise numeric nutrient criteria for lakes to include preemptive measures.
- Develop nutrient standards for streams.
- Consider newly recognized pollutants such as PFAS. Set state standards for PFAS.
- Wetland water quality standards should apply, as indicated in previous DNR forecast for this triennial review. Provide protection requirements for isolated wetlands without direct riparian connection due to importance of upstream water quality and groundwater quality to many Missourians who do not use municipal water sources.

Multiple Discharger Variance
Total Ammonia Nitrogen:
Your Questions Answered

MONTH 2018

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What is the Multiple Discharger Variance?

The Multiple Discharger Variance is a water quality standards variance and a path to improve water quality over time. It allows multiple communities to be covered under one variance from the water quality standards for total ammonia nitrogen. Typical permit limits for ammonia may be replaced with the highest attainable conditions of the current treatment facility during the term of the variance. This provides communities with the time and flexibility to make water quality improvements in a cost-effective manner.

Which communities are eligible?

Eligibility Checklist:

- ✓ The facility is owned by a municipality.
- ✓ The facility has a design flow less than one million gallons per day.
- ✓ The facility is a lagoon.
- ✓ The lagoon is multi-cell.
- ✓ The lagoon is facultative.
- ✓ The lagoon is well-functioning.
- ✓ The community would experience a substantial and widespread social and economic impact if required to comply with permit limits based on the ammonia water quality standards.

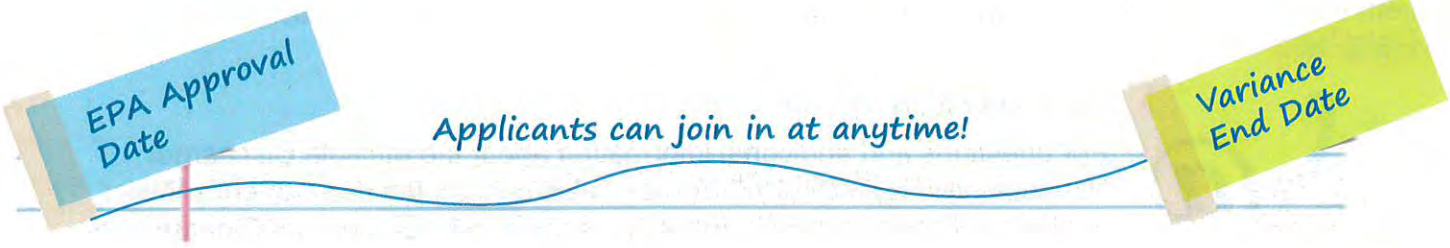
How do I know if a lagoon is "well-functioning"?

Well-functioning lagoons must:

- ✓ Meet equivalent to secondary treatment technology-based effluent limits.
- ✓ Be designed to have no more than 25 percent loss of design detention time.
- ✓ Show no signs of going septic and must not currently be septic.
- ✓ Show no signs of significant scum or solids floating on the surface.
- ✓ Emit no foul odors.
- ✓ Show no objectionable weeds in or around the lagoon pond.

How long does the Multiple Discharger Variance Last?

The term of the variance is **20 years** from the date of EPA's approval on DATE. Regardless of when a community is approved for the variance, it will end on DATE. Multiple Discharger Variance applicability will also be reassessed at each permit renewal during the term of the variance.



How do I show that my community would experience a substantial and widespread social and economic impact?

Three economic analyses must be conducted prior to submitting the Multiple Discharger Variance application:

1. CAFCom

Cost Analysis for Compliance

CAFComs are conducted by permit writers during the permit renewal process. The CAFCom estimates costs and potential financial burden for the following: extended aeration package plant, extended aeration plant, oxidation ditch, sequencing batch reactor, and a no-discharge wastewater irrigation system.

2. WESI

Uses and Variances - Evaluating Substantial and Widespread Economic and Social Impact

The WESI is conducted in a two-step process. It uses a matrix to analyze if compliance with ammonia permit limits will cause a substantial impact.

3. Alternatives Analysis

The Alternatives Analysis estimates the cost of compliance with ammonia permit limits for the following: regionalization, decentralization/conversion to on-site systems, and relocation of the point of discharge to a larger stream with dilution.

What happens if my community qualifies for the Multiple Discharger Variance?

Once your application has been approved, your permit will be revised to remove typical permit limits for ammonia. Those limits will be replaced them with the highest attainable conditions of the current treatment facility. A condition will also be added to your permit requiring compliance with a Pollution Minimization Program.

How does my community apply for the Multiple Discharger Variance?

The Multiple Discharger Variance application can be found here: HYPERLINK. The Missouri Department of Natural Resources staff are stationed in offices throughout the state and can assist your community through the application process.

Find your local regional office online at: dnr. mo.gov/regions.

What is a Pollution Minimization Program?

A Pollution Minimization Program is a structured set of activities to improve processes and pollutant controls that will prevent and reduce pollutant loadings. The goal of the program is to maintain current effluent concentrations of ammonia. Specific requirements of the program can be found online at HYPERLINK.

How can I learn more?

For questions and additional information about the Multiple Discharger Variance, visit HYPERLINK. You can also contact the department's Water Protection Program at 800-361-4827 or 573-751-1300 or mdv@dnr.mo.gov.

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