

AGENDA

I. Call to Order

II. Pledge of Allegiance

III. Approval of the Agenda

IV. Regular Business

- A. Discussion: Industry Wastewater Pretreat - Led by Skip Schaller
- B. Reading and Consideration of Approval of Resolution No. 9112: A Resolution Authorizing the City Council of Monett Missouri, to Enter in an Intergovernmental Service Agreement for Dispatching Services
- C. Reading and Consideration of Approval of Resolution No. 9113: A Resolution Correcting a Scrivener's Error in Resolution No. 9106 Regarding the Legal Name of CoxHealth
- D. Discussion: Replacement of the Current Fire Ladder Truck - Presented by Fire Chief Pennington
- E. Discussion: Repeal of Existing Ordinances Related to Human Resource Policies
- F. Discussion: Rezoning Callan's Additon from Zone 'D' Industrial to Zone 'C' Commercial
- G. Discussion: Airport Board Charter

V. Closed Session Notice: Council will convene into closed session pursuant to Section 610.021, RSMo., Subsections (1), (3) and (13) to discuss legal matters and personnel matters.

VI. Adjournment



James R. Burke, Mayor
Ken Gaspar, Commissioner • Darren Indovina, Commissioner
Mickey Ary, City Administrator

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Staff Report

To: Commission
From: Skip Schaller, Utilities Superintendent
Date: 11/26/2025
Re: Industry Wastewater Pretreat

GENERAL INFORMATION

Monett has 7 industries that meet the criteria set forth by EPA to be required to pretreat their effluent or monitor it. The City is the designated oversight by Missouri DNR for the pretreat program. After each WWTP permit cycle (5 years) the city is to review and update our permits with industry.

PROPOSAL

Enclosed are the proposed updates for our code which incorporates the proper legal language, our enforcement response plan that lays out how enforcement will be handled with the pretreat customers and the local limits report that shows the capacity of the plant to treat pollutants.

RECOMMENDATION

As this being a work session, please review, ask questions. We can make updates if needed and we would like to get it on the council agenda to approve.

ATTACHMENTS

Local Limits Report Pdf. Monett Enforcement Response Plan Word Doc., Monett Code updates Word Doc.



DROP Collaborative Model Legal Authority

City of Monett

Ordinance Adopting Chapter 705 Sewers

Be it resolved by the City Council of the City of Monett, that these Regulations for Sewer Use in the City of Monett are hereby set forth. The purpose of these Regulations is to provide rules governing the discharge of wastewater to the Publicly Owned Treatment Works (POTW) within the jurisdiction of the Control Authority, City of Monett.

The Control Authority was duly established pursuant to 10 CSR 20-6.100, and has the authority to construct, maintain and operate sewerage works including all facilities necessary for collecting, pumping, treating and disposing of sanitary or stormwater and to provide storm and surface water drainage services and facilities. In order to enhance and maintain the water quality of the waterbodies receiving the POTW's effluent, to meet Federal, State, and Local Regulations, and to promote the health, safety and welfare of the community, this governing body deems it necessary to provide regulation governing the discharge of wastewater.

DISCLAIMER: If the Control Authority decides to adopt this Model Regulation in full, it will need to be reconciled against existing local codes, ordinances, or regulations on these topics to make sure the Regulations work together and do not conflict.

DROP Collaborative Model Legal Authority

City of Monett

Chapter 705 Sewers

City of Monett | Version for Client Review | **Chapter 705 Sewers**
Publish Date 9/18/2025 | **Page 2 of 6**

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ARTICLE I GENERAL PROVISIONS

Section. 705.100 Purpose and Policy

These Regulations set forth uniform requirements for discharges of Wastewater to the Publicly Owned Treatment Works (POTW) for the purpose of protecting the health and safety of the public, preventing pollution of waters of the State, and to enable the Control Authority to comply with all applicable State and Federal laws, including the Clean Water Act (33 U.S.C. 1251 et seq.), General Pretreatment Regulations (40 CFR 403) and the Missouri Code of State Regulations (10 CSR Division 20, Department of Natural Resources, Clean Water Commission) which provides the regulatory frame work for the Missouri Clean Water Law, (Chapter 644, RSMo). These Regulations apply to all Users of the POTW, including entities that haul wastewater to the POTW or those outside the Control Authority jurisdiction that generate wastewater contributed to the POTW.

The objectives of these Regulations are to ensure that Discharges are controlled in a manner to:

- A. Prevent the introduction of Pollutants or substances into the POTW that will interfere with its operation;
- B. Prevent the introduction of Pollutants or substances into the POTW which will Pass Through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the POTW;
- C. Protect the POTW and its personnel who may come in contact with Wastewater, biosolids, sludge and effluent in the course of their employment as well as protecting the general public;
- D. Improve the opportunity to recycle and reclaim Wastewater, biosolids, sludge, or any other products identified for beneficial reuse;
- E. Provide for the equitable distribution of the cost of conveyance, operation, treatment, maintenance, and improvements of the POTW; and
- F. Ensure the Control Authority is able to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, sludge use and disposal requirements, and all applicable Federal and State Regulations to which the POTW is subject.
- G. Reduce impacts from Discharges of Pollutants of Emerging Concern through source identification, monitoring, and industry best practices where available.

Section. 705.110 Administration

The Control Authority will administer, implement, and enforce the provisions of these Regulations.

Section. 705.120 Abbreviations

The following abbreviations, when used in these Regulations, shall have the designated meanings:

BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – Code of Federal Regulations
CIU – Categorical Industrial User
CROMERR - Cross Media Electronic Reporting Rule
EPA – U.S. Environmental Protection Agency
FOG – Fats, Oil & Grease
FSE – Food Service Establishment
GPD – Gallons per Day
HEM – Hexane Extractable Material
IU – Industrial User
Lb(s) – Pound(s)

MGD – Million Gallons per Day
 mg/L – Milligrams per Liter
 MAHL – Maximum Allowable Headworks Load
 MAIL – Maximum Allowable Industrial Load
 NPDES – National Pollutant Discharge Elimination System
 NSCIU – Non-Significant Categorical Industrial User
 PFAS – Per- and Polyfluoroalkyl Substances
 PFOA – perfluorooctanoic acid
 POC – Pollutant of Concern
 PEC – Pollutant of Emerging Concern
 POTW – Publicly Owned Treatment Works
 RCRA – Resource Conservation and Recovery Act
 SDCP – Slug Discharge Control Plan
 SIU – Significant Industrial User
 SMR – Self Monitoring Report or Periodic Report on Compliance
 SNC – Significant Noncompliance
 S.U. – Standard Units
 U.S.C. – United States Code

Section. 705.130 Definitions

The following words, terms and phrases, when used in these Regulations, shall have the meanings ascribed to them as defined below, except where the context clearly indicates a different meaning:

- A. Act or “the Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act as amended, 33 U.S.C. section 1251 et seq.
- B. Applicant, as referenced in Article XI, means any person, firm, corporation or other association of persons who shall make application to the City to extend any sewer main or lateral, and any person, firm, corporation or other association of persons who shall make application to the City to tap any main and become a user.
- C. Approval Authority means the Missouri Department of Natural Resources.
- D. Authorized or Duly Authorized Representative of the User.
 1. If the User is a corporation, an “Authorized Representative” shall mean:
 - a. The president, secretary, treasurer, or a 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
 - b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that 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 Wastewater Discharge Permit or other Control Mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 3. If the User is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

4. The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is submitted to the Control Authority. The authorization shall specify the individual or position responsible for the overall operation of the facility from which the Discharge originates or that has overall responsibility for environmental matters for the User.
- E. Best Management Practices or BMPs means implementation of activities, prohibitions of practices, maintenance procedures, and other management practices to ensure proper operation of treatment systems, and elimination or reduction of pollutants entering the treatment system.
- F. Building Drain means that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the building wall.
- G. Building Sewer means the extension from the building drain to the POTW or other place of disposal.
- H. Categorical Industrial User means an Industrial User subject to Categorical Pretreatment Standards per Article II Section. 705.170. See definition of Significant Industrial User.
- I. City of Monett, depending on context, may mean:
1. The Control Authority or its designee
 2. Administrator or designee
 3. Delegation of authority
 4. Publicly Owned Treatment Works (POTW)
 5. Wastewater Superintendent, Manager, Director, or designee.
- J. Control Authority means City of Monett. Entity responsible for implementation of these Regulations.
- K. Control Mechanism means a document issued by the Control Authority to regulate discharges of Nondomestic Wastewater to the POTW for the purpose of meeting the objectives in Article Section. 705.100. Control Mechanisms include Wastewater Discharge Permits (Permits), Best Management Practices, letters of Discharge Authorization, NSCIU authorizations, or any document designated by the Control Authority as a method of controlling or prohibiting discharges to the POTW.
- L. CROMERR means the legal framework for electronically reporting under EPA's regulatory programs authorized under 40 CFR 3. The CROMERR program ensures the enforceability of regulatory information collected electronically by EPA and EPA's state, tribal, and local government partners.
- M. Discharge means the introduction of wastewater via a piped connection into the POTW from any source.
- N. Disruption means a Discharge that, either alone or in combination with other Discharges, is incompatible with the POTW, such that it has a detrimental impact on any structure, function, operation, or maintenance activity of the POTW. Disruption includes discharges which cause or may cause Interference or Pass Through.
- O. Domestic means Domestic Wastewater, sometimes referred to as sewage. Wastewater originating from bodily processes (excluding septic tank waste) and from normal household activities such as bathing, laundering, washing, and residential food preparation.
- P. Environmental Protection Agency or EPA is the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- Q. Existing Source is any source of Indirect Discharge that is not a "New Source."
- R. FSE or food service establishment means a facility maintained, used, or operated for the purpose of storing, preparing, serving, manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members, residents, students or employees, and which has any process or device that uses or produces fats, oils, or grease, vapors, steam, fumes, smoke or odors, including any real property on which the FSE is located. FSEs, include, but are not limited to, restaurants, grocery stores, hotel kitchens, hospitals, nursing homes, school kitchens, bars, factory cafeterias, churches, clubs, daycare centers and mobile food establishments.

- S. Hauled Waste means a source of wastewater transported by truck and introduced to the POTW at specified location(s) authorized by the Control Authority.
- T. Indirect Discharge means the introduction of Pollutants into the POTW from any Nondomestic source. See definition of Nondomestic Wastewater.
- U. Industrial User means a source of Indirect Discharge.
- V. Interference means a Discharge that, alone or in conjunction with a Discharge or Discharges from other sources, both inhibits or disrupts the POTW, its treatment process or operations or its sludge use or disposal; and therefore, is a cause of a violation of any of the requirements of the Control Authority's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or Local Regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- T. Local Limit means specific discharge limits developed and enforced by the Control Authority upon Users that discharge Nondomestic Wastewater in order to implement the general and specific discharge prohibitions in [Article II Section. 705.140](#) and [Article II Section. 705.160](#).
- U. Maximum Allowable Headworks Loading (MAHL) means the estimated maximum loading of a Pollutant that can be received at a POTW's headworks (at the point the Wastewater enters the Wastewater Treatment Plant) based on a technical evaluation without causing Pass Through or Interference.
- V. Maximum Allowable Industrial Load (MAIL) means the estimated maximum loading of a Pollutant that can be received at a POTW's headworks from all permitted SIUs without causing Pass Through or Interference.
- W. Medical Waste means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- X. New Source
 - 1. Any building, structure, facility, or installation from which there is (or may be) an Indirect Discharge of Pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of Pollutants at an Existing Source; or
 - c. The production or Wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
 - 2. Modification. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of [Article I Section. 705.130 X. 1. b or c](#) above but otherwise alters, replaces, or adds to existing process or production equipment.
 - 3. Construction of a New Source as defined under this definition has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite construction program

- (1). Any placement, assembly, or installation of facilities or equipment; or
 - (2). Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
- b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this definition.
- Y. Nondomestic Wastewater or Nondomestic Waste means any waste other than Domestic waste. See definition of Domestic.
- Z. Oil and Grease means fats, oil and grease of organic polar compounds derived from animal or plant sources as detectable in cooking oils, food scraps containing grease, butter or oil, lard or tallow, meat fat, grease and juices, gravies, sauces, shortening and dairy products, as well as nonpolar oil and grease and other greasy materials that are insoluble in water.
- AA. Oil and/or Sand Interceptors or Separators means a device designed and installed to separate and retain Pollutants from normal wastes and permit normal sewage or liquid wastes to discharge into the disposal terminal by gravity.
- BB. Operation and Maintenance Cost means all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the POTW to achieve the capacity and performance for which such works are designed and constructed.
- CC. Pass Through means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Control Authority's NPDES permit, including an increase in the magnitude or duration of a violation.
- DD. PFAS, or per- and polyfluoroalkyl substances means any chemical as may currently exist or as may be created in the future that meets the definition found in 40 CFR 705.3, and any known precursors thereto. This definition includes but is not limited to the compounds detected using EPA Method 1633.
- EE. Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, PFAS substances, microplastics, resins, heat, wrecked or discarded equipment, rock, sand, sediment or solids, municipal, agricultural and industrial wastes, and certain characteristics of Wastewater (e.g., pH, temperature, TDS, TSS, turbidity, color, BOD, COD, toxicity, or odor), including POCs and PECs.
- FF. Pollutant of Concern (POC) means a substance present in a discharge from a User to the POTW that has been identified by the Control Authority as being a Pollutant which impacts or may impact POTW operations and the ability to comply with Federal, State, and Local Regulations. This term also applies to pollutants of emerging concern (PECs) which are substances that have been identified as potential threats to the environment and human health but are not yet widely regulated.
- GG. Pretreatment means the reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater prior to, or in lieu of, introducing such Pollutants into the POTW.
- HH. Pretreatment Requirements means any substantive or procedural requirement related to Pretreatment imposed on a User, other than a Pretreatment Standard.
- II. Pretreatment Standards or Standards means prohibited discharge standards, Categorical Pretreatment Standards, Best Management Practices, Local Limits, and any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act which applies to Indirect Discharges.

- JJ. Process Wastewater means any water, unless otherwise specified in a categorical standard, that, during manufacturing or processing, comes into contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.
- KK. Publicly Owned Treatment Works or POTW is a treatment works, as defined by Section 212 of the Act (33 U.S.C. Section 1292), which is owned or operated by the Control Authority within the jurisdiction of the Control Authority. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey Wastewater to a treatment plant in addition to the treatment plant itself.
- LL. Septic Tank Waste means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- MM. Service Line means only that portion of pipe between the tap and the building to be served.
- NN. Sewage means human excrement and gray water (household showers, dishwashing operations, etc.). See definition of Domestic.
- OO. Sewer Main or Lateral means all pipes of whatever construction heretofore or hereafter constructed and through which the City shall furnish sanitary sewer service to taps and service lines of users, but such term shall not include taps and service lines.
- PP. Significant Industrial User (SIU).
1. Except as provided in parts 2 and 3 of this definition, a Significant Industrial User means:
 - a. An Industrial User subject to Categorical Pretreatment Standards per Article II Section 705.170 or;
 - b. An Industrial User that:
 - (1). Discharges an average of 25,000 gallons per day or more of Process Wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown Wastewater);
 - (2). Contributes a Process Wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW Treatment Plant;
 - (3). Contributes a nondomestic wastestream which has a Discharge with a POC above the reference concentration and makes up five percent (5%) or more of the Maximum Allowable Industrial Load (MAIL) for a particular Pollutant as specified in Article II Section 705.190 D; or
 - (4). Is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
 2. The Control Authority may determine that an Industrial User subject to Categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total Categorical Wastewater (excluding sanitary, noncontact cooling and boiler blowdown Wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - a. The Industrial User, prior to the Control Authority's finding, has consistently complied with all applicable Categorical Pretreatment Standards and Requirements;
 - b. The Industrial User annually submits the certification statement required in Article V Section 705.540 D, together with any additional information necessary to support the certification statement; and
 - c. The Industrial User never discharges any untreated concentrated Wastewater.
 3. Upon a finding that a User meeting the criteria above in Article I Section 705.130 PP. 1. b has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Control Authority may at any time, on its own initiative or in response to an appeal received from an Industrial User, and in accordance with

procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

QQ. Single User Extension means the extension to any existing sanitary sewer main for the use of a single user, and to which no other taps or service lines are to be connected.

RR. Slug, Slug Load or Slug Discharge means any Discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Article II Section. 705.140 of these Regulations. A Slug Discharge is any Discharge of a non-routine, uncontrolled, or episodic nature, including but not limited to an accidental Discharge or a non-customary batch Discharge, which causes Disruption or has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

SS. Storm Sewer means a sewer which carries storm- and surface waters and drainage but which is not to carry sanitary sewage and polluted industrial wastes.

TT. Stormwater means stormwater runoff, snow melt runoff, roof runoff, and surface runoff and drainage.

UU. Tap means only the coupler by which the service line shall be attached to the sewer main.

VV. Toxic Pollutant means one of the Pollutants, or combination of those Pollutants, listed as toxic in regulations promulgated by the EPA under the provisions of section 307 (33 USC 1317) of the Act.

WW. User means an entity with a wastewater connection to the POTW. A User may be a person, firm, corporation, partnership, governmental entity, Industrial User, or customer that contributes an Indirect Discharge or Domestic discharge to the POTW.

XX. Wastewater means water or other liquids which carry or contain Pollutants or water contaminants from any source.

YY. Wastewater Discharge Permit or Permit. See Control Mechanism.

ARTICLE II SEWER USE REGULATIONS

Section. 705.140 Deposit on Public or Private Property of Wastes Requires to be Discharged to the POTW

It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City or in any area under the jurisdiction of the City and human or animal excrement, garbage or other objectionable waste required by this Chapter to be discharged into the POTW.

Section. 705.150 General Prohibited Discharge Standards

No User shall introduce or cause to be introduced into the POTW any Pollutant or Wastewater which causes Disruption. These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other Federal, State, and Local Regulations.

Section. 705.160 Specific Prohibitions

No User may discharge or cause to be discharged into the POTW, directly or indirectly, any of the following:

- A. Any substance in a quantity sufficient to create a potential for fire or explosion, including, but not limited to: discharges with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), using test methods specified in 40 CFR 261.21.
- B. Any substance having a pH less than 5.0 or greater than 9.5, or otherwise causing corrosive structural damage to the POTW.
- C. Any particulates, solids, or organic or inorganic material including but not limited to food waste, disposable wipes, microplastics, resins, or viscous substances in a quantity sufficient to cause, potentially cause, or contribute to Disruption.

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- D. Any substance, including oxygen-demanding Pollutants (BOD, etc.), discharged to the POTW at a flow rate or concentration that will or may cause Disruption, either singly or by interaction with other substances.
- E. Any Discharge having a temperature greater than 120 degrees Fahrenheit (49 degrees Celsius), or which will inhibit biological activity in the treatment plant, but in no case Wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
- F. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Disruption.
- G. Any substance that, alone or in combination with other substances in the Wastewater, will or may either singly or by interaction with other wastes create a public nuisance through the creation of toxic, malodorous, or noxious gases, vapors or fumes, poses a hazard to human health or safety, or prevents safe entry into any portion of the POTW for inspection, maintenance, or repair.
- H. Any trucked or hauled Pollutants, except as authorized at Discharge points designated by the Control Authority.
- I. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, inks, dye wastes, paints, and vegetable tanning solutions.
- J. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable Federal or State Regulations and if authorized by the Control Authority.
- K. Discharge from stormwater drains, roof runoffs, pond overflows, sumps, or cisterns in a quantity sufficient to cause, potentially cause, or contribute to Disruption.
- L. Sludges, screenings, or other residues from the Pretreatment of industrial wastes except as specifically authorized by the Control Authority.
- M. Any substance that would be a hazardous waste prior to mixing with other wastestreams pursuant to 40 CFR 261, if otherwise disposed.
- N. Medical wastes, in a quantity or quality sufficient to cause, potentially cause, or contribute to Disruption.
- O. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test.
- P. Detergents, surface active agents, or other substances in concentrations which might cause excessive foaming in the POTW or receiving stream.
- Q. Total Hexane Extractable Material (HEM), including components of Oil and Grease in concentrations greater than one hundred (100) milligrams per liter.
- R. A Discharge of a pollutant that contribute more than five percent (5%) of the MAIL and the concentration is above the reference concentration for which the Control Authority has developed a MAIL unless specifically authorized.

Pollutants, substances, or Wastewater prohibited by these Regulations shall not be processed or stored in such a manner that they could be discharged to the POTW. No Wastewater or Pollutant shall be directly introduced into a manhole or other opening of the POTW, other than through an approved building sewer, unless authorized by the Control Authority.

Section. 705.170 National Categorical Pretreatment Standards

Categorical Pretreatment Standards refers to any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. Section 1317) that apply to a specific category of Industrial Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405–471. Any User subject to Categorical Pretreatment Standards is considered a Categorical Industrial User (CIU) and shall comply with the following requirements:

- A. Where a Categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a Pollutant in Wastewater, the Control Authority may impose equivalent concentration or mass limits in accordance with [Article II Section. 705.170 E and F](#); reference 40 CFR 403.6(c).

- B. When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of Pollutant per unit of production, the Control Authority may convert the limits to equivalent limitations expressed either as mass of Pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users; reference 40 CFR 403.6(c)(2).
- C. When Wastewater subject to a Categorical Pretreatment Standard is mixed with Wastewater not regulated by the same Standard, the Control Authority shall implement the combined wastestream formula imposed as an alternative Discharge limit in accordance with 40 CFR 403.6(e).
- D. A Categorical Industrial User may obtain a net/gross adjustment to a Categorical Pretreatment Standard in accordance with parts **Article II Section. 705.170 D. 1 and 2**; reference 40 CFR 403.15.
 - 1. Categorical Pretreatment Standards may be adjusted to reflect the presence of Pollutants in the Industrial User's intake water in accordance with these Regulations. Any Industrial User wishing to obtain credit for intake Pollutants must make application to the Control Authority. Upon request of the Industrial User, the applicable Standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for Pollutants in the intake water) if the requirements of part **2** of these Regulations are met.
 - 2. Criteria
 - a. Either (A) The applicable Categorical Pretreatment Standards contained in 40 CFR Subchapter N specifically provide that they shall be applied on a net basis; or (B) The Industrial User demonstrates that the control system it proposes or uses to meet applicable Categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of Pollutants in the intake waters.
 - b. Credit for generic Pollutants such as BOD, TSS, or Oil and Grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the User's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water Pollutants either at the outfall or elsewhere.
 - c. Credit shall be granted only to the extent necessary to meet the applicable Categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under these Regulations.
 - d. Credit shall be granted only if the User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The Control Authority may waive this requirement if it finds that no environmental degradation will result.
- E. When a Categorical Pretreatment Standard is expressed only in terms of Pollutant concentrations, an Industrial User may request that the Control Authority convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Control Authority. The Control Authority may establish equivalent mass limits only if the Industrial User meets all the conditions set forth in the items below.
 - 1. To be eligible for equivalent mass limits, the Industrial User must:
 - a. Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its Control Mechanism;
 - b. Currently use control and treatment technologies adequate to achieve compliance with the applicable Categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;
 - c. Provide sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;

- d. Not have daily flow rates, production levels, or Pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and
 - e. Have consistently complied with all applicable Categorical Pretreatment Standards during the compliance period prior to the Industrial User's request for equivalent mass limits.
2. An Industrial User subject to equivalent mass limits must:
- a. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
 - b. Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
 - c. Continue to record the facility's production rates and notify the Control Authority whenever production rates are expected to vary by more than twenty percent (20%) from its baseline production rates determined in [Article II Section. 705.170 E. 1. c](#). Upon notification of a revised production rate, the Control Authority will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
 - d. Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to [Article II Section. 705.170 E. 1. a](#) so long as it discharges under an equivalent mass limit.
3. When developing equivalent mass limits, the Control Authority:
- a. Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the Industrial User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable Categorical Pretreatment Standard and the appropriate unit conversion factor;
 - b. Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
 - c. May retain the same equivalent mass limit in subsequent Wastewater Discharge Permit terms if the Industrial User's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to [Article II Section. 705.220](#). The Industrial User must also be in compliance with [Article VIII Section. 705.720](#) regarding the prohibition of bypass.
- F. The Control Authority may convert the mass limits of the Categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the Control Authority. When converting such limits to concentration limits, the Control Authority will use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by [Article II Section. 705.220](#), (reference 40 CFR 403.6(d)). In addition, the Control Authority will document how the equivalent limits were derived for any changes from concentration to mass limits, or vice versa, and make this information publicly available, (reference 40 CFR 403.6(c)(7)).
- G. Once included in its Control Mechanism, the Industrial User must comply with the equivalent limitations developed in [Article II Section. 705.170](#) in lieu of the promulgated Categorical Standards from which the equivalent limitations were derived, (reference 40 CFR 403.6(c)(7)).
- H. Many Categorical Pretreatment Standards specify one limit for calculating Maximum Daily Discharge limitations and a second limit for calculating maximum Monthly Average, or four (4)-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation reference 40 CFR 403.6(c)(8).
- I. Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the Control Authority within two (2) business days after the User has a reasonable basis to know that the production level will

significantly change within the next calendar month. Any User not notifying the Control Authority of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate; reference 40 CFR 403.6(c)(9).

Section. 705.180 State Pretreatment Standards

Industrial Users must comply with 10 CSR 20-6.100 codified in Title 10 of the Code of State Regulations.

Section. 705.190 Local Limits

Where specific prohibitions or limits on Pollutants or Pollutant parameters are developed by the Control Authority in accordance with 40 CFR 403.5(c) such limits shall be deemed Pretreatment Standards for the purposes of Section 307(d) of the Act and shall apply to Significant Industrial Users on an individual Pollutant basis.

- A. The Control Authority is authorized to establish Local Limits pursuant to 40 CFR 403.5(c) through Regulation or by inclusion in Control Mechanisms as long as the Local Limits are not less stringent than any set forth in the Pretreatment Requirements of 10 CSR 20-6.100 or other requirements or prohibitions established by Federal or State Regulations (see 10 CSR 20-6.100(6)).
- B. The Control Authority may require implementation of Best Management Practices by Regulation, Rule, or by inclusion in Control Mechanisms to implement Local Limits, control of Pollutants discharged to the POTW, and the requirements of Article II Section. 705.140 and Article II Section. 705.160.
- C. Local Limits are incorporated as Maximum Allowable Industrial Loads (MAILs).
- D. MAILs represent the total mass loading allowed from all Significant Industrial Users for a particular POC.
- E. Loadings of Pollutants will be evaluated at the point representing where Wastewater is discharged to the POTW.
- F. The Control Authority may issue a Control Mechanism for Industrial Users which contribute POCs higher than reference concentrations or more than five percent (5%) of the MAIL.
- G. Allocations shall be implemented as a Maximum Daily Limitation (concentration or mass). Alternative effluent limit types may also be specified at the discretion of the Control Authority per Article IV Section. 705.380 A. 3.
- H. MAILs shall be maintained on file with the Control Authority as Attachment 1 to these Regulations.
- I. The MAILs may be updated based on technical evaluations of Local Limits.

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Section. 705.200 Best Management Practices (BMPs)

- A. BMPs may be required by the Control Authority to implement the prohibitions listed in Article II Section. 705.140 and Article II Section. 705.160 [See 40 CFR 403.5(a)(1) and (b)].
- B. BMPs may also be required as an alternative means (i.e., management plans) of complying with, or in place of certain established Categorical Pretreatment Standards, Local Limits, and effluent limits to minimization the introduction of pollutants into the POTW.
- C. BMPs include treatment requirements, operating procedures, pollution reduction practices, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage, or otherwise minimize the introduction of Pollutants to the POTW.
- D. The Control Authority may implement, where reasonable, special permit conditions requiring Users to identify sources of PECs within their operation, evaluate reduction or elimination strategies, and execute such strategies as necessary to be consistent with the purposes of this Regulation and to comply with Federal, State and Local Regulations.

Section. 705.210 More Stringent Standards or Requirements

The Control Authority may establish by Regulation, or by inclusion in Control Mechanisms more stringent standards or requirements on discharges of Nondomestic waste to the POTW, consistent with the purpose of these Regulations.

Section. 705.220 Dilution

No User shall ever 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 a Discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Control Authority may impose mass limitations on Users who are using dilution in an attempt to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

Section. 705.230 Reference Concentrations

- A. The Control Authority shall maintain a list of Pollutants of Concern (POCs) and corresponding reference concentrations representing background concentrations which shall be used as screening criteria to determine if a User may require a Control Mechanism to monitor, limit, or control discharges.
 - 1. This list shall be maintained on file with the Control Authority as Attachment 2 to these Regulations;
 - 2. This list may be updated as determined by the Control Authority to include additional POCs or to update the reference concentrations.
- B. Monitoring data representative of the User's Discharge shall be collected and submitted as required by the Control Authority meeting the requirements of Article VI Section. 705.560 and Article VI Section. 705.570.
- C. Representative data shall be used to document POCs including if the User meets the requirements of a Significant Industrial User per Article I Section. 705.130 PP.
- D. The reference concentrations apply at a point that is representative of the Wastewater that is discharged to the POTW.

Section. 705.240 Outside Jurisdictional and User Agreements

- A. The Control Authority has the authority to enter into agreements with a contributing governmental jurisdiction or User outside the POTW's sewer use area.
- B. Agreements between the Control Authority and the contributing jurisdiction or User shall function as a Control Mechanism. In no case will an agreement, contract, or other issued Control Mechanism herein, waive required compliance with Federal, State, or Local Regulations.
- C. Any violation of the terms and conditions of an agreement shall be deemed a violation of these Regulations and subjects the contributing jurisdiction or User to the enforcement remedies.
- D. The contributing jurisdiction or User shall be subject to all provisions of these Regulations.
- E. An agreement with an outside jurisdiction may contain the following provisions:
 - 1. A requirement for the contributing jurisdiction to adopt and implement a Sewer Use Ordinance or equivalent regulation which is at least as stringent as these Regulations;
 - 2. A requirement that the agreement shall be amended as necessary to reflect changes made to Federal, State, or Local Regulations;
 - 3. A requirement that the outside jurisdiction's Sewer Use Ordinance or equivalent regulation be updated in a timely manner to incorporate changes to the Control Authority's Regulations;
 - 4. A provision defining roles associated with Pretreatment implementation activities such as identification of Users, Control Mechanism development and issuance, inspection and sampling, and enforcement;
 - 5. A requirement for the contributing jurisdiction to submit reports as specified in the agreement which may include the following components:

- a. User inventory;
 - b. Monitoring results on the Discharge to the Control Authority including flow and Pollutant characteristics;
 - c. Treatment upstream of the connection to the POTW if deemed necessary by the Control Authority
6. Limits on the nature, quality, and volume of the contributing jurisdiction's Wastewater at the point where it discharges to the POTW.

ARTICLE III PRETREATMENT OF WASTEWATER

Section. 705.250 Pretreatment Facilities

- A. Users shall provide Wastewater treatment as necessary to comply with these Regulations and shall achieve compliance with all Pretreatment Standards and/or Requirements established in Control Mechanisms within the time limitations specified by EPA, the State, or Control Authority, whichever is more stringent.
- B. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. The Control Authority may require minimum standards for Pretreatment facilities including, but not limited to, flow monitoring and compliance monitoring station(s).
- C. Detailed plans describing such facilities and operating procedures shall be submitted to the Control Authority for review, and shall be acceptable to the Control Authority before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of providing treatment as necessary to produce a Discharge acceptable to the Control Authority under the provisions of these Regulations.
- D. Whenever deemed necessary, the Control Authority may require Users to restrict their Discharge during peak flow periods, designate that certain Wastewater be discharged only into specific sewers, relocate and consolidate points of Discharge, separate Nondomestic Wastewater from other sources of Wastewater, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of these Regulations.
- E. The Control Authority may require any User discharging into the POTW to install and maintain a suitable storage and flow control to ensure equalization of discharges. A Control Mechanism may be issued solely for flow or pollutant equalization.
- F. Oil and Grease discharges and sediment shall be controlled by appropriate devices.
 - 1. The Control Authority may develop and implement a fats, oil, and grease (FOG) Management Program or other Management Plan to regulate interceptors from domestic and nondomestic sources.
 - 2. Grease, oil, and sand interceptors shall be designed based on facility operations and anticipated characteristics of the discharge and installed as required by the Control Authority, local building codes, or local plumbing codes.
 - 3. All interceptors shall be of a type and capacity approved by the Control Authority, local building codes, and local plumbing codes and shall be so located to be easily accessible for cleaning and inspection.
 - 4. Such interceptors shall be inspected, maintained, cleaned, and repaired to ensure proper operation.
 - 5. Interceptors may be inspected by the Control Authority or other regulatory agencies to evaluate the performance of the device.
 - 6. The Control Authority may establish specific required frequencies for any or all of the above activities.
 - 7. No use of chemicals, enzymes, or other substances that emulsify Oil and Grease shall be introduced to the POTW unless otherwise approved by the Control Authority.

- G. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter at a location designated by the Control Authority.
- H. Users with the potential to discharge hydrogen sulfide gas may be required to install and maintain H₂S atmospheric gas detectors at a location designated by the Control Authority.

Section. 705.260 Accidental Discharge/Slug Discharge Control Plans

- A. All Users shall adequately protect against Slug Discharges.
- B. The Control Authority shall evaluate whether an Industrial User needs a Slug Discharge Control Plan including specific BMPs to control Slug Discharges.
- C. The Control Authority may require any Industrial User to develop, submit for approval, and implement such a plan or take other action that may be necessary to control Slug Discharges. Alternatively, the Control Authority may develop such a plan for any Industrial User.
- D. A Slug Discharge Control Plan shall address, at a minimum, the following:
 - 1. Description of Discharge practices, including non-routine batch discharges.
 - 2. Description of stored chemicals.
 - 3. Procedures for immediately (i.e., without delay) notifying the Control Authority of Slug Discharges. An initial notification report is required under [Article V Section. 705.500 B](#).
 - 4. Procedures for follow-up written notification within five days after an accidental Discharge with the components required under [Article V Section. 705.500 C](#).
 - 5. Procedures to prevent adverse impact from any accidental or Slug Discharge including:
 - a. Equalization measures
 - b. Management of periodic operational or maintenance activities
 - c. Inspection and maintenance of storage areas
 - d. Handling and transfer of materials
 - e. Loading and unloading operations
 - f. Control of plant site runoff
 - g. Worker training
 - h. Discharges from containment structures or equipment
 - i. Measures for containing toxic organic Pollutants or other Pollutants
 - j. Measures and equipment for emergency response
- E. Significant Industrial Users, or any other Users with a SDCP requirement in a Control Mechanism, are required to notify the Control Authority immediately (i.e., without delay) of any changes at its facility affecting the potential for a Slug Discharge.
- F. The Slug Discharge Control Plan shall be updated to adequately document BMPs in place to minimize the risk of incidents requiring reporting per [Article V Section. 705.500](#).

Section. 705.270 Duty to Mitigate

- A. Users shall take all reasonable steps to mitigate noncompliance with any Pretreatment Standard or Requirement.
- B. Upon identification of an impact to the POTW or the environment including events such as loss or failure of all or part of the treatment facility, the User 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.
- C. Response from the User may require accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance.

Section. 705.280 Compliance Schedules

- A. In the event that a User does not adequately comply with Pretreatment Standards and Requirements including Categorical Pretreatment Standards, a Compliance Schedule may be proposed by the User or required by the Control Authority.
- B. For compliance with Categorical Pretreatment Standards, a Compliance Schedule may be required by **Article IV Section. 705.370 H**.
- C. The following requirements shall be met when implementing Compliance Schedules:
 - 1. The schedule shall contain compliance milestones in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
 - 2. No compliance milestone increment referred to in **Article III Section. 705.280 C. 1** shall exceed nine (9) months; in no event shall more than nine (9) months elapse between compliance milestone progress reports to the Control Authority.
 - 3. Compliance milestone progress reports shall be submitted to the Control Authority by the User no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and, if appropriate, the steps being taken by the User to return to the established schedule;
 - 4. The Control Authority may modify the timeline, the required corrective actions, or both based on the following:
 - a. Interim measures identified and implemented
 - b. Consideration for capital expenditures
 - c. New instances of noncompliance
 - d. Other considerations deemed by the Control Authority to warrant a modification to the Compliance Schedule

Section. 705.290 **Hauled Wastewater**

- A. Hauled waste is authorized at the discretion of the Control Authority; the Control Authority may implement a Hauled Waste Program to appropriately control hauled waste.
- B. The Discharge location and hours of acceptance of the waste shall be established by the Control Authority.
- C. Waste haulers and the entities generating the waste are responsible for complying with all Pretreatment Standards and Requirements.
- D. The Control Authority may require waste haulers to provide requested information related to the hauled waste discharges and may require waste haulers or generators of waste to obtain a Control Mechanism.
- E. The Control Authority may require the waste hauler to provide a waste analysis of any load prior to Discharge, and the Control Authority may collect samples of any load to ensure compliance with applicable Standards.
- F. Hauled waste shall not meet the definition of a hazardous waste prior to mixing with other wastestreams pursuant to 40 CFR 261, if otherwise disposed.

Section. 705.300 **Dental Dischargers**

- A. Dental dischargers must comply with 40 CFR part 441- Dental Office Point Source Category.
- B. The Control Authority requires dental dischargers to submit a one-time compliance report as required in 40 CFR 441.50(a).
- C. The Control Authority may periodically survey or inspect dental dischargers to ensure compliance with the Regulations.

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ARTICLE IV WASTEWATER CONTROL MECHANISMS

Section. 705.310 Control Mechanism and Permit Requirement

- A. The Control Authority has the authority to issue Wastewater Discharge Permits or other Control Mechanisms. SIUs shall have a Wastewater Discharge Permit with the requirements in [Article IVSection. 705.380](#) of these Regulations.
- B. The Control Authority may issue other Control Mechanisms to Users that are not SIUs if needed to comply with the requirements of these Regulations. Control Mechanisms may have specific requirements that define monitoring, site-specific limits, special conditions, prohibited discharges, or Best Management Practices.
- C. No SIU shall Discharge Wastewater into the POTW without first obtaining a Permit or Other Control Mechanism from the Control Authority, except any SIU that has filed a timely renewal pursuant to [Article IVSection. 705.350](#) of these Regulations.
- D. Any violation of the terms and conditions of a Control Mechanism shall be deemed a violation of these Regulations and subjects the User to the enforcement remedies set out in these Regulations.
- E. Obtaining a Control Mechanism does not relieve a User of its obligation to comply with all Federal, State, and Local Regulations.

Section. 705.320 Existing Connections

Any User required to obtain a Control Mechanism who was discharging Nondomestic Waste into the POTW prior to the effective date of the Regulation and who wishes to continue the discharges in the future, shall, within thirty (30) days after said date, apply to the Control Authority for a Control Mechanism in accordance with [Article IVSection. 705.370](#) and shall not cause or allow discharges to the POTW to continue after ninety (90) days of said date except in accordance with a Control Mechanism issued by the Control Authority or a time extension approved by the Control Authority.

Section. 705.330 New Connections

Any User required to obtain a Control Mechanism who proposes to begin or recommence discharging Nondomestic Wastes into the POTW must obtain such Control Mechanism prior to beginning or recommencing Discharge. The User must apply for a Control Mechanism, in accordance with [Article IVSection. 705.370](#), at least ninety (90) days prior to the date upon which any Discharge will begin or recommence.

Section. 705.340 Control Mechanism Duration

A Permit for any Significant Industrial User as defined in [Article I Section. 705.130 PP](#) must be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. Control Mechanisms for other Users may be issued for any duration including no expiration date, at the discretion of the Control Authority.

Section. 705.350 Control Mechanism Reissuance

A User with an expiring Control Mechanism shall apply for reissuance by submitting a complete application or renewal application on a form provided by the Control Authority, in accordance with [Article IVSection. 705.370](#) of these Regulations, a minimum of ninety (90) days prior to the expiration of the User's existing Control Mechanism. The Control Authority may authorize a User to update a previous application or otherwise provide changes and other requested information since the last application submission in lieu of completing and submitting a new application, at the Control Authority's discretion.

Section. 705.360 Control Mechanism Decisions

- A. The Control Authority will evaluate the data and reports provided by the User as part of the application, renewal, or changed condition request and may require additional information.
- B. Information submitted will be used to make Control Mechanism decisions.

- C. The requested Discharge or changed Discharge shall be deemed to be denied if the Control Mechanism is not issued or otherwise communicated by the date of the expiration of the current Control Mechanism or within ninety (90) days of submitting a Control Mechanism application.
- D. The Control Authority may deny a Control Mechanism or limit discharges from Users.

Section. 705.370 Control Mechanism Application and Permit Application Contents

All Significant Industrial Users required to obtain a Control Mechanism must submit an application with information related to the Industrial User's discharges. The Control Authority may require Users to submit all or some of the following information as part of an application:

- A. Identifying Information.
 - 1. The name and address of the facility, including the name of the operator and owner.
 - 2. Contact information, description of activities, facilities, and plant production processes on the premises.
- B. Environmental Permits. A list of any environmental control permits held by or for the facility.
- C. Description of Operations.
 - 1. A brief description of the nature, average rate of production (including each product produced by type, amount, process, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic or process flow diagram, which indicates points of Discharge to the POTW from the regulated processes.
 - 2. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - 3. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - 4. Type and amount of raw materials processed (average and maximum per day);
 - 5. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of Discharge;
- D. Time and duration of discharges;
- E. The location for monitoring all wastes covered by the Discharge;
- F. Flow Measurement. Information showing the measured Average Daily and Maximum Daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow alternative Discharge limits set out in **Article II Section. 705.170 C** and 40 CFR 403.6(e)).
- G. Measurement of Pollutants.
 - 1. New Discharges may estimate the nature and concentration of Pollutants reported based on knowledge from facilities with similar operations and planned Pretreatment.
 - 2. Samples should be taken immediately downstream from Pretreatment facilities if such facilities exist or immediately downstream from the process if no Pretreatment facilities are present.
 - 3. Additional sampling may be required by the Control Authority to properly reflect characteristics of the Wastewater discharged to the POTW.
 - 4. The information submitted shall reflect Categorical Pretreatment Standards (if applicable) for each regulated process and shall also reflect the nature and concentration of Pollutants for all nondomestic discharges from the facility.
 - a. For Users subject to Categorical Standards: If other Wastewaters are mixed with the regulated Wastewater prior to Pretreatment the User shall measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards.
 - b. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority.

5. Where the applicable Pretreatment Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Control Authority or the applicable Standards to determine compliance with the Standard.
 6. Sampling and analysis shall be performed in accordance with procedures set out in Article VI Section. 705.560 and [Article VI Section. 705.570](#) of these Regulations.
 7. The Control Authority may allow submittal of data which utilizes only historical data so long as the data includes adequate and representative data for the Pollutants and monitoring locations being requested.
 8. The Control Authority may require a minimum of four (4) Grab Samples for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist;
 9. The report shall include documentation of the time, date and place of sampling and methods of analysis.
- H. Compliance Schedule.
1. If additional Pretreatment or operation and maintenance will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional Pretreatment or operation and maintenance must be provided by the User.
 2. For New Sources subject to Categorical Standards the completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.
 3. A Compliance Schedule pursuant to these Regulations must meet the requirements set out in [Article III Section. 705.280 C](#).
- I. Any other information deemed necessary by the Control Authority to evaluate the Discharge request.

Section. 705.380 Control Mechanism Contents

Control Mechanisms shall include conditions to control discharges consistent with the purpose of these Regulations.

- A. All Wastewater Discharge Permits (Permit) must contain and Control Mechanisms may contain:
1. A statement that indicates the Permit issuance date, expiration date and effective date.
 2. A statement that the Permit is nontransferable without prior notification to the Control Authority in accordance with [Article IV Section. 705.420](#) of these Regulations, and provisions for furnishing the new owner or operator with a copy of the existing Permit or Control Mechanism.
 3. Permit limits necessary to ensure discharges are controlled. The following effluent limit types and corresponding definitions may be implemented:
 - a. Instantaneous. The results of discrete samples taken at any time (composite or grab) are compared against the Instantaneous Limit.
 - b. Daily Maximum. The arithmetic mean of all valid sample results collected for a calendar day shall be compared against the Daily Maximum Limit.
 - c. Weekly Average. The arithmetic mean of all valid sample results collected for a week shall be compared against the Weekly Average Limit. Multiple samples collected on a calendar day shall be averaged prior to calculating the Weekly Average.
 - d. Monthly Average. The arithmetic mean of all valid sample results collected for a calendar month shall be compared against the Monthly Average Limit. Multiple samples collected on a calendar day shall be averaged prior to calculating the Monthly Average.

Additional effluent limit types may be applied but must be defined in the individual Control Mechanism for which they are relevant.

Averages that are mass limits are to be the arithmetic mean of individual mass calculations per sample event (concentration and corresponding flow during the sample event) collected during the time period specified by the limit type.

4. Best Management Practices if required by the applicable Categorical Pretreatment Standard(s).
 5. Self-monitoring, sampling, reporting, notification, and recordkeeping requirements. These requirements shall include an identification of Pollutants (or Best Management Practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and Local Regulations.
 6. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable Compliance Schedule. Such a schedule may not extend the time for compliance beyond that required by applicable Federal, State, or Local Regulations.
 7. Requirements to control Slug Discharges per [Article III Section. 705.260 A.](#)
 8. Notification that Users may apply for a waiver from monitoring for a Pollutant neither present nor expected to be present in the Discharge in accordance with [Article IV Section. 705.390.](#)
 9. Any grant of the monitoring waiver by the Control Authority in accordance with [Article IV Section. 705.390](#) must be included as a condition in the User's Permit or other Control Mechanism.
 10. Any use of Zero Discharge Certifications in accordance with [Article V Section. 705.540 D](#) by the User must be included as a condition in the User's Permit or other Control Mechanism.
- B. In addition to the above requirements, any Permit or other Control Mechanism may also contain the following requirements:
1. Limits on the average and maximum rate of Discharge, time of Discharge, and requirements for flow regulation and equalization.
 2. Limits on the instantaneous, daily and monthly average and maximum concentration, mass, or other measure of POCs.
 3. Requirements for the installation, operation, calibration, and maintenance of suitable flow and compliance monitoring.
 4. Requirements for the installation of Pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of Pollutants into the POTW.
 5. Requirements for the development and implementation of a Slug Discharge Control Plan or other special conditions including BMPs or management plans necessary to adequately prevent accidental, unanticipated, or routine discharges and otherwise minimize Pollutants introduced into the POTW. Documentation of the BMP implementation may be required to be submitted.
 6. Requirements to comply with the unit charge or Schedule of User Charges and Fees associated with these Regulations.
 7. A statement that compliance with the Control Mechanism does not relieve the User of responsibility for compliance with all applicable Federal, State, and Local Regulations, including those which become effective after issuance of the Control Mechanism.
- C. Other conditions as deemed appropriate by the Control Authority to ensure compliance with these Regulations, and other Federal, State, and Local Regulations.

Section. 705.390 Waiver for Pollutant Not Present

The Control Authority may authorize the Industrial User subject to a Categorical Pretreatment Standard to forego sampling of a Pollutant regulated by a Categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the Pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the Pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:

- A. The waiver may be authorized where a Pollutant is determined to be present solely due to domestic Wastewater discharged from the facility provided that the domestic Wastewater is not regulated by an applicable Categorical Standard and otherwise includes no Process Wastewater.
- B. The monitoring waiver is valid only for the duration of the effective period of the Control Mechanism, but in no case longer than five (5) years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent Control Mechanism.
- C. In making a demonstration that a Pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's Process Wastewater prior to any treatment present at the facility that is representative of all Wastewater from all processes.
- D. The request for a monitoring waiver must be signed as required in [Article V Section. 705.540 F](#).
- E. Non-detectable sample results may only be used as a demonstration that a Pollutant is not present if the EPA approved method from 40 CFR part 136 with the lowest minimum detection level for that Pollutant was used in the analysis.
- F. Any grant of the monitoring waiver by the Control Authority must be included as a condition in the User's Control Mechanism. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Control Authority for three (3) years after expiration of the waiver.
- G. Upon approval of the monitoring waiver and revision of the User's Control Mechanism by the Control Authority, the Industrial User must certify on each report with the statement required in, that there has been no increase in the Pollutant in its wastestream due to activities of the Industrial User.
- H. In the event that a waived Pollutant is found to be present or is expected to be present based on changes that occur in the User's operations, the User must immediately (i.e., without delay) comply with the monitoring requirements of [Article V Section. 705.480 A](#) or other more frequent monitoring requirements imposed by the Control Authority and notify the Control Authority in accordance with [Article V Section. 705.490](#).
- I. This provision does not supersede certification processes and requirements established in Categorical Pretreatment Standards, except as otherwise specified in the Categorical Pretreatment Standard.

Section. 705.400 Control Mechanism Appeals

Any person, including the User, may petition the Control Authority to reconsider the terms of a Control Mechanism within thirty (30) days of its issuance.

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the Control Mechanism provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in Control Mechanism.
- C. All conditions of the Control Mechanism shall be in effect pending the appeal.
- D. If the Control Authority fails to act within sixty (60) days, a request for reconsideration shall be deemed to be denied. Decisions to deny the appeal shall be considered final administrative action for purposes of judicial review.

Section. 705.410 Control Mechanism Modification

The Control Authority may modify a Control Mechanism for good cause, including, but not limited to, the following reasons:

- A. To incorporate any changes to Federal, State, or Local Regulations;
- B. To address significant alterations or additions to the User's operation, processes, or Wastewater volume or character since the time of Control Mechanism issuance;

- C. To incorporate changed or more representative Wastewater characteristics such as identification of additional Pollutants of Concern or different concentrations than otherwise provided to the Control Authority;
- D. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized Discharge;
- E. Information indicating that the Nondomestic Discharge poses a threat to the Control Authority's POTW, Control Authority personnel, or the receiving waters;
- F. Violation of any terms or conditions of the Control Mechanism;
- G. Misrepresentations or failure to fully disclose all relevant facts in the application or other information provided to the Control Authority, including any required reporting;
- H. Revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR 403.13;
- I. To correct typographical or other errors in the Control Mechanism; or
- J. To reflect a transfer of the facility ownership or operation to a new owner or operator in accordance with [Article IV Section. 705.420](#).

The filing of a request by the permittee for a Control Mechanism modification does not stay any condition required by the Control Mechanism.

Section. 705.420 Control Mechanism Transfer

Control Mechanisms may be reassigned or transferred to a new owner or operator only if the existing User provides a Notice of Transfer to the Control Authority at least thirty (30) days in advance of the transfer and the Control Authority approves the transfer. The Notice to the Control Authority must include a written certification statement with the below minimum components signed by an Authorized Representative of the new owner or operator per [Article I Section. 705.130 D](#) which certifies the following:

- A. States that the new owner or operator has no immediate intent to change the facility's operations and processes.
- B. Identifies the specific date on which the transfer is to occur.
- C. Acknowledges full responsibility for complying with the existing Control Mechanism.

Failure to provide advance Notice of Transfer renders the Control Mechanism voided on the date of the facility transfer. Other Control Mechanisms may not be transferred; the new Owner shall provide survey or permit application information as requested by the Control Authority.

Section. 705.430 Control Mechanism Revocation or Termination

The Control Authority may revoke a Control Mechanism for good cause, including, but not limited to the following reasons:

- A. Violation of the Control Mechanism;
- B. Failure to notify the Control Authority of significant changes to the Wastewater prior to the changed Discharge pursuant to [Article V Section. 705.490](#);
- C. Falsifying self-monitoring reports and certification statements;
- D. Tampering with monitoring equipment;
- E. Refusing to allow the Control Authority timely access to the facility premises and records for the purposes of inspection or monitoring;
- F. Failure to meet effluent limitations;
- G. Failure to pay fines;
- H. Failure to pay sewer charges;
- I. Failure to meet Compliance Schedules or other requirements of enforcement remedies;

- J. Failure to complete a Wastewater survey or permit application or failure to accurately report the Wastewater constituents and characteristics of the Discharge;
- K. Violation of any Pretreatment Standard or Requirement, or any terms of the Control Mechanism or these Regulations;
- L. Ceasing operations or failure to notify of a Transfer of Ownership without prior Control Authority approval per [Article IV Section. 705.420](#).

ARTICLE V USER REPORTING REQUIREMENTS

Section. 705.440 Submittal Requirements

- A. Certification of the following Reports is required by an Authorized or Duly Authorized Representative of the User and contain the certification statement in Article V Section. 705.540 C:
 - 1. All Baseline Monitoring Reports
 - 2. Control Mechanism Applications
 - 3. Control Mechanism Renewals
 - 4. Periodic Compliance Reports
 - 5. Reports on Compliance with Categorical Standards, and
 - 6. Requests for Waivers for Pollutants not Present must be signed by an Authorized Representative or Duly Authorized Representative of the User and contain the certification statement in Article V Section. 705.540 C.
- B. Changes in Designation of Signatory Authority
- C. If the designation of an Authorized Representative or Duly Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of these Regulations must be submitted to the Control Authority prior to or together with any reports to be signed by an Authorized Representative.
- D. Electronic Reporting
- E. Users may be required to electronically submit reports to satisfy reporting requirements.

Section. 705.450 NSCIU Annual Reporting

A facility determined to be a Non-Significant Categorical Industrial User by the Control Authority pursuant to [Article I Section. 705.130 PP. 2](#), must annually submit the signed certification statement in [Article V Section. 705.540 D](#).

Section. 705.460 Baseline Monitoring Report (BMR)

- A. A Baseline Monitoring Report is required for:
 - 1. Industrial Users subject to new or updated Categorical Pretreatment Standards: Users shall submit a BMR within one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later;
 - 2. Existing Significant Industrial Users subject to Categorical Pretreatment Standards and currently discharging to the POTW: Users shall have a BMR on file or in instances where a BMR is not on file, a BMR shall be submitted by the User in the timeframe requested by the Control Authority;
 - 3. New Sources subject to Categorical Pretreatment Standards: Users shall submit a BMR at least ninety (90) days prior to commencement of the Discharge. The BMR shall include the report components specified below as well as the method of Pretreatment it intends to meet the applicable Pretreatment Standards.

4. Report Components: a report which contains the information listed in **Article V Section 705.460 C** and any other information required by the Control Authority.
- B. Compliance Certification
 1. In addition to the report certification required in **Article V Section. 705.440 A** by an Authorized Representative, a compliance certification is required to be signed by a qualified professional.
 2. The compliance certification shall document whether or not compliance with the applicable Pretreatment Standards and Requirements are being met on a consistent basis; and, if not, whether additional operation and maintenance, or additional Pretreatment is required to meet the Pretreatment Standards and Requirements.
 3. The compliance certification shall include a statement documenting that a qualified professional has reviewed the BMR including the facility operations and resulting Discharge characteristics.
- C. The report components shall be completed as requested by the Control Authority including the following information:
 1. All information required in **Article IV Section. 705.370**;
 2. Report Certification per **Article V Section. 705.440 A**
 3. Compliance Certification per **Article V Section. 705.460 B** for Users subject to **Article V Section. 705.460 A. 1 and 2**.

Section. 705.470 Initial Report on Compliance with Categorical Pretreatment Standards

- A. An Initial Report on Compliance is required for the following Users:
 1. Existing Sources subject to Categorical Pretreatment Standards: within ninety (90) days following the date for final compliance;
 2. New Sources subject to Categorical Pretreatment Standards: within ninety (90) days following commencement of the introduction of Wastewater into the POTW.
- B. The report components shall be completed as requested by the Control Authority including the following information:
 1. All information required in **Article IV Section. 705.370 F and G**;
 2. Compliance Certification per **Article V Section. 705.460 B** for Users subject to **Article V Section. 705.460 A. 3**.
- C. For Industrial Users subject to equivalent mass of concentration limits established in accordance with the procedures in 40 CFR 403.6(c) the report shall contain a reasonable measure of the User's long-term production rate.
- D. For all other Industrial Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant Discharge per unit of production (or other measure of operation), this report shall include the Industrial User's actual production during the appropriate sampling period.
- E. All sampling shall be done in conformance with Article VI Section. 705.560 and **Article VI Section. 705.570**.

Section. 705.480 Periodic Report on Compliance or Self-Monitoring Report (SMR)

- A. Users with Control Mechanisms may be required to periodically submit Compliance Reports to the Control Authority to document compliance with the relevant Pretreatment Standards and Requirements.
- B. Requirements for Significant Industrial Users as defined per **Article I Section. 705.130 PP. 1**
 1. The minimum reporting frequency is semi-annually; a more frequent reporting frequency may be required.
 2. Report Contents

- a. Nature and concentration of Pollutants in the effluent including date and monitoring location.
 - b. Measured or estimated average and maximum daily flows. If required by the Control Authority, more detailed flow reporting.
 - c. If required, Management Plans for reduction or control of Pollutants.
 - d. Documentation of Best Management Practices as required by the Pretreatment Standard or as otherwise required by the Control Authority to determine compliance.
- 3. All compliance reports must be signed and certified in accordance with Article V Section. 705.540 C.
- C. Requirements for Non-Significant Categorical Industrial Users defined per **Article I Section. 705.130 PP. 2**
 - 1. The reporting frequency is annual.
 - 2. Report Contents
 - a. Statements or documentation as required such as manifests, maintenance logs, monitoring results, flow monitoring results, or other information as required by the Control Authority to document compliance with Best Management Practices required for the Reduced Reporting.
 - b. Signed certification in accordance with Article V Section. 705.540 C.
- D. Requirements for Other Control Mechanisms
 - 1. Users with a Control Mechanism other than a Permit may be required to submit reports at a specified frequency or upon request by the Control Authority.
 - 2. If required, Report Components may include the following:
 - a. Flow measurement and analytical results
 - b. Statements or other documentation as required such as manifests, maintenance logs, monitoring results, flow monitoring results, or other information as required by the Control Authority to document compliance with Best Management Practices required for the reduced reporting.
 - c. Management Plans and corresponding documentation for reduction or control of Pollutants.
 - d. Signed certification in accordance with Article V Section. 705.540 C.
- E. Control Authority Monitoring in lieu of the User
 - 1. Where the Control Authority performs the required sampling and analysis in lieu of the User, the User may not be required to submit the report certification.
 - 2. Where the Control Authority collects all the information required for the report, including flow data, the User may not be required to submit the report.
- F. If a User subject to the reporting requirement in these Regulations monitors any regulated Pollutant at the appropriate sampling location more frequently than required by the Control Authority, using the procedures prescribed in Article VI Section. 705.560 **and Article VI Section. 705.570** of these Regulations, the results of this monitoring shall be included in the report.

Section. 705.490 Reports of Changed Conditions

All SIUs are required to notify the Control Authority of any planned changes to manufacturing operations or Wastewater management which may significantly alter the nature, quality or volume of its Wastewater at least thirty (30) days prior to the commencement of the changed condition.

- A. The Control Authority may require the Industrial User to submit information as deemed necessary to evaluate the changed condition, including the submission of a control mechanism application under **Article IV Section. 705.370**.

- B. The Control Authority may issue a Control Mechanism under **Article IV Section. 705.310** or modify an existing Control Mechanism under **Article IV Section. 705.410** in response to changed conditions or anticipated changed conditions.
- C. The Control Authority may deny the changed Discharge or modify the Control Mechanism to incorporate the changed conditions.

Section. 705.500 Reports of Accidental and Slug Discharges (Reports of Potential Problems)

- A. Immediate (without delay) notification upon discovery to the Control Authority is required for:
 - 1. Accidental or Slug Discharges.
 - 2. Internal or operational monitoring data or observations indicating that a Pretreatment Standard is or is likely to be violated.
- B. The initial notification of the event shall include at a minimum, the following:
 - 1. Location of the Discharge;
 - 2. Date, time, and duration of Discharge;
 - 3. Description (type) of event resulting in the Discharge;
 - 4. The substance discharged;
 - 5. Concentration or strength of Discharge;
 - 6. Volume of Discharge;
 - 7. The cause of Discharge; and
 - 8. Corrective actions taken by the User.
 - 9. If any of the required information is not available when the incident is initially communicated, then the missing information shall be acknowledged and provided by the User as soon as it is available.
- C. Follow-up report
 - 1. A written follow-up report is required to be submitted five (5) days following identification of the Discharge unless waived by the Control Authority
 - 2. The report shall contain:
 - a. A description of the investigation;
 - b. Amendments to the initial report;
 - c. Corrective actions to prevent future similar occurrences including updated procedures such as the Slug Discharge Control Plan;
 - d. Timeframes to implement corrective actions.
- D. The Control Authority may issue an enforcement remedy as authorized in **Article VII** which may contain additional corrective actions or required responses.
- E. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred because of damage or Disruption to the POTW or the environment.
- F. Such notification does not relieve User of any fines, penalties, or other liability which may be imposed pursuant to these Regulations, or other Federal, State, or Local Regulations.

Section. 705.510 Reports of Permit Limit Exceedances

- A. If sampling performed by a User indicates exceedance of an effluent limit, the User must notify the Control Authority within twenty-four (24) hours of becoming aware of the exceedance.
- B. A resampling event shall be performed and submitted to the Control Authority within thirty (30) days after the User becomes aware of the violation.
 - 1. Where the Control Authority performs sampling in lieu of the User, the Control Authority shall repeat the sampling event unless the User is notified to perform the resampling event.
- C. Resampling is not required for the following situations:

1. If the Control Authority performs monitoring at the User's facility at least once a month, or
2. If the Control Authority performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the Control Authority receives the results.

Section. 705.520 Notification of the Discharge of Hazardous Waste

- A. Discharge of any substance that would be a hazardous waste prior to mixing with other wastestreams pursuant to 40 CFR 261, if otherwise disposed of, is prohibited unless specifically authorized by the Control Authority, in accordance with Article II Section. 705.140. Should a User discharge hazardous waste in violation of Article II Section. 705.140, said User must comply with the following provisions:
- B. Any User who commences the discharge of hazardous waste shall notify the Control Authority, the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of Discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes and an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month.
- C. Notifications of changed conditions must be submitted under Article V Section. 705.490 of these Regulations. The notification requirement does not apply to Pollutants already reported by Users subject to Categorical Pretreatment Standards under the self-monitoring requirements of Article V Section. 705.440, Article V Section. 705.470, and Article V Section. 705.480 or other reporting requirements as required by the Control Authority.
- D. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged.
- E. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Control Authority, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the Discharge of such substance within ninety (90) days of the effective date of such regulations.
- F. This provision does not create a right to discharge any substance not otherwise authorized to be discharged by these Regulations, a Control Mechanism issued thereunder, or any applicable Federal, State, or Local Regulations.

Section. 705.530 Date of Receipt of Reports

- A. Written reports will be deemed to have been submitted on the postmarked date. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
- B. In the event that electronic reports are required by the Control Authority, the date of receipt of the report shall be the date that the report is electronically transmitted.
- C. Incomplete reports may be considered late for not including the required reporting components per Article V Section. 705.480.

Section. 705.540 Certification Statements

- A. Reports required under these Regulations shall be submitted in a format as required by the Control Authority which may be in an electronic format compliant with the Environmental Protection Agency

(EPA) approved Cross Media Electronic Reporting Regulation (CROMERR) per the Code of Federal Regulations Title 40, Part 3.

- B. Certification statements as required in this section shall be provided by an Authorized or Duly Authorized Representative as defined in [Article I Section. 705.130 D](#).
- C. Standard report certification is required for the following reports:
1. Applications in accordance with [Article IV Section. 705.330](#);
 2. Baseline monitoring reports under [Article V Section. 705.440](#);
 3. Reports on compliance with the Categorical Pretreatment Standard deadlines under [Article V Section. 705.470](#);
 4. Periodic compliance reports required by [Article V Section. 705.480 A](#); and
 5. Initial request for a monitoring waiver to forego sampling of a Pollutant on the basis of [Article V Section. 705.390](#).

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 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.

- D. Zero Discharge Certification may be authorized in Control Mechanisms or Permits
1. If a facility may not discharge during a reporting period, then the Control Authority may require certification of periodic compliance reports to document no Discharge occurred in lieu of reporting flow and monitoring results.
 2. The following certification statement shall be included in addition to the standard report certification.
 3. Based on my inquiry of the person or persons directly responsible for managing compliance with industrial waste discharge requirements, I certify that to the best of my knowledge and belief, this facility did not discharge industrial Wastewater to the sanitary sewer system from the categorical processes listed above at this facility during this monitoring and reporting period. I further understand that an annual inspection, as well as any necessary non-routine inspections, may be conducted by the Control Authority. During these inspections, I shall make available copies of waste manifests and any other records that support zero discharge of categorical process industrial Wastewater (e.g., sludge manifest records, chemical solution replenishment records, and water bills).
- E. Annual certification is required for Non-Significant Categorical Industrial Users. Users determined by the Control Authority to be a Non-Significant Categorical Industrial User pursuant to [Article I Section. 705.130 PP. 2](#) and [Article V Section. 705.450](#) must annually submit the following certification statement signed in accordance with the signatory requirements in [Article I Section. 705.130 D](#). This certification shall accompany a report in a format as required by the Control Authority:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR _____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

- (a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in 40 CFR 403.3(v)(2);*
- (b) The facility complied with all applicable Pretreatment Standards and Requirements during this reporting period; and*

(c) The facility never discharged more than 100 gallons of total Categorical Wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

- F. Certification of Pollutants Not Present. The following certification is required for Users that have an approved monitoring waiver based on [Article IV Section. 705.390](#) to certify on each report that there has been no increase in the Pollutant in its wastestream due to activities of the User.

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list Pollutant(s)] in the Wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e).

ARTICLE VI COMPLIANCE MONITORING AND RECORDKEEPING

Section. 705.550 Wastewater Survey

- A. The Control Authority is authorized to identify and locate all possible Users which might be subject to the Control Authority's approved pretreatment program, any other Federal, State, or Local Regulations, or may be sources of emerging POCs.
- B. The Control Authority is authorized to prepare forms for this purpose and may periodically require Users to respond to the requested information.
- C. When requested by the Control Authority, all Users must submit information on the nature, volume, and characteristics of their Wastewater by completing a Wastewater survey prior to commencing their Discharge or at an alternative timeframe specified by the Control Authority.
- D. The Control Authority may require the User to complete specific analysis of representative discharges associated with the survey request.
- E. Failure to return the survey as requested by the Control Authority is considered a violation of these Regulations and shall be reasonable grounds for enforcement action pursuant to [Article VII](#), including termination of service.

Section. 705.560 Analytical Requirements

- A. Any User providing the results of analyses to the Control Authority as part of a survey, application, or report must ensure that such analyses were performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard or unless an alternative analysis is approved by the Control Authority.
- B. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Control Authority or other parties approved by the EPA.
- C. Analyses performed shall be sufficiently sensitive as compared to Federal, State, and Local Regulations, such as Pollutants with established MAILs, Reference Concentrations, Pretreatment Standards, and Emerging Pollutant Water Quality Criteria.

Section. 705.570 Sample Collection

- A. Samples collected to satisfy the requirements of these Regulations including the required Reports must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report.

- B. All Wastewater samples must be representative of the User's Discharge for the associated reporting period.
- C. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its Discharge.
- D. Sample Collection Types
 - 1. Grab Sample is a sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
 - 2. Composite Sample means the sample resulting from the combination of individual Wastewater samples taken at selected intervals on an increment of either flow or time.
 - 3. Composite Wastewater samples shall be collected using twenty-four (24)-hour flow proportional composite sampling techniques, unless time proportional composite sampling or grab sampling is authorized by the Control Authority.
- E. Sample collection shall follow procedures (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance.
- F. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds shall be obtained using grab sample collection techniques unless otherwise required by the Control Authority.
- G. The Control Authority may require the User to install flow and sample monitoring equipment accessible by the Control Authority. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense.
- H. All devices used to measure Wastewater flow and quality shall be calibrated as required by the analysis or as otherwise necessary to ensure their accuracy.

Section. 705.580 Right of Entry: Inspection and Sampling

- A. The Control Authority has the authority to ascertain whether the purpose of these Regulations, and any Control Mechanism, or order issued hereunder, is being met and whether the User is complying with all requirements thereof.
- B. The Control Authority shall have the right to enter the facilities of any User which discharges or otherwise introduces Wastewater to the POTW including facilities generating hauled waste or facilities discharging from outside the jurisdiction.
- C. Users shall allow the Control Authority ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, audio and visual documentation, and the performance of any additional duties.
- D. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the Industrial User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the Control Authority, State, and EPA will be permitted to enter without delay, for the purposes of performing their specific responsibilities.
- E. The Control Authority, state, and EPA shall have the right to set up on the Industrial User's property or require installation of the devices as are necessary to conduct compliance monitoring and flow monitoring of the User's Discharge.
- F. Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected or sampled shall be promptly removed by the Industrial User at the written or verbal request of the Control Authority and shall not be replaced. The costs of clearing the access shall be borne by the Industrial User.
- G. Unreasonable delays in allowing Control Authority personnel access to the Industrial User's premises during reasonable times shall be a violation of these Regulations.

Section. 705.590 Search Warrants

If the Control Authority has been refused access to a building, structure or property, or any part thereof, and if the Control Authority has demonstrated probable cause to believe that there may be a violation of these Regulations or that there is a need to inspect as part of a routine inspection program of the Control Authority designed to verify compliance with these Regulations or any Control Mechanism or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Control Authority may seek issuance of a search warrant from the appropriate court having jurisdiction.

Section. 705.600 Recordkeeping

- A. Users subject to the reporting requirements of these Regulations shall retain, and make available for inspection and copying, all records of information obtained pursuant to these Regulations;
- B. Records shall include any monitoring activities required and any additional records of information obtained pursuant to monitoring activities undertaken by the User;
- C. Records shall include documentation associated with Best Management Practices established under **Article II Section. 705.190 B**;
- D. The period that records shall be maintained and made available to the Control Authority is at least three (3) years;
- E. The record requirement of three (3) years shall be automatically extended for the duration of any litigation concerning the User or the Control Authority or where the User has been specifically notified of a longer retention period by the Control Authority, State, or EPA;
- F. Records of analytical results shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

Section. 705.610 Confidential Information

- A. Information and data on a User obtained from reports, surveys, applications, Permits, other Control Mechanisms, and monitoring programs, and from the Control Authority's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Control Authority, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law (see Missouri Sunshine Law Chapter 610, RSMo; § 644.026.1(21), (24), RSMo; 10 CSR 20-6.020(3)). Any such request must be asserted at the time of submission of the information or data (10 CSR 20-6.100(11)).
- B. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately (i.e., without delay) upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302, shall not be recognized as confidential information and shall be available to the public without restriction (see § 644.026.1(21), (24), RSMo; 10 CSR 20-6.020(3)).

ARTICLE VII VIOLATIONS AND ENFORCEMENT REMEDIES

Section. 705.620 Violation Notice – Abatement or Correction Generally

- A. When the City shall find that a violation of this Chapter exists, they may post a notice upon the property where the violation exists to abate or correct the violation, stating in such notice the time in which the same is to be done, and shall direct a copy of such notice, by certified mail, to the owner at their last known address; provided, that if the City shall find that an emergency exists, they may immediately cause the violation to be abated or corrected. If such violation is not corrected within the time specified in such notice, the City may cause such violation to be abated or corrected.
- B. Whenever the City shall have caused any violation to be abated or corrected pursuant to this Section, they shall certify the costs thereof to the City Council, and the owner of the property on

Commented [EE4]: Alternative Missouri Specific language:

a) In lieu of 40 CFR Section 403.14, the following shall apply: Any claim for confidentiality to the District must be in accordance with the Missouri Sunshine Law Chapter 610, RSMo. Any such claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the District may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2.302. Public record requests shall be made through the District clerk's office.

b) The District will not recognize wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302, as trade secrets and will make such data available to the public upon proper request without restriction. All data and information obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the District's inspection and sampling activities will be available to government officials as required in 40 CFR 403.14 and 40 CFR 2.302.

which such violation was abated or corrected shall be civilly liable to the City for the costs of such abatements or correction.

- C. Any proceedings under this Section shall not relieve the owner of any liability for any penalty that may be assessed under Section. 705.640.

Section. 705.630 Violation Notice – Authority of City on Non-compliance with Notice

In the event of the continuation of a violation of this Chapter ten (10) days after the notice provided in Section. 705.620, the City may effect the discontinuance of the discharge of sewage from the premises where such violation originated into the City sewers.

Section. 705.640 Violations – Civil Liability of Violators to City

Any User violating any of the provisions of this Chapter shall become civilly liable to the City for any expense, loss or damage occasioned by the City by reason of such violation.

Section. 705.650 Enforcement Response Plan and Authorization to Implement Enforcement Remedies

- A. The Control Authority shall implement an Enforcement Response Plan which provides escalating enforcement remedies for noncompliance with these Regulations.
- B. The Enforcement Response Plan shall provide recommendations and guidance to implement the enforcement remedies defined herein.
- C. When a User violates or continues to violate any provision of these Regulations, the Control Authority shall notify the User of such violations.
- D. The Control Authority is authorized to investigate instances of noncompliance and implement enforcement remedies to return the User to compliance or otherwise resolve the noncompliance.
- E. Users are not relieved of liability for any violations occurring before or after receipt of notifications or enforcement remedies served by the Control Authority.
- F. Nothing in these Regulations shall limit the authority of the Control Authority to take any action, including emergency actions or any other enforcement.
- G. Exercise of enforcement remedies by the Control Authority shall not be a bar to, or a prerequisite for, taking any other action against the User.
- H. Remedies Nonexclusive. The remedies authorized in these Regulations and implemented in the Enforcement Response Plan are not exclusive. The Control Authority may take any, all, or any combination of these remedies or other measures against a noncompliant User.

Section. 705.660 Publication of Users in Significant Noncompliance

The Control Authority shall publish at least annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the Control Authority, a list of Users that, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term "Significant Noncompliance" applies to all Significant Industrial Users (or any other Industrial User that violates **Article VII Section. 705.660 C, D or E**) and shall mean:

- A. Chronic violations of Wastewater Discharge limits, defined here as those in which sixty six percent (66%) or more of all of the measurements taken for the same Pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty three percent (33%) or more of all of the measurements taken for the same Pollutant parameter during a six (6) month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, 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 (daily maximum, long-term average, Instantaneous Limit, or narrative Standard) that the Control Authority determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of Control Authority 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 Control Authority's exercise of its emergency authority to halt or prevent such a Discharge;
- E. Failure to meet, within ninety (90) days after the schedule date, a compliance milestone contained in a Control Mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide, within forty-five (45) days after the due date, required reports such as baseline monitoring reports, ninety (90)-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance milestones;
- G. Failure to accurately report noncompliance; or
- H. Any other violation or group of violations, which may include a violation of Best Management Practices, which the Control Authority determines will adversely affect the operation or implementation of the local Pretreatment program.

Section. 705.670 Administrative Enforcement Remedies

- A. The Control Authority shall administratively document and escalate enforcement remedies relative to noncompliance with these Regulations.
- B. Informal Review Meeting. Informal call or meeting to discuss the noncompliance either before or after the enforcement action is issued.
- C. Informal Communication. Informal communication is used to identify and document minor instances of non-compliance with the User to avoid further noncompliance and escalation of enforcement.
- D. Warning Letter. Warning Letters communicate instances of noncompliance of Pretreatment Standards or Requirements. The Control Authority may require the User to complete corrective actions including a written response to the violation.
- E. Notice of Violation. Notice to the User to identify and document instances of non-compliance with Pretreatment Program requirements. The Control Authority shall require a written response from the User to be submitted to the Control Authority within 30 days (or sooner if required by the Control Authority).
- F. Standards Meeting. A meeting to discuss a noncompliance and subsequent enforcement including discussion of corrective actions.
- G. Consent Order. An agreement negotiated by both the Control Authority and the User. A Consent Order must be signed by representatives from both Parties before being "issued" and is therefore not subject to appeal. Corrective actions or Compliance Milestones and due dates associated with this enforcement type are a Compliance Schedule.
- H. Compliance Order. An enforcement document which is unilaterally issued by the Control Authority. Corrective actions and assigned due dates associated with this enforcement type are a Compliance Schedule.
- I. Significant Noncompliance Documentation. Provided by the Control Authority to a User to document Significant Noncompliance status and the associated public notice requirement per [Article VII Section. 705.660](#).
- J. Show Cause Hearing. The Control Authority may order a User to appear before the Control Authority and show cause why proposed enforcement remedy should not be taken or to address an appeal initiated by a User.
 - 1. Notice shall be served on the User specifying the time and place for the hearing, the proposed enforcement action, the reasons for the action, and a request that the User show cause why this proposed enforcement action should not be taken.

2. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least thirty (30) days prior to the hearing. The notice may be served on any Authorized Representative of the User.
 3. The Show Cause Hearing may result in the noncompliance to be referred to the court of jurisdiction for a judicial enforcement remedy per **Article VII Section. 705.680** if an agreement cannot be reached.
- K. Cease and Desist Orders. When the Control Authority finds that the User's past violations are likely to recur, the Control Authority may issue an order to the User directing it to cease and desist all violations and directing the User to:
1. Immediately (i.e., without delay) comply with all requirements; and
 2. Take the appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or otherwise terminating the Discharge.
- L. Administrative Fines
1. Notwithstanding any other requirement of these Regulations, any User may be assessed a administrative fine in an amount not to **exceed \$7,500 per** violation, per day.
 2. In the case of monthly or other long-term average Discharge limits, fines may be assessed for each day during the period of violation.
 3. Failure to pay Administrative Fines shall result in late fees or interest fees consistent with the Control Authority's policy for unpaid utility bills.
- M. Emergency Suspensions.
1. The Control Authority may immediately (i.e., without delay) suspend a User's Discharge with or without informal notice to the User whenever the suspension is necessary to stop an actual or threatened Discharge which poses a threat to the welfare of persons or a threat to the operation of the POTW or otherwise endangers the environment.
 2. The Control Authority shall allow the User to recommence its Discharge when the User has demonstrated to the satisfaction of the Control Authority that the period of endangerment has passed.
 3. Nothing in these Regulations shall be interpreted as requiring a hearing prior to any emergency suspension.
- N. Water Supply Severance. When a User has violated or continues to violate any provision of these Regulations, Control Mechanism, order issued herein, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service may recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply and has paid all outstanding fees, fines, or penalties incurred as a result of noncompliance with these Regulations.
- O. Permit or Control Mechanism Termination per **Article IV Section. 705.430**. Such User shall be notified of the proposed termination of its Discharge and be offered an opportunity to show cause under **Article VII Section. 705.670** why the proposed action should not be taken.
- P. Appeals
1. Users desiring to dispute enforcement remedies including penalties, fines, and charges must file a written request for the Control Authority to reconsider the remedy within thirty (30) days of being notified.
 2. The Control Authority shall respond within thirty (30) days with approval or denial of the appeal or notify the User that a Show Cause Hearing shall take place per **Article VII Section. 705.670**.

Section. 705.680 Judicial Enforcement Remedies

- A. When Administrative Enforcement Remedies do not successfully bring a User into compliance, the Control Authority may use judicial enforcement remedies. These mechanisms are not required to be a prerequisite to taking any other action against a User.

B. Injunctive Relief

1. The Control Authority may petition the court with jurisdiction through the Control Authority's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels corrective action imposed by these Regulations on activities of the User.
2. The Control Authority may also seek such other action as appropriate for legal and equitable relief, including a requirement for the User to conduct environmental remediation.

C. Civil Penalties

1. A User who has violated or continues to violate any provision of these Regulations, Permit, other Control Mechanism, order issued hereunder, or any other Pretreatment Standard or Requirement, shall be liable to the Control Authority for a civil penalty of \$1,000 per violation, per day. In the case of a monthly or other long-term average Discharge limit, penalties may accrue for each day during the period of the violation.
2. The Control Authority may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Control Authority.
3. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

D. Criminal Prosecution.

1. The Control Authority is authorized to refer violations of these Regulations to the proper authorities for the investigation and enforcement of criminal matters.
2. Upon conviction, criminal penalties shall be assessed to the maximum amount allowed by law on a per violation, per day basis.
3. Criminal prosecution applies to the following Users:
 - a. Any User who willfully or negligently violates any provision of these Regulations, Permit, other Control Mechanism, order issued hereunder, or any other Pretreatment Standard or Requirement.
 - b. Any User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage. The fine shall be in addition to any other cause of action for personal injury or property damage available under State law.
 - c. Any User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to these Regulations, Permit, other Control Mechanism, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method.

Section. 705.690 Supplemental Enforcement Action

Payment of Outstanding Fees and Penalties. The Control Authority may terminate a Control Mechanism, decline to issue, or decline to reissue a Control Mechanism to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of noncompliance of these Regulations.

ARTICLE VIII AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

Section. 705.700 Affirmative Defense for Upset Provision

- A. For the purposes of these Regulations, an upset means an exceptional incident in which there is unintentional and temporary noncompliance with these Regulations because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

- B. An upset shall constitute an affirmative defense to an action brought for noncompliance with these Regulations if the requirements of **Article VIII Section. 705.700 C** are met.
- C. Any User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and the User can identify the cause(s) of the upset;
 - 2. The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The User has submitted information to the Control Authority as required in **Article V Section. 705.500 A and C**.
- D. In any enforcement proceeding the User seeking to establish the occurrence of an upset shall have the burden of proof.
- E. The User shall control production of all discharges to the extent necessary to maintain compliance with these Regulations upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, is lost or fails.

Section. 705.710 Affirmative Defense for Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general or specific prohibitions in Article II Section. 705.150 and **Article II Section. 705.160** of these Regulations if the User can prove that it did not know, or have reason to know, that its Discharge, alone or in conjunction with Discharges from other sources, would cause Disruption and that either:

- A. No Local Limit exists, but the Discharge did not change substantially in nature or constituents from the User's prior Discharge when the Control Authority was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements; or
- B. A Local Limit exists for each Pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Disruption, where compliance with a Local Limit means
 - 1. Concentrations are below the reference concentrations established in these Regulations; or
 - 2. The loading (instantaneous) is below five percent (5%) of the MAIL; or
 - 3. The discharge from a User, that has been issued a Control Mechanism, is in compliance with Pollutant limit(s) therein.

Section. 705.720 Affirmative Defense for Bypass.

A. Definitions

- 1. Bypass means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility.
- 2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

B. Prohibition of bypass.

- 1. Measures shall be in place to prevent unanticipated bypasses.
- 2. The Control Authority may take enforcement action against a User for a bypass.
- 3. Bypasses are not authorized if adequate back-up equipment should have been installed with reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.

C. Exceptions to prohibitions of bypass:

1. Bypasses which do not violate Pretreatment Standards or Requirements if it is necessary for essential maintenance to assure efficient operation; or
 2. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage and there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime.
- D. Notification.
1. All bypasses (authorized, unauthorized, planned, or unanticipated) require notification by the User to the Control Authority.
 2. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible, at least ten (10) days before the date of the bypass.
 - a. Upon identification of an unanticipated bypass, the User shall immediately (i.e., without delay) submit informal notice to the Control Authority.
 - b. A 5-day report is required with the following information:
 - (1). A description of the bypass and its cause; the duration of the bypass, including exact dates and times, and,
 - (2). If the bypass has not been corrected, the anticipated time it is expected to continue; and
 - (3). Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
 - (4). The Control Authority may waive the written report on a case by-case basis.

ARTICLE IX NONDOMESTIC WASTEWATER FEES AND COST RECOVERY

Section. 705.730 Authorization to Issue and Collect Reasonable Fees

The Control Authority is authorized to issue and collect reasonable fees for reimbursement, operation, implementation, and funding to comply with these Regulations including the Control Authority's Pretreatment Program in accordance with 40 CFR 403.8(f)(3).

- A. Fees relate solely to the matters covered by these Regulations and are separate from all other fees, administrative fines and penalties chargeable by the Control Authority.
- B. The Control Authority may recover costs annually or as part of individual enforcement actions or at other intervals based on costs incurred.
- C. The Fees associated with these Regulations shall be documented as part of the User Fee Schedule:
 1. This list shall be maintained on file with the Control Authority as Attachment 3 to these Regulations;
 2. In instances where redundant fee types are listed in other Control Authority Regulations, these Regulations and the User Fee Schedule shall take precedence;
 3. This list may be modified as determined by the Control Authority to update, add, or remove User Fees or rates.

Section. 705.740 Nondomestic Wastewater Fees for Users

The Control Authority's User Fee Schedule listed in Attachment 3, per Article IX Section. 705.730 C, may include:

- A. Fees for program implementation including User determinations, plan reviews, evaluation of new or expanded nondomestic discharges, permit or Control Mechanism issuance/renewal and modification, review of periodic monitoring reports, inspections, sampling User discharges, pretreatment software subscription, activities related to enforcement, investigation, and contracting or consulting services associated with implementation of these Regulations;
- B. Fees associated with hauled waste;

- C. Fees issued to FSEs to recover FOG Management Program costs;
- D. Fees for handling high-volume, non- or low- concentrated wastestreams;
- E. Fees for surcharges representing Pollutant strength greater than normal domestic sewage (per Attachment 4);
- F. Cost recovery for mitigating disruptions to the POTW resulting from User discharge;
- G. Administrative Fines as authorized in **Article VII Section. 705.670 L**
- H. Other fees, rates and charges at the Control Authority's discretion to comply with the requirements herein.
- I. The Control Authority is authorized to develop alternative fees based on other models such as hydraulic or Pollutant capacity.

ARTICLE X SEWER CONNECTIONS GENERALLY

Section. 705.750 Required – Exception.

The owner of each house, building or property used for human occupancy, employment, recreation or other purpose, situated in the City and abutting on any street, alley, right-of-way or easement in which there is located a sanitary sewer of the City is hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the POTW, in accordance with the provisions of this Chapter, within ninety (90) days after such sewer is so located and after official notice to do so; provided, that such sanitary sewer is within one hundred (100) feet of the property line; provided further, that in the event there is no sanitary sewer within one hundred (100) feet of the property line, the owner may construct and maintain an adequate septic tank installation in accordance with standards of the State Department of Health, until such time as a sanitary sewer is available as aforesaid.

Section. 705.760 Application for Service – Issuance of Permit – Persons Authorized to Make Connections.

Application for sewerage services to premises not connected with the City's POTW shall be made by the occupant or owner of the premises to be served to the City. Upon the issuance of a written permit to such applicant and the payment of the connection fee prescribed by this Article, such applicant shall be, in the manner prescribed by this Article or other ordinances of the City, connected with the POTW; provided, that all such work in making such connection shall be done only by employees of the City.

Section. 705.770 Construction or Maintenance of Privies, Cesspools, Etc.

It shall be unlawful to construct or maintain any privy, privy vault, cesspool or other facility, except septic tanks as provided by this Chapter, and then only when permitted by Section. 705.750, intended or used for the disposal of sewage or human excrement; provided, that approved type privies may be temporarily erected and maintained on construction sites, with the approval of the Superintendent.

ARTICLE XI EXTENSION OF SEWER LINES

Section. 705.780 Provisions of Article to be Part of Contract.

The provisions of this Article shall be considered a part of all contracts between any applicant or user and the City providing for the extension of sewer mains or laterals.

Section. 705.790 Pipe Specifications Generally.

From and after the effective date of this Article, all sewer mains or laterals constructed for attachment to the City sewer system shall be eight (8) inches in diameter and made of vitrified clay pipe with joints designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system; provided, that if the City shall state in the cost estimate, as hereinafter provided, that it is necessary and in the best interest of the welfare of the residents of the City that a larger main be constructed, such cost estimate shall include the additional cost of construction of such larger main.

Section. 705.800 Application for Extension of Existing Main.

Any applicant desiring to extend any existing sewer main shall make written application therefor to the City utilities office. Such application shall state the name and address of the applicant, the proposed use of the new sewer line and the location, length, depth and percent of grade of such proposed extension. Such application shall be accompanied by a plat of the addition, subdivision or lot to be served and the plans for such extension, which shall have been approved by the State Department of Natural Resources, when required, and an authorized representative of the City.

Section. 705.810 Completed Extensions to Become Property of City.

Upon completion of any sewer line extension, such extension shall become and remain the sole property of the City.

Section. 705.820 Award of Contracts.

All contracts let for the extension of a sewer line shall be let to such contractor as the City and the applicant may agree upon or, if no such agreement is made, to the lowest and best qualified bidder therefor.

Section. 705.830 Location of Extension.

All extensions of sewer lines shall be located in streets where possible; however, roadways, alleys or other easements existing in favor of the City may be used. Where necessary, rights-of-way or easements shall be provided to the City at no cost.

Section. 705.840 Barricades and Obstructions.

All streets, roads, highways or other public thoroughfares which are closed to traffic while constructing or repairing sewer lines shall be protected by means of effective barricades, on which shall be placed acceptable warning signs. Barricades shall also be located at the nearest intersecting public highway or street on each side of the blocked section. All open trenches and other excavations shall be provided with suitable barriers, signs and lights to the extent that adequate protection is provided to the public. Obstructions, such as material piles and equipment, shall be provided with similar warning lights and signs. All barricades and obstructions shall be illuminated by means of warning lights at night. All lights used for this purpose shall be kept burning from sunset to sunrise. Materials stored upon or alongside public streets and highways shall be so placed, and the work at all times shall be so conducted, as to cause the minimum obstruction and inconvenience to the traveling public. All barricades and light expense will be paid by the contractor.

Section. 705.850 Scoring of Street, Etc., Surface.

All excavation in the streets, highways or alleys shall be done only after the street, highway or alley surface that contains blacktop or concrete is scored on each side of the work for the total distance of the excavation. The scoring shall be limited to and shall not exceed six (6) inches on each side of the width of the excavation and shall be only wide enough to properly perform the necessary work.

Section. 705.860 Control of Locations, Elevation, Etc., of Work – Inspection by City Representative.

- A. The contractor shall furnish competent personnel with work tools, stakes and materials in the establishment of base lines, benchmarks and other basic reference media needed to control the location and elevation of work, the sewer grade to be controlled as near as possible within the range of .40% to 2.5% on all services and a minimum of two and two-tenths (2.2) feet per second flow on sewer mains and laterals. Thereafter, the contractor shall carefully preserve such vertical and horizontal control and shall make and be responsible for all measurements from it to the work to be done.

- B. The City's representative will check "as built" measurements for conformance to drawings and will check pipe alignment and lamp each section of sewer line. The contractor shall reconstruct or correct the same as may be necessary.

Section. 705.870 Cleanup and Repaving.

- A. Upon completion of work, the contractor shall remove all equipment, material, excess excavated material, etc., and smooth and regrade the area to conform to existing grade to the satisfaction of the owner and the City representative. All areas are to be reseeded or repaved as may be necessary.
- B. To compute the amount of repaving material, who pays and how much, the square yards of surface measured shall be six (6) inches outside the trench width and along the centerline of the pipe. For the purpose of measurement for payment, all disturbed area shall be computed as total area, and payment for this amount shall be deposited with the City Collector by the contractor. After trench backfill with granular material, the contractor shall maintain the surface of pavement grade until the permanent pavement is replaced.
- C. All asphalt or blacktop pavement, removed or damaged, shall be replaced with four (4) inches of compacted base aggregate for subgrade and two (2) inches of asphalt. All concrete pavements removed or damaged shall be replaced with four (4) inches of compacted base aggregate for subgrade and a six-inch thick concrete slab of class A concrete reinforced with 0.25% steel by volume.

Section. 705.880 Manholes.

- A. Manholes shall be four (4) feet in diameter for twenty-one (21) inch and smaller pipe and shall include the foundation, invert, precast sections, tapered top section, manhole frame and cover and necessary steps.
- B. After the manhole has been installed with proper invert channels in the base and the mortar has thoroughly cured, but before backfilling is started, the outside and interior surface of each manhole shall be painted with one heavy coat of coal tar paint. Surfaces to receive paint shall be dry.
- C. At the option of the contractor, standard manholes shall be constructed of precast concrete sections or cast-in-place concrete.
- D. Manholes shall be installed at the end of each line, at all changes in grade, size and alignment, at all intersections and at distances not greater than four hundred (400) feet, except by written permission from the Superintendent of Utilities.
- E. Drop manholes shall be used for a sewer entering a manhole twelve (12) inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than twelve (12) inches, the invert should be filled to prevent solids deposition. Drop manholes should be constructed with outside drop connections. Due to the unequal earth pressures that would result from the backfilling operation in the vicinity of the manhole, the entire outside drop connection shall be encased in concrete.
- F. The flow channel through manholes shall/should be made to conform in shape and slope to that of the sewer.
- G. Inlet and outlet pipes shall be joined to the manhole with gasketed, flexible, watertight connections or any watertight connection arrangement that allows differential settlement of the pipe and manhole to take place.

Section. 705.890 Compacting of Fill Material.

All fill material placed in structural fills or embankments shall be uniformly compacted to not less than ninety-five percent (95%) of the maximum density at optimum moisture content, unless otherwise noted.

Section. 705.900 Trench Bottoms.

- A. Trench bottoms shall be accurately graded to provide uniform bearing and support for the pipe barrel between bell holes. When the trench bottom is of proper character, such as uncemented granular

material or other natural bedding material, and uniform shaping can be executed, foreign bedding material will not be required, except as stated elsewhere. When trench bottom materials will not allow uniform bearing for the entire pipe length, the excavation shall be carried to a depth sufficient to allow a depth of three (3) inches to six (6) inches for the bedding material, as specified herein, to be placed under the pipe and to extend upward to fifty percent (50%) of the pipe diameter. Foreign bedding shall be five-eighths (5/8) inch or less crushed rock.

- B. Concrete or well-graded granular material (bedding classes A, B or C, as described in ASTM C12-74 or WPCP Map No. 9) shall be used for all rigid pipe; provided, that the proper strength pipe is used with the specified bedding to support the anticipated load.
- C. Concrete or well-graded granular material, bedding class I, II or III, as described in ASTM D2321-74, shall be used for all flexible pipe; provided, that the proper strength pipe is used with the specified bedding to support the anticipated load.

Section. 705.910 General Specifications For Service Lines.

From and after the effective date of this Article, all sewer service lines constructed for attachment to the City sewer system shall be of at least four (4) inch vitrified clay pipe, with joints designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system, on all public property and easements and by all means in areas of heavy traffic such as streets, alleys and driveways.

Section. 705.920 Flexible Pipe.

- A. Flexible type pipe may be used in other than public property, provided the proper strength pipe is used with specified bedding to support the anticipated load. The specified bedding is concrete or well-graded granular material (class I, II or III as described in ASTM D2321-74).
- B. Deflection tests shall be performed on all flexible pipe. The tests shall be run not less than thirty (30) days after final backfill has been in place. The deflection shall not exceed five percent (5%). The deflection test is to be run using a rigid ball or mandrels or equivalent and shall have diameters equal to ninety-five percent (95%) of the inside diameter of the pipe. The tests shall be performed without mechanical pulling devices. The flexible type pipe shall be of the design to minimize infiltration and to prevent the entrance of roots throughout the life of the system.

Section. 705.930 Leakage Tests.

Leakage tests shall be made on all types of sewers. These tests shall be made with low pressure air and shall be performed under the following limitations:

The low pressure air test is conducted by plugging each opening in the reach of pipe to be tested. One of the plugs provided must have an inlet tap for connecting an air hose. After connecting the air control equipment to the air hose, monitor the air pressure so that the internal pressure does not exceed 5.0 PSIG. After reaching 4.0 PSIG, throttle the air supply to maintain 3.5 and 4.0 PSIG for at least two (2) minutes in order to allow equilibrium. Decrease pressure to 3.5 PSIG and begin timing. If the time in seconds for the air pressure to drop to 2.5 PSIG is greater than the following chart, the pipe is presumed to be free of defects:

Pipe Size	Time
6 inches	2 minutes 55 seconds
8 inches	3 minutes 57 seconds
10 inches	4 minutes 43 seconds
12 inches	5 minutes 40 seconds
15 inches	7 minutes 5 seconds
18 inches	8 minutes 30 seconds

21 inches	9 minutes 50 seconds
24 inches	11 minutes 20 seconds
27 inches	12 minutes 45 seconds
30 inches	14 minutes 10 seconds
36 inches	17 minutes 00 seconds
42 inches	19 minutes 50 seconds
48 inches	22 minutes 40 seconds

Section. 705.940 Determination of Ground Water Level and Pressure Adjustment.

In areas where ground water is known to exist, the contractor shall install a one-half (½) inch capped pipe nipple approximately ten (10) inches long, through the manhole wall on top of one of the sewer lines entering the manhole. This shall be done at the time the sewer line is installed. Immediately prior to the performance of the line acceptance test, the ground water level shall be determined by removing the pipe cap, blowing air through the pipe nipple to be sure the nipple is clear and connecting a hose to the nipple. The hose shall be raised vertically to determine water level. The height in feet will then be divided by 2.31 to establish the pounds of pressure that will be added to all readings.

Section. 705.950 Cover Requirements For Sewers Entering or Crossing Streams, Etc.

When sewers are entering or crossing streams, drainage courses or roadway ditches, the top of the pipe shall be at a sufficient depth below the natural bottom of the stream or course bed to protect the sewer line. In general, the following cover requirements must be met: One (1) foot of cover is required where the sewer is located in rock; three (3) feet of cover is required in other material; in major streams, more than three (3) feet of cover may be required; in paved stream channels, the top of the sewer line should be placed below the bottom of the channel pavement. Any other channel variations or depth must be approved in writing by the Superintendent of Utilities.

Section. 705.960 Location of Sewers To Be Removed From Stream Beds.

Sewers located along streams shall be located outside of the stream bed and sufficiently removed therefrom to provide for future possible stream widening and prevent pollution by siltation during construction.

Section. 705.970 Location of Sewer Outfalls, Manholes, Etc., in Relation To Streams.

The sewer outfalls, manholes or other structures shall be so located that they do not interfere with the free discharge of flood flows of the stream.

Section. 705.980 Ditch Checks.

Where trenches are dug in or across roadway ditches or other watercourses, and the slope of the ditch exceeds one percent (1%), suitable ditch checks shall be installed. Ditch checks may be of creosoted lumber, stone or concrete. In any case the ditch checks shall extend not less than two (2) feet below the original ditch or watercourse bottom for the full bottom width and not less than eighteen (18) inches into the side slopes thereof.

Section. 705.990 Construction Specifications For Sewers Entering or Crossing Watercourses.

Sewers entering or crossing ditches or other watercourses shall be constructed of ductile iron pipe with mechanical joints and shall be so constructed that they will remain watertight and free from changes in alignment or grade. Material used to backfill the trench shall be stone, coarse aggregate, washed gravel or other materials which will not cause siltation. These backfill materials maybe used after proper bedding

and pipecover. All crossings with ductile iron pipe shall extend at least three (3) feet into the slope on each side of the ditch or watercourse.

Section. 705.1000 Prohibited Connections Between Sewers and Potable Water Supplies.

There shall be no connections between a public or private potable water supply and a sewer or appurtenance which would permit the passage of any sewage or polluted water into the potable supply. No waterpipe shall pass through or come in contact with any part of a sewer manhole. Sewers shall meet the requirements of 10 CSR60-2.010 with respect to minimum distances from public water supply wells or other water supply sources and structures.

Section. 705.1010 Minimum Distances Between Sewer Mains and Water Mains.

Sewer mains shall be laid at least ten (10) feet horizontally from any existing or proposed water main, and/or the water main must be at least eighteen (18) inches above the top of the sewer. In cases where it is not practical to maintain the above distances, a variance may be granted in writing by the Superintendent of Utilities.

Section. 705.1020 Conditions Not Listed in Article.

Any conditions not listed in this Article must meet all rules and regulations of the State Department of Natural Resources and the Federal Environmental Protection Agency. The Water Pollution Control Federation Manual Practice #9 shall be followed relative to detailed instructions for all sanitary and storm sewers.

ARTICLE XII CONSTRUCTION OF SEWERS

Section. 705.1030 Specifications for Construction of Sewers.

The specifications contained in Exhibit 1 of Ordinance Number A-6519, which is on file in the City offices, and made a part hereof, shall hereinafter become the standardized specifications for the construction of sewer lines in the City of Monett, Missouri.

ARTICLE XIII SEVERABILITY AND EFFECTIVE DATE

Section. 705.1040 Severability

If any provision of these Regulations are invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section. 705.1050 Effective Date

These Regulations shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

ATTACHMENT 1. MAXIMUM ALLOWABLE INDUSTRIAL LOADS (MAILS)¹

Where specific prohibitions or limits on pollutants or pollutant parameters are developed by the Control Authority in accordance with 40 CFR 403.5(c) such limits shall be deemed Pretreatment Standards for the purposes of Section 307(d) of the Act and shall apply to Significant Industrial Users on an individual pollutant basis.

Parameter ²	MAIL (lbs/day)
BOD	8,394
TSS	6,205
TKN	1,986
Lead	0.110
Arsenic	[Reserve]
Cadmium	[Reserve]
Copper	[Reserve]
Mercury	[Reserve]
Nickel	[Reserve]
Silver	[Reserve]
Chloroform	[Reserve]
Phosphorus	[Reserve]
Total Nitrogen	[Reserve]

¹ Referenced in Chapter 705 Sewers, [Article II Section. 705.190](#)

² Metals represent the concentration resulting from an analysis for the total metal unless otherwise indicated. The above limits apply at the point representing where the wastewater is discharged to the POTW. Allocations for Users may be incorporated into Control Mechanisms as concentrations or mass.

ATTACHMENT 2. REFERENCE CONCENTRATIONS¹

The following table summarizes reference concentrations for the POTW which may be used to identify pollutants of concern for a particular discharge.

Parameter ²	Reference Concentration (mg/L)
Silver	0.001
Arsenic	0.001
Cadmium	0.001
Cyanide	0.005
Chloride	100
Chromium	0.002
Copper	0.030
Mercury	0.00019
Molybdenum	0.003
Nickel	0.003
Lead	0.001
Selenium	0.002
Zinc	0.15
BOD	300
TSS	350
Ammonia-N	25
COD	450
Total Nitrogen	60
Phosphorus	7.5
HEM (or FOG)	50

Commented [KC5]: Intent here is that any surcharge strengths would correlate to these levels

¹ Referenced in Chapter 705 Sewers, [Article II Section. 705.230](#).

² Metals represent the concentration resulting from an analysis for the total metal unless otherwise indicated. Additional parameters may be added at the discretion of the Control Authority.

ATTACHMENT 3. USER FEE SCHEDULE^{1,2}

Fee Description Per Regulation	Proposed Rate	Current Rate
IU Permit Application Fee (new users or renewals)	\$1,500	None
Plan Review & User Determinations	\$800	None
Annual Base Activities Fee <i>Annual inspection, review of periodic monitoring reports, Annual cross-check, software subscription</i>	SIUs: \$3,000; \$4,000 if PFAS testing is being performed by the CA NSCIUs or Zero Dischargers: \$1,500 Other Control Mechanism (e.g., FSEs): \$250	None
Additional Administrative Services <i>Permit modifications, enforcement administrative fees, additional monitoring events, mitigation from IU discharges; may include fees from contract services such as laboratories or consultants.</i>	Permit Modifications: \$1,500 (or an hourly rate) Enforcement Activities: \$200/hr (CA or Contracted Services) for time to administer User Monitoring by the CA: \$150 for sampler set-up and collection plus actual cost from contract lab.	Monthly Sampling
Cost Recovery for mitigating Disruptions to the POTW resulting from User Discharges	Actual cost incurred plus an administrative fee	None
Hauled Wastewater	\$500 Waste Hauler Onboarding \$0.12/gallon (\$150 minimum per load) an additional six cents (\$0.06) per gallon may be charged for high strength wastewater Analytical fees and surcharges per Additional Administrative Services	None
FOG Program Implementation	\$250/yr	None
Fees for strength greater than normal domestic sewage (surcharges)	Surcharge fees shall be based on representative User data and based on monthly average concentrations and the total actual or estimated flow discharged unless specified otherwise in the Control Mechanism.	None

Commented [SA6]: Confirm user fees / if the CA wants to implement them

	Fees shall be based on the High Strength / Surcharge Table (Attachment 4) with calculations based on a cost per pound of pollutant above the surcharge strength indicated.	
Other fees, rates and charges	Technically developed as needed	None
Alternative fees based on other models such as hydraulic or pollutant capacity	Technically developed as needed	None

1 Referenced in Chapter 705 Sewers, [Article IX Section. 705.730](#) and [Article IX Section. 705.740](#).

2 User Fees documented herein shall increase at 3% annually in January (starting in 2026).

Commented [EE7]: Note this recommendation for cost recovery

ATTACHMENT 4. HIGH STRENGTH / SURCHARGE TABLE¹

Parameter	Current		April 1, 2026	
	Surcharge Strength (mg/L)	Cost (\$/lb)	Surcharge Strength (mg/L)	Cost (\$/lb)
BOD	300	\$0.23	300	\$0.27
TSS	350	\$0.23	350	\$0.26
HEM	NA	NA	60	\$2.10
TKN	NA	NA	30	\$1.50
2033				
Total Phosphorus ²	NA	NA	7	\$7.00

- ¹ Rates will be evaluated and updated to include the projected implementation schedule.
- ² Total Phosphorus surcharges will be implemented using the phased approach provided below.

Implementation Year	Total Phosphorus Surcharge Rate (\$/lb)
2029	\$1.40
2030	\$2.80
2031	\$4.20
2032	\$5.60
2033	\$7.00

CITY OF MONETT

Missouri

INDUSTRIAL PRETREATMENT PROGRAM

Enforcement Response Plan

Commented [CW1]: Yellow highlighted sections throughout the document indicate areas that may need to be Control Authority specific.

Document Publish Date 11/18/2025

**CITY OF MONETT
PREVIEW/DRAFT VERSION**



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Introduction & Legal Authority

On July 24, 1990 (55 Fed. Reg. 30082), the Environmental Protection Agency promulgated regulations to require all Publicly Owned Treatment Works (POTWs) to adopt an Enforcement Response Plan (ERP) as part of their approved pretreatment programs. The regulation as stated in 40 CFR 403.8(f)(5) is as follows:

“

The POTW shall develop and implement an enforcement response plan. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of Industrial User noncompliance. The plan shall, at a minimum:

- *Describe how the POTW will investigate instances of noncompliance;*
- *Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of Industrial User violations and the time periods within which responses will take place;*
- *Identify (by title) the official(s) responsible for each type of response;*
- *Adequately reflect the POTWs primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8(f)(1) and (f)(2).*

The ERP outlines the procedures that will be used to identify, document, track and respond to violations. The ERP also provides guidance for selecting the enforcement action most appropriate for the given violation.

Control Authority refers to the entity with authority for implementing the pretreatment program for the POTW. The legal authority for the Control Authority should be referenced for any term or abbreviation not defined herein.

Legal Authority Reference: **Chapter 705: Sewer Use**

Purpose and Applicability

The Industrial Pretreatment Program exists to meet the objectives of the general pretreatment regulations to prevent the introduction of pollutants into the POTW from nondomestic discharges that could cause Disruption, Interference, or Passthrough or otherwise limit the ability of the POTW to recycle or reclaim POTW wastewater or sludges consistent with § 40 CFR 403.2. The purpose of the Enforcement Response Plan (ERP) is to provide administrative guidance to the Control Authority for identifying, documenting, and responding to instances of User noncompliance with Federal, State, and Local Regulations.

Enforcement actions are intended to return Users to compliance as quickly as possible using appropriate and consistent escalation across the Control Authority's jurisdiction.

Investigating Instances of Noncompliance

The Control Authority completes several activities to document compliance and to identify instances of User noncompliance with Federal, State and Local Regulations. Activities include maintaining an Industrial User Inventory which attempts to identify active nondomestic discharges, a monitoring plan for the Control Authority to monitor industrial users, regular inspection of Users for adherence to regulations and BMPs, and thorough review of all compliance reports submitted by Industrial Users.

Function of the ERP

The function of the ERP is to systematically evaluate noncompliance of the Control Authority's Pretreatment Program. The Action Level corresponds to the enforcement response to return the User to compliance; it includes the enforcement mechanism, fine range, personnel involvement, and the time frame to document and respond to the noncompliance. This method of scoring is intended to incorporate EPA's escalation criteria of magnitude, duration, effect to the POTW, compliance history, and good faith of the User.

The method of scoring a noncompliant incident is as follows:

1. Each Violation will be evaluated against 5 criteria (modifiers): Nature, Frequency, Reporting, Severity, and SNC. The sum of all 5 modifier point values plus the base points of the violation will decide the violation score.
2. When assessing which enforcement mechanism should be issued, a compliance history score may also be added to the violation score.
3. The Control Authority may use discretion for factors not specifically considered by the modifiers to adjust the violation score using the Control Authority

Adjustment. A 0.5-point adjustment is considered discretionary, while any adjustment beyond that requires a reason for the change to be documented.

4. In instances where multiple violations are being handled on one enforcement action, the violation with the highest violation score will be used.
5. A Compliance History score will be evaluated based on the number of violations the user has accumulated over the previous 12-month period. This will be added to the violation score to obtain the final score but may be waived if it is determined by the Control Authority that the Compliance History score does not accurately represent the situation.
6. The final score is rounded down to the nearest corresponding Action Level.

Considerations

The ERP provides guidance based on common violations, however, not all instances of noncompliance are addressed in this document. As such, this document may be modified to address additional instances of noncompliance and corresponding enforcement actions, or to finetune the scoring as needed by the Control Authority. All modifications are to be documented in the Revisions Section of the ERP - significant modifications (defined by best professional judgement) to the ERP will be submitted to the Approval Authority for review. In addition to the ERP, the Control Authority maintains the ability to exercise discretion to determine handling the scoring of violations on a case-by-case basis.

The Control Authority may exercise discretion when evaluating a violation that meets the definition of more than one violation definition. In general, instances of noncompliance will be assigned to one violation type only. However, Permit Limit Exceedances will always be recorded, and additional violations that led to the exceedance may be recorded separately.

For the purposes of this document, "Pretreatment Standard" refers to both Pretreatment Standards and Pretreatment Requirements.

Remedies Non-Exclusive

The remedies are not exclusive. The Control Authority may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment regulations will follow recommendations and guidance provided by the Control Authority's enforcement response plan. However, other action against any User may be taken when the circumstances warrant. Further, more than one enforcement action against any noncompliant User may be taken. If administrative remedies do not return a User to compliance, then judicial enforcement may be pursued, such as injunctive relief, civil penalties, or criminal prosecution.

Administrative Penalties

Fines issued by the Control Authority are considered Administrative Penalties and as such, do not require civil action, unless a User refuses to pay. The Control Authority may assess administrative fines to a User based on the range determined by the corresponding action levels, but not to exceed \$7,500 per day per violation. The minimum fine that may be imposed on a User is \$250. The actual assigned fine within the predetermined range is at the sole discretion of the Control Authority and may be waived if deemed fitting to the situation. Fines issued in this way are punitive and not intended to be a part of cost recovery for actual damages incurred as a result of the violation(s); these fees may also be imposed.

Commented [EE2]: Confirm min and max administrative fines

Action Levels, Time Frames & Fines

The entity (Control Authority or User) identifying the violation will communicate to the other party that a noncompliance occurred relative to the significance of the event. Note that initial notification of violations may include phone calls, emails, or other electronic communication.

In general, violations will be documented within five (5) days of identification of the noncompliance. Depending on the type and severity of the violation and the time frame of when the User submits their self-monitoring report (if applicable), the enforcement mechanism initiated by the corresponding Action Level may be issued after the full report is reviewed.

Fines ranges may be administered per violation, per day. For long-term average violations, a fine may be imposed for every day that the facility is out of compliance. The enforcement action may also document other charges such as cost recovery and pass-through of charges incurred by the Control Authority to respond to the noncompliance.

The Control Authority may determine that a fine is waived in lieu of the resources committed due to the required corrective action. The fine range assigned to an enforcement may vary depending on the number of violations associated with the enforcement and the severity of the violation(s) including consideration for impact to the POTW.

Action Level	Enforcement Mechanism	Fine Range (per violation/per day)
0.5	Informal Communication	\$0
1.5	Warning Letter	\$0 - \$500
	Warning Letter with Informal Review Meeting	\$0 - \$500
2.5	Notice of Violation	\$500 - \$1,000
3.5	Notice of Violation	\$500 - \$2,500
	Notice of Violation with Informal Review Meeting	\$500 - \$2,500
4.5	Consent Order with Standards Meeting	\$1,000 - \$7,500
5.5	Compliance Order with Standards Meeting	\$2,500 - \$7,500
7.5	Compliance Order with Show Cause Hearing	\$2,500 - \$7,500
	Potential to Result in:	
	- Control Mechanism Termination	
	- Water Severance	
	- Cease and Desist	
	Emergency Suspension	\$2,500 - \$7,500
8.5	Injunctive Relief	\$2,500 - \$7,500 plus civil/criminal fines and penalties
	Refer to Judicial System	\$2,500 - \$7,500 plus civil/criminal fines and penalties

Commented [EE3]: Confirm fine range with client

Commented [EE4]: Alternative with \$1000 max:

Action Level	Enforcement Mechanism
0.5	Informal Communication
1.5	Warning Letter
	Warning Letter with Informal Review Meeting
2.5	Notice of Violation
3.5	Notice of Violation & Fine
	Notice of Violation & Fine with Informal Review Meeting
4.5	Consent Order with Standards Meeting
5.5	Compliance Order with Standards Meeting
7.5	Control Mechanism Termination with Show Cause Hearing
	Water Severance with Show Cause Hearing
	Cease and Desist with Show Cause Hearing
	Emergency Suspension
8.5	Refer to Judicial System
	Injunctive Relief

Pretreatment Program Roles and Responsibilities

Pretreatment Program Role	Description of Responsibilities
Pretreatment Coordinator	Responsible for daily implementation of the industrial pretreatment program • Issue Informal Communications and Warning Letters • Coordinate Informal Review Meetings • Evaluation of significant noncompliance & issues SNC Summaries • Identify and investigate instances of noncompliance through the activities defined above
Pretreatment Supervisor	Oversee and supervise the activities performed by the Pretreatment Coordinator: • Review of communication to Users as needed • Final decision-making power on enforcement actions issued below show cause hearings • Issues enforcement actions at Notice of Violation and above • Attend Standards Meetings
Pretreatment Administrator	Responsible for the overall operation of the POTW. Has oversight responsibilities of the Pretreatment Program including: • Awareness of enforcement actions taken by the pretreatment program staff • Issuing enforcement involving show cause hearings or above • Hearing User appeals to administrative remedies sought by pretreatment staff
Attorney	Provides legal counsel as required by pretreatment staff. Takes the lead on referrals for civil litigation and criminal acts
Executive Committee	Committee responsible for overseeing Show Cause Hearings and reviewing appeals brought by Users
Facility Contact	Person responsible (representing the User) for routine communications and daily tasks associated with pretreatment requirements. Facility contacts are not authorized to sign reports unless they are documented as a Duly Authorized Representative as defined below.
Authorized Representative of User	Authorized Representative of the User as defined in 40 CFR 403.12(l)(1) including Duly Authorized Representatives of the User.

Commented [EE5]: Confirm roles and responsibilities with client.

The Control Authority is responsible for the delegation of authority for the approved Pretreatment Program. The Control Authority may delegate authority to current Control Authority staff, designee, consultant, or contractor to assist with the administration of major tasks listed above to implement the Industrial Pretreatment Program.

Designated Control Authority Pretreatment Program Roles

Pretreatment Program Role	Control Authority Title
Pretreatment Coordinator	
Pretreatment Supervisor	
Pretreatment Administrator*	
Executive Committee	Entities listed above along with Legal Counsel

** All reports required by NPDES permits, and other information requested by the Approval Authority shall be signed by a person who is a principal executive officer, ranking elected officer, or other duly authorized representative of the POTW. A person is a duly authorized representative only if authorized in writing by the principal executive officer or ranking elected official, and submitted to the Approval Authority prior to or with a required report. The duly authorized employee must be an individual or position having responsibility for the overall operation of the facility or the Pretreatment Program. Submittal of this program update documents the roles and corresponding authority of those roles to implement the Pretreatment Program.*

Commented [EE6]: Confirm which position titles will fill the pretreatment roles. Denote authorized / duly-authorized reps.

Enforcement Types

Enforcement Mechanism	Type	Description
Informal Review Meeting	Administrative	Informal call or meeting to discuss the noncompliance either before or after the enforcement action is issued.
Informal Communication	Administrative	Informal communication is used to identify and document minor instances of noncompliance with the User to avoid further noncompliance and escalation of enforcement.
Warning Letter	Administrative	Warning Letters communicate instances of noncompliance of Pretreatment Standards or requirements. The Control Authority may require the User to complete corrective actions including a written response to the violation.
Notice of Violation	Administrative	Notice to the User to identify and document instances of noncompliance with Pretreatment Program requirements. Requires a written response from the User to the Control Authority within 30 days (or sooner if required by the Control Authority).
Standards Meeting	Administrative	A formal meeting to discuss a noncompliant event, enforcement remedy, requested information, and corrective actions. When a Standards Meeting is part of an enforcement response with a Compliance Order, the Standards Meeting may be performed before the Order is issued.
Significant Noncompliance Summary	Administrative	Documentation provided to a User that they were found to be in Significant Noncompliance, because of the nature and/or severity of recent violations, and are subject to Public Notice. The Summary covers the previous six-month evaluation period. Refer to the SNC section for definitions and explanation of the violations and severity that trigger SNC Status.
Consent Order	Administrative	An agreement negotiated by both the Control Authority and the User. A Consent Order must be signed by representatives from both

Enforcement Mechanism	Type	Description
		Parties before being “issued” and is therefore not subject to appeal. Corrective actions and due dates associated with this enforcement type are a Compliance Schedule.
Compliance Order	Administrative	An enforcement document which is unilaterally issued by the Control Authority. Corrective actions and assigned due dates associated with this enforcement type are a Compliance Schedule.
Show Cause Hearing	Administrative	The User will be issued a notice to appear in front of applicable Control Authority Staff prior to either major enforcement action taken or a claim being filed against a User in the court of jurisdiction to seek judicial remedies for unresolved violations. The User alleged to have committed the violation shall have the opportunity to “Show Cause” as to how the violation(s) will be resolved administratively and shall offer reason as to why enforcement action should not escalate. The noncompliance shall be resolved administratively or referred to the court of jurisdiction if an agreement cannot be reached. Actions designated as “Emergency Actions” may be taken prior to the Control Authority issuing a Show Cause Hearing and/or prior to the meeting taking place.
Cease and Desist Order	Administrative	An Order which requires immediate actions to halt violations including an actual or threatened discharge which is on-going or likely to reoccur.
Administrative Fines	Administrative	Violations may have administrative fines on a per day, per violation basis. For a monthly or other long-term average discharge limit, penalties may accrue for each day during the period of the violation. Refer to the Action Levels, Time Frames & Fines section of this document.
Emergency Suspension	Emergency Action	Emergency Suspension is used to halt a threatened or actual discharge which has the potential to cause harm to human health, the POTW operations, or the environment. The User shall halt discharge immediately (without delay) after notice; if discharge is not halted then the Control Authority may sever the sewer connection. Informally notify User immediately to halt discharge within specified

Enforcement Mechanism	Type	Description
		timeframe; if needed turn off water supply or terminate sewer connection.
Water Supply Severance	Emergency Action	Users that violate or continue to violate any pretreatment standard or requirement may have their water usage severed. Service may only be recommenced after the User has returned to compliance. Any fees associated with the water supply severance are the sole responsibility of the User. Provide a minimum of 24-hour notice that the water supply will be severed.
Control Mechanism Termination	Administrative	Users that violate or continue to violate any pretreatment standard or requirement may have their control mechanism terminated with an opportunity to Show Cause. Renewal is at the sole discretion of the Control Authority. The User may be required to submit a new application and fee.
Injunctive Relief	Judicial	The Control Authority may petition the court for the issuance of a temporary or permanent injunction, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement. The Control Authority May also seek other action such as a requirement for the User to conduct environmental remediation. Injunctive Relief is typically used when administrative actions are deemed insufficient or have already failed.
Civil Penalties	Judicial	When administrative remedies have failed to return a User to compliance or when a User refuses to pay administrative penalties, the Control Authority may seek Civil Penalties through the Court of Jurisdiction.
Criminal Referral	Judicial	The Control Authority is authorized to refer violations of these Regulations to the proper authorities for the investigation and enforcement of criminal matters.

Significant Noncompliance

Significant Noncompliance (SNC) is as defined in 40 CFR 403.8(f)(2)(viii). Any User that meets at least one of the following definitions for SNC shall receive an SNC Summary from the Control Authority with the details of the violation(s) and shall be published per the public participation requirements in 40 CFR 403.8(f)(2)(viii) at least once per calendar year (typically after calendar year ends). Enforcement actions may be escalated based on a violation meeting a definition of SNC. A Significant Noncompliance (SNC) Summary will be sent to each User having a violation that triggers SNC.

SNC Item Reference	Brief Description	Applies To	Details
1	Chronic Criteria¹	SIUs	66% or more of sample results for an individual pollutant exceed the permit limit.
2	Technical Review Criteria¹	SIUs	33% or more of the sample results equal or exceed the Technical Review Criteria (TRC). The TRC is the permit limit times a multiplier. - For BOD, TSS, ammonia and oil & grease: 1.4 multiplier - For all other pollutants (metals, organics, etc.): 1.2 multiplier <i>*TRC does not apply to pH.</i>
3	Causes Interference or Pass Through	All Users	Any other violation of a Pretreatment Standard or Requirement that causes Interference or Pass Through.
4	Imminent Endangerment	All Users	Discharge caused imminent endangerment to human health, welfare, or to the environment (including POTW personnel and the public).
5	Missed Compliance Milestone by more than 90 days	SIUs	Compliance Milestone is missed by more than 90 days without an alternative compliance schedule authorized by the Control Authority.
6	Late Report by more than 45 days	SIUs	Applies to reports such as: baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
7	Failure to Accurately Report Noncompliance	SIUs	User fails to adequately identify and notify the Control Authority of exceedances of Pretreatment Standards or other noncompliance with pretreatment requirements.
8	Other Violations	All Users	Violation of a BMP or other permit requirement which impacts the Control Authority's ability to properly implement the Pretreatment Program.

¹ Evaluated based on the first half of the calendar year and the second half of the calendar year.

Violation Definitions

Violation	Definition	Base Points	Nature	Reporting
Accidental and/or Slug Discharge	Failure to adequately protect against slug discharges. Ongoing accidental discharges are evidence of inadequate protection against slug discharges and are therefore considered a violation. Failure to notify of an accidental discharge or slug discharge is considered noncompliance.	0	• Not Applicable: Accidental Discharge; Pretreatment Standard(s) not violated • Minor: Ongoing accidental discharges; Pretreatment Standard(s) not violated • Substantial: Potential to cause Pretreatment Standard(s) violation • Excessive: Pretreatment Standard(s) violation observed • Gross: Intentional discharge or negligent operations	Applies
Dilution in Lieu of Treatment	Dilution occurs when a User adds water to their effluent for the purpose of decreasing the concentration of measured pollutants in order to meet pretreatment standards.	1	• Minor: Unaware • Gross: Intentional	Applies
Discharge of Hazardous Wastes	Discharge of waste or wastewater that meets the definition of a RCRA Hazardous Waste into the POTW's collection system without prior approval from Control Authority.	1	• Substantial: User unaware of discharge or unaware of RCRA status • Gross: User aware of discharge and failed to report	Applies
Failure to Comply with Corrective Action	Related to other enforcement mechanisms previously issued which require corrective action. Corrective actions may be communicated in NOV's or other less formal enforcement mechanisms including inspection reports. Does not apply to compliance schedules (e.g., issued in control mechanisms, consent or compliance orders; see Missed Compliance Schedule Milestone). Interim measures are actions taken to address the deficiency that are not acceptable by	0	• Not Applicable: Corrective action implemented but not reported • Minor: Equivalent interim measure implemented • Substantial: Interim measure implemented, only partially adequate to resolve deficiency • Excessive: No interim measure implemented • Gross: Corrective action ignored	Applies

Violation	Definition	Base Points	Nature	Reporting
	Control Authority as long-term alternatives to the assigned Corrective Action.			
Failure to Follow BMPs	Industrial User has failed to follow all, or part of a Best Management Practice required by their permit or alternative control mechanism including BMPs which are required or defined in slug discharge control plans. For this violation type, Pretreatment Standard does not include Pretreatment Requirements.	0	• Minor: No Pretreatment Standard(s) violated • Substantial: Potential to cause Pretreatment Standard(s) violation • Excessive: Pretreatment Standard(s) violation observed • Gross: Intentional or negligent	Applies
Improper Pretreatment System Operation	Violations relating to improper operation, improper management, or improper maintenance of a pretreatment system as designed to control discharges to the POTW.	0	• Minor: No Pretreatment Standard(s) violated • Substantial: Potential to cause Pretreatment Standard(s) violation • Excessive: Pretreatment Standard(s) violation observed • Gross: Intentional or negligent	Applies
Improper Sampling Event	A required sample collected in such a way that deviates from the accepted procedure as outlined in 40 CFR Part 136 or required in a permit or alternative control mechanism, or as required in local regulations. This violation includes not using sufficiently sensitive methods of analysis and tampering with any monitoring equipment.	0	• Minor: Unintentional and/or caused by third-party lab error • Gross: Intentional/negligent and/or tampering with sampling equipment	Applies
Inadequate Recordkeeping	Inadequate recordkeeping related to maintaining 3 years of records associated with pretreatment requirements. Examples include not maintaining records for calibrations, hauled waste, or laboratory results.	0	• Minor: Individual records missing • Substantial: Multiple records missing • Excessive: Major gaps in recordkeeping	Does Not Apply

Violation	Definition	Base Points	Nature	Reporting
Inadequate Reporting of Changed Conditions	Industrial User has failed to inform Control Authority of changes to their manufacturing operation that could impact their wastewater characteristics within the allotted time frame.	0	• Minor: Minor modification to process • Substantial: Results in >20% change to effluent characteristic or change results in new user classification. • Excessive: Change caused Pretreatment Standard violation(s) • Gross: Intentional or negligent withholding of information	Applies
Inadequate Response for Requested Information	Failure of a User to return requested information or inaccurate information is provided. Applies to specific requests including surveys and One-Time Dental Discharge Compliance Reports. For permitted Users, see Reporting Violation.	0	• Minor: Compliance determination is not dependent on requested information • Substantial: Compliance determination is dependent on requested information • Excessive: Potential Pretreatment Standard(s) violation. • Gross: Intentionally providing inaccurate information or ignoring requests	Does Not Apply
Missed Compliance Schedule Milestone	The date for a compliance schedule for a specified industry has passed or the terms of the action item have not been satisfied. An extension has not been issued by Control Authority. Compliance milestones may be required in enforcement actions, permits or other control mechanisms as a compliance schedule.	0.5	• Not Applicable: Milestone complete but not reported • Minor: <15 Days Late • Substantial: 15 - 45 Days Late • Excessive: 45 - 90 Days Late • Gross: > 90 Days Late	Applies
Missed Parameter or Monitoring Event	Failure of a User to provide analysis of a parameter as required by their permit, alternative control mechanism or federal pretreatment regulations. Percentages for nature are per parameter per required sample event for the reporting period.	0	• Minor: <25% missing or inadequate • Substantial: 25-50% missing or inadequate, or any categorical required parameters missing • Excessive: >50% missing or inadequate • Gross: Negligent in monitoring duties	Applies

Violation	Definition	Base Points	Nature	Reporting
Other Violation of Pretreatment Regulations	Control Authority is authorized to enforce upon any pretreatment standard or requirement defined by federal, state or local laws and regulations including permit requirements.	0	• Minor: Control Authority Discretion • Substantial: Control Authority Discretion • Excessive: Control Authority Discretion • Gross: Control Authority Discretion	Applies
Permit Limit Exceedance	A required monitoring parameter exceeds the limit established in either Control Authority's local limits, or the User's permit or alternative control mechanism. This violation also includes failure to report the noncompliance to Control Authority. Continuous monitoring violations may be handled under the BMP section.	0	• Minor: Result < limit times the TRC (reference SNC) • Minor: pH result >3.5 and <12.0 s.u. • Substantial: Result > limit times the TRC multiplier (consistent with SNC definition) • Substantial: pH result between 2.0-3.5 or 12.0-12.5 s.u. • Excessive: Result >5 times the limit • Excessive: pH result <2.0 or >12.5 (meets RCRA definition of corrosivity) • Gross: Result > ten (10) times the limit	Applies
Reporting Violation: Late or Incomplete	Failure of a User to submit a proper report required by 40 CFR Part 403, the POTW's Pretreatment Program, an individual User permit, or an alternative control mechanism. This includes reports such as baseline monitoring reports, periodic self-monitoring reports, 90-day compliance reports, and compliance schedule progress reports. Reports that are incomplete (improperly certified or that do not contain all required information that is otherwise obtainable) are considered late until a complete report has been submitted. This only applies to a stand-alone reporting violation. Inadequate reporting of changed conditions is its own violation category.	0	• Minor: <5 Days Late • Substantial: 5 - 15 Days Late • Excessive: 15 - 45 Days Late • Gross: > 45 Days Late	Does Not Apply
Site Entry Denial	Denial or unnecessary or excessive delay of entry to authorized, credentialed Control Authority personnel or other state or federal entities for the purpose of inspection or sampling.	1	• Excessive: User is not cooperative • Gross: User is threatening or adverse	Does Not Apply

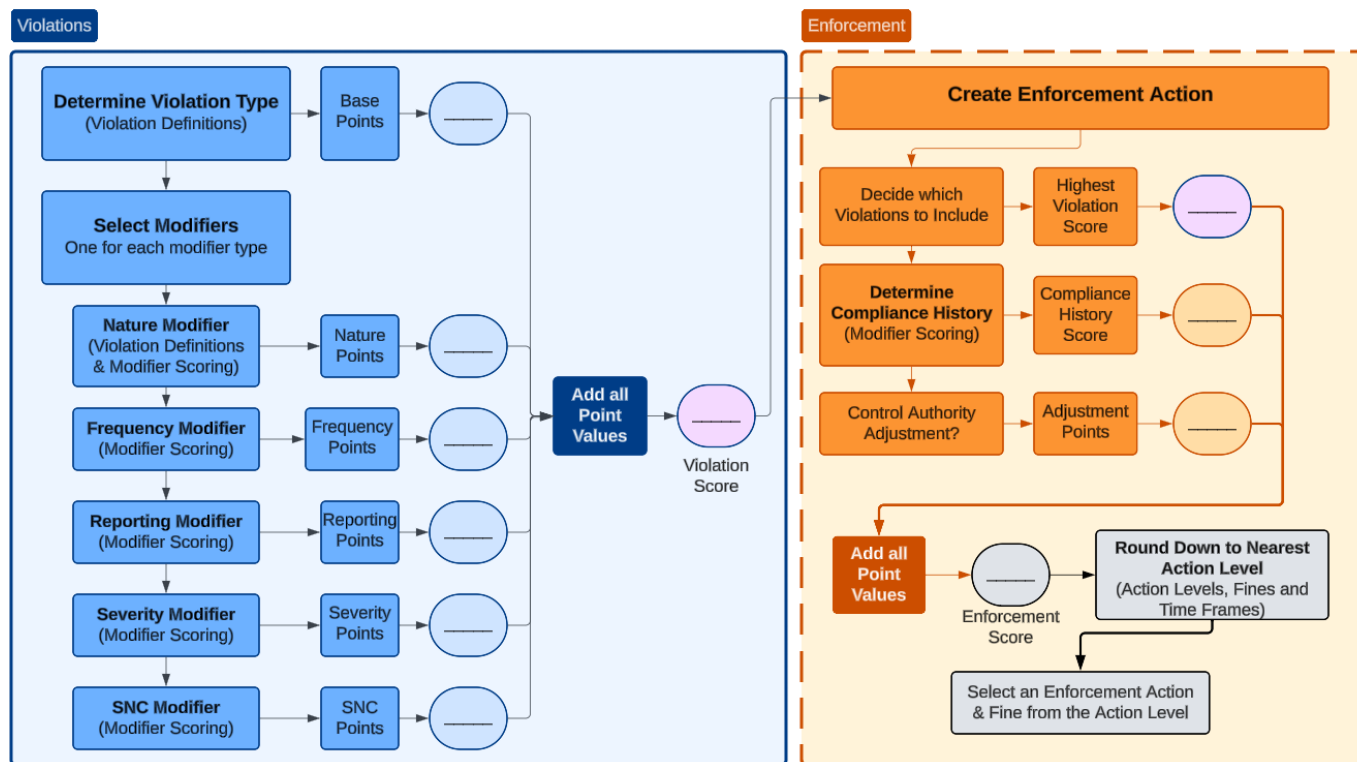
Violation	Definition	Base Points	Nature	Reporting
Unauthorized Bypass	Intentional diversion of wastestreams from any portion of an Industrial User's treatment facility. Bypasses may occur if they do not cause a violation of pretreatment standards only if needed for essential operation. Specific notification and reporting requirements apply (refer to control mechanism).	1	• Minor: Pretreatment Standard(s) not violated • Substantial: Potential for Pretreatment Standard(s) to be violated • Excessive: Pretreatment Standard(s) are violated (confirmed) • Gross: Bypass caused by negligence	Applies
Unauthorized Discharge	A discharge from a source which was not previously disclosed that would otherwise be regulated by Control Authority per Federal, State or Local Regulations.	1	• Minor: Undisclosed source has no reasonable potential for impact. • Substantial: Undisclosed source has minor potential for impact. • Excessive: Undisclosed source has major potential or confirmed impact. • Gross: Intentional or negligent non-disclosure of source.	Applies
Waste Hauler Misconduct	Violations pertaining to waste hauler misconduct including but not limited to failing to adequately clean up messes after discharging, being disrespectful to operators or other POTW staff, and discharging unauthorized material.	0	• Minor: Unsanitary conditions left at disposal site • Substantial: Waste hauler disrespectful to Control Authority staff • Excessive: Discharge to unauthorized location • Excessive: Discharge of unpermitted material • Excessive: Discharge by unpermitted hauler • Gross: Violent, dangerous or threatening behavior on Control Authority property	Does Not Apply

Modifier Scoring

Category	Title	Score
Frequency	Isolated ¹	0.5
	Recurring ²	1
	Ongoing ³	2
	Ongoing (Compliant with Corrective Action) ⁴	1
	Ongoing (Noncompliant with Corrective Action) ⁵	2
Reporting	Not Applicable	0
	Timely Report	0
	Late or Incomplete Report	0.5
	Not Reported	1
Nature	Minor	0.5
	Substantial	1.5
	Excessive	2
	Gross	3
Severity	No Disruption or impact	0
	Potential to cause disruption	0.5
	Disruption but not interference or pass-through	1
	Causes Interference or Pass-Through (SNC #3)	0
	Causes Imminent Endangerment (SNC #4)	0
SNC	Not SNC	0
	#3 - Causes Interference or Pass-Through	3
	#4 - Imminent Endangerment	4
	#5 - Missed Compliance Milestone Event >90 Days	0.5
	#6 - Late Report > 45 days	0.5
	#7 - Failure to Accurately Report Noncompliance	1.5
	#8 - Other impact to CA's ability to implement Program (BMPs)	1
	Unknown - Needs More Information	0
Compliance History ⁶	Good (<3)	0
	Fair (<5 violations)	0.5
	Poor (<10 violations)	1.0
	Very Poor (10 or more violations)	1.5

- 1 Evaluated per pollutant, per compliance monitoring location per type of noncompliant event. For non-parameter related events, frequency typically refers to the type of noncompliant event (with Control Authority discretion for unrelated occurrences).
- 2 Isolated means the first violation of its type in a rolling 12-month period.
- 3 Recurring means the second violation of its type in a rolling 12-month period.
- 4 Ongoing means three (3) or more violations of its type in a rolling 12-month period.
- 5 Reporting modifiers are as related to reporting requirements for the specific report or event.
- 6 Compliance History is the total number of individual violations, regardless of type, by the User during a rolling 12-month period.

Appendix A: ERP Flow Diagram



This diagram shows the progression of the **Function of the ERP** ([link to details](#)). Text in parenthesis shows the name of the corresponding section of the document with the relevant information for the step.

Revisions

Date	Purpose/Description	Responsible Person Title (Affiliation)
11/18/2025	For review and comment	Kim Cole, P.E. (DROP Collaborative)

City of Monett, Missouri | MO-0021440

Technical Re-Evaluation of Local Limits: Monett WWTP

Document Publish Date: 11/19/2025

For Client

Prepared By:



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F. Raw Analytical Data (Available upon request)	<i>[MO 780-2954 3.8.3]</i>	
G. Revised Ordinance Section with Local Limit Table		

Part II. Detailed Technical Reevaluation of Local Limit Report Form

All POTWs with approved programs must continue to develop local limits as necessary per 40 CFR 403.5(c) (1). This Part II form addresses the detailed technical reevaluation of local limits for one POTW and its permit. For more than one plant and permit, please provide a separate Part II and I (if needed) form. Components of Part I are used for reporting of the Part II Detailed Reevaluation. This form must summarize the results of the detailed reevaluation.

Because POTW site-specific conditions change, Section 2.0 of this form provides some factors to consider that may indicate the need for a more detailed technical re-evaluation of local limits. If any of those factors indicate a need for the detailed technical re-evaluation, then the POTW should complete Part II of this Form.

Reference Document: 2004 EPA Local Limits Development Guidance.

Note: Missouri state regulations at 10 CSR 20-6.100 incorporate the federal 40 CFR 403 pretreatment regulations by reference; therefore, only the federal regulations will be cited in this form.

1.0 BASIC INFORMATION

1.1 POTW NAME/CONTROL AUTHORITY:

Monett WWTP / City of Monett

1.2 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MISSOURI STATE OPERATING PERMIT

PERMIT NO.	EXPIRATION DATE	WWTP NAME
MO-0021440	6/30/2029	Monett WWTP

1.3 LOCAL LIMIT REEVALUATION REPORT WITH CONTROL AUTHORITY LETTER

1.3.1 Due Date for Detailed Technical Reevaluation:	12/31/2025
1.3.2 Entity Performing Local Limit Analysis:	DROP Collaborative
1.3.3 Region VII Spreadsheet Version:	PublicBeta v2.2.11

2.0 BACKGROUND LEADING TO THE NEED TO REVISE LOCAL LIMITS

The City of Monett submitted a Part I Technical Evaluation performed by DROP Collaborative (formerly KimHEC) in December 2024 which determined the need to revise local limits.

3.0 REQUIRED DETAILED TECHNICAL REEVALUATION REPORTING COMPONENTS

3.1	Part I Form, if completed prior to Part II. <i>Refer to Appendix A.</i>
3.2	Previous Detailed Technical Local Limit Evaluation – Data and Summary Pages or Other Summary Sheets. <i>Refer to Appendix D.</i>
3.3	General: Wastewater Treatment Facilities and Operations (optional). Attach current effective permit, if not provided. <i>Refer to Appendix C - Will be provided upon request.</i>
3.4.	Pollutants of Concern (POCs) list and how developed. POCs not included or added per Part I. Section 5.0 – Pollutant of Concern. Tables included. <i>Refer to Section 2.</i>
3.5.	Discussion: Input, Assumptions and Methods Use in the Region 7 Spreadsheet for 1) conventional, 2) conservative, 3) non-conservative pollutants. <i>Refer to Section 3.</i>
3.5.1	Table of Plant Removal Efficiencies. <i>Refer to Table 3.4</i>
3.5.2	Table of Domestic Sampling Summary. <i>Refer to Table 3.3</i>
3.5.3	Table of Influent Sampling and Effluent Sampling. <i>Refer to Table 3.3</i>
3.6.	Results: Part I. Section 9.0 - Reevaluation Comparison of Current Head works Loading to Revised MAHLs for 1) conventional, 2) conservative, 3) non- conservative pollutants. <i>Refer to Section 4</i>
3.6.1	Table of Existing MAILs, calculated or proposed MAILs for 1) conventional, 2) conservative, 3) non-conservative pollutants. <i>Refer to Table 4</i>
3.6.2	Provide written rationale for selected local limits for each POC. <i>Refer to Table 5.1</i>
3.7.	Summary of local limits for adoption and table showing methodology for allocation of Revised MAILs in permits. <i>With limit durations</i>
3.7.1	Recommendations for on-going local limits evaluations.
3.8.	Appendices Summarizing General Information. <i>Refer to Section 5</i>
3.8.1	Most recent Industrial Waste Survey Summary Table. <i>Refer to Appendix B.</i>
3.8.2	Region VII Spreadsheet Data Input, Output, Sludge Printouts (for MAHL comparison and current conditions) as Adobe pdf. Excel Spreadsheet may be requested by approval authority. <i>Refer to Appendix E.</i>
3.8.3	Raw Analytical Data (Contract Laboratory Reports) – <i>Will be provided upon request</i>

4.0 CERTIFICATION BY AN OFFICAL REPRESENTATIVE OF THE MUNICIPALITY PER 40 CFR 403.9(b)(1)	
<i>"I certify under penalty of law that this document and all attachments were prepared under 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 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"</i>	
Authorized Representative Signature	Date
Duly Authorized Representative Name	Duly Authorized Representative Title
Email Contact of Duly Authorized Representative:	

Section 2: Pollutants of Concern (POCs) [MO 780-2954 3.4]

Pollutants of Concern (POCs) were identified based on EPA's Local Limit Development Guidance (2004), 40 CFR 503 regulations, NPDES permit parameters, and POCs for the identified industrial users. Table 2.1 summarizes the POCs initially included for evaluation as well as the basis for the evaluation.

Table 2.1: Pollutants of Concern (POCs) [MO 780-2954 3.4]

Pollutant of Concern	Basis for Inclusion
Silver	EPA Specified, Industry POC
Arsenic	EPA Specified, 503 Protection, NPDES Monitoring only
Cadmium	EPA Specified, 503 Protection, Industry POC, NPDES Monitoring Only
Cyanide	EPA Specified, Industry POC, NPDES Monitoring Only
Chromium	EPA Specified, Industry POC
Copper	EPA Specified, 503 Protection
Mercury	EPA Specified, 503 Protection
Molybdenum	EPA Specified, 503 Protection
Nickel	EPA Specified, Industry POC, 503 Protection
Lead	EPA Specified, 503 Protection, NPDES Permit Limit
Selenium	EPA Specified, 503 Protection, NPDES Monitoring Only
Zinc	EPA Specified, Industry POC, 503 Protection
BOD	EPA Specified, NPDES Permit Limit
TSS	EPA Specified, NPDES Permit Limit
Ammonia-N	NPDES Monitoring Only
TKN	EPA Specified, NPDES Monitoring Only
Phosphorus	Future regulation
Total Nitrogen	Future regulation
Cyanide (amenable)	NPDES Permit Limit
Aluminum	Industry POC
Beryllium	NPDES Monitoring Only
Methylene Chloride	Expanded Effluent testing
Barium	Priority Pollutant Testing
Chloroform	Priority Pollutant Testing
2-Butanone (MEK)	Priority Pollutant Testing

Section 3. Discussion of Inputs [MO 780-2954 3.5]

Based on the Part I Technical Evaluation of Local Limits, a Local Limit update was determined to be necessary. This section provides the information used in the EPA Region VII Local Limit Calculator Spreadsheet (Version 6, Appendix E) and is based on the information summarized in the Local Limit Part I evaluation (Appendix A).

Table 3.1 EPA Region VII Local Limit Calculator Inputs [MO 780-2954 3.3]

Data Variables	Value	Basis Notes
Non SIU Flow	1.023 MGD	Non SIU flow calculated as total flow minus SIU flow. Flow data based on data from 2020 to 2025.
SIU Flow	1.418 MGD	Current Significant Industrial Users. For regulated basis, description, flow, and POCs included see Table 3.2
Total Flow	2.441 MGD	Average flow from discharge monitoring reports from 2020 to 2025.
7q10	0 cfs	Low flow of the receiving stream. Refer to the POTW's NPDES permit.
Hardness	142	Based on POTW NPDES permit
Flow to Dgstr (MGD)	0.008	Based on volume of sludge wasted to the digester per day.
Sludge Flow to Disposal (MGD)	0.0106	Based on annual dry tons production at % solids when land applied. Calculation is included at the bottom of the Region VII Spreadsheet and uses the metric dry tons per year and the average percent solids to calculate average MGD.
Sludge Disposal (% solids)	2.81	Average percent solids of the sludge when it is disposed of/land applied.
Site Use (years)	60	Based on the life of the fields for land application
Site Size (acres)	470	Based on current understanding of land available for land application of biosolids.
Sludge Quality Level	Ceiling	Class B biosolids
Design Capacity	See Table 3.4 Design Basis	Based on plant design pollutants.

The City of Monett completed its most recent IWS in 2022 which did not identify any new categorical or significant users. Data Axle and water usage records were used to determine which facilities received an IWS. The City currently has a more active IWS process that evaluates new users as they begin operations in the City of Monett. Annual inspections are used to ensure changed conditions at existing facilities are documented.

Table 3.2 Significant Industrial Users

Industry Name	Regulated Basis	Description	Average Flow (GPD)	Pollutants of Concern Present
Architectural Systems, Inc.	CFR 433.17, Subpart A	Chrome Etch	4,926	Chromium, Aluminum
EFCO Corporation	CFR 467, Subpart C	Al Extrusion, Anodize	62,872	Silver, Aluminum
Hydro Extrusion USA, LLC	CFR 421, Subpart C	Al Smelting, Direct Chill	26,586	Cadmium, Nickel
International Dehydrated Foods	SIU	Animal Conc/Dehyd	480,344	Conventional Pollutants, Nutrients
PlayPower, Inc	CFR 433.17, Subpart A	Fe Phos	6,959	Cyanide, Zinc
Schreiber Foods, Inc. Monett	SIU	Curd	114,452	Conventional Pollutants, Nutrients
Tyson Poultry, Inc (Monett)	SIU	Chicken Processing	722,328	Conventional Pollutants, Nutrients

Table 3.3 summarizes the data selected for the local limits reevaluation. All available data from 2020 to 2025 was used to determine influent, effluent, and domestic concentrations. The background samples from two domestic locations were used to determine background loading to the WWTP.

Table 3.3 Dataset Summaries

Pollutant of Concern	Influent		Effluent		Background	
	# Non-detects / # Samples	Date Range	# Non-detects / # Samples	Date Range	# Non-detects / # Samples	Date Range
Silver	4 / 4	2022 - 2025	8 / 9	2022 - 2025	9 / 9	2022 - 2025
Arsenic	4 / 4	2022 - 2025	11 / 11	2022 - 2025	9 / 9	2022 - 2025
Cadmium	6 / 6	2021 - 2025	37 / 37	2022 - 2025	9 / 9	2022 - 2025
Cyanide	6 / 6	2021 - 2025	47 / 47	2022 - 2025	9 / 9	2022 - 2025
Chromium	5 / 6	2021 - 2025	12 / 15	2022 - 2025	7 / 9	2022 - 2025
Copper	1 / 6	2021 - 2025	29 / 34	2022 - 2025	1 / 9	2022 - 2025
Mercury	2 / 4	2022 - 2025	4 / 7	2022 - 2025	4 / 9	2022 - 2025
Molybdenum	4 / 4	2022 - 2025	4 / 4	2022 - 2025	9 / 9	2022 - 2025
Nickel	4 / 4	2022 - 2025	11 / 11	2022 - 2025	8 / 9	2022 - 2025
Lead	7 / 7	2021 - 2025	27 / 28	2022 - 2025	9 / 9	2022 - 2025
Selenium	6 / 6	2021 - 2025	37 / 38	2022 - 2025	9 / 9	2022 - 2025
Zinc	0 / 6	2021 - 2025	1 / 16	2022 - 2025	0 / 9	2022 - 2025
BOD	0 / 520	2020 - 2025	0 / 346	2022 - 2025	0 / 7	2022 - 2025
TSS	0 / 519	2020 - 2025	1 / 346	2022 - 2025	0 / 7	2022 - 2025
Ammonia-N	0 / 89	2020 - 2025	135 / 425	2022 - 2025	0 / 9	2022 - 2025
TKN	2 / 88	2020 - 2025	33 / 107	2022 - 2025	0 / 9	2022 - 2025
Phosphorus	0 / 89	2020 - 2025	0 / 106	2022 - 2025	0 / 9	2022 - 2025
Total Nitrogen	28 / 88	2020 - 2025	31 / 106	2022 - 2025	5 / 9	2022 - 2025
Cyanide (amenable)	6 / 6	2021 - 2025	44 / 44	2022 - 2025	9 / 9	2022 - 2025
Aluminum	0 / 6	2021 - 2025	1 / 16	2022 - 2025	0 / 9	2022 - 2025
Beryllium	6 / 6	2021 - 2025	29 / 29	2022 - 2025	9 / 9	2022 - 2025
Methylene Chloride	2 / 2	2025	4 / 5	2022 - 2025	0 / 0	NA
Barium	0 / 1	2025	1 / 1	2025	0 / 0	NA
Chloroform	0 / 2	2025	5 / 5	2022 - 2025	0 / 0	NA
2-Butanone (MEK)	0 / 2	2025	3 / 4	2022 - 2025	0 / 0	NA

Table 3.4 presents POC data used in the EPA Region VII spreadsheet to calculate the revised local limits and the basis for the data. Silver, arsenic, cadmium, cyanide, molybdenum, nickel, lead and selenium were all non-detect at the influent. For removal efficiency, both overall average removal rates and paired removal rates were calculated. In the case of non-detected concentrations, removal efficiencies for activated sludge treatment as listed by EPA guidance was used. For background concentrations, an average of the most recent background samples was used. In the case that domestic concentrations were all non-detects or not available from site-specific domestic testing, DROP Collaborative's DROP Platform average background concentrations were used.

Table 3.4 Data Inputs [MO 780-2954 3.5.1- 3.5.3]

Pollutant of Concern	Influent Levels (mg/L)	Effluent Levels (mg/L)	Removal Efficiency		Background Levels (mg/L)	
Silver	<0.007 All NDs	0.006	66%	Used Literature removal value	0.002	DROP background average
Arsenic	<0.006 All NDs	<0.004	45%	Used Literature removal value	0.005	DROP background average
Cadmium	<0.006 All NDs	<0.002	68%	Used Literature removal value	0.001	DROP background average
Cyanide	<0.005 All NDs	<0.005	59%	Used Literature removal value	<0.005	Site specific background data
Chromium	0.002 Average of detected results	0.003	55%	Used Literature removal value	0.005	Site specific background data
Copper	0.052 Average of detected results	0.002	96%	Used average removal %	0.026	Site specific background data
Mercury	0.0013 Average of all results	0.0006	55%	Used average removal %	0.0008	Site specific background data
Molybdenum	<0.007 All NDs	<0.007	50%	Used Literature removal value	<0.007	Site specific background data
Nickel	<0.005 All NDs	<0.003	29%	Used Literature removal value	0.007	Site specific background data
Lead	<0.005 All NDs	0.002	55%	Used Literature removal value	<0.006	Site specific background data
Selenium	<0.004 All NDs	0.003	50%	Used Literature removal value	0.006	DROP background average
Zinc	0.133 Average of detected results	0.031	77%	Used average removal %	0.088	Site specific background data

Pollutant of Concern	Influent Levels (mg/L)		Effluent Levels (mg/L)	Removal Efficiency		Background Levels (mg/L)	
BOD	325	Average of detected results	3.71	99%	Used Design Capacity	273	Site specific background data
TSS	341	Average of detected results	3.02	99%	Used Design Capacity	239	Site specific background data
Ammonia-N	25.8	Average of detected results	1.86	93%	Used Design Capacity	45.35	Site specific background data
TKN	52.8	Average of detected results	2.45	95%	Used Design Capacity	48.5	Site specific background data
Phosphorus	11.09	Average of detected results	6.16	44%	Used Design Capacity	7.49	Site specific background data
Total Nitrogen	50.6	Average of detected results	21.6	57%	Used average removal %	49.5	Site specific background data
Cyanide (amenable)	<0.005	All NDs	<0.005	NA		<0	Site specific background data
Aluminum	2.054	Average of detected results	0.049	98%	Used average removal %	0.771	All NDs, use DROP background data
Beryllium	<0.004	All NDs	<0.002	NA		<0.01	Site specific background data
Methylene Chloride	<0.004	All NDs	0.004	NA		0.002	DROP background average
Barium	0.024	Average of detected results	<0.005	NA		0.097	All NDs, use DROP background data
Chloroform	0.002	Average of detected results	<0.002	NA		0.002	DROP background average
2-Butanone (MEK)	0.005	Average of detected results	0.102	4%	Used average removal %	0.01	DROP background average

Table 3.5 summarizes biosolids data used in the technical reevaluation. Biosolids analytical results were used to back-calculate influent concentrations for the POCs with all non-detects at the influent.

Table 3.5 Biosolids Data

Pollutant of Concern	# Non-detects / # Samples	Date Range	Average Concentration (mg/kg)	Maximum Concentration (mg/kg)	Back-calculated Concentration (mg/L)	Ceiling / Low Metals Limits (mg/kg) ¹
Silver	2 / 2	2022	<0.118	<0.23	0.00002	
Arsenic	15 / 17	2021 - 2025	0.431	2.24	0.0001	75 / 41
Cadmium	17 / 17	2021 - 2025	<0.374	<2.4	0.0001	85 / 39
Cyanide	1 / 1	2022	<0.46	<0.46	0.0001	
Chromium	1 / 17	2021 - 2025	21.3	36.7	0.0047	
Copper	0 / 16	2021 - 2025	264.	410.	0.0337	4300 / 1500
Mercury	1 / 17	2021 - 2025	2.27	8.67	0.0005	57 / 17
Molybdenum	3 / 15	2021 - 2024	2.33	6.63	0.0006	75 / NA
Nickel	0 / 16	2021 - 2025	17.8	159	0.0075	420 / NA
Lead	2 / 17	2021 - 2025	5.01	11.7	0.0011	840 / 300
Selenium	8 / 17	2021 - 2025	1.23	4.36	0.0003	100 / 36
Zinc	0 / 16	2021 - 2025	614	839.	0.0982	7500 / 2800

1. 40 CFR 503.13 Tables 1 and 3

Design capacities were estimated using NPDES Permit MO-0021440 and conversations with Monett's design engineering consultant, Allgeier, Martin and Associates Inc. The design loadings as determined by WWTP staff were used in this local limit evaluation.

Design Basis/Capacity of the WWTP	
Design Population Equivalent	74,000
Design Flow (MGD)	6.00
Actual Population of Sewer Service Area	10,100
Actual Flow (MGD)	2.441
SIU Documented Flows (MGD)	1.418
Uncontrolled Flow (MGD)	1.023

Parameter	Typical (lbs/d/cap)	Design Capacity Based on P.E. (lbs/day)	Design Basis based on Allgeier, Martin and Associates Inc. (lbs/day)
BOD	0.17	12,580	13,400
TSS	0.2	14,800	10,300
TKN	0.033	2,442	3,000
Ammonia-N	0.0198	1,465	1,465
Phosphorus	0.0088	651	651
Flow (MGD)	100	6.0	6.0

Section 4. Results

Current headworks loading at the wastewater treatment plant indicate that the plant is not significantly loaded (Table 4.1). Influent data for silver, arsenic, cadmium, cyanide, molybdenum, nickel, lead and selenium were all non-detects, so loading is estimated using the laboratory reporting limit.

Table 4.1 Existing vs Revised MAHLs [MO 780-2954 3.6]

Pollutant of Concern	Current MAHLs (lbs/day)	Revised MAHLs (lbs/day)	Current Headworks Loading (lbs/day)	% Loading of Revised MAHL
Silver	0.67	0.45	All NDs	<31%
Arsenic	0.5	0.24	All NDs	<51%
Cadmium	0.26	0.31	All NDs	<36%
Cyanide	0.34	0.25	All NDs	<41%
Chromium	0.59	5.39	0.040	1%
Copper	2.65	2.78	1.492	54%
Mercury	0.03	0.03	0.052	151%
Molybdenum	0.44	0.37	All NDs	<39%
Nickel	3	2.09	All NDs	<5%
Lead	0.34	0.18	All NDs	<58%
Selenium	0.27	0.20	All NDs	<40%
Zinc	15.11	14.51	3.769	26%
BOD	13400	13,400	7,408	55%
TSS	10300	10,300	6,948	67%
Ammonia-N	NA	1,465	524	36%
TKN	3000	3,000	1,381	46%
Phosphorus	--	651	226	35%
Total Nitrogen	--	953	1,031	108%
Cyanide (amenable)	--	0.179	All NDs	<57%
Aluminum	--	634	42	7%
Beryllium	--	0.102	All NDs	<77%
Methylene Chloride	--	0.096	All NDs	<85%
Barium	--	40.7	0.489	1%
Chloroform	--	9.6	0.041	0.4%
2-Butanone (MEK)	--	84.7	0.106	0.1%

Figure 4.1 Revised MAHLs and Headworks Comparison

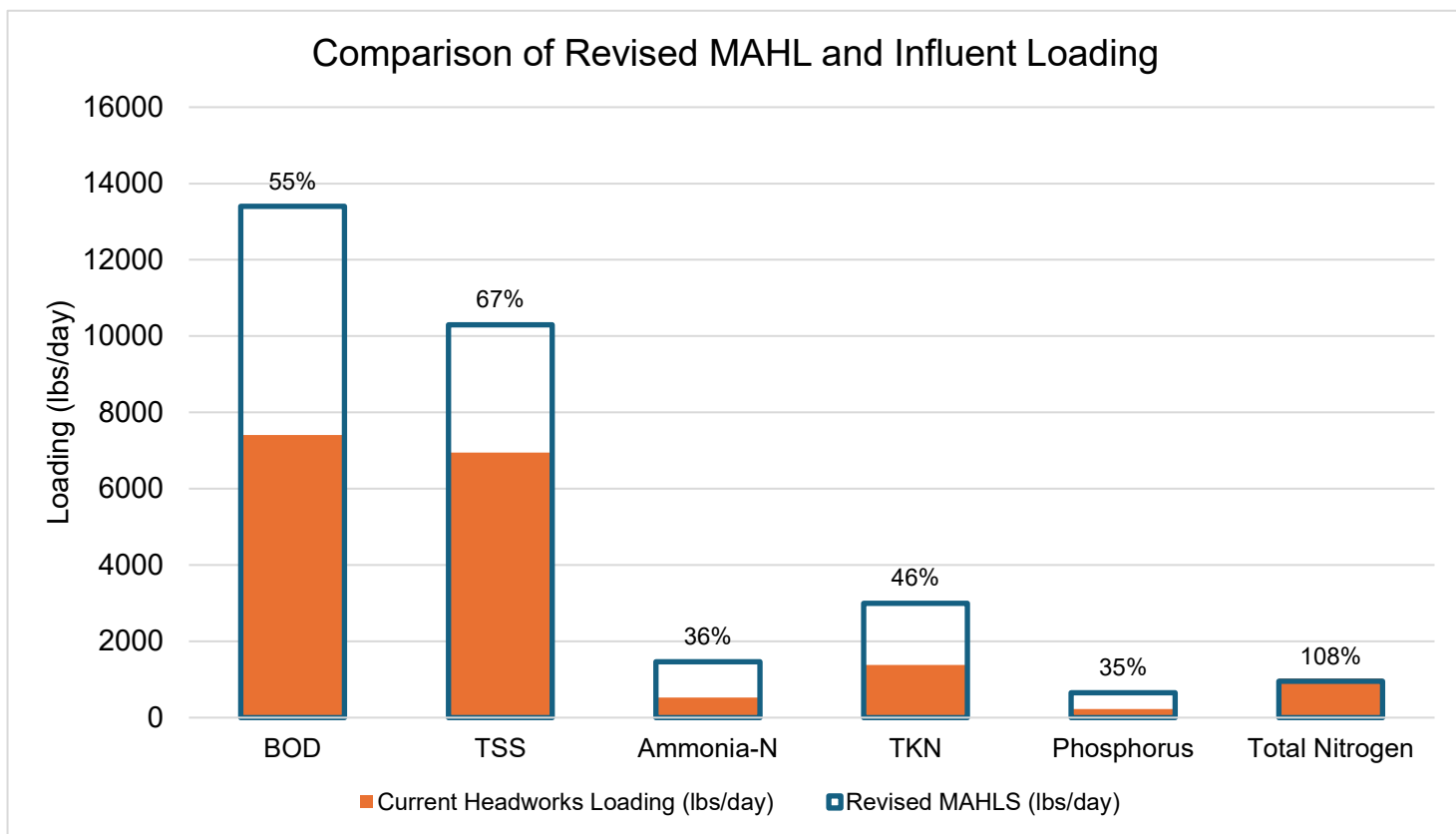
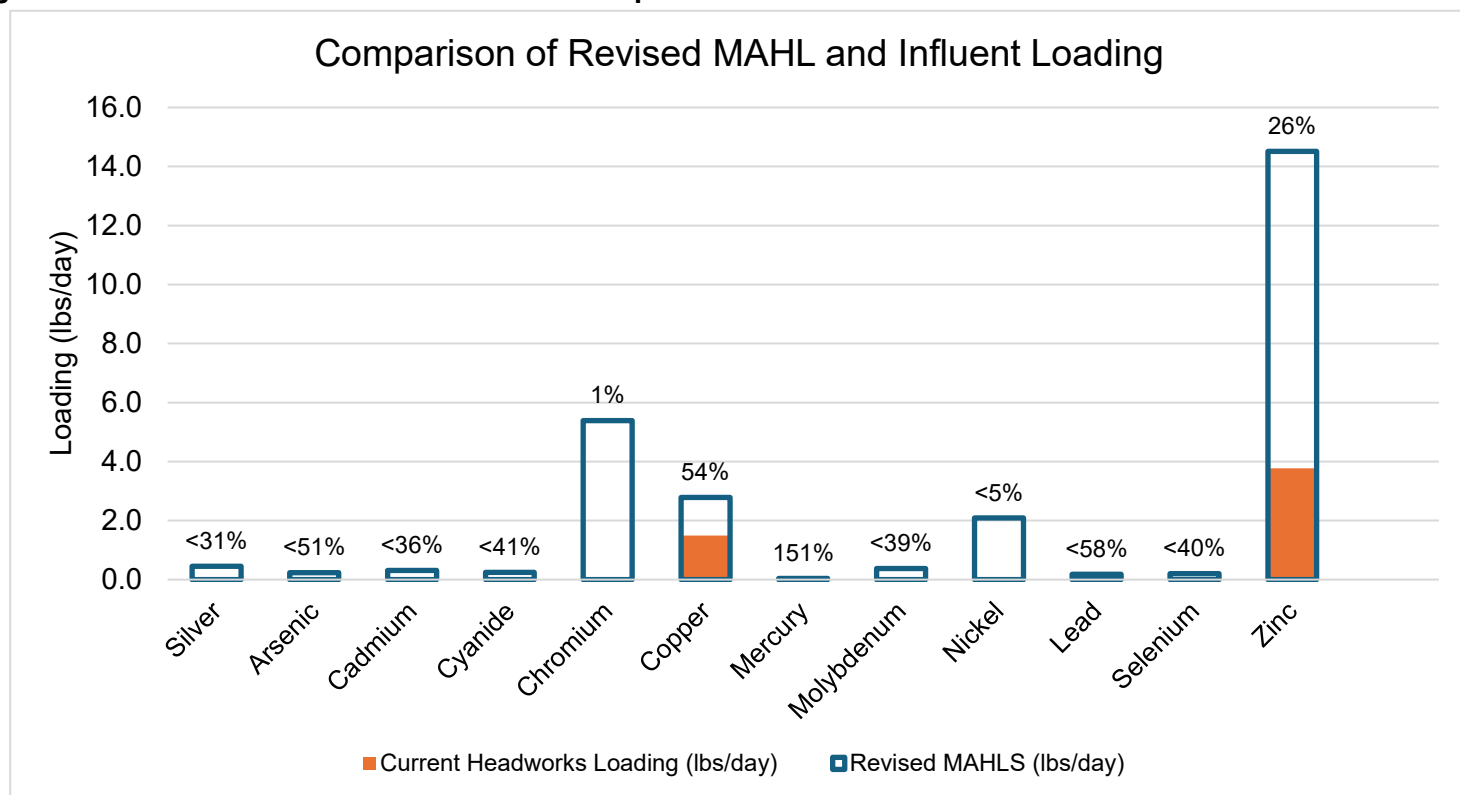
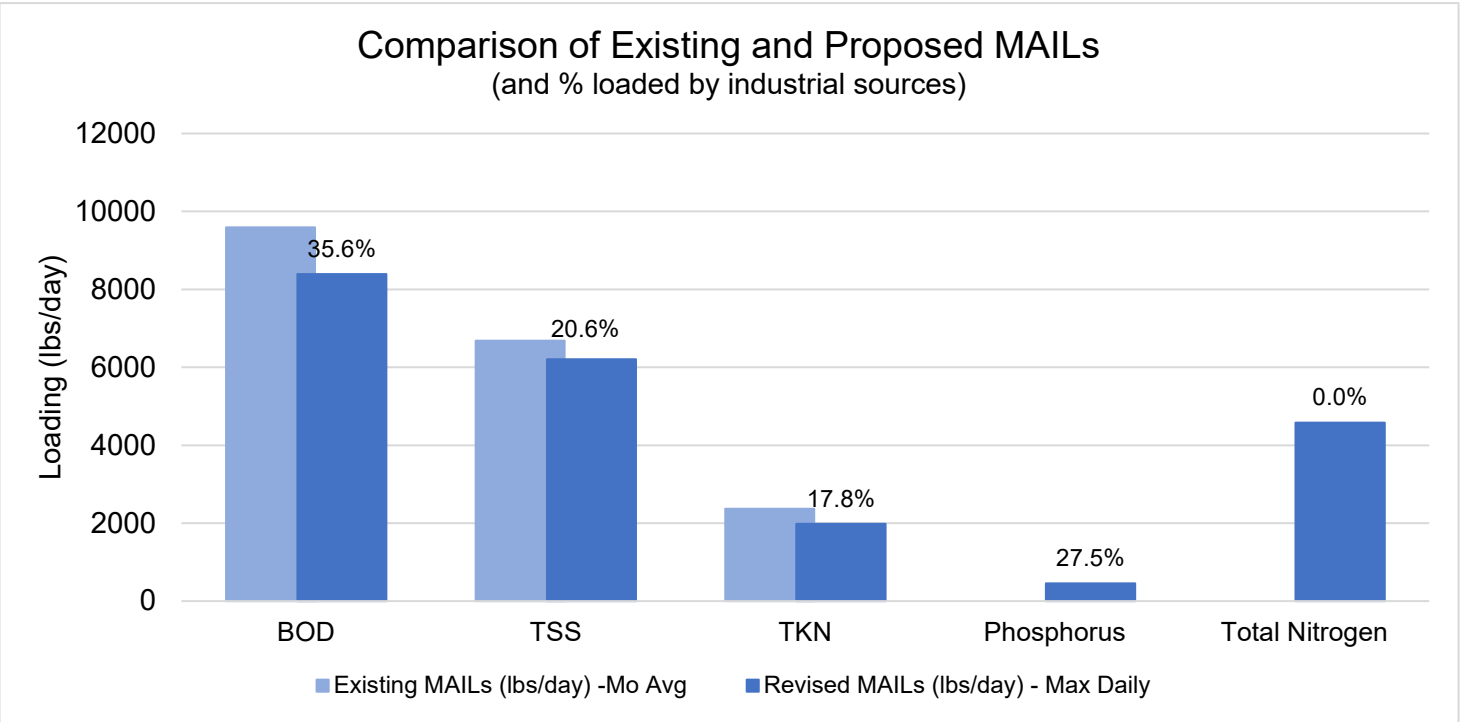
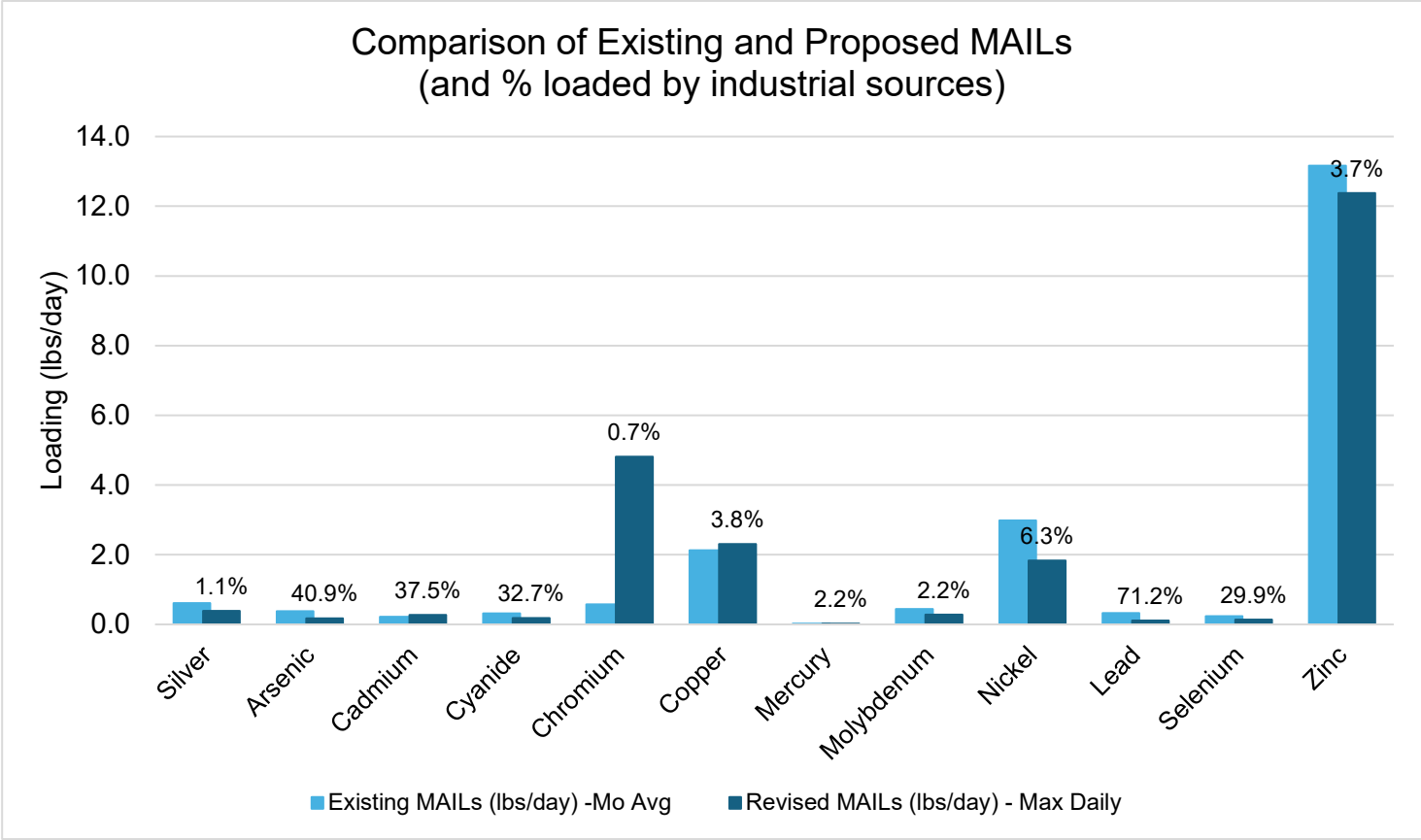


Table 4.2 presents the existing and revised MAILs, MAIL reserved for each pollutant of concern and corresponding uniform concentration (for reference only). The MAIL reserved represents a 10% reserve of the MAIL for each pollutant of concern and is already taken into account in the revised MAIL. A comparison of current and revised MAILs are shown in Figure 4.2.

Table 4.2 Existing vs Proposed MAILs [MO 780-2954 3.6.1]

Pollutant of Concern	Existing MAILs (lbs/day) - Mo Avg	Revised MAILs (lbs/day) - Max Daily	MAIL Reserved (lbs/day)	MAIL Higher or Lower	Limiting Criteria
Silver	0.61	0.390	0.043	Lower	Water Quality
Arsenic	0.377	0.177	0.020	Lower	Digstn Inhib
Cadmium	0.219	0.271	0.030	Higher	503 Ceiling
Cyanide	0.32	0.185	0.021	Lower	Water Quality
Chromium	0.57	4.82	0.535	Higher	Water Quality
Copper	2.126	2.305	0.256	Higher	Digstn Inhib
Mercury	0.022	0.025	0.003	Higher	Water Quality
Molybdenum	0.44	0.28	0.031	Lower	503 Ceiling
Nickel	2.99	1.83	0.204	Lower	Water Quality
Lead	0.324	0.110	0.012	Lower	NPDES #
Selenium	0.234	0.141	0.016	Lower	Water Quality
Zinc	13.17	12.38	1.38	Lower	Water Quality
BOD	9,595	8,394	2,680	Lower	Design Capacity
TSS	6,685	6,205	2,060	Lower	Design Capacity
Ammonia-N	--	785	293	NA	Design Capacity
TKN	2,370	1,986	600	Lower	Design Capacity
Phosphorus	--	457	130	NA	Design Capacity
Total Nitrogen	--	4,581	509	NA	Water Quality
Cyanide (amenable)	--	0.123	0.014	NA	Water Quality
Aluminum	--	565	62.8	NA	Water Quality
Beryllium	--	0.053	0.006	NA	Water Quality
Methylene Chloride	--	0.072	0.008	NA	Water Quality
Barium	--	35.9	3.99	NA	Water Quality
Chloroform	--	8.60	0.956	NA	Water Quality
2-Butanone (MEK)	--	76.2	8.46	NA	Water Quality

Figure 4.2. Existing and Revised MAIL Comparison Graphs



Section 5. Summary of Recommended Local Limits [MO 780-2954 3.7]

Table 5.1 presents the MAILs for POCs that are recommended to be adopted, updated, reserved, or omitted and includes the rationale for each. Parameters that are categorical standards, have elevated influent or industrial concentrations compared to background concentrations, or are heavily loaded (greater than 60% for metals and greater than 80% for conventional) were all considered in the determination of adopting MAILs.

Table 5.1 Proposed Changes to Local Limits

Pollutant of Concern	Current Local Limit?	Adopt / Update	Reference Only MAHLs (lbs/day)	Max Daily MAILs (lbs/day)	Rationale
Silver	No	Reserve	0.45	0.39	All NDs at the influent, industry POC
Arsenic	Yes	Reserve	0.237	0.177	All NDs at the influent, not an industry POC but MAHL over 60% loaded
Cadmium	No	Reserve	0.311	0.271	All NDs at the influent, industry POC
Cyanide	No	Omit	0.248	0.185	All NDs at the influent, Categorical limit sufficient
Chromium	No	Omit	5.39	4.82	Influent concentrations less than background, categorical limit sufficient
Copper	Yes	Reserve	2.78	2.31	Elevated influent concentrations, not an industry POC
Mercury	No	Reserve	0.035	0.025	Detected in the influent and background, not an industry POC
Molybdenum	No	Omit	0.37	0.28	All NDs at the influent, not an industry POC
Nickel	No	Reserve	2.09	1.83	All NDs at the influent, industry POC
Lead	No	Adopt	0.176	0.110	All NDs at the influent, MAIL over 70%
Selenium	Yes	Omit	0.204	0.141	All NDs at the influent, not an industry POC
Zinc	Yes	Omit	14.51	12.38	Elevated influent concentrations, Categorical limit sufficient
BOD	Yes	Update	13,400	8,394	Design Parameter
TSS	Yes	Update	10,300	6,205	Design Parameter
Ammonia-N	No	Omit	1,465	785	Adopt TKN instead
TKN	No	Adopt	3,000	1,986	Design Parameter
Phosphorus	No	Reserve	651	457	Future Regulation
Total Nitrogen	No	Reserve	953	4581	Future Regulation
Cyanide (amenable)	No	Omit	0.248	0.185	All NDs at the influent, not an industry POC
Aluminum	No	Omit	5.39	0.053	Elevated influent concentrations, industry POC, no NPDES permit limit
Beryllium	No	Omit	2.78	0.072	All NDs at the influent
Methylene Chloride	No	Omit	0.035	35.9	All NDs at the influent
Barium	No	Omit	40.7	8.60	Influent concentrations less than background
Chloroform	No	Reserve	9.57	76.2	Elevated influent concentrations
2-Butanone (MEK)	No	Omit	84.7	--	Influent concentrations less than background

Any POCs not recommended for adoption are omitted from the summary of local limits presented in Table 5.2. In order to allocate based on the need for the industrial contributors, the MAILs should be implemented in the City code as maximum daily prohibited mass limits. For pollutants of concern listed in the NPDES permit as monitoring only, local limits are recommended to be adopted as reserve. Industrial permits should be updated to include the allocated portion of the proposed MAILs, no permits shall be issued for more than five years.

Table 5.2 Summary of Local Limits for Adoption [MO 780-2954 3.6.2]

Pollutant of Concern	Reference Only MAHLs (lbs/day)	Max Daily MAILs (lbs/day)	Reference Only Uniform Concentration (mg/L)	Limiting Criteria for Local Limit
Lead	0.176	0.110	0.009	NPDES #
BOD	13,400	8,394	710	Design Capacity
TSS	10,300	6,205	525	Design Capacity
TKN	3,000	1,986	168	Design Capacity
Silver	0.45	0.39	0.033	Water Quality
Arsenic	0.24	0.18	0.015	Digstn Inhib
Cadmium	0.31	0.27	0.036	503 Ceiling
Copper	2.78	2.31	0.195	Digstn Inhib
Mercury	0.03	0.02	0.002	Water Quality
Nickel	2.09	1.83	0.155	Water Quality
Phosphorus	651	457	38.6	Design Capacity
Total Nitrogen	953	4,581	387	Water Quality
Chloroform	9.57	76.2	0.727	Water Quality

RESERVE

Conclusions and Recommendations:

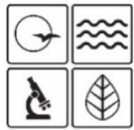
This technical evaluation updates the City of Monett's Local Limits in response to the findings of the Part I Technical Evaluation and updated analytical data from influent, effluent, background, and biosolids sampling. Based on the findings of the technical evaluation the following is recommended:

- The City retain and revise BOD and TSS, as local limits. BOD and TSS should be retained and revised as they are design and potential surcharge parameters.
- The City adopt local limits for lead and TKN. While lead influent concentrations are non-detect, industrial concentrations show the potential of using up a significant portion of the respective MAIL. It is recommended to use EPA sampling method 200.8 for metals in future sampling events to better determine the actual lead levels. TKN is recommended to be adopted as it is a design parameter.
- The City reserve MAILs for silver, arsenic, cadmium, copper, mercury, and nickel. In the case of silver, cadmium, and nickel, the influent levels were all non-detects but are POCs for industrial users. Arsenic levels were also all non-detect at the influent, but the MAHL is over 60% loaded. Copper shows elevated concentrations at the influent, but is not an industry POC. Finally, mercury was detected at the influent and is heavily loaded, but it is not an industry POC. Setting a local limit for these parameters is not justifiable, however it is recommended that these parameters are maintained as "monitoring only" parameters in industrial user permits so the City can continue to collect data.
- The City reserve MAILs for phosphorus and total nitrogen as emerging pollutants with the potential to have a NPDES permit limit in the future based on water quality criteria.
- The City omit selenium and zinc from the revised list of local limits. Selenium was not detected in the influent and doesn't have elevated industrial concentrations. Zinc is elevated at the influent, but is sufficiently controlled by categorical standards.

Overall, the evaluation found that the treatment plant is significantly loaded for mercury but not significantly loaded with respect to metals or conventional pollutants. However, based on other considerations—such as elevated influent concentrations, presence of industrial contributors, NPDES permit limits and applicable categorical standards—it is recommended that the City revise and adopt updated local limits listed in Table 5.2 in its ordinance as Daily Maximum MAILs (Appendix G).

Appendices
[MO 780-2954 3.8]

Appendix A. Technical Evaluation Part 1[MO 780-2954 3.1]



MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM, WATER POLLUTION CONTROL BRANCH
INDUSTRIAL PRETREATMENT PROGRAM

**TECHNICAL EVALUATION OF LOCAL LIMITS (40 CVF 122.44(j)(2)(ii)
AND DETAILED TECHNICAL REEVALUATION OF LOCAL LIMITS 40
CFR 403.5(c)(1))**

FOR OFFICE USE ONLY

PERMIT ID NUMBER

DATE RECEIVED

GENERAL INSTRUCTIONS FOR COMPLETING THIS FORM ARE AVAILABLE BELOW.

PART I. LOCAL LIMIT REVIEW: TECHNICAL EVALUATION REPORT

Federal and state regulations require a periodic review of local limits, and publicly owned treatment works (POTW) with approved programs must continue to develop local limits as necessary per 40 CFR 403.5(c)(1). Pursuant to 40 CFR 122.44(j)(2)(ii), federal regulations require a written technical evaluation of the need to revise local limits following permit issuance or reissuance. These periodic local limit reviews are a required condition of your Missouri National Pollutant Discharge Elimination System (NPDES) permits. Part I of this form addresses the local limits review for one POTW and its permit. Because POTW site-specific conditions change, Section 2.0 of this form provides a list of factors that may indicate the need for a more detailed technical re-evaluation of local limits using Part II of this form. Reference Document: 2004 EPA Local Limits Development Guidance.

¹Note: Missouri state regulations at 10 CSR 20-6.10 incorporate the federal 40 CFR 403 pretreatment regulations by reference; therefore, only the federal regulations will be cited in this form.

1.0 BASIC APPLICATION INFORMATION

1.1 POTW NAME/CONTROL AUTHORITY: Monett WWTP / City of Monett

1.2 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MISSOURI STATE OPERATING PERMIT

PERMIT NO. MO-0021440	EXPIRATION DATE 6/30/2029	WWTP NAME Monett WWTP	
PERMITTED DESIGN FLOW (MGD) 6	AVERAGE ACTUAL FLOW (MGD) 2.29	POPULATION EQUIVALENT 74,000	BIOSOLIDS DISPOSAL METHOD Land Application

1.3 LOCAL LIMIT REPORT WITH LETTER

1.3.1 Date Technical Evaluation is Due: 1/1/2025

1.3.2 Entity Performing Local Limit Analysis: KimHEC

1.3.3 Region VII Spreadsheet Version: PublicBeta v2.2.11

1.4 CONTACT PERSON FOR POTW:

NAME Owen Baker	TITLE Chief Operator	TELEPHONE NUMBER WITH AREA CODE 417-342-3626	EMAIL obaker@cityofmonett.com
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1.5 SIGNATORY AUTHORIZATION FOR POTW (if different):

NAME Skip Schaller	TITLE Director of Utilities	TELEPHONE NUMBER WITH AREA CODE 417-235-3763	EMAIL skipschaller@cityofmonett.com
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2.0 POTW BASIS FOR EVALUATION

2.1 IDENTIFIED FACTORS MAY WARRANT A DETAILED TECHNICAL REEVALUATION OF LOCAL LIMITS:

	Change in Water Quality Criteria		Plant Conditions: Increase/Decrease of Hydraulic Loading
	Change in Sludge Quality Criteria		Change in Biosolids Disposal Method
	Plant Conditions: Increased Design Capacity		POTW Operational/Performance Problems
	Plant Conditions: Other Design Modifications		Changes in Industrial User Contributions (Flows or characteristics)
	Outfall Relocation (Different Receiving Stream)	X	Addition of or Removal of NPDES Permit Limit
	Change in Air Pollution Control Permit		New NPDES Whole Effluent Toxicity Testing Requirement
	Significant increase or decrease in Biosolid production		

2.2 WRITTEN DETAILED DESCRIPTION OF THE ABOVE REASON(S) FOR COMPLETING OR NOT COMPLETING A TECHNICAL REEVALUATION:	
Part E. Special Conditions 18(b) requires a technical evaluation of the need to update local limits. With the reissuance of MO-0021440, additional permit limits and monitoring parameters have been included.	
3.0 POTW PRETREATMENT PROGRAM DESCRIPTION OF PROCEDURES AND DATA	
3.1 INDUSTRIAL WASTE SURVEY (40 CFR 403.8(f)(2)(i))	
3.1.1 Date Industrial Waste Survey (IWS) was last performed:	2022
3.1.2 Pursuant to 40 CFR 403.8(f)(6) date of approved industrial users list:	April 5, 2022
x	Updated list of industrial users meeting the requirement of 40 CFR 403.3(v)(1) and (v)(3) is attached separately for approval because the POTW has not provided the updated list to the approval authority.
3.1.3 Summary of IWS Process/Findings of IWS including any newly identified significant industrial users (attachment of a table is required for a detailed findings discussion per 40 CFR 403.8(f)(2)(i) and (ii)):	
The updated 2022 IWS process did not identify any new categorical or significant industrial users. Data Axle and water usage records were used to determine which facilities received an IWS. Appendix A presents the industrial user list produced by the most recent IWS process. The City is moving towards a more active IWS process that evaluates new users as they begin operations in Monett. Annual inspections are used to ensure changed conditions at existing facilities are documented.	
3.1.4 Industrial Waste Survey Schedule per 40 CFR 403.8(f)(2)(iii):	
The City of Monett has begun implementing an ongoing IWS process for new, relocating, or expanding industries (see above). Top water users are reviewed annually.	
3.2 SIGNIFICANT INDUSTRIAL USER COMPLIANCE WITH PRETREATMENT STANDARDS AND SIGNIFICANT NONCOMPLIANCE DETERMINATION	
POTW Annual Report attached, Summary: The City of Monett permits seven industrial users to discharge to the POTW; four that are categorical and three that have been identified as significant industrial users. Two of the industries (IDF and PlayPower) were in infrequent noncompliance and all other permitted users were determined to be in compliance with all pretreatment regulations (local, state, federal) as documented in the most recent annual report (Attachment B).	
3.3 FREQUENCY AND PROCESS OF INDUSTRIAL LOAD EVALUATION/MASS BALANCE WITH HEADWORKS	
As part of this evaluation, industrial loading was compared to domestic loading estimates and headworks loading for pollutants with significant loading at the headworks. A mass balance evaluation is done periodically to evaluate headworks loading.	
3.4 BIOSOLIDS: DESCRIPTION OF HOW BIOSOLIDS MONITORING DATA IS USED IN THE POTW PRETREATMENT PROGRAM	
Biosolids data were reviewed for current loading and to confirm variability in concentrations. Biosolids data are also used to back-calculate influent concentrations as a check on the measured influent concentrations. Total metals and other local limit parameters are evaluated periodically to identify data trends that could be caused by industrial contributions.	
3.5 DOES THE POTW MONITORING FOLLOW 40 CFR 136 SAMPLE COLLECTION AND ANALYSIS REQUIREMENTS?	
Yes	Also, describe those Pollutant of Concern (POCs) sampled in-house versus use of a contract laboratory below.
The City monitors some parameters in-house per 40 CFR 136 sample collection and analysis requirements (BOD/cBOD, COD, TSS, DO, pH, temperature, and operational testing) and also uses a contract laboratory for non-routine analysis such as metals.	

3.6 HAULED WASTE		
3.6.1 Describe Hauled Waste Program and Current Legal Authority		
Monett has legal authority to accept hauled waste at discharge points designated by the Superintendent. Facility accepts boiler water from one industrial facility outside of Monett's jurisdiction, which is accepted at the lagoon inlet. Hillhouse Pumping Co. provides load manifests that document source of loads and volume. Periodic sampling is conducted to evaluate loadings from the hauled waste.		
3.6.2 Hauled Waste City Code Citation	705.400(B)(8)	
3.6.3 Is Hauled Waste Currently Accepted?	Yes, upon approval	
3.6.4 Is Hazardous Waste 40 CFR 261 Accepted?	No	
3.6.5 Is Any Landfill Leachate Accepted?	No	
3.6.6 Hauled Waste Determination.	Not significant per 40 CFR 403.3(v)(3). No haulers after evaluation are significant.	
4.0 PRETREATMENT PROGRAM MONITORING		
4.1 SAMPLE PLAN SUMMARY TO ENSURE EFFECTIVENESS OF PRETREATMENT PROGRAM		
The City of Monett performs at least annual sampling of permitted industrial users. Additional monthly sampling is conducted for surcharge billing purposes. Domestic background samples were collected, along with paired influent/effluent samples in preparation for this technical evaluation.		
4.2 INFLUENT SAMPLING LOCATION		
Sample location for the influent monitoring is at the influent monitoring location (Permitted Feature INF). This location is downstream of the influent bar screens.		
4.3 WHOLE EFFLUENT TOXICITY (WET) TEST		
4.3.1 Date of Last Acute WET Test	2/7/2023	
4.3.2 Date of Last Chronic WET test	10/7/2024	
4.3.3 Explain any issues or findings of the WET tests:		
No abnormal WET test results.		
4.4 EXPANDED EFFLUENT (Priority Pollutant Scan) TESTING		
4.4.1 Dates of last three (3) Expanded Effluent Testing Events		
Most Recent 10/10/2024	2nd Most Recent 8/17/2023	3rd Most Recent 8/23/2022
4.4.2 Explain any expanded effluent test results.		
Methylene chloride was detected in the most recent expanded effluent testing.		
4.5. BIOSOLIDS PRIORITY POLLUTANT TESTING		
4.5.1 Dates of last three (3) Priority Pollutant Testing of Biosolids (Required for all POTWs with a Pretreatment Program in NPDES permit Standard Conditions, Part III)		
Most Recent 6/13/2023	2nd Most Recent 6/23/2022	3rd Most Recent 8/10/2021
4.5.2. Explain any biosolids priority pollutant test results.		
Barium, chloroform and methyl ethyl ketone were detected.		
4.6. ADDITIONAL PROGRAM MONITORING		
The City of Monett receives wastewater from the City of Purdy, as authorized in a Sewage Treatment Agreement between the two cities. This Agreement has been in place since 2016. Wastewater from the City of Purdy is transmitted to the City of Monett's wastewater treatment plant (WWTP) via a dedicated line. Flow monitoring is maintained where the flow enters the WWTP, and at least monthly samples are taken at this location.		

6.0 SUMMARY OF CURRENT LOCAL LIMITS						
6.1 CITY ORDINANCE						
6.1.1 Date Local Limits Last Adopted in City Ordinance					10/20/2014	
6.1.2 City Code Citation/Reference for Local Limits					Title VII, Article IV, Section 705.406	
6.1.3 Date Local Limits Were Last Evaluated, if unknown, place NA					7/1/2014	
6.2 CURRENT ADOPTED LOCAL LIMITS : Check all that apply.						
Adopted as Uniform Concentrations				Adopted as Maximum Allowable Industrial Loads (MAILs)		
Adopted as Maximum Daily Limits		X		Adopted as Maximum Daily Loads		
Adopted as Monthly Average Limits				Adopted as Monthly Average Loads		
Local Limits are Currently Adopted outside the sewer use ordinance						
No Local Limits for Metals are Currently Adopted						
6.3 CURRENT LOCAL LIMITS IN ORDINANCE OR OTHERWISE ADOPTED¹						
Parameter	Local Limit	MAIL	Units	Adopted?	Limiting AHL ² Criteria	Allocation Method and Notes
Silver, Total (T)		0.61	lbs/day	No	Water Quality	
Arsenic, T		0.377	lbs/day	Yes	Sludge Disposal	Uniform Conc
Cadmium, T		0.219	lbs/day	No	Sludge Disposal	
Cyanide, T		0.32	lbs/day	No	Water Quality	
Chromium, T		0.573	lbs/day	No	Water Quality	
Copper, T		2.126	lbs/day	Yes	Water Quality	Case by Case
Mercury, T		0.022	lbs/day	No	Water Quality	
Molybdenum, T		0.442	lbs/day	No	Sludge Disposal	
Nickel, T		2.986	lbs/day	No	Sludge Disposal	
Lead, T		0.324	lbs/day	No	Water Quality	
Selenium, T		0.234	lbs/day	Yes	Water Quality	Uniform Conc
Zinc, T		13.165	lbs/day	Yes	Water Quality	Monitoring Only
Hexavalent Chromium, Dissolved		NA				
Chromium Trivalent		NA				
pH ²						Prohibited Discharge Adopted: 6 - 9.5 S.U.
Oil & Grease						
Total						
Nonpolar						
Polar ³						
Parameter	Local Limit	MAIL	Units	Adopted?	Limiting AHL ² Criteria	Allocation Method and Notes
BOD		9595	lbs/day	Yes	Design Capacity	Case by Case
TSS		6685	lbs/day	Yes	Design Capacity	Case by Case
TKN		2370	lbs/day	No	Design Capacity	
COD						
Ammonia-N						
Phosphorus						
¹ AHL = allowable headworks loading ² Prohibited Discharge Standard, ³ Polar HEM determined by the difference between total HEM and SGT-HEM or nonpolar						
6.3.1 Background for the additional local limits above beyond the 15 National Pollutants						
NA						

7.0 NEW OR REVISED NPDES PERMIT LIMITS					
List any new or revised POTW NPDES Permit Limitations					
Parameter	Mo. Avg. Limit	Units	Max Daily Limit	Units	Needs revised or new local limit?
cBOD	3.9	mg/L	5.9 (weekly avg)	mg/L	No
Cyanide, T	3.6	ug/L	9.6	ug/L	No
Lead, T	3.9	ug/L	8.5	ug/L	No
Total Phosphorus	*Annual Total		18,265*	pounds	Reserve
Total Nitrogen	*Annual Total		392,869*	pounds	Reserve
Ammonia	Changes monthly but is overall reduced				Yes
7.1 Include a summary of any monitoring issues for listed parameters.					
N/A					
7.2 List any compliance issues during the POTW's last NPDES Permit Cycle.					
Monett WWTP was in SNC from July 2022 to June 2023 for ammonia monthly average violations due to mechanical failure of the oxidation ditch. Monett also had a cadmium monthly average and maximum daily violation in May 2024 and a cyanide (amenable) monthly average violation in July 2024					
8.0 APPROVED LOCAL LIMIT ANALYSIS COMPARED TO CURRENT CONDITIONS					
WWTP Average Actual Flow – Previous Study (MGD)		3.18	Population from Previous Study	10,000	
WWTP Average Actual Flow (MGD) - Current Conditions, Dry Weather		2.29	Current Population	9,789	
Non-Background Flow (MGD) - Previous Study		2.190	No. SIUs – Previous	6	
Non-Background Flow – Current Conditions (MGD)		1.285	No. SIUs - Current	7	

9.0 CURRENT LOADING COMPARED TO MAHL - INFLUENT MONITORING AND ANALYSIS

Date Range of Influent Data:

2023 - 2024

Pollutant of Concern (total)	Previous Study ¹ MAHL (lbs/day)	Average Current Headworks Loading (lbs/day)	Maximum Current Headworks Loading (lbs/day)	# of NDs / # of Samples	Average % current loading of Previous MAHL	(optional) Preliminary MAHL (lbs/day)	(optional) Average % of Re-Calculated MAHL
Silver	0.67	0.160	0.160	1 / 1	24%	0.53	30%
Arsenic	0.50	0.122	0.122	1 / 1	24%	0.19	64%
Cadmium	0.26	0.143	0.143	1 / 1	56%	0.27	53%
Cyanide	0.34	0.095	0.095	1 / 1	28%	0.22	43%
Chromium	0.59	0.044	0.044	1 / 1	7%	8.95	0%
Copper	2.65	0.227	0.227	0 / 1	9%	2.77	8%
Mercury	0.03	0.047	0.047	0 / 1	175%	0.13	36%
Molybdenum	0.44	0.155	0.155	1 / 1	35%	0.38	41%
Nickel	3.00	0.078	0.078	1 / 1	3%	1.35	6%
Lead	0.34	0.109	0.109	1 / 1	32%	0.22	49%
Selenium	0.27	0.050	0.050	1 / 1	19%	0.31	16%
Zinc	15.11	0.789	0.789	0 / 1	5%	14.69	5%
Chromium VI, total	16.11	NO DATA	NO DATA	0 / 0	NA	15.69	NA
BOD	13400	5575	13882	0 / 191	42%	13400	42%
TSS	10300	5824	18255	0 / 191	57%	10300	57%
Oil & Grease	NA	NA	NA	NA / NA	NA	NA	NA
Total	NA	NA	NA	NA / NA	NA	NA	NA
Nonpolar	NA	NA	NA	NA / NA	NA	NA	NA
Polar ²	NA	NA	NA	NA / NA	NA	NA	NA
Optional Parameters; Fill in Additional as Applicable (Not part of the 15 National POCs)							
COD	NA	13137	34372	0 / 446	NA	NA	NA
TKN	3000	941	1881	0 / 31	31.4%	3000	31.4%
Ammonia-N	NA	501	892	0 / 32	NA	NA	NA
Phosphorus	NA	226	401	0 / 32	NA	NA	NA
Total Nitrogen	NA	971	1896	14 / 31	NA	NA	NA
	--	NO DATA	NO DATA	0 / 0	NA	NA	NA
		NO DATA	NO DATA	0 / 0	NA	NA	NA
		NO DATA	NO DATA	0 / 0	NA	NA	NA

¹ Note: If MAHLs from the previous analysis are unavailable, please use current condition to create MAHLs.

9.1 Discuss MAHL Comparison to Current Loading

Current loading does not take up a significant amount of the MAHL for most POCs. Influent monitoring indicates elevated mercury, but this is based on one sampling event. Further sampling is recommended.

10.0 CURRENT BIOSOLIDS DATA -- AVERAGE AND MAXIMUM BIOSOLIDS CONCENTRATIONS**10.1** Date(s) of current biosolids data:

2023 - 2024

10.2 Indicate the average and maximum biosolids concentration for the previous permit cycle. Also, indicate the number of samples that the analysis is based on.

Pollutant of Concern	No. Nondetects/No. Biosolids Samples	Average (mg/kg)	Maximum (mg/kg)	Back-Calculated Influent Concentration (mg/L)	Actual Measured Influent Concentration (mg/L)	Influent Concentration Used for Updated Local Limits (mg/L)
Silver	0 / 0	NO DATA	NO DATA	NO DATA	0.008	0.008
Arsenic	7 / 7	0.21	0.25	0.00005	0.006	0.006
Cadmium	7 / 7	0.59	2.40	0.00009	0.008	0.008
Cyanide	0 / 0	NO DATA	NO DATA	NO DATA	0.005	0.005
Chromium	0 / 7	21.42	33.75	0.00274	0.002	0.002
Copper	0 / 7	233.30	313.00	0.02847	0.012	0.012
Mercury	0 / 7	2.10	3.84	0.00037	0.002	0.002
Molybdenum	2 / 8	0.48	5.41	0.00010	0.008	0.008
Nickel	0 / 7	29.66	158.66	0.00741	0.004	0.004
Lead	0 / 7	3.60	9.36	0.00062	0.006	0.006
Selenium	3 / 7	0.34	2.91	0.00007	0.003	0.003
Zinc	0 / 7	611.36	738.50	0.08122	0.041	0.041
Trivalent Chromium	NA / NA	NA	NA	NA	NA	NA
Hexavalent Chromium	NA / NA	NA	NA	NA	NA	NA
Ammonia-N	0 / 6	1733.87	3580.00	NA	26.211	26.211

10.3 Biosolids Priority Pollutant Testing – Summarize any detections only below. Indicate the average and maximum biosolids concentration for the previous permit cycle. If all pollutants were non-detections, please indicate that below.

Barium, chloroform and methyl ethyl ketone were all detected

10.4 Discussion of back-calculated results above.

Influent concentration use for Updated Local Limits are the actual measured concentrations. Biosolids results indicate much lower concentrations than actually measured at the headworks.

11.0 LOCAL LIMIT TECHNICAL EVALUATION SUMMARY - NEED TO REVISE CONCLUSIONS	
11.1 Are POTW influent actual flows different from the previous local limit evaluation?	28% Lower
<i>If flows have changed significantly (typically greater than 20% actual hydraulic flows), reevaluate local limits.</i>	
11.2 Are industry total flows higher or lower than the previous local limit evaluation?	41% Lower
<i>If Yes, re-evaluate local limits.</i>	
11.3 Are industries having trouble meeting limits? i.e., are violations issued?	Infrequent noncompliance in 2023 for 2 industries, no issues in 2024 with improved systems/operation.
<i>If yes, consider re-evaluating local limits to determine basis, factors of safety, current loading considerations, etc.</i>	
11.4 Are any current pollutant loadings (metals) more than 60% loaded? (% of MAHL)	Mercury
<i>Confirm that the elevated loading is attributed to the permitted industrial user(s) and/or background contributions. In addition, check to see whether industries are the contributor or combined with another source.</i>	
11.5 Are any current pollutant loadings (conventional) more than 80% loaded? (% of MAHL)	No
<i>If yes, ensure the loading is attributed to background and/or identified industrial contributions. If yes, 80% is a rule of thumb, plant design varies, and POTW may have successful compliance history, thus not merit reevaluation.</i>	
11.6 Is there a pollutant loading which is not accounted for between the background loading and the industry loading compared to headworks loading?	Mercury
<i>If Yes, ensure current industrial users are being monitored at a frequency to adequately determine compliance and confirm that contributions are not coming from a unidentified industrial discharger.</i>	
11.7 Confirm that a current IWS has recently been performed (or as documented above, that an on-going evaluation is conducted).	Yes
<i>If No, this must be completed before the technical evaluation can be considered complete.</i>	
11.8 Were any new Pollutants of Concern identified from the IWS process, expanded effluent testing, or biosolids priority pollutant testing requirements?	Methylene chloride, barium, chloroform and methyl ethyl ketone were detected in expanded effluent testing or biosolids priority pollutant testing. These pollutants will be monitored for in the future.
<i>If Yes, include in the relevant sections of the report where preliminary MAHLs and MAILs are compared to currently adopted local limits (this was an optional evaluation in Section 9.0). Highly recommended, if Yes. Transfer POCs for a re-evaluation.</i>	
11.9 Do the biosolids results correlate to the headworks concentrations?	Biosolids results indicate much lower concentrations than actually measured at the headworks.
<i>If No, confirm monitoring frequencies are adequate.</i>	
11.10 Any NPDES Permit Limit Violations attributed to capacity issues or a slug event?	No
<i>If Yes, was the cause of the event identified (explain below). Use the space below to explain any of the above.</i>	
NA	
11.11 New or revised NPDES permit limits that will necessitate a reevaluation of local limits?	Yes
The City of Monett's reissued permit includes more stringent effluent requirements for BOD/cBOD, TSS, Ammonia, Lead, and includes an annual total pounds limit for Total Phosphorus and Total Nitrogen (effective date January 1, 2033 with intermediate limits).	

12.0 STATEMENT OF THE NEED TO REVISE LOCAL LIMITS (OR DETERMINATION THAT THE LOCAL LIMITS ARE ADEQUATE)

X	This evaluation determined that a local limit update is needed or otherwise determined to be beneficial to the POTW. Part II is required to be completed as the next step.
	This evaluation determines that the current local limits (or no local limits) adequately protect the POTW and the POTW will retain the current local limits (or no local limits). End of Technical Evaluation of the Need to Update Local Limits.

13.0 ATTACHMENTS

1	Most recent Industrial Waste Survey Summary Table.	Attachment A
2	Previous Local Limit Evaluation – Data and Summary Pages or Other Summary	Attachment B
3	Region VII Spreadsheet Input and Output (for MAHL comparison and current conditions)	Attachment C
4	Most recent POTW Pretreatment Annual Report	Attachment D
5	Raw Analytical Data (Contract Laboratory Reports)	Available upon request
6	Supplemental Information	Appendix E: Hauled Waste Summary Appendix F: Data Summaries/Trending Graphs

14.0 CONCLUSIONS AND SUMMARY OF THE EVALUATION INCLUDING NEXT STEPS AND TIMEFRAME FOR NEXT STEPS

This evaluation has determined that a Part II evaluation is needed. Specifically, the Part II evaluation will focus on ammonia, TKN, phosphorus, and the pollutants which were detected during expanded effluent and priority pollutant testing. The City will collect additional data in conjunction with the Part II evaluation from January to June 2025.

OPTIONAL QUESTIONS REGARDING MILITARY SERVICE

Have you or an immediate family member ever served in the U.S. Armed Forces?

If yes, would you like information about military-related services in Missouri?

15.0 CERTIFICATION OF A DULY AUTHORIZED REPRESENTATIVE OF THE POTW

“I certify under penalty of law that this document and all attachments were prepared under 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 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”

	12/27/2024
Authorized Representative Signature	Date
Skip Schaller	Director of Utilities
Duly Authorized Representative Name	Duly Authorized Representative Title

Appendix B. Industrial Waste Survey

Attachment A

Send Survey	Company Name	Address	City	State	ZIP Code	Primary SIC Code	Primary SIC Description	Phone Number	Location Employee Size Range DataAxle	Website	Record Type
No	3D Corporate Solutions	601 13th St	Monett	MO	65708	514101	Food Products (Whls)	(417) 236-9602	20 to 49	https://3dsolutions.com/	Verified
Outside City Limits	Ag Forte LLC	20070 Highway H	Monett	MO	65708	025401	Poultry Farms	(417) 235-5579	20 to 49		Verified
Outside City Limits	Alsalar Corp	8043 Farm Road 2035	Monett	MO	65708	344106	Steel-Structural (Mfrs)	(417) 235-6357	5 to 9		Verified
no based on operc Associated Machinists											
		8 N Industrial Dr	Monett	MO	65708	354498	Special Dies/Tools Extrs/Ind Molds (P	(417) 235-7235	10 to 19	https://associatedmachinists.com/	Verified
No	Bass Equipment Co	607 N 17th St	Monett	MO	65708	075203	Animal Shelters	(417) 235-7557	10 to 19	https://www.bassequipment.com/	Verified
CLOSED	Bird-In-Hand Farms Inc	1100 E Broadway St	Monett	MO	65708	514102	Food Brokers (Whls)	(417) 235-5700	1 to 4		Verified
CLOSED	C & J Machine Shop & Tool Co	107 1st St	Monett	MO	65708	359903	Machine Shops (Mfrs)	(417) 235-7221	5 to 9		Verified
No	Cargill Inc	811 7th St # B	Monett	MO	65708	013901	Agricultural Products	(417) 235-6612	100 to 249		Verified
Yes	Clark Industries Inc	816 Callan St	Monett	MO	65708	179104	Metal Fabricators	(417) 235-7182	20 to 49	http://www.clark-ind.com/ https://www.facebook.com/pages/category/Automotive-Body-Shop/DAR-A-CON-INDUSTRIES-Inc-707421349351628/	Verified
CLOSED	Dar-A-Con Enterprises	1707 N Central Ave	Monett	MO	65708	355904	Automobile Body Shop Equipment-	(417) 235-1914	1 to 4		Verified
PERMITTED	EFCO Corp	1000 County Rd	Monett	MO	65708	503207	Concrete Constr Forms & Acces (W	(417) 235-3193	1000 to 4999		Verified
	EZ Dock Inc	878 E US Highway 60	Monett	MO	65708	162902	Docks (Builders)	(417) 235-2223	500 to 999	https://www.ez-dock.com/ https://www.facebook.com/grasslandsconsultants/	Verified
NO	Grasslands Consultants (also Fre	218 E Broadway St # B	Monett	MO	65708	874201	Business Management Consultants	(417) 354-0772	50 to 99		Verified
PERMITTED	Hydro Extrusion	808 County Rd	Monett	MO	65708	335501	Aluminum Fabricators (Mfrs)	(417) 235-7841	250 to 499		Verified
Yes	IMEC	1716 N 9th St	Monett	MO	65708	344403	Sheet Metal Fabricators (Mfrs)	(417) 235-3053	20 to 49	https://imecmonett.com/	Verified
PERMITTED	International Dehydrated Foods	700 S Chapell Dr	Monett	MO	65708	203498	Dried/Dehydrated Fruits Vegetable	(417) 235-8374	100 to 249		Verified
NO	International Ingredient Corp	2421 Farm Road 1110	Monett	MO	65708	204803	Feed-Manufacturers	(417) 235-3364	5 to 9	https://iicag.com/	Verified
No	Monett Area Sheltered Workshop	204 S Central Ave	Monett	MO	65708	833101	Sheltered Workshops	(417) 235-3191	20 to 49	https://monettmetals.com/	Verified
YES	Monett Metals Inc	101 N Industrial Dr	Monett	MO	65708	332502	Foundries-Steel (Mfrs)	(417) 235-6053	50 to 99		Verified
No	Monett Overhead Door		Monett	MO	65708	369904	Doors-Automatic (Mfrs)	(417) 236-3569	10 to 19		Verified
NO	Monett Sheet Metal A C & Htg	108 W Broadway St	Monett	MO	65708	171117	Air Conditioning Contractors & Syste	(417) 235-7116	5 to 9		Verified
No	Niman Ranch	17702 Lawrence 1070	Monett	MO	65708	029101	Ranches	(417) 235-5740	5 to 9		Verified
YES	Roderick Arms	115 Dairy St	Monett	MO	65708	753802	Automobile Machine Shop Service	(417) 235-7801	20 to 49		Verified
PERMITTED	Schreiber Foods	10 Dairy St	Monett	MO	65708	209903	Food Products & Manufacturers	(417) 235-6061	100 to 249		Verified
NO	Select United	6501 Lawrence 2160	Monett	MO	65708	025301	Turkey Farms	(417) 235-4375	20 to 49		Verified
PERMITTED	Tyson Foods Inc	429 Chapell Dr	Monett	MO	65708	209903	Food Products & Manufacturers	(417) 236-0128	20 to 49		Verified
PERMITTED	Tyson Foods Inc	800 County Rd	Monett	MO	65708	209903	Food Products & Manufacturers	(417) 235-3104	500 to 999		Verified
YES	Win Tech	201 N Industrial Dr	Monett	MO	65708	521107	Windows	(417) 235-7821	100 to 249	https://www.wintechinc.com/ http://www.xtremefriction.com/Contact_Us.html	Verified
YES	Xtreme Friction Fighter SRC	5 Dairy St 601 14th Street	Monett Monett	MO MO	65708 65708	289915	Oil Additives-Manufacturers	(417) 235-6399	5 to 9		Verified

**Appendix C. Current Effective NPDES Permit [MO 780-2954 3.3]
(Available upon request)**

Appendix D. Previous Detailed Technical Local Limit Evaluation [MO 780-2954 3.2]

LOCAL LIMITS REVIEW
for
**LOCAL INDUSTRIAL
PRETREATMENT PROGRAM**

CITY OF MONETT, MISSOURI

June, 2014



ALLGEIER, MARTIN AND ASSOCIATES, INC.
CONSULTING ENGINEERS
JOPLIN, MISSOURI

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ATTACHMENT A

SUMMARY OF LOCAL LIMITS CALCULATIONS

Local limits were calculated using the spreadsheet (Lxlsl_V5_3) prepared by U.S. EPA Region 7 to determine the WWTP's maximum allowable headworks loading (MAHL) for each pollutant. The results of the calculations are presented in the preceding Summary report. This attachment provides a brief description of the calculations performed and the data used.

POLLUTANT AND FLOW DATA

The City provided data on WWTP influent flows and influent concentrations for silver (Ag), arsenic (As), cadmium (Cd), cyanide (CN), chromium, (Cr), copper (Cu), mercury (Hg), nickel (Ni), lead (Pb), zinc (Zn), molybdenum (Mo), and selenium (Se). Flow data was for the calendar year of 2012; pollutant concentrations spanned the years of 2006 through 2011. WWTP effluent data for 2012 for the pollutants listed above, with the exception of Mo and Se, were provided and reviewed. The City also provided industrial discharge pollutant concentration data and discharge flow data for each permitted industry for the calendar year of 2012. Additionally, current effluent Cd data was provided in order to determine the site specific removal efficiency for this metal.

PLANT REMOVAL EFFICIENCIES

The Monett WWTP is an advanced treatment facility that utilizes trickling filter towers concurrently with activated sludge facilities for organic removal. The values used for Removal Efficiencies came from a comparison of default values for Activated Sludge and Trickling Filter processes to site specific data developed from WWTP influent and effluent sampling data. Site specific data were not used at face value, rather site specific data (where available) was used as an indicator of which of the two default values to use. Where the site specific value for a pollutant exceeded the higher of the two default data, the higher default removal efficiency was used. Where the site specific value was below the lower of the two default data, the lower default removal efficiency value was used. Where site specific data was between the two default data values, the default removal efficiency that was closest to the site specific value was used. For pollutants where there was no site specific data available, the more conservative default removal efficiency was used.

The rules outlined above were followed for all pollutants covered in the spreadsheet except Cd. A number of effluent samples were collected in April 2014, and the samples were analyzed for Cd levels ICPMS technology, producing results with a lower Limit of Quantitation (LOQ), and below the typical non-detect limits. These lower LOQ results were used to develop a reliable site specific removal rate for Cd, which was the value used in the spreadsheet. The removals used in the spreadsheet are summarized in the following table:

PLANT REMOVAL EFFICIENCIES USED IN LOCAL LIMITS CALCULATIONS

Pollutant	Default TF* Value (%)	Default AS* Value (%)	Site Data (%)	
Ag	66	75	-	Used TF Value
As	-	45	-	Used AS Value
Cd	68	67	99	
CN	59	69	47	Used TF Value
Cr(T)	55	82	60	Used TF Value
Cu	55	86	97	Used AS Value
Hg	50	60	-	Used TF Value
Ni	29	42	85	Used AS Value
Pb	55	61	85	Used AS Value
Zn	67	79	71	Used TF Value

* TF: Trickling Filter; AS: Activated Sludge

DOMESTIC LEVELS

Site specific data was developed and used in the spreadsheet.

SAFETY FACTOR

A safety factor of 10% was used for those pollutants where a local limit was either required (As, Se) or recommended (Cu, Zn, BOD, NFR).

AVG INFLUENT CONCENTRATIONS

Site specific data was developed from WWTP influent sampling and used in the spreadsheet.

ACTIVATED SLUDGE INHIBITION/DIGESTION INHIBITION

Default inhibition values for Activated Sludge were used in the calculation. The WWTP utilizes aerobic sludge digestion processes. Default inhibition values for Digestion were also used in the calculation.

CALCULATIONS

Printouts of the DATA and SUMMARY pages of the local limits spreadsheet are presented on the following pages.

CITY: **MONETT, MO**

07/01/14

LOCAL LIMITS CALCULATOR

Plant	Non SIU Flow, MGD: 0.99	SLDG To Disposal, MGD: 0.0090
Data:	TOTAL Flow, MGD: 3.18	SLDG Disposal %Solids: 4
	7Q10, MGD: 1E-06	SITE Use, Years: 60
	Flow To Digr: MGD: 0.15	SITE Size, Acres: 470

	NPDES Limit	Removal Efficiencies		Domestic Level	WQS	Safety Factor	Avg. Infl. Cncntrn	AS Inhibition	Digestion Inhibition
		Primary	Plant						
Ag	NA	20%	66%	0.005	0.0084	0%	0.005	0.25	13
As	NA	NA	45%	0.015	0.02	0%	0.015	0.1	1.6
Cd*	NA	15%	99%	0.002	0.0004	0%	0.004	1	20
CN	NA	27%	59%	0.002	0.0052	0%	0.002	0.1	4
Cr	NA	27%	55%	0.002	0.01	0%	0.006	1	100
Cu*	0.043	22%	86%	0.038	0.014	10%	0.045	1	40
Hg	NA	10%	50%	0.0005	0.0005	0%	0.0002	0.1	NA
Ni*	NA	14%	42%	0.002	0.084	0%	0.005	1	10
Pb*	NA	57%	61%	0.002	0.005	0%	0.005	0.1	340
Zn*	1.505	27%	67%	0.076	0.188	10%	0.092	1	400
Mo	NA		50%	0.001	NA	0%	0.006	NA	NA
Se	NA		50%	0.001	0.005	0%	0.015	NA	NA

*HARDNESS DEPENDENT

	DW Design		Domestic Sources lbs/day	Expansion Factor	Avg. Infl. Cncntrn
	Daily avg lbs/day	Peak lbs/day			
BOD	13400	NA	2465	10%	267
TSS	10300	NA	2585	10%	155
TKN	3000	NA	330	10%	30

Domestic Sources Estimator		
Pop: 10000 persons		
	lbs/cap/day	lbs/day
BOD	0.17	2,465
TSS	0.2	2,585
TKN	0.033	330

NOTE: all values mg/l unless noted

CONVERSIONS

CFS TO MGD			
1	CFS =	0.646	mgd
SLUDGE, DT/Y to MGD			
dt/y	avg %sld		mgd
1187.2	7.8%	=	0.01

SUMMARY OF MASS LOADINGS

	Domestic/commcl Sources		Maximum Allowable Industrial Load (MAIL)		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL
	lbs.	% of limit	lbs.	% of MAHL				
Ag	0.041	6%	0.614	94%	0.022	0.655	0.133	20%
As	0.124	25%	0.377	75%		0.500	0.398	80%
Cd	0.017	6%	0.219	85%		0.258	0.106	41%
CN	0.017	5%	0.320	95%		0.336	0.053	16%
Cr(T)	0.017	3%	0.573	97%		0.589	0.159	27%
Cu	0.314	12%	2.126	80%	0.213	2.652	1.193	45%
Hg	0.004	16%	0.022	84%		0.027	0.005	20%
Ni	0.017	1%	2.986	99%		3.002	0.133	4%
Pb	0.017	5%	0.324	95%	1.317	0.340	0.133	39%
Zn	0.628	4%	13.165	87%		15.109	2.440	16%
Mo	0.008	2%	0.442	98%	0.023	0.450	0.159	35%
Se	0.008	3%	0.234	88%		0.265	0.398	150%

TOXIC POLLUTANTS SUMMARY

UNIFORM CONCENTRATION LIMIT
If APPLIED

LIMITING CRITERIA

	mg/l
Ag	0.034
As	0.021
Cd	0.012
CN	0.018
Cr	0.031
Cu	0.116
Hg	0.001
Ni	0.163
Pb	0.018
Zn	0.721
Mo	0.024
Se	0.013

Ag	Water Quality
As	SLDG Dispsl:
Cd	SLDG Dispsl:
CN	Water Quality
Cr	Water Quality
Cu	Water Quality
Hg	Water Quality
Ni	SLDG Dispsl:
Pb	Water Quality
Zn	Water Quality
Mo	SLDG Dispsl:
Se	Water Quality

Conventional Pollutants - Long Term Average Limits

Based on Design Daily Average Criteria

	Domestic/commcl Sources		Maximum Allowable Industrial Load (MAIL)		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) Avg.lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL
	lbs.	% of limit	lbs.	% of MAHL				
BOD	2465	18%	9595	72%	1340	13400	7081	53%
TSS	2585	25%	6685	65%	1030	10300	4111	40%
TKN	330	11%	2370	79%	300	3000	796	27%

Conventional Pollutants - Daily Maximum Limits

Based on Peak Design Criteria

	Domestic/commcl Sources		Maximum Allowable Industrial Load (MAIL)		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) Peak,lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL
	lbs.	% of limit	lbs.	% of MAHL				
BOD	2465	NA	NA	NA	0	NA	7081	NA
TSS	2585	NA	NA	NA	0	NA	4111	NA
TKN	330	NA	NA	NA	0	NA	796	NA

Conventional Pollutants Uniform Concentration Limits

Flow for SIUs Receiving Limits, mgd:

2.19

	Daily Max mg/l	Mo. Avg. mg/l
BOD	NA	525
TSS	NA	366
TKN	NA	130

Attachment C

LOCAL LIMITS CALCULATOR

12/4/2024

City:
State:

Monett WWTP
MO

NPDES #: MO-0021440

Compare
Evaluation

Hide

Re Evaluate

Plant
Data:

Non SIU Flow, MGD:	1.005	Flow To Digstr: MGD:	0.0080
TOTAL Flow, MGD:	2.290	Sludge to Disposal, MGD:	0.0105
7Q10, MGD:	0.0001	Sludge to Disposal, %Solids:	2.86
Stream Hardness, mg/l	142	Site Use, Years:	60.00
Sludge Quality Level:	Ceiling	Site Size, Acres:	150.00

Add Pollutant

Adjust
Domestic

<

#

	NPDES Limit	Removal Efficiencies		Domestic Level	MO WQS	Reserve Factor	Avg. Infl mg/L	Nitrificatio n	Digestion Inhibition
		Primary	Plant						
Ag	NA	20%	75%	0.0084	0.0069	10%	0.0084	NA	13
As	NA	NA	56%	0.0064	0.3400	10%	0.0064	1.5	1.6
Cd*	NA	15%	79%	0.0075	0.0072	10%	0.0075	5.2	20
CN	0.0036	27%	69%	0.0050	NA	10%	0.0050	0.3	4.0
Cr*	NA	27%	82%	0.0066	2.4030	10%	0.0023	1.0	110
Cu*	NA	22%	96%	0.0202	0.0195	10%	0.0119	0.1	40
Hg	NA	10%	72%	0.0016	0.0020	10%	0.0025	NA	NA
Mo	NA	NA	50%	0.0081	NA	10%	0.0081	NA	NA
Ni*	NA	14%	49%	0.0099	0.6316	10%	0.0041	0.3	10
Pb*	0.0039	57%	67%	0.0057	NA	10%	0.0057	0.5	340
Se	NA	NA	81%	0.0026	0.0050	10%	0.0026	NA	NA
Zn*	NA	27%	79%	0.0883	0.1616	10%	0.0413	0.1	400

*HARDNESS DEPENDENT

0

	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
	DW Design		Domestic Sources lbs/day	Expansion Factor	Avg. Infl mg/L	Avg. Infl lbs/day	Domestic Sources Estimator			
	Daily avg lbs/day	Maximum lbs/day					Pop:	9,789	persons	% IU Contr. to Design
BOD	13,400	-	2,091	10%	291.97	5575.3	BOD	0.17	1,664.13	29%
TSS	10,300	3,000	3,394	10%	305.02	5824.4	TSS	0.2	1,957.80	38%
TKN	3,000		144	10%	50.25464	959.63	TKN	0.033	323.04	21%
P,total	-		54	10%	11.37	217.06	P,total	0.0088	86.14	#DIV/0!

SUMMARY OF MASS LOADINGS FOR MONETT WWTP, MO

Parameter	Domestic/commcl Sources		LOCAL LIMIT Maximum Allowable Industrial Load (MAIL)		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL	Limiting Criteria
	lbs.	% of limit	lbs.	% of MAHL					
	background (lbs/day)	background (%)	MAIL (lbs/day)	MAIL (% of MAHL)	Reserve (lbs)	MAHL (lbs)	Headworks Avg Load (lbs)	Current Loading as % of MAHL	Limiting Criteria
Ag	0.070	13%	0.413	78%	0.046	0.53	0.160	30%	Water Quality
As	0.054	28%	0.123	65%	0.014	0.19	0.122	64%	Digstn Inhib
Cd	0.063	23%	0.186	69%	0.021	0.27	0.143	53%	503 Ceiling
CN	0.042	19%	0.162	73%	0.018	0.22	0.095	43%	NPDES #
Cr	0.055	1%	8.005	89%	0.8895	8.95	0.044	0%	Digstn Inhib
Cu	0.169	13%	0.995	78%	0.111	1.28	0.227	18%	Secndry Inhib
Hg	0.013	10%	0.109	81%	0.012	0.13	0.047	35%	Water Quality
Mo	0.068	18%	0.277	74%	0.031	0.38	0.155	41%	503 Ceiling
Ni	0.083	6%	1.139	84%	0.127	1.35	0.078	6%	Digstn Inhib
Pb	0.048	21%	0.158	71%	0.018	0.22	0.109	49%	NPDES #
Se	0.022	7%	0.258	84%	0.029	0.31	0.050	16%	503 Ceiling
Zn	0.740	35%	1.245	59%	0.138	2.12	0.789	37%	Secndry Inhib

TOXIC POLLUTANTS SUMMARY

UNIFORM CONCENTRATION LIMIT

If APPLIED

Parameter	empty1	Uniform Conc. (mg/L)
Silver		0.039
Arsenic		0.011
Cadmium		0.017
Cyanide		0.015
Chromium		0.747
Copper		0.093
Mercury		0.010
Molybdenum		0.026
Nickel		0.106
Lead		0.015
Selenium		0.024
Zinc		0.116

MIDDLE TIER THRESHOLD

	lb/day
Ag	0.0001
As	0.0000
Cd	0.0000
CN	0.0000
Cr	0.0009
Cu	0.0001
Hg	0.0000
Mo	0.0000
Ni	0.0001
Pb	0.0000
Se	0.0000
Zn	0.0002

Conventional Pollutants/Nutrients - Long Term Average Limits

Based on Design Daily Average Criteria

Parameter	Domestic/commcl Sources		LOCAL LIMIT Maximum Allowable Industrial Load (MAIL)		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) Avg.lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL
	lbs.	% of limit	lbs.	% of MAHL				
BOD	2091	16%	9969	74%	1340	13400	5575	42%
TSS	3394	33%	5876	57%	1030	10300	5824	57%
TKN	144	5%	2556	85%	300	3000	960	32%
P,total	54	NA	NA	NA	0	0	217	NA

Conventional Pollutants/Nutrients - Daily Maximum Limits

Based on Peak Design Criteria

Parameter	Domestic/commcl Sources		LOCAL LIMIT Maximum Allowable Industrial Load (MAIL)		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) Peak,lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL
	lbs.	% of limit	lbs.	% of MAHL				
BOD	2091	NA	NA	NA	0	0	5575	NA
TSS	3394	113%	-694	-23%	300	3000	5824	194%
TKN	144	NA	NA	NA	0	0	960	NA
P,total	54	NA	NA	NA	0	0	217	NA

Conventional Pollutants/Nutrients Uniform Concentration Limits

Flow for SIUs Receiving Limits, mgd:

1.28482828

Parameter	Column1	Daily Max	Mo. Avg.
		Daily Max (mg/L)	Mo. Avg (mg/L)
BOD		NA	930
TSS		-65	548
TKN		NA	239
P,total		NA	NA

Appendix E. Region VII Spreadsheet Data [MO 780-2954 3.8.2]

LOCAL LIMITS CALCULATOR

11/20/2025

City:
State:

Monett WWTP NPDES #: **MO-0021440**

MO

Plant Data:	Non SIU Flow, MGD:	1.023	Flow To Digstr: MGD:	0.0080
	TOTAL Flow, MGD:	2.441	Sludge to Disposal, MGD:	0.0106
	7Q10, MGD:	0.0001	Sludge to Disposal, %Solids:	2.81
	Stream Hardness, mg/l	149	Site Use, Years:	60.00
	Sludge Quality Level:	Ceiling	Site Size, Acres:	470.00

Add Pollutant

Adjust Domestic < #

	NPDES Limit	Removal Efficiencies		Domestic Level	MO WQS	Reserve Factor	Avg. Infl mg/L	AS Inhibition	Digestion Inhibition
		Primary	Plant						
Ag	NA	20%	66%	0.0017	0.007	10%	< 0.0069	0.3	13
As	NA	NA	45%	0.0048	0.15	10%	< 0.006	0.1	1.6
Cd*	NA	15%	68%	0.0011	0.0075	10%	< 0.0056	1.0	20
CN	NA	27%	59%	0.0050	0.0050	10%	< 0.005	0.1	4.0
Cr*	NA	27%	55%	0.0048	0.119	10%	0.0019	1.0	110
Cu*	NA	22%	96%	0.0256	0.013	10%	0.0524	1.0	40
Hg	NA	10%	55%	0.0008	0.0008	10%	0.0013	0.1	NA
Mo	NA	NA	50%	0.0069	NA	10%	< 0.0072	NA	NA
Ni*	NA	14%	29%	0.0065	0.073	10%	< 0.0049	1.0	10
Pb*	0.0039	57%	55%	0.0064	NA	10%	< 0.005	0.1	340
Se	NA	NA	50%	0.0055	0.005	10%	< 0.004	NA	NA
Zn*	NA	27%	77%	0.0884	0.166	10%	0.1327	1.0	400
TN	NA	NA	57%	49.5	20	10%	50.6		
CN_(amenable)	0.0036		59%	0.0050	0.0011	10%	< 0.005		
Aluminum	NA		98%	0.7711	0.75	10%	2.0542		
Beryllium	NA		NA	0.0050	0.0050	10%	0.0039		
Methylene_chloride	NA		0%	0.0019	0.0047	10%	0.0040		50
Barium	NA		0%	0.0971	2.0	10%	0.0240		
Chloroform	NA		NA	0.0016	0.470	10%	0.0020		
2-Butanone	NA		4%	0.0100	4.0000	10%	0.0052		

*HARDNESS DEPENDENT

	DW Design		Domestic Sources lbs/day	Expansion Factor	Avg. Infl mg/L	Avg. Infl lbs/day
	Daily avg lbs/day	Maximum lbs/day				
BOD	13,400	-	2,326	20%	325.18	6620.6
TSS	10,300	-	2,035	20%	341.25	6947.7
TKN	3,000		414	20%	52.78	1074.5
P,total	651		64	20%	11.09	225.8
Ammonia	1465.2		387	20%	25.8	524.4

NOTE: all values mg/l unless noted

Domestic Sources Estimator				
Pop:	10,100 persons		Domestic conc * Dom flow * 8.34	% IU Contr. to Design
	lbs/cap/day	lbs/day		
BOD	0.17	1,717.00	2326.18	37%
TSS	0.2	2,020.00	2034.95	48%
TKN	0.033	333.30	413.79	22%
P,total	0.0088	88.88	63.92	25%
Ammonia	0.0198	199.98	386.79	22%

SUMMARY OF MASS LOADINGS FOR MONETT WWTP, MO

Parameter	Domestic/commdl Sources		LOCAL LIMIT		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL	Limiting Criteria
	lbs.	% of limit	Maximum Allowable Industrial Load (MAIL)						
			lbs.	% of MAHL					
Ag	0.015	3%	0.390	87%	0.043	0.45	< 0.139	< 31%	Water Quality
As	0.041	17%	0.177	75%	0.020	0.24	< 0.121	< 51%	Digstn Inhib
Cd	0.009	3%	0.271	87%	0.030	0.31	< 0.113	< 36%	503 Ceiling
CN	0.043	17%	0.185	75%	0.021	0.25	< 0.102	< 41%	Water Quality
Cr	0.041	1%	4.816	89%	0.5351	5.39	0.039	0.7%	Water Quality
Cu	0.218	8%	2.305	83%	0.256	2.78	1.067	38%	Digstn Inhib
Hg	0.007	19%	0.025	72%	0.003	0.03	0.027	78%	Water Quality
Mo	0.058	16%	0.283	76%	0.031	0.37	< 0.146	< 39%	503 Ceiling
Ni	0.055	3%	1.832	88%	0.204	2.09	< 0.1	< 5%	Water Quality
Pb	0.055	31%	0.110	62%	0.012	0.18	< 0.102	< 58%	NPDES #
Se	0.047	23%	0.141	69%	0.016	0.20	< 0.082	< 40%	Water Quality
TN	422	44%	478	50%	53	953	1031	108%	Water Quality
CN_(amenable)	0.04	24%	0.12	69%	0.014	0.18	0.102	< 57%	Water Quality
Aluminum	7	1%	565	89%	63	634	41.8	7%	Water Quality
Beryllium	0.043	42%	0.053	52%	0.006	0.10	0.078	77%	Water Quality
Methylene_chloride	0.016	17%	0.072	75%	0.008	0.10	< 0.081	< 85%	Water Quality
Barium	0.828	2%	35.903	88%	3.989	40.72	0.489	1%	Water Quality
Chloroform	0.014	0%	8.600	90%	0.956	9.57	0.041	0.4%	Water Quality
2-Butanone	0.085	0%	76.152	90%	8.461	84.70	0.106	0.1%	Water Quality
Zn	0.754	5%	12.379	85%	1.375	14.51	2.702	19%	Water Quality

TOXIC POLLUTANTS SUMMARY

UNIFORM CONCENTRATION LIMIT

Parameter	If APPLIED	
	empty1	Uniform Conc. (mg/L)
Silver	Ag	0.033
Arsenic	As	0.015
Cadmium	Cd	0.036
Cyanide	CN	0.016
Chromium	Cr	0.407
Copper	Cu	0.195
Mercury	Hg	0.002
Molybdenum	Mo	0.024
Nickel	Ni	0.155
Lead	Pb	0.009
Selenium	Se	0.012
Zinc	Zn	1.046
	TN	40.435
	CN_(amenable)	0.001
	Aluminum	47.752
	Beryllium	0.004
	Methylene_chloride	0.006
	Barium	3.035
	Chloroform	0.727
	Methyl_ethyl_ketone	6.437

MIDDLE TIER THRESHOLD

Parameter	lb/day
Ag	0.0000
As	0.0000
Cd	0.0000
CN	0.0000
Cr	0.0005
Cu	0.0003
Hg	0.0000
Mo	0.0000
Ni	0.0002
Pb	0.0000
Se	0.0000
Zn	0.0015
TN	0.0953
CN_(amenable)	
HEM	0.0634
Beryllium	0.0000
Methylene_chloride	0.0000
Barium	0.0041
Chloroform	0.0010
Methyl_ethyl_ketone	0.0085

Conventional Pollutants/Nutrients - Long Term Average Limits

on Design Daily Average Criteria

	Domestic/commdl Sources		LOCAL LIMIT		lbs. Reserve	Maximum Allowable Headwrks Load (MAHL) Avg.lbs	Headworks ACTUAL Avg.Load lbs	Current Loading as % of MAHL
	lbs.	% of limit	Maximum Allowable Industrial Load (MAIL)					
			lbs.	% of MAHL				
BOD	2326	17%	8394	63%	2680	13400	6621	49%
TSS	2035	20%	6205	60%	2060	10300	6948	67%
TKN	414	14%	1986	66%	600	3000	1075	36%
P,total	64	10%	457	70%	130	651	226	35%
Ammonia-N	387	26%	785	54%	293	1465	524	36%

Conventional Pollutants/Nutrients - Daily Maximum Limits

ed on Peak Design Criteria

		LOCAL LIMIT							
Domestic/commdl Sources		Maximum Allowable Industrial Load (MAIL)		Maximum Allowable Headwrks Load (MAHL) Peak,lbs		Headworks ACTUAL Avg.Load lbs		Current Loading as % of MAHL	
lbs.	% of limit	lbs.	% of MAHL	lbs. Reserve					
BOD	2326 NA	NA	NA	0	0	6621	NA		
TSS	2035 NA	NA	NA	0	0	6948	NA		
TKN	414 NA	NA	NA	0	0	1075	NA		
P_total	64 NA	NA	NA	0	0	226	NA		

Conventional Pollutants/Nutrients Uniform Concentration Limits

Flow for SIUs Receiving Limits, mgd: **1.418467243**

Parameter	Column	Daily Max		Mo. Avg. (mg/L)
		Daily Max (mg/L)	Mo. Avg (mg/L)	
BOD		NA	710	
TSS		NA	525	
TKN		NA	168	
P_total		NA	39	
Ammonia		NA	66	

Average Headworks Concentration Based on Sludge Metals Content

These calculations are designed to use measured levels of metals in sludge to back-calculate the most probable influent concentration for long term loadings at the treatment plant. It should be used especially when influent levels are measured at below detection limit.

Input from DATA Page:

Ave. total Plant flow, mgd: **2.44**
annual sludge production, dt/y: **454.0**
expected sludge production based on pop: **147**

503 Metals
Limits

Sludge Metals Loadings from 503 reports

Restore

Select
☐ AVG ☒ MAX

Add
Pollutant

			Plant Removal Eff.	%point Variance from Literature Mean	lbs to Sludge per day	lbs/day at Headworks	Calculated Influent mg/L	Use Sludge "Influent"	Measured Influent Level
Ag	0.12	0.23	66%	◀ ▶	-9%	0.001	0.00004	Ag	0.0069
As	0.43	2.24	45%	◀ ▶	0%	0.006	0.00061	As	< 0.006
Cd	0.37	2.40	68%	◀ ▶	1%	0.006	0.00043	Cd	< 0.006
CN	0.46	0.46	59%	◀ ▶	-10%	0.001	0.00010	CN	< 0.005
Cr	21.27	36.70	55%	◀ ▶	-27%	0.091	0.00815	Cr	< 0.002
Cu	264.01	410.00	96%	◀ ▶	10%	1.020	0.05218	Cu	0.0524
Hg	2.27	8.67	55%	◀ ▶	-5%	0.022	0.00193	Hg	0.0013
Mo	2.33	6.63	50%	◀ ▶	0%	0.016	0.00162	Mo	0.0072
Ni	17.79	158.66	29%	◀ ▶	-13%	0.395	0.06685	Ni	< 0.005
Pb	5.01	11.70	55%	◀ ▶	-6%	0.029	0.00260	Pb	< 0.005
Se	1.23	4.36	50%	◀ ▶	0%	0.011	0.00107	Se	< 0.004
Zn	614.34	839.00	77%	◀ ▶	-2%	2.087	0.13377	Zn	< 0.133

**Appendix F. Raw Analytical Data [MO 780-2954 3.3]
(Available upon request)**

City of Monett, Missouri

Industrial Pretreatment Program

Legal Authority and Enforcement Response Plan

2025 Program Update



What is an Industrial Pretreatment Program?

Industrial Pretreatment Programs exist to prevent introduction of pollutants into Publicly Owned Treatment Works (POTW) from nondomestic discharges that could cause interference with operations or pass through to receiving waters and sludges. The National Pretreatment Program was implemented by EPA in 1983 and is a component of the NPDES Program.

Legal authority is a critical foundation of a Pretreatment Program, as it enables the Control Authority to define consistent requirements for all users, along with enforcement measures when the requirements are not met, thereby protecting the POTW.

As the Control Authority, Monett's Responsibilities are:

- + Develop legal authority, local limits, procedures, and an enforcement response plan to administer the pretreatment program.
- + Identify industrial users (IUs) and provide notice of applicable pretreatment standards.
- + Issue control mechanisms to IUs.
- + Sample and analyze IU wastewater discharges.
- + Receive and review reports from IUs.
- + Investigate instances of noncompliance and take enforcement actions.
- + Report to the Approval Authority.

Local Limits Re-Evaluation

Based on elevated influent concentrations, the presence of industrial contributors, NPDES permit limits, and applicable categorical standards, it is recommended that the City of Monett revises and adopts updated local limits as Daily Maximum MAILs.

Drop Collaborative's Legal Authority Approach:

- + Based on EPA model ordinance with intentional modifications for improved implementation.
- + Broadens the types of control mechanism available to the Control Authority beyond traditional permits to include discharge authorizations for non-SIUs.
- + Establishes authority to regulate per-and polyfluoroalkyl substances (PFAS) and other emerging pollutants through Best Management Practices.
- + Authorizes maximum allowable industrial loads (MAIL) to be allocated in IU permits.
- + Establishes reference concentrations to identify elevated pollutant levels in wastestreams.
- + Updates definitions to provide more protection of the POTW.
- + Adds flexibility to receive electronic reports if using a CROMERR approved reporting system.
- + Legal Authority and Enforcement Response Plan directly align to escalate enforcement actions and remedies.
- + Authorizes more intentional cost recovery for program implementation.
- + Prohibits discharge of hazardous waste to the POTW.
- + Requires IUs to adequately control slug discharges.
- + Authorizes compliance schedules to apply to all users (not just Categorical Industrial Users).



Definitions

Approval Authority: State or EPA regional pretreatment program administrator.

Control Authority: Entity responsible for implementing the Industrial Pretreatment Program.

EPA: U.S. Environmental Protection Agency.

Loading: Pollutants (mass) sent to the WWTP.

Local Limits: A limit of pollutant loading that protects the POTW. Based on local conditions such as the State Operating Permit, water quality criteria, and sludge disposal requirements.

MAIL: Maximum allowable industrial load that comes into the plant. The MAIL is calculated after subtracting off allowances for residential/domestic sources of wastewater.

NPDES: National Pollutant Discharge Elimination System.

PFAS, or per- and polyfluoroalkyl substances: A subgroup of fluorosurfactants that includes thousands of compounds, including perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA). These compounds are persistent organic pollutants and are being detected in humans, wildlife, and the environment.

POTW: Publicly Owned Treatment Works; includes the wastewater treatment plant and collection system (pipes, force mains, lift stations, pumps, etc.).

Significant Industrial User (SIU): A nondomestic user that discharges more than 25,000 gal/day of process wastewater or contributes more than 5% of the hydraulic or organic capacity of the POTW. Also includes Categorical dischargers and dischargers which are otherwise determined to have the ability to impact the POTW.

Slug Discharge: Any discharge of a nonroutine, episodic nature, including an accidental spill or a noncustomary batch discharge that has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or permit conditions.

Enforcement Response Plan

The purpose of the Enforcement Response Plan (ERP) is to provide administrative guidance to the Control Authority to identify, document, and respond to instances of user noncompliance. Drop Collab's ERP framework applies to violations from nondomestic users with and without issued control mechanisms. Enforcement actions are intended to return users to compliance as quickly as possible using appropriate and consistent escalation across the Control Authority's jurisdiction. Violations and escalation remedies relate directly to legal authority and pretreatment standards.

Funding and Support

The purpose of the City Council endorsement is to show acknowledgement and support for the Pretreatment Program submittal to the Missouri Department of Natural Resources (DNR) and the Control Authority's commitment to implementing and funding the Program pursuant to 40 CFR §403.9(b)(2).

Process for Updating Legal Authority and ERP

- 1| City Council "endorsement" of legal authority and ERP program creation
- 2| Submit program documents and local endorsement to Missouri DNR
- 3| Public notice program (state and local)
- 4| Missouri DNR program approval
- 5| City Council votes to adopt program update and approve ERP

OPTIONAL: Council may adopt prior to MDNR submittal understanding that edits may be required if/when it is reviewed by the State.



James R. Burke, Mayor
Ken Gaspar, Commissioner • Darren Indovina, Commissioner
Mickey Ary, City Administrator

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(417) 235-3763

Staff Report

To: Mayor & Commissioner

From: City Administrator

Date: December 4, 2025

Re: Re-engage the Lawrence County 911 services for Utilities call outs

GENERAL INFORMATION

Lawrence County Emergency Services Board (LCESB) provides public safety dispatch to the City of Monett. In addition, the LCESB has provided dispatching services to the City of Monett Utilities and Public Works Departments. Due to recent information technology upgrades by the City of Monett the services were disrupted. LCESB chose to terminate the intergovernmental agreement until all aspects of the technology upgrades were completed. The upgrades have been completed.

A new intergovernmental agreement was drafted by LCESB and presented to the City of Monett. The City Attorney has reviewed the intergovernmental agreement and has made minor edits. The edits are shown in red with the attached agreement.

The LCESB approved the agreement with the edits provided from the Monett City Attorney on November 20, 2025.

PROPOSAL

The services provided by LCESB are vital to the City of Monett Utilities and Public Works. The service ensures safety and response for the workers of the departments. The agreement ensures all parties understand their roles and responsibilities.

RECOMMENDATION

Approval of the resolution to enter into the intergovernmental agreement with Lawrence County Emergency Services Board.

ATTACHMENTS

- Resolution No. 9112
- Intergovernmental Agreement

BILL NO. 9112

RESOLUTION NO. 9112

**A RESOLUTION AUTHORIZING THE CITY COUNCIL OF MONETT,
MISSOURI TO ENTER IN AN INTERGOVERNMENTAL SERVICE
AGREEMENT FOR DISPATCHING SERVICES.**

WHEREAS, the City of Monett has a need for dispatching services for the Utilities and Public Works Departments; and

WHEREAS, the Lawrence County Emergency Services Board provide such services for the region; and

WHEREAS, the City recognizes the need for such professional services to provide response and safety to the City of Monett employees within the designated departments; and

WHEREAS, the request for services will allow the City of Monett to conduct services to the citizens of Monett.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF MONETT, MISSOURI AS FOLLOWS:**

SECTION 1: Enter into the Intergovernmental Agreement as drafted by the Lawrence County Emergency Services Board with the edits provided by the City of Monett City Attorney.

SECTION 2: Enter into the dispatching services with Lawrence County Emergency Services Board upon approval of the Resolution.

Whereupon a roll call vote was taken:

Ayes: _____

Nays: _____

Passed and approved this 4th day of December, 2025

James R. Burke, Mayor

ATTEST:

Kelley McMillan, City Clerk

Resolution No. 9112

**INTERGOVERNMENTAL AGREEMENT
Between City of Monett, Missouri and
Lawrence County Emergency Services Board**

WHEREAS, 70.220 RSMo. Authorizes Intergovernmental Agreements; and

WHEREAS, Lawrence County Emergency Services Board (hereinafter “LCESB”) had previously entered into an agreement with the City of Monett (hereinafter “Monett”) to assume responsibilities of providing 911 services from Monett for Lawrence County residents; and

WHEREAS, LCESB and Monett entered into an agreement on August 16, 2023 for LCESB to provide services in assuming the non-emergency dispatching services as specific to Monett City Utilities and Public Works.

WHEREAS, the agreement was terminated on or about October 2, 2025

NOW THEREFORE, be it resolved the City of Monett, Missouri and the Lawrence County Emergency Services Board hereby enter into this Intergovernmental Agreement (hereinafter “Agreement”) as follows:

1. That the LCESB will assume the responsibility of providing non-emergency dispatching services specific to Monett City Utilities and Public Works as set forth in Exhibit “A” which is attached hereto and made a part of this Agreement hereof.
2. This Agreement will become effective upon its approval by both parties.
3. This Agreement may be terminated by either party hereto by giving the other party thirty (30) day notice in writing.
4. That Monett will be responsible for establishing and maintaining radio communications to the LCES911 center and shall be responsible for all equipment and labor costs associated with providing this service.
 - a. The City of Monett must give LCES911 a minimum of 48 hours’ notice of any planned outages.
5. That Monett will be responsible for the payment of \$1,000.00 per month to LCESB for providing the services contemplated in this agreement
6. ~~To the extent allowed by law and without waiving and sovereign immunity, T~~that Monett shall indemnify, defend, and hold harmless LCESB, its agents and employees from liability causes of action, claims or judgements arising from the services provided by this Agreement, including reasonable attorney fees.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2025.

City of Monett, Missouri

Attest:

Randy Burke, Mayor

Kelley McMillan, City Clerk

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2025.

Lawrence County Emergency Services Board

Attest:

Kristopher Bowling, Chairman

Bonnie Witt-Schulte, Executive Director

EXHIBIT "A"
SERVICES PROVIDED

- Answering after-hours phone number
- Page out/call on-call personnel
- Provide Computer Aided Dispatch (CAD) printout
 - Time of call
 - Location and detail of call request
 - Time stamp notification of on-call personnel
 - On-call personnel information as provided, such as response time and issues resolved

Services do not include 1-800-Dig-Rite requests on behalf of the City of Monet unless extreme circumstances exist (catastrophic events such as a tornado, etc.)

**A RESOLUTION APPROVING AN ADDENDUM TO THE TOWER SITE
LEASE AGREEMENT BETWEEN THE CITY OF MONETT, MISSOURI, AND
COX HEALTH SYSTEMS FOR THE LOWE'S WATER TOWER,
REFERENCING PREVIOUS RESOLUTION NO. 8825.**

WHEREAS, the City of Monett is the owner of a water tower located at coordinates 36.91046, -93.8964 in Monett, Missouri, commonly referred to as the "Lowe's Water Tower"; and

WHEREAS, under Resolution No. 8825, the City of Monett previously approved a Tower Site Lease Agreement with Cox Health Systems for the installation and operation of communications equipment on said tower; and

WHEREAS, it has been determined that there remains sufficient space and capability on the Lowe's Water Tower to continue accommodating Cox Health Systems' equipment; and

WHEREAS, the current Tower Lease Agreement between the City of Monett and Cox Health Systems is set to expire, and Cox Health Systems has requested an extension to continue its use of the tower; and

WHEREAS, the proposed Addendum to the Tower Lease Agreement extends the existing contract for an additional seven (7) years and provides for a three percent (3%) annual inflation escalation; and

WHEREAS, City staff has reviewed the proposed Addendum and recommends approval in order to maintain continuity of operations and ensure continued lease revenue to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONETT, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby approves the Addendum to the Tower Site Lease Agreement between the City of Monett, Missouri, and Cox Health Systems, extending the existing lease for an additional seven (7) years and providing for a three percent (3%) annual inflation escalation.

Section 2. The Mayor, the City Administrator, or designated signee, is hereby authorized to execute the Addendum and any related documents necessary to effectuate this agreement on behalf of the City of Monett.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval.

Whereupon a roll call vote was taken:

Ayes: _____

Nays: _____

Passed and approved this 13th day of November, 2025

James R. Burke, Mayor

ATTEST:

Kelley McMillan, City Clerk

BILL NO. 9113

RESOLUTION NO. 9113

**A RESOLUTION CORRECTING A SCRIVENER'S ERROR IN
RESOLUTION NO. 9106 REGARDING COXHEALTH**

WHEREAS, on November 13, 2025, the City Council adopted Resolution No. 9106 entitled “A Resolution Regarding CoxHealth Systems”; and

WHEREAS, it has been determined that the title of Resolution No. 9106 contains a scrivener’s error, as “CoxHealth Systems” is not the correct legal name of the entity; and

WHEREAS, the correct legal name of the entity is “CoxHealth”; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONETT, MISSOURI, AS FOLLOWS:

SECTION 1: The title of Resolution No. 9106 is hereby corrected to reflect the proper legal name of the entity as “Cox Health.”

SECTION 2: All references in Resolution No. 9106 to “CoxHealth Systems” shall be deemed to refer to “CoxHealth.”

SECTION 3: Except as corrected herein, all other provisions of Resolution No. 9106 remain in full force and effect.

Whereupon a roll call vote was taken:

Ayes: _____

Nays: _____

Passed and approved this 4th day of December, 2025

James R. Burke, Mayor

ATTEST:

Kelley McMillan, City Clerk



Randy Burke, Mayor
Ken Gaspar, Commissioner • Darren Indovina, Commissioner
Mickey Ary, City Administrator

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Staff Report

To: Planning and Zoning Commission
From: Andrew Miller, Development Assistant
Date: 10/23/2025, Updated 11/26/25
Re: Rezoning of Callan's Addition

GENERAL INFORMATION

The City is seeking to rezone Callan's Addition. Callan's Addition is located near the Monett Recycling Center, and should best be viewed with the attached maps. This small area, platted in either 1904 or *de facto* earlier, was originally zoned industrial when districting was added, likely to promote industrial uses near a low-lying area adjacent to the railroad.

Although some industrial uses eventually came to this area, especially off of Kyler/13th, there only remains one property for industrial use in this neighborhood. The vast majority of the individual buildings in this neighborhood are residential in use, with another dozen or so used in either a commercial or other non-residential manner. Based on Building and Zoning Inspector Mike Eseman's count, there are 31 distinct residential buildings in this area.

Based on the zoning regulations in place for the City of Monett, residences can effectively be built in any of our residential districts (zones), as well as our commercial and office districts. Residential buildings cannot be built in industrial districts without a variance. Industrial-focused properties can only be built in industrial districts, while some exceptions are laid out for commercial districts. Commercially focused buildings can be built in either commercial or industrial zones.

The effects of the current zone are rather straightforward – all current uses would be allowed to continue under “grandfather” laws, but in a situation where a house needed to be torn down due to fire, rebuilding, or extensive modification, a home could not legally be built in this neighborhood without a variance. Considering the majority of the neighborhood is already residential, this seems inappropriate.

By changing the entirety of Callan's Addition to Zone “C” Commercial, the neighborhood could continue to exist *de facto* how it currently is, while allowing for expansion or modification of legally-built residences.

PROPOSAL

City Staff seeks to amend the districting for Callan's Addition, a small neighborhood at the eastern end of Broadway, east of 13th St./Kyler.

RECOMMENDATION

City Staff recommends that the Planning and Zoning Commission accept the proposal to amend the zoning ordinances for Callan's Addition, by amending the district classification from Zone "D" Industrial to Zone "C" Commercial, all for the following reasons.

Pros:

1. Matching legal zones with *de facto* zones.
2. Eliminating need for an unduly-needed variance process for every residential build or significant modification.
3. Does not impact the *de facto* use of current residential, commercial, or other non-industrial-use properties.
4. Does not directly impact the single industrial-use property in the neighborhood.
5. Potentially increased the perceived value of land as residential could now legally be built.

Cons:

1. Creates a one-off lone industrial use within a commercial-zone-accepted neighborhood.
 2. Potentially lowers the perceived value of land since industrial uses could not be built.
 3. "Cuts off" the industrially-zoned and used land to the north from the rest of the industrial districts in town (although there is plenty of undeveloped industrial land to the east).
-

ATTACHMENTS

1. Map indicating Callan's Addition.
 2. Original plat map of the area, colored to show building uses as a share of land.
 3. Mike Eseman's list of residential uses in industrial zones (not limited to Callan's Addition).
-



Randy Burke, Mayor
Ken Gaspar, Commissioner • Darren Indovina, Commissioner
Mickey Ary, City Administrator

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Staff Report

To: Doug Potts, City Council
From: Andrew Miller, Development Assistant
Date: 11/26/2025
Re: Rezoning of Callan's Addition

GENERAL INFORMATION

This is a continuation of the staff report from 10/23/25 on Rezoning Callan's Addition.

For reference, see the attached report of every individual lot within Callan's Addition – including their usages and conforming/non-conforming natures based on current and proposed options.

With the proposal to rezone Callan's Addition, the prospective outcomes of this rezoning would affect residential, the lone industrial, and the "other" properties in the neighborhood. Under the current zoning regulations, only 43% of individual lots are correctly zoned for their usages. If the full rezoning of Callan's Addition were to take place, 96% of the neighborhood's individual lots would become correctly zoned for their usages. If the modification with exclusion(s) discussed below were to be instituted, then 100% of the neighborhood would be correctly zoned for their usages.

The City owns Lots 1 and 2 of Block 9, located at 205 15th St. This is the Recycling Center.

The City owns Lot 1 and partially owns Lot 2 of Block 11. This is the Kyler St. railroad overpass.

Separate, but for reference: there are two bordering properties not in a neighborhood – 439 16th St. and 501 16th St. – that would remain unaffected by this districting change.

The City has authority within Chapter 400, Section 400.210 *Amendments, Modifications, Etc., of Chapter or District Boundaries – Generally* to modify the districts of any City land at its own discretion, assuming that the proper procedure is followed. There requirements, summarized, are 1.) with sufficient public notice, 2.) through the recommendation process of the Planning and Zoning Commission, and 3.) inclusion of a legal protest process for affected property owners. These codes are included in this packet.

I am under the impression an ordinance would need to be written to present to the Planning and Zoning Commission for recommendation to the City Council.

PROPOSAL

City Staff seeks to amend the districting for Callan's Addition, a small neighborhood at the eastern end of Broadway, east of 13th St./Kyler.

This redistricting proposal would change the neighborhood from Zone "D" Industrial to Zone "C" Commercial.

The reason for this change is it allows for both residential and commercial (other) uses to be in compliance with the zoning regulations. This would create one non-conforming industrial use in the neighborhood – the G.V. Machine shop, located at the southeast corner of Kyler and Broadway. The machine shop would be grandfathered into its current use.

There is the possibility that Planning and Zoning could deliberately remove this property from the zoning amendment. G.V. Machine Shop and applicable City-owned lots – which I will refer to as 1203 E. Broadway, incorporates Lots 1, 2, 3, 4, and 5 of Block 11 of Callan's Addition. If the Commission chooses to separate this from the redistricting, they can recommend said Lots to be excluded from the change.

RECOMMENDATION

City Staff recommends that the Planning and Zoning Commission accept the proposal to amend the zoning ordinances for Callan's Addition, by amending the district classification from Zone "D" Industrial to Zone "C" Commercial, all for the following reasons.

Pros:

1. Matching legal zones with *de facto* zones.
2. Eliminating need for an unduly-needed variance process for every residential build or significant modification.
3. Does not impact the *de facto* use of current residential, commercial, or other non-industrial-use properties.
4. Does not directly impact the single industrial-use property in the neighborhood.
5. Potentially increased the perceived value of land as residential could now legally be built.

Cons:

1. Creates a one-off lone industrial use within a commercial-zone-accepted neighborhood.
 2. Potentially lowers the perceived value of land since industrial uses could not be built.
 3. "Cuts off" the industrially-zoned and used land to the north from the rest of the industrial districts in town (although there is plenty of undeveloped industrial land to the east).
-

ATTACHMENTS

1. Map indicating Callan's Addition.
 2. Original plat map of the area, colored to show building uses as a share of land.
 3. Mike Eseman's list of residential uses in industrial zones (not limited to Callan's Addition).
 4. Andrew Miller's report of usages and conforming/non-conforming nature with outcomes.
-



CALLAN'S ADDITION

Address Information			Current Asset			Revised Asset Status			Revised Asset Status		
Row	Unit	Address	Usage	Asset	Current	Asset	Current	Asset	Current	Asset	Current
1	1	101 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
2	1	102 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
3	1	103 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
4	1	104 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
5	1	105 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
6	1	106 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
7	1	107 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
8	1	108 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
9	1	109 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
10	1	110 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
11	1	111 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
12	1	112 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
13	1	113 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
14	1	114 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
15	1	115 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
16	1	116 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
17	1	117 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
18	1	118 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
19	1	119 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
20	1	120 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
21	1	121 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
22	1	122 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
23	1	123 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
24	1	124 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
25	1	125 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
26	1	126 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
27	1	127 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
28	1	128 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
29	1	129 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
30	1	130 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
31	1	131 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
32	1	132 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
33	1	133 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
34	1	134 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
35	1	135 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
36	1	136 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
37	1	137 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
38	1	138 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
39	1	139 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
40	1	140 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
41	1	141 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
42	1	142 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
43	1	143 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
44	1	144 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
45	1	145 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
46	1	146 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
47	1	147 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
48	1	148 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
49	1	149 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
50	1	150 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
51	1	151 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
52	1	152 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
53	1	153 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
54	1	154 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
55	1	155 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
56	1	156 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
57	1	157 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
58	1	158 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
59	1	159 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
60	1	160 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
61	1	161 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
62	1	162 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
63	1	163 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
64	1	164 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
65	1	165 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
66	1	166 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
67	1	167 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
68	1	168 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
69	1	169 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
70	1	170 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
71	1	171 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
72	1	172 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
73	1	173 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
74	1	174 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
75	1	175 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
76	1	176 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
77	1	177 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
78	1	178 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
79	1	179 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
80	1	180 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
81	1	181 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
82	1	182 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
83	1	183 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
84	1	184 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
85	1	185 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
86	1	186 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
87	1	187 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
88	1	188 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
89	1	189 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
90	1	190 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
91	1	191 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
92	1	192 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
93	1	193 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
94	1	194 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
95	1	195 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
96	1	196 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
97	1	197 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
98	1	198 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
99	1	199 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes
100	1	200 1st St	Residential	D	Yes	C	Yes	C	Yes	C	Yes

Section 400.210. Amendments, Modifications, Etc., of Chapter or District Boundaries — Generally. [R.O. 2012 §400.210; CC 1979 §32-22; Ord. No. A-1867 §17, 2-22-1984]

The City Council may, from time to time, on its own motion or on petition, after public notice, hold hearings on, as provided in this Article and may amend, supplement, change, modify or repeal the classifications, regulations and restrictions as established in this Article, and may change, restrict or extend the boundaries of the various districts established herein. Before taking any action upon any proposed amendment, modifications, change, restriction or extension, the same shall be referred by the Council to the Zoning and Planning Commission for report and recommendation.

Section 400.220. Amendments — Protest By Property Owners. [R.O. 2012 §400.220; CC 1979 §32-23; Ord. No. A-1867 §18, 2-22-1984]

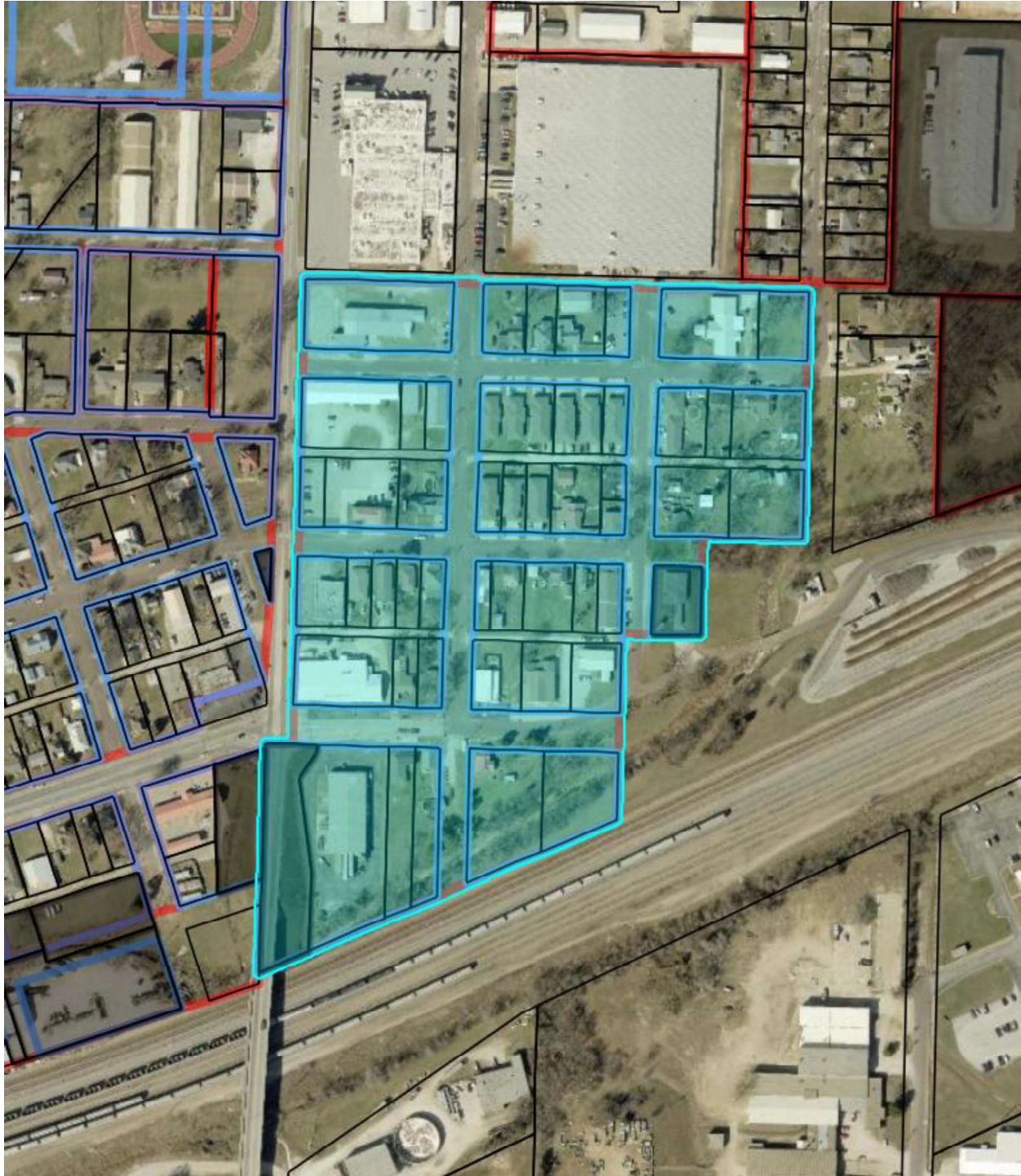
If a protest against any such amendment, change, modification, repeal, restriction or extension as provided in Section 400.210 shall be presented, duly signed and acknowledged by the owners of thirty percent (30%) or more, either of the land exclusive of streets and alleys, included in such proposed change, or within an area determined by lines drawn parallel to and one hundred eighty-five (185) feet distant from the boundaries of the district proposed to be changed, such amendment shall not be passed, except by two-thirds (2/3) vote of the Council.

Section 400.230. Amendments — Public Hearing — Notice of Hearing. [R.O. 2012 §400.230; CC 1979 §32-24; Ord. No. A-1867 §19, 2-22-1984]

No action on an amendment, change, modification or repeal shall be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in the City.

Callan's Addition

East end of Broadway, East of 13th/Kyler, North of the Railroad





James R. Burke, Mayor
Ken Gaspar, Commissioner • Darren Indovina, Commissioner
Mickey Ary, City Administrator

www.cityofmonett.com
217 Fifth Street • Monett, Missouri 65708
(417) 235-3763

Staff Report

To: Mayor & Commissioner

From: City Administrator

Date: December 4th, 2025

Re: Proposed Charter for the Monett Regional Airport Advisory Board

GENERAL INFORMATION

The Advisory Airport Board was discussed within the Minutes of the Meeting of the Monett City Council dated December 6th, 2022. The minutes reflect a modification to read, “Works with the City Council to operate the Airport”. No further details are provided in the minutes concerning charter formation of the board.

Resolution No. 8931 entitled – **A Resolution of the City of Monett Establishing an Airport Board for the Monett Regional Airport**. The resolution is dated December 20th, 2022. The first paragraph details the board the responsibility of managing, promoting, and maintaining the Monett Regional Airport. Resolution No. 8931 shows no recorded vote or signatures of execution.

Two charters for the Airport Board have been discovered. One is marked Resolution 8931 – Appendix A. The second charter has no identifying mark. The charters have varying materials associated with each. No record could be produced of approval of either charter.

There is in code the definition for committees and commissions. This is found in Article I Section 112.010.

PUBLIC GOVERNMENTAL BODY

Any legislative, administrative or governmental entity created by the Constitution or Statutes of this State, orders or ordinances of the City, judicial entities when operating in an administrative capacity or by executive order, including:

- 1.. Any advisory committee or commission appointed by the Mayor or City Council.



PROPOSAL

City Staff and the Airport Commissioner have held discussions with Steve Stockam of Olsson & Associates. Mr. Stockam has been contracted by the City to provide consultation on the operations and oversight of the airport. The consensus is for the new formation of an Advisory Airport Board. In addition, the City Attorney reviewed both versions of the Airport Board Charter and has expressed concerns about the authority outlined in the charters. The oversight and authority of the Monett Regional Airport reside with the City Council of Monett, Missouri.

RECOMMENDATION

A proposed charter for the Airport Advisory Board is attached. Staff is recommending the approval by ordinance the establishment of the Airport Advisory Board of the Monett Regional Airport.

ATTACHMENTS

- Sample Charter
- Information provided by Olsson & Associates
- Information from surrounding airports



Advisory Board of the Monett Regional Airport

Description

The Advisory Board of the Monett Regional Airport shall have and perform all of the functions and duties provided for such board by the City Council acting pursuant to State law.

City Code – Article I In General Section 112.010 Definitions

PUBLIC GOVERNMENTAL BODY

Any legislative, administrative or governmental entity created by the Constitution or Statutes of this State, orders or ordinances of the City, judicial entities when operating in an administrative capacity or by executive order, including:

1. Any advisory committee or commission appointed by the Mayor or City Council.

Appointed by

Mayor and approved by the City Council of Monett, Missouri.

Member Selection by Sector

- One member of the City Council to serve as Airport Commissioner
- One member shall be affiliated with Industrial and/or commercial business
- One member shall be from the Economic Development Committee of the City of Monett
- One member shall be a pilot at large
- One member shall be affiliated with a financial institution
- One member shall be appointed by the Barry County Commissioners
- One member shall be appointed by the Lawrence County Commissioners

The members shall elect from the membership of the Advisory Airport Board a Chairman and a Vice Chairman.

Member Terms

Initial terms will be staggered upon approval of the ordinance to form the Advisory Airport Board.

- The Advisory Airport Board members serve on a seven-member committee with the responsibility of providing advisement for the purpose of promoting, operations, and development of the Monett Regional Airport.
- The board shall annually elect two of its members as Chair and Vice Chair in May of each year. The Chair shall preside at all meetings. In the absence of the Chair's inability to preside, the Vice Chair shall preside.
- The meetings shall be considered Open Meeting and shall be posted in accordance to City Code.
- Minutes of the meeting shall be recorded by the City Clerk, Deputy City Clerk, or a designate approved by the Airport Commissioner.
- Member requirements are based on the knowledge and skills required from the sector of expertise.

City Staff

- The City Airport Manager shall attend the Advisory Airport Board meeting as the staff liaison.
- The City Clerk, Deputy City Clerk, or designate shall be the recorder of the minutes.
- The City Administrator shall attend on an as needed basis.

Meeting Time & Location

- First Thursday of the month at 6:00pm
- City Annex 100 South Maple Street Monett, Missouri 65708
- Quorum – four members which includes Chair and/or Vice Chair

Duties and Responsibilities of the Advisory Airport Board

- The members of the Advisory Airport Board serve in a capacity to provide assistance, knowledge, guidance, and recommended directions for the general direction, operations, and promotions of the Monett Regional Airport.
- The City Council of Monett reserves unto itself the power and authority to contract for construction, lease agreements, or any legal agreement for the Monett Regional Airport. Advisement may be considered from the Advisory Airport Board for such decisions.
- The Advisory Airport Board may review the annual budget prior to City Council approval. Any Advisory Airport Board budget recommendation may be presented by the Airport Manager prior to the City Council Budget approval.
- The Advisory Airport Board shall hold true to the city codes found in Chapter 255 Airport Regulations.
- The Advisory Airport Board may provide input into the master planning of airport expansion and development of the airport properties.
- The Airport Advisory Board will work with the Airport Manager for methods and matters in recruiting and creating interest for the airport.
- The Advisory Airport Board will promote and plan an annual fly in in collaboration with other interested parties.

- The Advisory Airport Board shall make continues study of airport needs and of aviation in the area of development and use of the airport.
- The Advisory Airport Board may be called on to present or speak to a specific item at the City Council meetings.

DRAFT



Monett Regional Airport

Airport Board

Description

Works with the City Council to operate the Airport.

Appointed by

City Council

Member Terms

Initial Terms will be longer than normal to set up a regular rotation

3 year(s)

- The Airport Board members serve on a five-member committee with the responsibility of managing, promoting (local & externally), and maintaining the Monett Regional Airport.
- The board shall annually elect one of its members as Chair in December of each year. The Chair shall appoint a Vice Chair from the remaining board members. The Chair shall preside at all meetings. In the absence of the Chair or the Chair's inability to preside, the Vice Chair shall preside.

Board Requirements

To have operational business experience

Meeting Time

Every Second Monday of the Month at 5:00pm

Quorum

3 members required to conduct a meeting

Meeting Location

Monett Regional Airport Conference Room

Board Members

Name	Term Expires
Hunter, Brian	12/2026
Richmond, Justin	12/2027
Whannell, Mike	12/2027
Costley, Mark	12/2025
Bahl, AJ	12/2025

The Board's responsibilities are to work with the Airport General Manager in managing, promoting (local & externally), and maintaining the Monett Regional Airport with review and approval from the City Administrator and City Council. Specific duties of the Board shall include but not be limited to providing recommendations on the following:

- Master planning for use, expansion and development of the airport and its property
- Establishing the annual Airport budget for City Council consideration
- Employment of the Airport General Manager (GM)
- Construction, expansion, improvements, maintenance, and operation of the airport
- Consultant selection for various planning and construction projects
- Selection of all fixed base operators and other lessees of airport property
- Terms, conditions, duties, responsibilities, considerations, and other lease provisions to be contained in all contracts, legal agreements, or lease arrangements concerning airport property
- Methods and matters in recruiting and creating interest at the airport
- Planning and developing airport services and working toward general improvement of the airport as an air transportation center
- Ensuring that all grant assurances are maintained in compliance with the Federal Aviation Administration's (FAA's) regulations
- All other matters that may arise regarding the operation, facilities or services provided at the airport
- The board shall make a continuous study of airport needs and of aviation in the area for the development and use of the airport

Contact Us



MONETT < MO < 1 mi



(417) 476-5112



<http://www.cityofmonett.com/>



Monett Regional Airport

Airport Board

Description

Has charge of and operates airport & other facilities for the operation & service of aircraft, now owned or operated or which may hereafter be owned or operated by the City.

Appointed by

City Council

Member Terms

Initial Terms will be longer than normal to set up a regular rotation

3 year (s)

- The Airport Board members serve on a five-member committee with the responsibility of managing, promoting (local & externally), and maintaining the Monett Regional Airport.
- The board shall annually elect one of its members as chair in December of each year. The chair must be a member appointed by the council. The chair shall appoint a vice chair from the remaining board members. The chair shall preside at all meetings. In the absence of the chair or the chair's inability to preside, the vice chair shall preside

Board Requirements

To have operational business experience

Meeting Time

Every Second Thursday of the Month at 5:00pm

Quorum

3 members required to conduct a meeting

Meeting Location

Monett Regional Airport Conference Room

Board Members

Name	Term Expires
Hunter, Brian – Board Chair	12/2026
Whannell, Mike	12/2027
Stokes, Derek	12/2027
Costley, Mark – Vice Chair	12/2025
Bahl, AJ	12/2025

The Board's goal is to work in cooperation with the City of Monett, and it's City Council, but shall be responsible for management, promotion (local & externally), and maintenance of the Monett Regional Airport.

Such duties include approving budgets, employing or terminating an Airport Manager, awarding contracts, entering into legal agreements and leases, and ensuring all grant assurances are maintained with the Federal Aviation Administration. The board shall work along with and through the Airport Manager to execute direction on, but not limited to, the following matters:

- Master planning for use, expansion and development of the airport and its property
- Airport Budget
- Construction, expansion, improvements, maintenance, and operation of the airport
- Consultant selection for various planning and construction projects
- Selection of all fixed base operators and other lessees of airport property
- Terms, conditions, duties, responsibilities, considerations, and other lease provisions to be contained in all lease arrangements concerning airport property
- Methods and matters in recruiting and creating interest at the airport
- Planning and developing airport services and working toward general improvement of the airport as an air transportation center
- All other matters that may arise regarding the operation, facilities or services provided at the airport
- The board shall make a continuous study of airport needs and of aviation in the area for the development and use of the airport

Contact Us



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(417) 476-5112



<http://www.cityofmonett.com/>



December 1, 2025

Mr. Mickey Ary, City Administrator
Monett, Mo.

Dear Mr. Ary:

Municipal Airport Advisory Boards serve as an essential link between local government and the aviation community. They help facilitate public participation in the decision-making process and address needs. Most public airports are owned and operated by some local level of government such as a city or county.

The structure of an Airport Advisory Board can vary based on local laws and community needs. Typically, they consist of community members who are appointed to represent diverse perspectives ensuring a broad range of insights and experiences.

The establishment and operation of the Airport Advisory Board is governed by local ordinances and state statutes. These legal frameworks outline the boards' purposes, governance structures, and operational guidelines, ensuring transparency and accountability in their functioning.

The function of the board is generally advisory as the State of Missouri does not allow Airport Authority's except for county owned facilities. Simply stated, advisory means that board member's only responsibility is to "advise" the airport executive or city management without any decision-making authority. In short, the board acts as a liaison between the airport and elected officials.

Board members often include local elected officials or their representatives, Business and industry representatives, Community leaders from various sectors, and Tenants and/or Airport users.

The Monett Airport Advisory Board is vital for promoting civic engagement and ensuring that local governance reflects the interests and needs of the community. It provides a structured way for users/tenants/citizens to assist in decision-making and contribute to the improvement of the Monett Airport.

Careful consideration of the following key strategies can significantly enhance the board's effectiveness. This approach will ultimately lead to better outcomes, but it requires commitment and attention to detail.

1. Define a Clear Mission and Goals for the board.
2. Prioritize Representation and Inclusivity.
3. Provide Resources and information as needed.
4. Establish Accountability Mechanisms as related to the organization.
5. Foster Open and Respectful Dialogue.

Individually Board members should:

- Help develop organizational direction and goals for council consideration.
- Support and encourage the airport manager.
- Function as a sounding board for innovative ideas.
- Provide guidance to assist in balancing the notion of acting as a business and public asset.
- Focusing on promoting the airport and economic growth.

The Monett Airport Advisory Board has the potential to significantly transform and enhance Airport user/tenant relationships by fostering collaboration, trust, and accountability. Its success depends on a shared commitment from all stakeholders, as well as careful attention to defining clear goals, ensuring adequate representation, and gaining Council support. This process requires providing adequate resources and establishing accountability mechanisms. Although challenges may arise, the importance of fostering a respectful dialogue cannot be overstated, because it is through such discussions that genuine progress can be achieved.

Sincerely,



Steve Stockam, Aviation Specialist

Aurora - Airport Board

Board Overview

The Airport Board is 5 member board made up of 3 residents who serve 3 year terms and 2 non-residents who serve 2 year terms.

Duties and Responsibilities:

The Aurora Missouri Airport Board oversees the adoption and promulgation of all rules and regulations concerning the operation and use of the Aurora Municipal Airport as may be consistent with the public interest and the public health, safety and general welfare.

The Aurora Missouri Airport Board shall be advisory in capacity to the Aurora City Council, except to the extent specifically provided in this Chapter and shall have no power to obligate or bind the general revenues of the City nor shall it have the power to bind the City for any indebtedness for any purpose. This Section shall be notice to all persons dealing with the Board.

The City Council reserves unto itself the power and authority to contract for the construction of any building, addition, improvement or services to the Aurora Municipal Airport and unless such contracts are executed and duly approved by resolution or ordinance duly enacted by the City Council, the same shall not be binding upon the Aurora Missouri Airport Board.

Aurora City Code Chapter 150

Meetings

Quarterly Meetings are held on the 1st Thursday of the month

Neosho

Members

Patrick Andrews, Chairman and Pilot at Large

Rick Sweet, Vice Chairman and Affiliated with Industrial Commercial Aviation Business

Elizabeth Franklin, Pilot at Large

Kyle Franklin, Affiliated with Industrial Commercial Aviation Business

Vacant, Officer of a Financial Institution

Richard Davidson, City Council Member

Richard Leavens, Secretary and City of Neosho Development Services Director

Members serve three-year terms.

Overview

Section 145.040: Composition - Officers

The Airport Industrial Development Board shall be composed of seven members:

Three members shall be affiliated with industrial commercial aviation businesses;

One member shall be the Director of Economic Development for the City of Neosho;

One member shall be an officer of a financial institution from the City of Neosho;

One member shall be a City Council member

One member shall be a pilot at large.

These members shall elect from the membership of the Board a Chairman, Vice Chairman, and a Secretary.

Section 145.070: Meetings Quorum

The Airport Industrial Development Board shall hold regular meetings at such times and at such place as the Board may determine but such meetings shall be held no less often

than every three months. A quorum for all regular or special meetings shall be a simple majority.

Section 145.080: Duties - Generally

The Airport Industrial Development Board shall have the following duties:

To develop and recommend rules and regulations applicable to airport activity within the confines of existing Federal, State, County, and City laws or ordinances and recommend additional laws or ordinances or revisions thereto.

To represent the City in all matters dealing with air traffic and commerce.

To receive and screen all applications for catering services, fuel, oil, transportation, fixed base operations, flight instruction, manufacturing or such other activities involving the use or conduct of business on or involving the municipal airport and make recommendations to the City Manager or City Council as applicable.

To investigate the need for and recommend action necessary for the maintenance of the municipal airport so long as such airport requires City labor, equipment and materials or the contribution of labor, equipment, and materials by others.

To develop through the assistance of suitable technical consultants a master airport development program including, but not restricted to, runways, lighting, taxiways, parking area, hangars, restaurants, lodging, communications, servicing, zoning, etc.

To develop and recommend ways and means for the accomplishment of an approved master airport plan.

Section 145.090: Duties - Delegation to Individual Members

The Airport Industrial Development Board may delegate to its individual members such of the responsibilities and duties set forth in this Article as may be necessary to effectively carry out the responsibilities of the Board.

Section 145.100: Expenditures

The Airport Industrial Development Board shall not commit the City to any expenditure of money nor shall it otherwise obligate the City without the specific authority of the City Council.

Section 145.110: Responsible to City Council, Etc.

The Airport Industrial Development Board shall be responsible to the City Council and shall confine its efforts to the development and maintenance of the municipal airport for the City in keeping with the times and economics of the City.