



Matt Blunt, Governor • Doyle Childers, Director

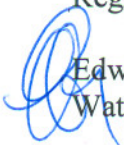
DEPARTMENT OF NATURAL RESOURCES

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MEMORANDUM

DATE: May 8, 2007

TO: James R. Macy, Field Services Division
R. Bruce Martin, Field Services Division
Adam Gresham, Field Services Division
Regional Office Directors

FROM:  Edward Galbraith, Director
Water Protection Program

SUBJECT: Guidance on Wastewater Treatment Plants Affected by Flooding

State regulations and operating permit conditions¹ provide that wastewater treatment plants (WWTP) may bypass or shut down a treatment system or tributary sewer system where unavoidable to prevent loss of life, personal injury or property damages; or where unavoidable excessive storm drainage or runoff would damage any facilities or processes necessary for compliance with the effluent limitations and conditions of the permit.

Therefore, the Water Protection Program will not take compliance actions against a facility for a bypass or shutdown if at least one of the conditions above is present and provided that the permittee has taken all reasonable actions to prevent bypass and notifies the department by telephone (regional office during normal office hours or Environmental Emergency Response (EER) hotline at 573-634-2436 after hours) within twenty-four (24) hours and follows with a written report to the regional office within five (5) days of all bypasses or shutdowns.² Furthermore, the program will not take action in situations where discharges without a permit are needed to drain flooded areas behind levies, where discharges into sewer systems are necessary to prevent severe bodily injury or property loss, or where facilities draw floodwaters out of buildings into sewers with prior POTW authorization.³

Finally, the program will not require construction permits for any construction activity necessary to contain excess stormwater to prevent bypassing.

¹ 10 CSR 20-7.015 (9)(E) and Standard Permit Condition Part 1 – B.5.

² 10 CSR 20-7.015(9)(E)3.

³ EPA Memo from Carol Galloway to Mike Cook

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I recommend that the central office and regions coordinate in providing appropriate guidance to potentially affected WWTPs on the conditions for bypassing and shut down in response to flood threats. Attached is a list of known WWTPs within one mile of the Missouri River. Also attached are speaking points for those contacting WWTPs.

EG/mco

Attachments

c: Flood Coordination Group

Notification for Wastewater Treatment Plants Threatened by Flood Waters

- If your facility is significantly affected by flood waters, you are authorized to bypass or shutdown if necessary to prevent loss of life, personal injury or property damages; or where unavoidable excessive storm drainage or runoff would damage any facilities or processes necessary for compliance with the effluent limitations and conditions of this permit.
- You must take all reasonable measures necessary to prevent a bypass or shutdown.
- If your facility is shut down or a bypass occurs, you must telephone the regional office during normal office hours or the Environmental Emergency Response hotline at 573-634-2436 after hours, within 24 hours.
- If bypassing/shutdown occurs on multiple days, you must notify the Department of Natural Resources (DNR) each day.
- Once the bypassing/shutdown event is over, you must also provide a written report to the DNR Regional Office that includes the following information:
 - Name and permit number of permittee;
 - Location, duration and approximate volume of all bypasses;
 - Duration of any shutdown;
 - Description of conditions causing a bypass or shutdown;
 - Description of any reasonable actions taken by the wastewater treatment plant (WWTP) to avoid bypass or shutdown.
- The WWTP is authorized to take any reasonable actions to contain excess stormwater to prevent bypassing without a construction permit.

