

December 19, 2025

Mr. Bryon Leamons
5301 Northshore Drive
North Little Rock, AR 72118

RE: WASTEWATER LABORATORY ANALYSIS REPORTING

Dear Mr. Leamons:

Part 2- Monitoring Requirements of the wastewater contribution permit issued to your facility by the city of Springfield Industrial Pretreatment Program indicates the required wastewater sampling frequency for various pollutants necessary to determine compliance with the Federal Pretreatment Rule- 40 CFR 403 and local wastewater pollutant limits. Many industrial users are required to test their process wastewater for various pollutants each calendar month, while some pollutants may require less frequent laboratory testing, such as each calendar quarter or semiannual period. Permits issued to industrial users clearly define the sampling frequency within Part 2 of the permit, however the permit language is currently somewhat vague in identifying the exact reporting period necessary to submit laboratory testing conducted each calendar quarter or semiannually period. Failure to submit laboratory testing data in a quick, timely manner prevents the city from being able to determine prompt permit compliance.

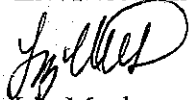
As authorized by 40 CFR 403.12, *Part 3- Reporting Requirements* of all Industrial User permits issued by the city of Springfield are being modified to more clearly identify the reporting period necessary to submit discharge monitoring reports to determine timely regulatory compliance. This modification will now state:

The reports are due on the 28th day of the month following the calendar month the sampling was conducted.

This permit modification should more clearly identify when discharge monitoring reports are due to be submitted necessary to determine timely industrial user compliance and should not cause any of our industrial users any unnecessary or legitimate regulation compliance hardship. If you should have any question concerning this timely reporting compliance matter, please contact your Industrial Pretreatment Program inspector or this office at (417) 864-1490.

Sincerely,

**CITY OF SPRINGFIELD
ENVIRONMENTAL SERVICES**



Liz Mack
Senior Environmental Compliance Specialist

Clean Water Operations
755 N Franklin Ave. • Springfield, Missouri 65802-4121
(417) 864-1544 • www.springfieldmo.gov



**CITY OF
Springfield
ENVIRONMENTAL
SERVICES**



WASTEWATER CONTRIBUTION PERMIT

Permit No. # 593

In accordance with the provisions of Chapter 120 of the Springfield City Code,

NABORS LANDFILL
1320 LANDFILL ROAD
MOUNTAIN HOME, AR 72653

is hereby authorized to discharge industrial pretreatment wastewater from the above identified facility and through the outfalls identified herein to the City of Springfield Southwest Wastewater Treatment Plant in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the Permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of Springfield sewer use ordinance. This permit shall become effective on September 12, 2025, and shall expire at midnight on September 12, 2028.

If the Permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Chapter 120-200, a minimum of 90 days prior to the expiration date.

PART 1 - EFFLUENT LIMITATIONS

A. During the effective period of this permit, the Permittee is authorized to discharge wastewater regulated by to the City of Springfield sewer system from the outfall listed below.

<u>Outfall</u>	<u>Description</u>
001	Landfill Leachate

B. During the effective dates of this permit, the discharge from these outfalls shall not exceed the following effluent limitations.

OUTFALLS 001

<u>Parameter</u>	<u>Daily Maximum (mg/L)</u>
Flow	-----
Arsenic, T	0.51
Cadmium, T	0.13
Chromium, T	2.91
Copper, T	2.44
Cyanide, T	0.33
Lead, T	0.53
Mercury, T	0.02
Nickel, T	5.79
Zinc, T	6.54
Oil & Grease (A/V)	100
Ammonia Nitrogen	Monitoring Requirement Only
Phosphorus, T	Monitoring Requirement Only
pH	12.5 (maximum) 5.0 (minimum)
Flashpoint	>140°F

C. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in Article III of Chapter 120, 40 CFR 403, and any other applicable State and Federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

PART 2 - MONITORING REQUIREMENTS

A. During the effective period of this permit, the Permittee shall monitor the following outfalls for the following parameters, at the indicated frequency:

OUTFALL 001

<u>Sample Parameter (units)</u>	<u>Measurement Location</u>	<u>Frequency*</u>	<u>Sample Type</u>
Flow (gpd)		Continuous ²	
Arsenic, T	See Note ¹	1/ Semiannual	Grab
Cadmium, T	See Note ¹	1/ Semiannual	Grab
Copper, T	See Note ¹	1/ Semiannual	Grab
Chromium, T	See Note ¹	1/ Semiannual	Grab
Cyanide T	See Note ¹	1/ Semiannual	Grab
Lead, T	See Note ¹	1/ Semiannual	Grab
Mercury, T	See Note ¹	1/ Semiannual	Grab
Nickel, T	See Note ¹	1/ Semiannual	Grab
Zinc, T	See Note ¹	1/ Semiannual	Grab
pH ³	See Note ¹	1/ Semiannual	Grab
Ammonia Nitrogen	See Note ¹	1/ Semiannual	Grab
Phosphorus, T	See Note ¹	1/ Semiannual	Grab
Flashpoint	See Note ¹	1/ Semiannual	Grab

Notes

- * Sampling frequencies are based upon the information provided to the City of Springfield during the application process. The semiannual sampling period shall consist of one sample taken during the period of January thru June and another during July thru December.
- 1- Samples shall be collected at the wastewater collection tank sampling access point or load out area capable of collecting representative wastewater samples.
- 2- Daily flow shall be based upon the total gallons of wastewater transported to the City of Springfield Southwest Wastewater Treatment Plant, based upon full vehicle tank capacity in gallons. **The Permittee shall report a summary of daily flows to the City of Springfield with each semiannual report.**
- 3- Wastewater pH shall be analyzed on site or within 15 minutes using **40 CFR 136** approved testing methods.

B. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with **40 CFR Part 136** and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

PART 3 - REPORTING REQUIREMENTS

A. Monitoring Reports

Each monitoring report shall indicate the concentration of all pollutants in the effluent for which sampling and analysis were performed during the sampling period and shall be summarized and reported in writing on a self monitoring report form or in a format providing the required information. **Each discharge monitoring report is due on the 28th day of the month following the calendar month the sampling was conducted along with a signed certification statement.**

B. If the Permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be reported in the monthly report submitted to the City of Springfield.

C. Automatic Resampling

If the results of the Permittee wastewater analysis indicate that a violation of this permit has occurred, the Permittee **must**:

1. **Inform the City of Springfield of the violation within 24 hours; and**
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation, except the Permittee is not required to resample if:
 - (a) The Control Authority performs sampling at the Permittee at a frequency of at least once per month or,
 - (b) The Permittee performs sampling at a frequency of at least once per month.
 - (c) The Control Authority performs sampling at the permitted between the time the Permittee performs its initial sampling and the time when the Permittee receives the results of this sampling.

D. Accelerated Sampling Schedule

When the Permittee becomes aware that noncompliance with their permit limitations has occurred, an accelerated sampling schedule shall be implemented until such time that no violations have occurred for a three month period from the last event of noncompliance.

Example:

1. Original permitted sampling frequency - Once semiannually.
2. A violation occurs resulting in a new sampling frequency of once per month consecutively for a period of three months. This accelerated sampling rate only applies to the pollutant that was in violation.
 - (a) If no violation occurs during the accelerated sampling period, the sampling frequency then returns to the original permitted frequency.
 - (b) If another violation occurs during the accelerated sampling period, then the sampling frequency shall be increased to three times per month for the next three months from the month of the last violation. If violations continue to occur the sampling frequencies could be accelerated incrementally to daily sampling.
 - (c) If no violations occur during the accelerated period the sampling frequency reverts back to the original permitted frequency.

In addition to the increased sampling frequency, the User shall remain liable for violations as expressed in Article VIII, "Enforcement" of Chapter 120 of the Springfield City Code.

E. Accidental Discharge Report

1. The Permittee shall **immediately** notify the City of Springfield upon the occurrence of an accidental spill or discharge of substances prohibited by Article III of Chapter 120, or any slug loads or spills that may enter the public sewer. Environmental Services shall be notified by telephone at (417) 864-1923 to report an accidental permit violation, slug load, or spill. In addition, the **Southwest Wastewater Treatment Plant** may be notified by telephone by calling (417) 838-3082 and speaking with a shift supervisor or leaving a recorded message, including name, company name, a phone number, and information relating to the accidental discharge.

Permittee notification of accidental releases in accordance with this section does not relieve the Permittee of other reporting requirements that arise under local, State, or Federal laws. Emergency calls requesting dispatch of fire, police, or ambulance services should be made by calling Emergency Communications at **911**.

Within five days following an accidental spill or slug discharge, the Permittee shall submit to the City of Springfield a detailed written report. The report shall specify:

- (a) Description and cause of the upset, slug load, or accidental discharge, the cause thereof, and the impact on the Permittee compliance status. The description should also include location of discharge, type, concentration and volume of waste.
- (b) Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
- (c) All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

F. All reports required by this permit shall be submitted to the City of Springfield at the following address:

**CITY OF SPRINGFIELD
WASTEWATER OPERATIONS
755 N FRANKLIN AVENUE
SPRINGFIELD, MO 65802**

PART 4 - SPECIAL CONDITIONS

SECTION 1 - ADDITIONAL/SPECIAL MONITORING REQUIREMENTS

No Special Conditions at this time.

PART 5 - STANDARD CONDITIONS

SECTION A GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

2. Duty to Comply

The Permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or correct any adverse impact to the publicly owned treatment works (POTW) or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliant discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements.
- b. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
- c. A change in any condition in either the Industrial User or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.

- d. Information indicating that the permitted discharge poses a threat to the POTW collection and treatment systems, POTW personnel or the receiving waters.
- e. Violation of any terms or conditions of the permit.
- f. Misrepresentation or failure to disclose fully all required reporting.
- g. Revision of, or a grant of, variance from such categorical standards pursuant to 40 CFR 403.13.
- h. To correct typographical or other errors in the permit.
- i. To reflect transfer of the facility ownership and/or operation to a new owner/operator.
- j. Upon request of the Permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.
- k. Incorporate any new or revised requirements and/or Best Management Practices contained in a National categorical pretreatment standard promulgated for sanitary landfills, BMP based standards, emerging contaminant BMP, or local limit BMP.
- l. Incorporate any new or revised requirements resulting from the City of Springfield reevaluation of its local limits.
- m. Incorporate any new or revised requirements developed by City of Springfield as are necessary to ensure POTW compliance with applicable sludge management requirements promulgated by EPA (40 CFR 503) and the State of Missouri.

The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. Permit Revocation

Any Industrial User who violates the following conditions of Chapter 120 or applicable State or Federal Regulations is subject to having their Wastewater Contribution Permit revoked. The Director shall reinstate such permit upon proof of elimination of the violation. These conditions are as follows:

- a. Failure of an Industrial User to factually report the wastewater constituents and characteristics of the discharge.
- b. Failure of the Industrial User to report significant changes in operations or wastewater constituents and characteristics.
- c. Refusal of reasonable access to the Industrial User's premises for the purpose of inspection or monitoring.
- d. Violation of conditions of the permit.
- e. Failure of the Industrial User to notify the POTW of an accidental or slug discharge.
- f. Failure to pay fines.
- g. Failure to pay sewer charges and/or connection fees.
- h. Failure to meet compliance schedules.

6. Permit Appeals

The Permittee may petition to appeal the terms of this permit within thirty (30) days of the notice. This petition must be in writing. Failure to submit a petition for review shall be deemed to be a waiver of the appeal. In the petition, the Permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending reconsideration by the Director. If, after considering the petition and any arguments put forth by Environmental Services, the Director determines that reconsideration is proper, it shall remand the permit back to Clean Water Services for reissuance. Those permit provisions being reconsidered by the Superintendent shall be stayed pending reissuance.

The decision of the Director not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Director:

- a. The Permittee must give at least ninety (90) days advance notice to the Director.
- b. The notice must include a written certification by the new owner which:
 - (i) States that the new owner has no immediate intent to change the facility's operations and processes.
 - (ii) Identifies the specific date on which the transfer is to occur.
 - (iii) Acknowledges full responsibility for complying with the existing permit.

9. Continuation of Expired Permits

An expired Wastewater Contribution Permit will continue to be effective and enforceable until the Wastewater Contribution Permit is reissued if:

- a. The Industrial User has submitted a complete Wastewater Contribution Permit application at least ninety (90) days prior to the expiration of the User's existing Wastewater Contribution permit.
- b. The failure to reissue the Wastewater Contribution permit, prior to expiration of the previous Wastewater Contribution Permit, is not due to any act or failure to act on the part of the Industrial user.

10. Dilution

No User shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in applicable Pretreatment Standards, or any other specific pollutant limitation developed by the City and/or State of Missouri.

11. Definitions

- a. Composite Sample - A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be collected either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- b. Grab Sample - An individual sample collected in less than 15 minutes, without regard for flow or time.
- c. Cooling Water -
 - 1) Uncontaminated: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.
 - 2) Contaminated: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
- d. Instantaneous Maximum Allowable Discharge Limit - The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
- e. Monthly Average
 - 1) The arithmetic mean of the values for effluent samples collected during the calendar month or specified 30 day period (as opposed to a rolling 30 day window).
 - 2) Four (4) day average - the arithmetic mean of the values for effluent samples collected over a period of four (4) consecutive days (as opposed to a rolling four (4) day window).

- f. Upset - Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.
- g. Bypass - Means the intentional diversion of wastes from any portion of a treatment facility.

12. Restricted Discharges

These general restrictions apply to all Users of the POTW whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State, or Local Pretreatment Standards or Requirements.

- a. No person shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which acting alone or in conjunction with other substances present in the POTW interferes with the operation or performance of the POTW or which causes or contributes to interference or pass through. A person shall not contribute substances to the POTW that may.
 - 1) Create a fire or explosion hazard including, but not limited to gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solids or gases with a closed cup flashpoint of less than 140° F (60° C) (the RCRA ignitability standard for liquid characteristic waste) using the test methods specified in 40 CFR 261.21. At no time shall two (2) successive readings over a one hour period on any explosion hazard meter, at the point of discharge into the POTW (or at any point in the POTW) be more than five percent (5%) nor shall any single reading be over ten percent (10%) of the Lower Explosive Limit (LEL).
 - 2) Cause corrosive damage or hazard to structures, equipment or personnel of the POTW. In no case shall the discharges have a pH lower than 5.0 or higher than 12.5.
 - 3) Cause obstruction to the flow in the POTW or other interference with the operation of the wastewater facilities due to accumulation of solid or viscous material such as but not limited to: grease, garbage with particles greater than one-half inch (½") in any dimensions, animal tissues, paunch manure, bones, hair, hides or flesh, entrails, blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, rags, plastics, tar, asphalt residues from refining

or processing of fuel or lubricating oil, mud, or glass grinding, or polishing wastes.

- 4) Constitute a rate of discharge sufficient to cause interference with the operation and performance of the POTW.
- 5) Contain heat in amounts that will inhibit biological activity of the POTW treatment plant. In no case shall the temperature at the point of connection to the POTW exceed 150° F (65.5° C) or cause the temperature at the treatment plant influent to exceed 104° F (40° C).
- 6) Contain any garbage that has not been properly shredded.
- 7) Contain petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- 8) Contain any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life and property or that result in toxic gasses, vapors, and fumes in a quantity that may cause acute worker health and safety problems.
- 9) Contain radioactive waste or isotopes of such half life or concentration as may exceed limits defined by applicable State and Federal regulations.
- 10) Contain any odor, or color producing substances exceeding concentration limits which may be established by Environmental Services for the purpose of meeting the POTW NPDES permit.
- 11) Contain any substances which may cause the POTW effluent or any product of the POTW such as residues, sludge or scum to be unsuitable for reclamation and reuse or interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program.
- 12) Contain toxic pollutants in sufficient quantity to injure or interfere with the wastewater treatment process, constitute a hazard to humans or other life forms, create a toxic effect in the receiving waters of the POTW, or exceed the limitation set forth in an applicable categorical pretreatment standard.

- 13) Contain compatible pollutants of such concentration, quantity or rate of discharge that the POTW treatment efficiency is impaired or unusual attention or expense is required to handle such materials in the POTW.
- 14) Contain fats, oils, or grease of animal or vegetable origin greater than one hundred (100) milligrams per liter.
- 15) Contain any trucked or hauled pollutants, except at points and times designated by the Director in accordance with sections 120-75 and 120-76.
- 16) Contain any medical wastes, except as specifically authorized by the Director.
- 17) Contain pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- 18) Contain storm water, surface water, ground water, well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, cooling water, and unpolluted wastewater, unless specifically authorized by the Director.
- 19) Contain sludge, screenings, or other residues from the pretreatment of industrial wastes.
- 20) Contain wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- 21) Contain detergents, surface-active agents, or other substances that may cause excessive foaming in the POTW.

13. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the Permittee from its obligations regarding compliance with any and all applicable local, State and Federal pretreatment standards and requirements including any such standards or requirements that may become effective during the term of this permit.

SECTION B OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the Permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

- a) Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, severe property damage, or no feasible alternatives exist.
- b) Notification of bypass:
 - (1) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the Director.
 - (2) Unanticipated bypass. The Permittee shall immediately notify the Director and submit a written notice to the POTW within 5 days. This report shall specify:
 - (i) A description of the bypass, and its cause, including its duration;
 - (ii) Whether the bypass has been collected, and
 - (iii) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Process Residues and Hazardous Waste

Process residue/hazardous waste shall be handled and disposed of in accordance with Federal and State laws, rules and regulations.

SECTION C MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the Director.

2. Flow Measurements

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained by the Permittee to ensure that measurement accuracy is consistent with the accepted capability of that type of device.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit, using test procedures listed within 40 CFR 136, the results of this monitoring shall be included in the Permittee self monitoring reports.

5. Inspection and Entry

The Permittee shall allow the Director, or an authorized representative, upon the presentation of proper credentials and identification to:

- a) Enter upon the Permittee premises without delay at any reasonable time where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d) Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e) Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

- a) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip charge recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five (5) years from the date of the sample, measurement, report or application.

This period may be extended by request of the Director at any time.

- b) All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Director shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling and analyses shall include:

- a) The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;
- b) Who performed the sampling or measurements;

- c) The date(s) analyses were performed;
- d) Who performed the analyses;
- e) The analytical techniques or methods used; and
- f) The results of such analyses.

8. Transfer of Custody and Shipment

In order to ensure the validity of the self-monitoring sampling data, there must be accurate written records tracing the custody of each sample through all phases of the monitoring program. The primary objective of this chain of custody is to create an accurate written record that can be used to trace the possession and handling of the sample from the moment of collection through analysis.

When transferring possession of samples, the transferee must sign and record the date and time on the chain of custody record. In general, custody transfers are made on each individual sample although samples may be transferred as a group, if desired. Every person who takes custody must fill in the appropriate section of the chain of custody record. The number of transfers should be kept to a minimum.

The sampler is responsible for properly packing and dispatching the samples to the appropriate laboratory for analysis and assuring that the samples have been handled and preserved as necessary. This responsibility also includes fully completing, dating, and signing the appropriate portion of the chain of custody record.

All packages transported to the laboratory must be accompanied by the chain of custody record and other applicable forms. A copy of these forms should be retained by the originating office.

Mailed packages should be sent with return receipt requested. If sent by common carrier, receipts are retained as part of the permanent chain of custody documentation.

Shipped samples should be properly packed to prevent breakage, and the package sealed or locked so that any evidence of tampering may be readily detected.

9. Sampling Quality Control

Control checks should be performed during the actual sample collection to determine the performance of the sample collection system. In general, the most common monitoring errors are usually caused by improper sampling, improper preservation, inadequate mixing during compositing and splitting, and excessive sample holding time. The following types of samples should be used to check the sample collection system:

- a) Duplicate Samples - These are separate samples taken from the same source at the same time. These provide a check on sampling equipment and precision techniques.
- b) Split Samples - This is a sample that has been divided into two containers for analysis by separate laboratories. These samples aid in identifying discrepancies in analytical techniques and procedures.
- c) Spike Samples - This is a sample to which a known quantity of the same substances has been added. These provide a proficient check for accuracy of the analytical procedures.
- d) Sample Preservation Blanks - This is a sample of reagent water to which a known quantity of preservative is added. This sample is then analyzed to determine the efficiency of the preservative. These provide a check on the contamination of chemical preservatives.

To obtain meaningful data for the self monitoring program, a properly preserved representative sample must be delivered for analysis. The analysis must be performed in the prescribed fashion according to EPA approved procedures. The calculations should be completed and the results converted to final form so that the analytical data can be permanently recorded in meaningful, exact terms.

10. Falsifying Information

No person shall knowingly make any false statements, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to Chapter 120, nor falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under Chapter 120.

SECTION D ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The Permittee shall give notice to the Director ninety (90) days prior to any facility expansion, production increase, or process modifications that result in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Noncompliance

The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

3. Duty to Provide Information

The Permittee shall furnish to the Director, within a specified time, as determined by the Director, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. This Permittee shall also, upon request, furnish to the Director within five (5) working days copies of any records required to be kept by this permit.

4. Signatory Requirements

All applications, reports, or information submitted to the Director must contain the following certification statement and be signed as required in Sections (a), (b), (c) or (d) below:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

All samples and measurements taken are to the best of my knowledge representative of the permitted wastewater discharge.

All sampling, measurements, and analyses were conducted in accordance with guidelines prescribed in 40 CFR 136 and the Wastewater Contribution permit obtained from the City of Springfield, Missouri."

- a) By a responsible corporate officer, if the Industrial User submitting the reports required by paragraphs (b), (d), and (e) of this section is a

corporation. For the purpose of this paragraph, a responsible corporate officer means:

- (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
 - (ii) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b) By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
- c) The principal Executive Officer or Director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State, or local governmental entity, or their agents.
- d) By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:
- (i) the authorization is made in writing by the individual described in paragraph (a), (b), or (c);
 - (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operation of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(iii) the written authorization is submitted to the Director.

- e) If an authorization under paragraph (d) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the Director prior to or together with any reports to be signed by an authorized representative.

5. Operating Upsets

A Permittee that experiences an upset in operations that places the Permittee in a temporary state of noncompliance with the provisions of either this permit or with Article III of Chapter 120 shall inform the City of Springfield within 24 hours of becoming aware of the upset.

Environmental Services shall be notified by telephone at **(417) 864-1923** to report any upset, accidental slug load, or spill. In addition, the **Southwest Wastewater Treatment Plant** shall be notified by telephone by calling (417) 838-3082 and speaking with a plant supervisor or leaving a recorded message, including name, company name, a phone number, and information relating to the accidental discharge.

A written follow-up report of the upset shall be filed by the Permittee with the Director within five days. The report shall specify:

- a) Description of the upset, the cause(s) thereof and the upset impact on the compliance status of the Permittee;
- b) Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- c) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner. A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the Permittee for violations attributable to the upset event.

6. Annual Publication

A list of all Industrial Users that were in significant noncompliance with applicable pretreatment requirements during the twelve (12) previous months shall be annually published

by the City of Springfield in a newspaper of general circulation that provided meaningful public notice within the service area. Accordingly, the Permittee is apprized that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

For the purposes of this provision, a Significant Industrial User (or any Industrial User which violates paragraphs (C), (D), or (H) of this section, is in significant noncompliance if its violation meets one or more of the following criteria:

- a) Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
- b) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
- c) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);
- d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;
- e) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- f) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- g) Failure to accurately report noncompliance;

- h) Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the City Pretreatment Program.

7. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the Permittee from civil and/or criminal penalties for noncompliance under Article VII of Chapter 120 or State or Federal laws or regulations.

8. Penalties for violations of Permit Conditions

Section 120-296 of Chapter 120 provides that any person who violates a permit condition is subject to a civil penalty of not more than \$1,000 per day per violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of not more than \$1,000 per day per violation, or by imprisonment for 180 days, or both. The Permittee may also be subject to sanctions under State and/or Federal law.

9. Recovery of Costs Incurred

In addition to civil and criminal liability, the Permittee violating any of the provisions of this permit or Article III of Chapter 120 or causing damage to or otherwise inhibiting the or disrupting the City of Springfield wastewater collection or disposal system shall be liable to the City of Springfield for any expense, loss, or damage caused by such violation or discharge. The City of Springfield shall bill the Permittee for the costs incurred by the City of Springfield for any cleaning, repair, construction, replacement, or all other activities deemed necessary by the City caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Section 120-296 of Chapter 120.